



CITY COUNCIL REGULAR MEETING AGENDA

City Hall - 10769 W State Street, Star, Idaho
Tuesday, September 20, 2022 at 7:00 PM

PUBLIC NOTICE: THIS MEETING IS RECORDED AND PLACED IN AN ONLINE FORMAT. PERSONS MAY EITHER VIEW OR LISTEN TO VIDEO / AUDIO OF THIS MEETING UNTIL SUCH TIME THE RECORDING IS DESTROYED UNDER THE CITY'S RETENTION POLICY.

1. **CALL TO ORDER** – Welcome/Pledge of Allegiance
2. **INVOCATION** – Dylan Austin - LifeSpring Church
3. **ROLL CALL**
4. **PRESENTATIONS**
 - A. **Domestic Violence Month Proclamation**
5. **CONSENT AGENDA (ACTION ITEM)** **All matters listed within the Consent Agenda have been distributed to each member of the Star City Council for reading and study, they are considered to be routine and will be enacted by one motion of the Consent Agenda or placed on the Regular Agenda by request.*
 - A. **Minutes** - September 6, 2022 & April 19, 2022
 - B. **Findings of Fact** - Addington Subdivision (**PP-22-02 / PR-22-01**)
 - C. **Final Plat** - Greiner Hope Springs Subdivision #6 (**FP-22-11**)
6. **ACTION ITEMS:**
 - A. **City Hall Sign Proposal** - Approve Capital Expense to install (**CP_CityHallSign_2022.09.14**)
7. **PUBLIC HEARINGS with ACTION ITEMS:**
 - A. **PUBLIC HEARING: Baron Properties Commercial Rezone (RZ-22-02) (DA-22-05):** The Applicant is seeking approval of a Rezone (C-1 to C-2) and a Development Agreement for a parcel of land consisting of 11.38 acres. The property is located at 342 S. Calhoun Place in Star, Idaho. (*TABLED FROM SEPTEMBER 6, 2022 AT APPLICANT REQUEST) (**ACTION ITEM**)
 - B. **PUBLIC HEARING on Resolution TBD-2022 (Police & Fire Mitigation Fee):** The City Council will hear testimony on Approving a resolution of the City of Star creating a policy for the issuance of mitigation fees for Star Police and Mid-Star Fire Personnel on Residential and Multi-Family Building Permits; explaining the reasons for issuance of mitigation fees; encouraging other entities to repeal and replace or modify House Bill 389 (2021) (**ACTION ITEM**)
 - C. **Executive Session 74-206(f):** To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. (**ACTION ITEM**)
ACTIONS AFTER EXECUTIVE SESSION: Any actions made after the executive session that may be disclosed will be approve by motion in open session, but may be generalized. (**ACTION ITEM**)
8. **ADJOURNMENT**



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The meeting can be viewed via a link posted to the City of Star website at staridaho.org. Information on how to participate in a public hearing remotely will be posted to staridaho.org under the meeting information. The public is always welcomed to submit comments in writing.

Land Use Public Hearing Process

Public signs up to speak at the public hearing

Mayor Opens the Public Hearing

Mayor asks council if there is any Ex Parte Contact

Applicant has up to **20 minutes** to present their project

Council can ask the applicant questions and staff questions

Public Testimony (**3 minutes per person**)

1. Those for the project speak
2. Those against the project speak
3. Those who are neither for or against but wish to speak to the project
4. Council may ask the individual speaking follow-up questions that does not count towards their 3 minutes

Applicant rebuttal (**10 minutes**)

Council can ask the applicant and staff questions

Mayor closes the public hearing

Council deliberates

Motion is made to approve, approve with conditions, deny or table the application to a date certain in the future

Thank you for coming to the Star City Council meeting, public involvement is fantastic and helps in shaping our city for the future. As this is a public hearing, there will be no cheering, clapping, jeering or speaking out during the hearing. Only the person at the podium has the floor to speak during their allotted time. If someone does speak out, cheer, claps, etc. they will be asked to leave the hearing and or escorted out of the hearing. We want to keep these hearings civil so everyone can be heard.

Thank you for your participation.

Mayor Trevor Chadwick

City of Star



PROCLAMATION

WHEREAS domestic violence is defined as abusive behavior in a personal relationship that gives one member control and power over another through physical, emotional, sexual, economic, or psychological actions or threats; and

WHEREAS an estimated one in four women and one in seven men will face domestic abuse in their lifetime, and

WHEREAS a range of services and programs exist throughout the Treasure Valley providing safety, healing and freedom from domestic abuse and sexual assault including forensic exams and medical care, secure shelters, court advocacy, counseling, childcare, as well as case management; and,

WHEREAS the City of Star is an important partner with the Women's and Children's Alliance and Faces of Hope to provide a safety net of crisis services and create a community where individuals thrive in safe, healthy relationships.

NOW, THEREFORE, I, Trevor A. Chadwick, Mayor of the City of Star, Idaho do hereby join national and local officials in proclaiming October as DOMESTIC VIOLENCE AWARENESS MONTH in the City of Star.

Signed this 20th day of September, 2022

Mayor Trevor A. Chadwick

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1. CALL TO ORDER – Welcome/Pledge of Allegiance

Mayor Chadwick opened the City Council Meeting at 7:00pm.

2. INVOCATION – Stake President Jeff Graviat with The Church of Jesus Christ of Latter-Day Saints, Star Ward.

President Graviat offered the invocation.

3. ROLL CALL

Elected Officials: Council Member Kevan Wheelock; Mayor Trevor Chadwick; Council Member Jennifer Salmonsens; Council Member Kevin Nielsen. Council President David Hershey was excused.

Staff: City Clerk Jacob Qualls; City Contract Attorney Chris Yorgason; Star Police Chief Zach Hessing; Public Information Officer Dana Partridge; City Planner Shawn Nickel.

4. PRESENTATIONS & PROCLAMATIONS**A. Deputy Introduction – Deputy Woodcock**

Chief Zach Hessing introduced Deputy Jason Woodcock, who was replacing Deputy Mark Merrill after he left to become a K-9 handler. Deputy Woodcock had been with the Ada County Sheriff's Office for over fifteen years. While attending Boise State University, he worked for Ada County in the jail, and graduated in 2013. Since he's patrolled Ada County and worked in several areas, including South County, North County, Eagle, and Star. Previously he was in Star filling in for a deputy in 2015. For nearly three years, Deputy Woodcock was a part of the Crisis Intervention Team, which consisted of two deputies helping people with various crises, including mental health crises.

B. Star Police Monthly Report – March 2022

Chief Zach Hessing gave the Star Police Monthly Report for March. There were twenty-two crimes: twelve person crimes, seven property crimes, and three society crimes. There was a total of 241 citizens calls for service via the non-emergency line and 859 proactive policing calls. Among those calls were: eight domestic, a combined seventy-three school checks at Star Elementary and Star Middle Schools, 131 traffic stops, and seventeen crash responses. Code three, when someone calls 9-1-1, response times were three minutes and twenty-two seconds.

C. Proclamation – Sexual Assault Awareness Month & Denim Day

Mayor Chadwick read the proclamation declaring April as Sexual Assault Awareness Month and April 27, 2022 as Denim Day. He briefly spoke on the importance of the proclamation and the need for citizens to look out for one another to prevent acts of sexual assault.

5. CONSENT AGENDA (ACTION ITEM)

- Council Member Salmonsens moved to approve the Consent Agenda consisting of: Items 5A. December 7, 2021 City Council Meeting Minutes; 5B. January 4, 2022 City Council Meetings; 5C. Approvals of Claims Provided & Previously Approved; and 5D. Findings of Fact: LifeSpring Church; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

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6. ACTION ITEMS**A. Contract: Plumbing Inspection – John Stocke**

Mayor Chadwick spoke on the retirement of the inspector currently contracted for plumbing inspection services and introduced John Stocke for approval as a replacement. Council Member Nielsen sought clarification on any material changes between the previous contract and the proposed one aside from the change of provider of service. Mayor Chadwick confirmed there were no other changes.

- Council Member Nielsen moved to approve John Stocke as the new contracted plumbing inspector. Council Member Salmonsén seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsén – aye; Nielsen – aye. Motion carried.

B. Ordinance 363-2022 & Development Agreement – Josh Kinney Annexation

- Council Member Salmonsén moved to introduce Ordinance 362-2022: Josh Kinney Annexation. Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsén – aye, Nielsen -- aye. Motion carried.
- Council Member Salmonsén moved pursuant to Idaho Code Section 50-902 the rule requiring an Ordinance be read on three different days, with one reading in full, be dispensed with and Ordinance 362-2022: Josh Kinney Annexation be considered after reading once by title only; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsén – aye, Nielsen -- aye. Motion carried.
- Council Member Salmonsén moved to approve Ordinance 362-2022: Josh Kinney Annexation and read the title; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsén – aye, Nielsen – aye. Motion carried.

C. Comprehensive Plan – Future Land Use Map

City Planner Shawn Nickel spoke on the Comprehensive Plan Future Land Use Map. Nickel explained that City Staff has been working on Zoning Ordinance revisions along with the Comprehensive Plan Future Land Use Map and text regarding designations throughout the City of Star. New designations being introduced are Low Density Residential (LDR) at one dwelling unit per acre, Estate Residential is becoming Estate Rural Residential (ERR) at one to two dwelling units per acre, and Estate Urban Residential (EUR) will be one to three dwelling units per acre. Rural Residential, Neighborhood Residential, and Compact Residential are to remain at their current designations.

Being proposed and opened for discussion is the removal of most of the Neighborhood Residential with an exception for any development already in process or existing zoned property. Most other developments would be designated EUR. For example, the area along Foothill Boulevard will be LDR on both sides of the road. The area around Hillsdale will be ERR – Willowbrook, which was submitted and accepted under the current Comprehensive Plan, is located there. If developers were to submit any new applications, they would have to do so with the new designations.

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Additionally, the intersection of Pollard and Highway 16 would be commercial, immediately adjacent to the west would be mixed-used, and the recently purchased portion of the school district property would be changed from public to EUR. South of State Street and west of Highway 16, where Landyn Village was, would also be changed from Compact Residential and Mixed-Use to EUR, making it compatible with the Heron River subdivision. To the west, Kingsbury and Highway 44 would extend existing Mixed-Use along the future alignment of Kingsbury south of Highway 44. A transitional overlay for the Layton Lakes subdivision would be created per a request from a developer.

For the recently adopted South of the River Plan area, it would be changed to one solid color with text to reference the specific map in the Comprehensive Plan. This map would break down the individual properties. The majority of the text changes coming on May 3, 2022 would pertain to the South of the River Plan. Specifically, it would have changes to the open space, park section. Other text changes would include the safety section along with updates to the outdated building and open space area maps and graphs.

7. PUBLIC HEARINGS with ACTION ITEMS

Item 7D. was moved up and heard first.

D. Public Hearing – 10206 W. State Street Development Agreement Modification (DA-20-16-MOD)

Mayor Chadwick opened the Public Hearing at 7:30pm and asked the City Council if they had any ex parte contact. All members present indicated they had none to report.

APPLICANT**Jeff Likes – 1119 E State Street, Eagle, ID**

Mr. Likes spoke on the Development Agreement (DA) modification being sought. Several months before they had gone through a rezone to the Central Business District (CBD) zone and went in for a design review which was approved. They were working on construction drawings and were asking for a DA modification for their height limit to be forty-five feet. Their current height was 43.10 feet. The second modification being sought was a reduction in parking per the CBD zone allowing for a fifty percent reduction.

Giving a brief description of the project plans, Mr. Likes indicated the proposed retail offices and restaurants would utilize the parking at different times of the day, noting the difference between daytime retail and nighttime restaurant use. Council Member Wheelock asked for clarification on the number of parking spaces being lost. Mr. Likes stated there would be a loss of 40 spaces, reducing the number from 138 to 98, along the south side of where First Street would be. Council Member Wheelock proposed losing 20 spaces instead. There was a brief discussion regarding the uses of each space, limited parking in other downtowns to encourage walkability, potential cross-parking agreements with adjacent properties, and the viability of removing one building in favor of having office retail on the second floor of another building.

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PUBLIC TESTIMONY**Michael Keyes – 338 South Long Bay Way, Star, ID**

Mr. Keyes spoke on the elevations, noting they weren't in the pack when he downloaded it on Friday and had influenced his decision to sign up as 'undecided.' After having heard the elevations, he stated he was supportive but asked there be a further modification to the DA to ensure their project fit within the new standards for the Architectural Overlay District which was adopted after their initial application was approved. He also asked First Street be built in the current phase. Mr. Keyes' final request was for the City Council to revisit the City's 35-foot height Ordinance, as Mr. Like's request would potentially be the third variance / DA modification done, if approved.

APPLICANT REBUTTAL**Jeff Likes – 1119 E State Street, Eagle, ID**

Mr. Likes confirmed they had already designed to the Architectural Overlay District despite having been approved prior to it being adopted, and First Street would be built in the first phase, though the name might not remain First Street.

Council Member Salmonsén posed a question to City Staff regarding a potential parking fund for a future parking lot in downtown, and whether it was feasible. A discussion followed regarding there being nothing currently in the City Code, but it could be added in. City Attorney Chris Yorgason stated there could be impact fees for parking implemented, so anyone building in the Central Business District would pay impact fees as part of their project which could then be used for a parking lot. He also noted Mr. Likes was asking for a reduction in spaces, as allowed by the current code. Because of this, asking for payment for something the City Code allows would be difficult. Further, collecting money for a project that doesn't exist yet or been fully identified would not be advisable. Mayor Chadwick mentioned the City having pursued some grants for a parking study and noted that we cannot collect money for a project that doesn't exist. He stated that we are premature asking for this project, as we don't have the support yet.

Council Member Salmonsén then asked if the height extension was only for the commercial, not the residential units. It was confirmed the townhomes had not been designed yet, and the 45-height limit specific to the commercial buildings could be added into the DA.

Mayor Chadwick closed the Public Hearing at 7:49pm.

CITY COUNCIL DELIBERATIONS

Council Member Nielsen stated he was generally supportive of the modification, and thought it was a good idea to start thinking of putting infrastructure in place to prepare for parking. People have to park somewhere. He stated that while it's not needed for this particular area, parking will be needed somewhere and he was not comfortable moving forward with other projects until the infrastructure was in place but supported moving forward with this one, that we do have opportunity.

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Council Member Wheelock stated he felt the 24-foot-wide roads for the townhomes being built were too narrow. As such, he felt parking for the townhomes would wind up in the parking lot. He wanted to stick to the what the Ordinance stated they should be at, even if it was a sacrifice to size. Mayor Chadwick asked if he would be willing to go with the 20 lots suggested. Council Member Wheelock confirmed he was willing to split the difference.

Council Member Salmonsens noted she had not taken into consideration the townhomes and stated the only way she would be willing to approve was if they split the difference for 20 lots. She said there will be visitors there using that space.

Mayor Chadwick offered a potential solution with splitting in the middle and losing the 3600 square foot future office with the understand if a parking agreement with the cross properties were to be made, the building could be added again in the future. Council Member Salmonsens used Bi-Mart and Napa Auto Parts as an example, where there are different properties with a shared parking agreement. She felt it was a good solution.

There was a brief discussion about the specific wording of the cross-parking agreement and what it would be tied to in terms of allowing them to have the building. Council Member Wheelock stated he would rather it be tied to the neighbor, either to the east or west, over having it tied to a future parking lot. City Attorney Chris Yorgason sought clarification on whether it would be tied to the 3600 square foot building or the specific number of parking spaces. Council Member Wheelock stated parking spaces. Chris Yorgason recommended the number of spaces be made into a condition of the development agreement rather than the building. It was decided the number would be 118 parking spaces. It was also decided there would need to be 20 or more spaces in the cross-parking agreement.

- Council Member Wheelock moved to approve the 10206 W. State Street Development Agreement Modification (DA-20-16-MOD) with the following conditions: for 118 parking stalls, without the 3600 square foot office building until a cross parking agreement for at least 20 or more spaces between the east or west property was acquired, which would alleviate the parking needs and make it so the 3600 square foot building permit could be approved; Council Member Salmonsens seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye, Nielsen – aye. Motion carried.

A. Public Hearing – Early Learning Facility (CUP-22-01)

Mayor Chadwick opened the public hearing at 8:02 and asked the council if they had any ex parte contact. All members indicated they did not.

APPLICANT

Glenn Walker – 1831 East Overland Road, Meridian, Idaho

Mr. Walker was the architect working on the project, an approximately 9,500 square foot early learning facility. It would be located off 959544 North Star Road. Indicating the site plan, he stated there was a good amount of parking stalls for the facility, with enough space for a firetruck to turn around, to come

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into the site and be able to back up and exit onto Star Road. To the north, there is a school which will face the back of the facility where the early learning center's playground area will be. He further noted the style of architecture, a Dutch roof gable entrance falling more in line with residential architecture. There would also be a mixture of landscaping and site lighting.

Council Member Salmonsens asked how many children the facility would have. Mr. Walker stated there would be between 70 and 80 children. Council Member Salmonsens then asked if it was pre-kindergarten. Mr. Walker stated it would be for children ages one year old up to twelve. Council Member Salmonsens asked about the school's hours. Mr. Walker stated it would be early mornings to no later than six o'clock to accommodate children be dropped off and picked up around five o'clock.

Council Member Salmonsens expressed concerns about the traffic due to the school being there from about 8:45 to 9:15 in the morning, and then again in the afternoon, though she did note the hours would likely not be the same as the elementary school. Mr. Walker confirmed it would fall more in the 7:30 to 8:00 time frame for dropping off their children in the morning and then picking up their kids around the five o'clock hour.

Council Member Nielsen wanted to know what finishes they were looking to apply on the exterior and roof. Mr. Walker stated they were doing architectural shingles for the roofing, and for the siding were doing lap siding, hardboard lap siding, and painting. Council Member Nielsen sought clarification on whether the vertical exterior would also still be hardboard. Mr. Walker stated they were doing a mixture of lap siding and board and back.

Mayor Chadwick closed the public hearing at 8:08 to move on to Council deliberations.

CITY COUNCIL DELIBERATIONS

Council Member Nielsen noted it was very hard to get into a daycare facility and he was glad another was coming into town and was supportive of the application. He also stated it was consistent with the comprehensive plan and met the code requirements.

- Council Member Nielsen moved to approve the application for the Early Learning Facility (CUP-22-01); Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye, Nielsen – aye. Motion carried.

B. Public Hearing – Hayden Homes – Easement Vacation (VAC-21)**APPLICANT****Alec Egurrola – 332 North Broadmoor Way, Nampa, Idaho**

Mr. Egurrola was the Land Use Planner for TO Engineers, representing the developer of Trident Ridge Subdivision, Hayden Homes. They were seeking an easement vacation application to vacate the public utilities easement 10 feet along north wing road, and scenic view lane. Then six feet wide along the common lot lines. They are replatting the remaining phases of trident ridge subdivision, so this is a clerical item to remove the utility easements so they can plot future homes where those utilities were

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located. Along with replatting there would be public utility easements per city code. They have received letters of relinquishment from the utility providers who may be affected, and those letters were provide to City Staff.

Mayor Chadwick sought confirmation the letters were on file for the easement vacations. Shawn Nickel confirmed the letters had been received and staff was recommending approval of the application request.

Mayor Chadwick closed the public hearing at 8:12 and moved on to council deliberations.

- Council Member Nielsen moved to approve the easement vacation application VAC-21; Council Member Salmonsens seconded the motion. **ROLL CALL VOTE:** Hershey – aye; Wheelock – aye; Salmonsens – aye. Motion carried.

C. Public Hearing – Addington Subdivision (PP-22-02 & PR-22-01)

Mayor Chadwick opened the Public Hearing at 8:13 and asked the City Council if they had any ex parte contact related to this project. All members indicated they had none.

APPLICANT

Tamara Thompson, with The Land Group – 462 East Shore Drive, Eagle, Idaho

Ms. Thompson stated she was present to speak on the 5.5-acre Addington Subdivision, approximately 780 feet north of the intersection of West State Street and Highbrook Way, where the new traffic signal was placed. The recently constructed Ensley Court was to the north and the Albertson's Center was to the south of the proposed subdivision. The property in question had been annexed and zoned as part of the Albertson's Center, with an R7 zoning, in 2017.

Thompson noted the application before City Council was for a preliminary plat and a private street application. The preliminary plat was consistent with the concept plan provided when the property was annexed in 2017, and included 34 single-family lots with one common lot, including the private road. The subdivision was proposed as single family with attached units as townhome type units with a density of 6.09 units per acre. Access to the subdivision would be from Highbrook Way. On Center Street there would be emergency access only. The reasoning for this was primarily because ACHD would not allow it due to underground piping of the canal and utilities existing underneath the road.

Utilities were available to support the project, with open space such as a gazebo with seating close to the entrance. Due to the tiling of the canal running underneath the private road, the sewer utilities would be coming through the backs of the properties allowing for walking paths to be provided in those areas. There would be a Homeowner's Association created to maintain the exteriors for all the townhomes, as well as landscaping and irrigation. The irrigation would be an extension of the pressurized irrigation system constructed for the Ensley Court subdivision.

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With respect to the Staff Report, the applicant stated they agreed with most of Staff's conditions, proposed conditions, and findings, but there were several they did not, including a Development Agreement being signed and recorded as part of the Annexation and Zoning, the private roads, the usable open space, and the revised preliminary plat showing a cul-de-sac at center street.

As the property had been annexed in September of 2017, it was already included in the development agreement in Ordinance 264, signed in December of 2017. The condition did not apply, so Thompson asked for it to be removed.

As the property had been annexed in September of 2017, it was already included in the development agreement in Ordinance 264, signed in December of 2017. The condition did not apply, so they were asking it to be removed.

Referencing four different areas on a map regarding pavement widths for their private road, one was compliant at 36 feet, one was slightly under compliance at 34.5, one was very below compliance at 21 feet, and one was over compliance at 37 feet. It was noted all the areas with wider widths would have on street parking. Each of the 34 units would have a two-car garage and there would be an additional 34 parking stalls on the street for parallel parking. A waiver for the private road as proposed in the aforementioned areas was requested.

According to their calculations, they had 17.74% of usable open space in their common areas.

The road could not be made public as ACHD would not allow a public road to go over the facilities already underground. Instead, they looked at including a cul-de-sac at the end. This would allow for turnaround for deliveries. Mayor Chadwick asked if the bollards would still be in place for emergency access. Ms. Thompson indicated they could but did state they had not gone through the fire department and wasn't sure about specific requirements.

Finally, Ms. Thompson stated they had received a recommendation for approval from the City Engineer.

Mayor Chadwick closed the public hearing at 9:05 p.m.

Council Deliberation:

Council Member Nielsen prompted a discussion on the road widths with a question regarding the purpose of the road going narrower in one of the sections. Due to a utility box, narrowing was the only option.

Council discussion surrounded questions regarding the enforcement for when no parking was available on a private street. Shawn Nickel stated it would be the responsibility of the Homeowners Association to include it in their covenants and have a tow service available.

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It was determined the road could be widened at the 21-foot width section if a storm drain was placed in the road. Additionally, if the detached sidewalks were removed in favor of attached sidewalks, they would have the ability to widen further.

Council Member Salmonsens inquired about the pathways at the back of the properties, wanting to know what type of surface they would have and if they would be open to the public or remain private for use by the residents in the development only. Ms. Thompson stated the pathways would be natural surface, as there were already sidewalks on both sides of the roads for those who prefer paved over natural. Further, she stated they would not be dedicating the pathways as public, but there would be no policing of them, and anyone could use them.

Council Member Salmonsens then asked about fences and if there were any along the outside of the boundary. Ms. Thompson stated there were. After some clarification, it was determined there would be a progression from a fence to the gravel pathway, then backyards of the units, and finally the townhomes themselves.

Council Member Nielsen led discussion in formulating the basics of a proposed amended motion, and Council Member Salmonsens further amended for a public easement on pathways.

- Council Member Salmonsens moved to approve the application for the Addington Subdivision (PP-22-02 & PR-22-01) with the following conditions as included in the staff report: that section two of the recommendations in the staff report be modified to read that a developer's agreement will be created to provide for the ITD proportionate share with amount listed as \$1,000.00 per unit and that the road identified in section three will be widened as much as possible with consideration given to sidewalks and section one widened to 36 feet in all areas to call out the entrance to the development with the stub road to the north aligning to that until sidewalks can be constructed; emergency bollards included; and the addition of a public easement on sidewalks; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

E. Public Hearing – Area of Impact

Mayor Chadwick noted that the ex parte communication check-in was not needed/logical on this subject due to the nature of the matter being considered was legislative. He opened the Public Hearing at 9:27pm and summarized the background on the history of the impact negotiations from the last year.

Chadwick stated that there had been five or six meetings over a six-month period of time and in November, Council approved an Area Of Impact and Area Of Impact Agreement with Canyon County.

In late March 2022, the Canyon County Commissioners approved the Area Impact Agreement as part of the process as the City is required to do under the Land Use Act / Codes of the State of Idaho. Canyon County asked the City to enter into the Committee of Nine process.

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The nature of the hearing tonight is to approve two ordinances so the City can move forward to adopt an Area Of Impact for Star within Canyon County.

Public Testimony

Steve Burton of 6915 Canyon, Star, ID stated that he lived in the affected area and had not received a public notice and that he checked with his neighbors, and they hadn't. He said the way they knew of this meeting was through Canyon County commissioners. Burton stated that most of the people in the impact area do not wish to be a part of it and would prefer to remain rural. He urged Council to go back and reconsider. Burton said that impacted residents would vote for the option that would give least density; and that he felt Council would be able to avoid a lot of conflict and dispute if they pulled back.

Council Member Nielsen asked Burton to clarify regarding notices, and said he felt it was important to make a distinction between noticing being sent for Comprehensive Plan amendments vs. a Council Meeting's Public Hearing, so people would understand, for example that all who lived within a Comprehensive Plan area would receive notices. A public hearing is noticed through the newspaper and is aboveboard. Mayor Chadwick clarified that the City has followed correct process in noticing through the Idaho Statesman, and that we need to get through this process so we can get to the next step of discussion.

Michael Keyes of 2385 S. Longbay Way noted the committee of nine was formed as a requirement of the process. He stated that it's about time that Star have an area of impact in Canyon County. Keyes recalled the City of Star said they would participate if there were a level playing field. He expressed his support of both ordinances.

Mayor Chadwick closed the public hearing at 9:47 p.m.

Council deliberations

Mayor Chadwick noted he had a good working relationship with other area mayors, and that there was no animosity in this process for him. Council Member Nielsen spoke in favor of moving ahead with this step of the process and approving the work of the Committee of Nine.

- Council Member Nielsen moved to approve Ordinance 368-2022 (Area of City Impact Map Amendment); Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye.
- Council Member Nielsen moved to approve Ordinance 369-2022 (Area of City Impact – Canyon County). Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye.

Mayor Chadwick offered to meet Mr. Burton any impacted neighbors to sit down and discuss the matter further.

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F. Executive Session 74-206 (f)

- Council Member Nielsen moved to proceed into Executive Session under Idaho Code 74-206(f) to communicate with legal counsel for the public agency to discuss the legal ramifications for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Council Member Salmonsens seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

The Mayor and Council entered Executive Session at 9:56 p.m. and came out of the session at 10:27 p.m. No actions were taken after the executive session

8. ADJOURNMENT

Mayor Chadwick adjourned the meeting at 10:28 p.m.

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk - Treasurer

**CITY COUNCIL REGULAR MEETING NOTES**

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1. CALL TO ORDER – Welcome/Pledge of Allegiance

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

2. INVOCATION –

Pastor David Ax of Calvary Star Church provided the invocation.

3. ROLL CALL

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

City Staff present: City Clerk Jacob Qualls, City Planning Director Shawn Nickel; City Contract Attorney Chris Yorgason, Assistant City Planner Ryan Field, City Engineer Ryan Morgan, Public Information Officer Dana Partridge.

A. Citizen Recognition

Mayor Chadwick recognized Star resident Gavin Gard for a heroic act on July 19th while floating the Boise River. Mr. Gard saved a stranded mother and son, provided aid to another woman, and went on to help another man help a third stranded person. Mr. Gard was honored by Council with the City of Star pin and a certificate in recognition of his courage and selflessness in providing aid to others.

B. Constitution Week Proclamation

Mayor Chadwick proclaimed the week of September 17-23 as Constitution Week in honor of the 235th anniversary of the drafting of the U.S. Constitution. Chadwick presented the proclamation to several attending members of the local Eagle chapter of the Daughters of the American Revolution and the David Thompson chapter of the Children of the American Revolution, and asked the citizens of Star to continue to protect our freedoms.

C. Elevate Our Heroes Day Proclamation

Mayor Chadwick proclaimed September 11, 2022 as “Elevate Our Heroes Day Proclamation” which was read by Council President David Hershey. The proclamation acknowledges and honors the sacrifices made by our everyday heroes from law enforcement, fire fighters, EMS, dispatchers, corrections, coroners, chaplains, retired first responders, healthcare workers, military veterans and their families. Mayor Chadwick presented the signed proclamation to Christina Fletcher, a U.S. Navy veteran who has been serving with Courageous Survival.

D. Star Police Monthly Report (July 2022)

Before starting the report, Police Chief Zach Hessing thanked the Mayor and Council for the proclamation for Elevate Our Heroes Day and said that it means a lot for the community to reach out in this way. Chief Hessing presented the July 2022 Star Police Report. He noted that the report has changed format a few times since January and explained from this point forward the crime report will

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match the NIBRS data (the FBI's National Incident-based Reporting System) as NIBRS has made improvements and started to be able to provide accurate incident statistics more rapidly. Going forward, his report will be presented for the previous month on the second City Council Meeting of the month. In viewing the report, he clarified that the Projected # is now a Projected # Range. Hessing noted that the range at 16.1-18.2 has gone up a little from 13.6 since last year, and that 2019 was an anomaly given Covid. He noted that the City of Star remains on the low end in terms of crime rate as opposed to other surrounding West Ada cities. In breaking down the report by crime type, he explained that there were 6 person crimes, six property crimes, and four society crimes in July. In interpreting NIBRS, it is important to understand that each involved person/item is assigned as an incident. For example, there were five person crimes, but in one case, two people were involved – hence, six person crimes. For property, there were three petty thefts or grand larceny, one commercial, and one vandalism. For society crimes, there were two drug paraphernalia discoveries and one that involved BOTH paraphernalia and drugs, arriving at a total of four on the report. Star Police is able to match that data with data off their CAD systems in terms of number of actual calls. Chief Hessing emphasized the department's pro-active policing by patrol deputies. City Council members thanked the chief and said that they enjoyed seeing crime numbers remain low.

5. DEPARTMENTAL STAFF REPORTS (INFORMATIONAL ONLY - NO ACTION)**A. Building Department Report**

Mayor Chadwick accepted the report (see Agenda Packet) and noted members of Council had read it.

B. City Clerk - Treasurer Staff Report

Mayor Chadwick accepted the report (see Agenda Packet) and noted members of Council had read it.

6. CONSENT AGENDA (ACTION ITEM) **All matters listed within the Consent Agenda have been distributed to each member of the Star City Council for reading and study, they are considered to be routine and will be enacted by one motion of the Consent Agenda or placed on the Regular Agenda by request.***A. Claims Approval** - Claims Provided & Previously Approved**B. Meeting Minute Approval** - January 11, 2022; February 1, 2022; April 5, 2022; May 3, 2022; August 2, 2022 and August 16, 2022**C. Final Plats** - Cherished Estates #2 (FILE #FP-22-16); Inspirado #1 (FILE# FP-22-20); Fall Brook #6 (FILE # FP-22-18)

- Council Member Salmonsens moved to approve the Consent Agenda; Council President Hershey seconded the motion. **Roll Call Vote:** Hershey – aye; Wheelock – aye, Salmonsens – aye, and Nielsen – aye. Motion carried.

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7. ACTION ITEMS:

- A. **Proof Pizza Provisional Alcoholic Beverage License (Star Wood Fired LLC):** Provisionally approve a Beer, Wine and Liquor by the Drink License (**ACTION ITEM- ROLL CALL VOTE**)

City Clerk Qualls advised that the location of the new business was near Ridley's and clarified that with the process that Star's license approval is set up under, this action will allow the business to order their alcohol but not yet sell. Council Member Salmonsens asked about Star Fire approval and City Clerk Qualls verified receipt of the email from Star Fire and that another, final approval stage, would come allow for the conversion from provisional to regular.

- Council Member Salmonsens moved to approve the Proof Pizza Provisional Alcoholic Beverage License (Star Wood Fired LLC); Council President Hershey seconded the motion. **Roll Call Vote:** Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

- B. **Rescinding Previous Decision: Rosti Farms Phase 6 (FILE #FP-21-22)** - At request of applicant (**Action Item**)

City Planning Director Shawn Nickel explained the process; the requested action will help to create a paper trail of this activity and ensure that Council is aware. Nickel clarified that the developer has changed the housing plan and will re-submit a new version of the preliminary plat for Council approval. A small portion of the residential block is moving to another phase, so tonight's action is to rescind approval of Phase 6 so it can come back for approval in the future. Council Member Nielsen said she was not comfortable placing the item on a Consent Agenda; she would prefer it be an action item. Council Member Hershey suggested that it could actually be Consent Agenda and that the Council could pull it for discussion if needed.

- C. **Copier Lease - State Contract** - Entering into a contract with Valley Office Systems / Ricoh for leasing a new photo copier / printer under the State of Idaho's Master Purchasing Agreement (**Action Item**)

City Clerk Qualls gave a summary of the proposed copier lease for new copier for the second floor; he stated he was recently approached with a better lease contract than the one the City currently has in place for the downstairs copier. It will be \$163.93 per month for 5 years, which is well under the current budget. He also explained that it may work well for the FBI-approved fingerprinting process. Council asked various questions about current process and cost differential. Qualls clarified that not only was it a preferable rate to the current first-floor copier contract, that it was also better than the rate he had for the copier at his old City. Qualls also procured a comparative bid, which was \$80 higher than this one.

- Council Member Nielsen moved to approve the Copier Lease/State Contract with Valley Office Systems/Ricoh for leasing a new photo copier/printer under the State of Idaho's Master

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Purchasing Agreement. Council President Hershey seconded the motion. **Roll Call Vote:** Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

E. Traffic Box Art Winners - Confirming Parks, Art & Beautification Committee's Selection by Resolution (**Action Item**)

Council Member Salmonsens explained that a call for artists and applications had been made, and that eight submissions that met all criteria had been received. Twenty-three respondents voted on the artwork, and two winners were chosen. "Herons" by Beth Jepson will be placed on the traffic box at the stoplight in front of Ridley's, and "Star Charm" by Belinda Fish will be placed by Steve's Auto. Council Member Salmonsens thanked Star's Parks, Art, & Beautification Committee for coordinating efforts for the call for public art.

- Council Member Salmonsens moved to adopt the resolution approving the two winning entries of the traffic box art selection process; Council Member Wheelock seconded the motion. **Roll Call Vote:** Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye.

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

- A. **PUBLIC HEARING - Star River Ranch North Subdivision (FILE #PP-22-06)** - The Applicant is seeking approval of a Rezone (R-5-DA to R-3-DA), a Development Agreement, and Preliminary Plat for a proposed residential subdivision consisting of 72 residential lots and 11 common lots. The property is located on the west side of Bent Lane in Star, Canyon County, Idaho, and consists of 23.8 acres with a proposed density of 3 dwelling units per acre.

Council discussion surrounded that they have talked several times over the years about not taking public hearings until all information is in. Council Member Nielsen commended the Mayor and Staff for holding off until Council has all needed data in order to make a decision.

- Council President Hershey moved to table the Public Hearing for Star River Ranch North Subdivision (FILE # PP-22-06) indefinitely in order to allow Canyon Highway District #4 time to complete their technical review and submit a report; Council Member Nielsen seconded the motion. **Roll Call Vote:** Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

- B. **PUBLIC HEARING: Baron Properties Commercial Rezone (RZ-22-02) (DA-22-05):** The Applicant is seeking approval of a Rezone (C-1 to C-2) and a Development Agreement for a parcel of land consisting of 11.38 acres. The property is located at 342 S. Calhoun Place in Star, Idaho.

Mayor Chadwick mentioned that this was at the request of the applicant.

- Council President Hershey moved to table the Public Hearing for Baron Properties Commercial Rezone (RZ-22-02) (DA-22-05) to September 20, 2022; Council Member Wheelock seconded the

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motion. **Roll call Vote:** Hershey – aye; Salmonsens – aye; Nielsen – aye; Wheelock – aye. Motion carried.

- C. **PUBLIC HEARING - Addington Subdivision (PP-22-02) (PR-22-01):** The Applicant is requesting a reconsideration of the Star City Council's April 19, 2022 decision approving the subdivision application. Specifically, the applicant requests Council remove a condition of approval requiring a public easement along the southern proposed pathway. The property is located on the east side of N. Highbrook Way in Star, Idaho, and consists of 5.58 acres with a proposed density of 6.09 dwelling units per acre. **(Action Item)**

Mayor Chadwick asked the Council if there had been any ex parte contact and, hearing none, opened the public hearing at 7:42 p.m.

Project developer Eric Davis of 199 N. Capital Boulevard #300, Boise, Idaho, presented a map slide to explain the request for reconsideration of the original approach taken to sidewalks for the development. He showed that the Addington development has a number of the townhomes that back up onto the Endsley Court subdivision. Mr. Davis clarified there is a pathway with a 5-foot sidewalk and shrubs on either side planned to be constructed at the rear of the Addington townhomes; the pathway was originally geared to be public access. Mr. Davis explained that the pathway is geared to be an amenity at the rear of properties for residents to be able to walk their dogs, etc. Mr. Davis explained that the nature of the request to Council was to reconsider that it be designated as private rather than public; with the greenery maintained by the HOA, and an easement so neighbors could enjoy the pathway. He explained that the alternative would be for the pathway to be public but cautioned the outcome is that homeowners would have no control over activity going on in behind their houses. Davis also mentioned the plan for a minimum 4-foot-high wrought iron fence (see-through fence).

Public Testimony:

Evan Fisher of 11817 W. Endsley Court explained that he was from the development to the north of a grouping of the townhomes in question. He said he supported the idea of a pathway between your neighbor's and your property as it created some separation and noted that it was great for members of their small HOA to be able to walk their dogs. Fisher expressed support on behalf of himself and other Endsley Court homeowners for the sidewalk to be designated as private, and that the designation as private would mean that people back there have a reasonable right to use the path.

John Forcina of 11855 W. Endsley Court mentioned that viewers might not have a great representation of the topic from just seeing it on a map. He said to put it in perspective, his neighborhood has a vinyl fence, and the pathway creates about 20 feet of buffer between his backyard and the rear neighbor property at Addington.

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Chief Hessing asked clarification on the idea behind having the sidewalk be designated as private vs. public.

Applicant Rebuttal:

Project developer Eric Davis mentioned that the townhomes were geared more for empty nesters and single people/single parents, with no yard to maintain. The property line is up against the fence (exhibit map is only highlighted), and the HOA will be a higher price as they would maintain the greenery for the pathway. He clarified with respect to private vs. public, that for example it is different than if a shopping center was abutting the development. He said the thinking is if the HOA controls it and if there were a problem, police officers would be able to come in and say this is private property as opposed to public.

Mayor Chadwick closed the public hearing at 8:01 p.m.

Council deliberation:

Council Member Nielsen said he believed it is a reasonable request, and that he does not believe the sidewalks have to be public, that they could be private. Nielsen noted the City's goal of neighborhood connectivity. Mayor Chadwick encouraged noting the fence in the motion.

- Council Member Nielsen moved to approve the applicants request to modify the plan for the southern pathway at the Addington Subdivision (PP-22-02) (PR-22-01) to be designated as private property with the addendum that the applicant is to use no less than four foot wrought iron fencing; Council Member Salmonsens seconded the motion, noting that she believes it makes sense and does not impact the overall connectivity of the neighborhood and will support it. **Roll Call Vote:** Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

D. **Executive Session 74-206(f):** To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. **(ACTION ITEM)**

- Council President Hershey moved to go into Executive Session to communicate with legal counsel under Idaho Code 74-206(f); Council Member Salmonsens seconded the motion. **Roll Call Vote:** Hershey-aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

The City Council entered Executive Session at 8:05 p.m. and returned to Regular Session at 8:40 p.m. No actions taken.



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9. ADJOURNMENT

Mayor Chadwick adjourned the meeting at 8:41 p.m.

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk-Treasurer

DRAFT

FINDINGS OF FACT AND CONCLUSIONS OF LAW
ADDINGTON SUBDIVISION
FILE NO. PP-22-02/PR-22-01

The above-entitled Preliminary Plat and Private Street land use applications came before the Star City Council for their action on April 19, 2022, and on September 6, 2022 as part of a reconsideration request, at which time public testimony was taken and the public hearing was closed. The Star City Council, having requested and taken oral and written testimony, and having duly considered the matter, does hereby make the following Findings of Fact and Conclusions of Law.

Procedural History:

A. Project Summary:

The Applicant is seeking approval of a Preliminary Plat and Private Street for a proposed residential subdivision consisting of 34 residential lots and 1 common lot. The property is located on the east side of N. Highbrook Way in Star, Idaho, and consists of 5.58 acres with a proposed density of 6.09 dwelling units per acre. The subject property is generally approximately 780 feet north of the intersection of W. State Street and N. Highbrook Way. Ada County Parcel No. R8108003014.

B. Application Submittal:

A neighborhood meeting was held on October 14, 2021, in compliance with the application submittal requirement of the Star Unified Development Code (Section 8-1 A-6 C). The Land Use application was deemed complete on February 28, 2022.

C. Notice of Public Hearing:

Notice of Public Hearing on the application for the City of Star Council was published in accordance with the requirements of Title 67, Chapter 65, Idaho Code and the Star Unified Development Code on April 3, 2022. Notice of this public hearing was mailed to property owners within three-hundred feet (300') of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Star Unified Development Code on February 28, 2022. Notice was sent to agencies having jurisdiction in the City of Star on February 28, 2022. The property was posted in accordance with the Star Unified Development Code on April 7, 2022.

D. History of Previous Actions:

Council approved annexation and zoning (R-7) as part of the Sample Property Annexation, Ordinance 264.

E. *Comprehensive Plan Land Use Map and Zoning Map Designations:*

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Residential (R-7)	Compact Residential	Vacant
Proposed	Residential (R-7)	Compact Residential	Compact Residential
North of site	Residential (R-4) (R-7) / Rural Urban Transition (RUT)	Compact Residential	Single Family Residential
South of site	Commercial (C-2)	Central Business District	Albertsons/Agricultural
East of site	Residential (R-4)	Compact Residential	Single Family Residential
West of site	Residential (R-7)	Compact Residential	Endsley Court Subdivision

F. *Development Features.***PRELIMINARY PLAT & PRIVATE STREET:**

The Preliminary Plat submitted contains 34 single family residential lots and 1 common area lots on 5.58 acres with a proposed density of 6.09 dwelling units per acre. The lots will have access and frontage from a proposed private street. Lots will range in size from 2,716 square feet to 5,408 square feet with the average buildable lot being 3,603 square feet. Lots will include zero-lot-lines to accommodate the proposed attached dwelling units. **The submitted preliminary plat is showing a private road with four different width dimensions. None of these widths currently meet the City of Star requirement of 36 feet from back of curb to back of curb of travel lane.** The applicant is requesting a waiver of these standards. Primary access for the development will be on Addington Lane from N. Highbrook Way. Applicant is providing an emergency access in approximately the middle of the development to the south connecting to the entrance street to Albertsons. Applicant is also proposing an emergency access at Center Street with bollards to prevent direct access. The preliminary plat indicates a small, T-type turn-around at the end of street. **Staff and the Star Fire District are concerned with the functionality of this proposed “turn-around” and recommends a revision to the preliminary plat to accommodate residents, delivery drivers, trash collection and emergency services. This can be accomplished with either an approved cul-de-sac turn around, or direct connection to Center Street. This connection would require a revision to the plat to include a public street rather than the proposed private street. Staff will require one of these options as a condition of approval.** Sidewalks are proposed to be attached with a 5-foot, concrete sidewalk. Street names must be obtained by the Ada County Street Naming Committee prior to signature of the final plat. The applicant is proposing 1.18 acres (21.15%) of common open space which satisfies the Unified Development Code requirement of 15 percent. **It appears that the applicant is only proposing 12,095 square feet of usable open space which is less than 24,306 square feet (10%) required by the**

Unified Development Code. The applicant shall demonstrate that the required open space is provided within the development.

The Unified Development Code, Section 8-4E-2 requires a development of this size to have a minimum of 1 site amenity. The applicant is proposing a shade structure in a pocket park with a walking path.

ADDITIONAL DEVELOPMENT FEATURES:

- Sidewalks
Internal sidewalks are proposed at five-foot (5') widths and will be both attached and detached throughout the development.
- Lighting
Streetlights shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire development. The applicant has submitted a proposed streetlight plan. All proposed light locations satisfy City code. **Applicant has provided a streetlight plan. The applicant will need to provide a design/cut sheet for City approval. Applicant will be required to work with Staff and submit an updated cut sheet and design before signature of the final plat. Staff also suggests a streetlight be placed at the intersection of the emergency access.**
- Street Names
Applicant has not provided documentation from Ada County that the street name is acceptable and has been approved. This will be required at final plat.
- Subdivision Name
Applicant has provided a letter from Ada County that the subdivision name has been approved and reserved for this development.
- Landscaping - As required by the Unified Development Code, Chapter 8, Section 8-8C-2-M (2) Street Trees; A minimum of one street tree shall be planted for every thirty-five (35) linear feet of street frontage. The applicant shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code. Section 8-8C-2, J5 states that a minimum of one deciduous shade tree per four thousand (4,000) square feet of common area shall be provided. **The submitted landscape plan appears to satisfy these requirements for the open areas. The plan does not show the appropriate number of required street trees. These will need to be added once driveways are designed to meet the requirement and receive occupancy permits.**
- Setbacks – The applicant is not requesting any setback waivers and will follow the approved setbacks for the R-7 zone.

- Mailbox Cluster – Applicant has provided documentation from the Star Postmaster depicting the approved location for the mailbox cluster within the development as a single location.
- Phasing – The applicant has not provided a phasing plan for the development. It is assumed that the subdivision will be built in a single phase.
- Storm Water - Will be retained on site and utilize Drain 9 and two pervious paver sections in the private road.

G. *Existing Site Characteristics:*

Existing Site Characteristics: The property is currently vacant ground.

Irrigation/Drainage District(s): Middleton Irrigation Association
Middleton Mill Ditch Company
P.O. Box 848
Middleton, Idaho 83644

Flood Zone: This property is not currently located in a Flood Hazzard Area.
FEMA FIRM Panel Number: 16001C0130J & 16001C0125J
Effective Date: 6/19/2020

Special *On-Site Features:*

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No evidence.
- ✧ Fish Habitat – No.
- ✧ Floodplain – No.
- ✧ Mature Trees – None.
- ✧ Riparian Vegetation – No.
- ✧ Steep Slopes – None.
- ✧ Stream/Creek – None.
- ✧ Unique Animal Life – No unique animal life has been identified.
- ✧ Unique Plant Life – No unique plant life has been identified.
- ✧ Unstable Soils – No known issues.
- ✧ Historical Assets – No historical assets have been observed.
- ✧ Wildlife Habitat – No known sensitive wildlife habitat observed.

H. *Agencies Responding:*

The following agencies responded, and correspondence was attached to the staff report.

Star City Engineer	April 12, 2022
ITD	No Response
Star Fire District	April 11, 2022
DEQ	March 11, 2022
ACHD	April 18, 2022
Intermountain Gas Company	April 1, 2022
Central District Health	March 10, 2022

I. Staff received the following letters & emails for the development:

None

J. *Comprehensive Plan and Unified Development Code Provisions:*

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Compact Residential

Suitable primarily for residential use allowing a mix of housing types such as single family, two family, and multi-family. Densities range from 5.01 units per acre to 10 units per acre.

8.3 Goal:

Encourage the development of a diverse community that provides a mix of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible, an assortment of amenities within walking distance of residential development.

8.4 Objectives:

- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.

8.5.3 Policies Related Mostly to the Urban Residential Planning Areas:



- A. The Neighborhood Residential Land Use is to encourage urban style development densities to limit urban sprawl.
- B. Low densities within the Neighborhood Residential Land Use are to be designed within the floodplain, ridgeline developable areas, hillside developable areas and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where those existing larger lots are not likely to be subdivide in the future.

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Work with Ada County Highway District (ACHD), Canyon Highway District #4 (CHD4), and Idaho Department of Transportation (ITD) for better coordination of roadway and access needs.
- Support well-planned, pedestrian-friendly developments.
- Dark sky provision should be adopted within the code to assure down style lighting in all developments and Star should consider joining the International Dark Sky Association.

Unified Development Code:

8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED:

R RESIDENTIAL DISTRICT: To provide regulations and districts for various residential neighborhoods. Gross density in a Residential (R) district shall be determined according to the numeral following the R. The numeral designates the maximum number of dwelling units per acre. In zoning designations of R-1, R-2, R-3, R-4 and R-5, housing shall be single family detached unless approved with a PUD or development agreement. Connection to municipal water and sewer facilities are required for all subdivision and lot split applications submitted after the effective date hereof in all districts exceeding one dwelling unit per acre. Wells and septic systems may be permitted for larger lots in this land use designation that are not adjacent to municipal services, as determined by the Sewer District, and if approved by the applicable Health Department. Private streets may be approved in this district for access to newly subdivided or split property. This district does allow for some non-residential uses as specified in 8-3A-3.

8-3A-3: USES WITHIN ZONING DISTRICTS

The following table lists principal permitted (P), accessory uses (A), conditional (C), or prohibited (N) uses.

ZONING DISTRICT USES	R
----------------------	---

Dwelling:	
Multi-Family	C
Secondary	A
Single-Family Attached	P
Single-Family Detached	P
Two-Family Duplex	P
Live/Work Multi-Use	N

8-3A-4: ZONING DISTRICT DIMENSIONAL STANDARDS:

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front (1)	Rear	Interior Side	Street Side
R-6 to R-11 attached housing	35'	15' to living area 20' to garage 10' if alley load	15' 4' if alley load	0' for common walls 5' at end of building	20'

Notes:

1. Interior side yard setbacks for lots with 50' or less of lot width shall be allowed 5' interior side yard setbacks for one and two-story structures.
2. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhang onto the sidewalk.

8-4D-3: STANDARDS (PRIVATE STREETS):

All private streets shall be designed and constructed to the following standards:

A. Design Standards:

1. Easement: The private street shall be constructed on a perpetual ingress/egress easement or a single platted lot (with access easement) that provides access to all applicable properties.

2. Connection Point: Where the point of connection of the private street is to a public street, the private street shall be approved by the transportation authority.

3. Emergency Vehicle: The private street shall provide sufficient maneuvering area for emergency vehicles as determined and approved by the Star Fire District.

4. Gates: Gates or other obstacles shall not be allowed, unless approved by Council through a Planned Unit Development or Development Agreement.

B. Construction Standards:

1. Obtain approval from the county street naming committee for a private street name(s);

2. Contact the transportation authority to install an approved street name sign that complies with the regulations of the county street naming ordinance;

3. Roadway and Storm Drainage: The private street shall be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the city of Star based on plans submitted by a certified engineer.

4. Street Width: The private street shall be constructed within the easement and shall have a travel lane that meets ACHD width standards for the City of Star, or as determined by the Council and Star Fire District.

5. Sidewalks: A five foot (5') attached or detached sidewalk shall be provided on one side of the street in commercial districts. This requirement may be waived if the applicant can demonstrate that an alternative pedestrian path exists. Residential private streets may request a waiver of sidewalks to be approved by Council.

6. Fire Lanes: All drive aisles as determined by the Star Fire District to be fire lanes, shall be posted as fire lanes with no parking allowed. In addition, if a curb exists next to the drive aisle, it shall be painted red.

7. No building permit shall be issued for any structure using a private street for access to a public street until the private street has been approved.

C. The applicant or owner shall establish an on-going maintenance fund through the Owner's association with annual maintenance dues to ensure that funds are available for future repair and maintenance of all private streets. This shall be a requirement in a development agreement and/or as part of a planned unit development. A reserve account condition shall be included in the recorded CC&R's and shall be provided to the City for review. The condition of approval shall include the following:

1. Private Road Reserve Study Requirements.

- a. At least once every three years, the board shall cause to be conducted a reasonably competent and diligent visual inspection of the private road

components that the association is obligated to repair, replace, restore, or maintain as part of a study of the reserve account requirements of the common interest development, if the current replacement value of the major components is equal to or greater than one-half of the gross budget of the association, excluding the association's reserve account for that period. The board shall review this study, or cause it to be reviewed, annually and shall consider and implement necessary adjustments to the board's analysis of the reserve account requirements as a result of that review.

- b. The study required by this section shall at a minimum include:
 - i. Identification of the private road components that the association is obligated to repair, replace, restore, or maintain.
 - ii. Identification of the probable remaining useful life of the components identified in paragraph (1) as of the date of the study.
 - iii. An estimate of the cost of repair, replacement, restoration, or maintenance of the components identified in paragraph (1).
 - iv. An estimate of the total annual contribution necessary to defray the cost to repair, replace, restore, or maintain the components identified in paragraph (1) during and at the end of their useful life, after subtracting total reserve funds as of the date of the study.
 - v. A reserve funding plan that indicates how the association plans to fund the contribution identified in paragraph (4) to meet the association's obligation for the repair and replacement of all private road components.
- c. A copy of all studies and updates shall be provided to the City, to be included in the development application record.

8-4D-4: REQUIRED FINDINGS (PRIVATE STREETS):

In order to approve the application, the administrator and/or Council shall find the following:

- A. The design of the private street meets the requirements of this article;
- B. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and
- C. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

8-4E-2: COMMON OPEN SPACE AND SITE AMENITY REQUIREMENTS - STANDARDS:

- A. Open Space and Site Amenity Requirement (see also Chapter 8 "Architectural Review"):
 - 1. The total land area of all common open space shall equal or exceed fifteen percent (15%) of the gross land area of the development. Ten percent (10%) of that area shall be usable open space.

2. Each development is required to have at least one site amenity.
3. One additional site amenity shall be required for each additional twenty (20) acres of development area, plus one additional amenity per 75 residential units.
4. Developments with a density of less than 1 dwelling units per acre may request a reduction in total required open space and amenities to the Council. Developments with a density of less than 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.
5. For multi-family developments, see Section 8-5-20 for additional standards.

B. Qualified Open Space: The following may qualify to meet the common open space requirements:

1. Any open space that is active or passive in its intended use, and accessible or visible by all residents of the development, including, but not limited to:
 - a. Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;
 - b. Qualified natural areas;
 - c. Ponds or water features where active fishing, paddle boarding or other activities are provided (50% qualifies towards total required open space, must be accessible by all residents to qualify.) ponds must be aerated;
 - d. A plaza.
2. Additions to a public park or other public open space area.
3. The buffer area along collector and arterial streets may be included in required overall common open space for residential subdivisions.
4. Parkways along local residential streets with detached sidewalks that meet all the following standards may count toward the common open space requirement:
 - a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk and includes street trees as specified otherwise herein.
 - b. Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.
 - c. Stormwater detention facilities do not qualify to meet the common area open space requirements, unless all of the following is met:
 1. Must be at least fifty feet by one hundred feet (50' x 100') in area;
 2. Specifically designed as a dual use facility, as determined by the administrator, to include minimal slopes, grass throughout, and guarantee of water percolation within 24 hours of

storm event.

3. Is located in a development that has a second usable open space area that contains a qualified site amenity as herein defined.

5. Visual natural space, including open ditches, wetlands, slopes or other areas that may not be readily accessible to residents, and is provided with open style fencing, may qualify for up to 20% of the required open space total.

C. Qualified Site Amenities: Qualified site amenities shall include, but not be limited to, the following:

1. Clubhouse;
2. Fitness facilities, indoors or outdoors;
3. Public art;
4. Picnic area; or
5. Recreation amenities:
 - a. Swimming pool.
 - b. Children's play structures.
 - c. Sports courts.
 - d. Additional open space in excess of 5% usable space.
 - e. RV parking for the use of the residents within the development.
 - f. School and/or Fire station sites if accepted by the district.
 - g. Pedestrian or bicycle circulation system amenities meeting the following requirements:
 - (1) The system is not required for sidewalks adjacent to public right of way;
 - (2) The system connects to existing or planned pedestrian or bicycle routes outside the development; and
 - (3) The system is designed and constructed in accord with standards set forth by the city of Star;
- D. Location: The common open space and site amenities shall be located on a common lot or an area with a common maintenance agreement.

ITD Proportionate Shares:

On April 22, 2020, an Intergovernmental Agreement was reached between the City of Star and the Idaho Transportation Department to provide a proportionate share assessment for all development projects for transportation impacts to the State Highway system. These fee

calculations will be determined by ITD and provided to the City as part of a condition of approval for all approved applications. The City will collect the fees as part of the final plat process. An agreement between the City and the applicant shall be recorded prior to acceptance of the final plat application.

8-1A-9: REQUEST FOR RECONSIDERATION:

- A. Any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days, as required by Idaho Code 67-6535.

To request reconsideration, an applicant or affected person must meet the following criteria:

1. The requesting party must have been a party in the underlying action in one of the following: the city; the property owner of the subject property; the applicant for the project; or other affected party; and
 2. The request must be in writing, accompanied by the appropriate fee, and presented to the City no more than fourteen (14) calendar days after the council action and final decision have been rendered; and
 3. The request must state a basis for the request and a brief statement of issues and decision that the requesting party is asking to be reconsidered; and
 4. The request must include but is not limited to: the party requesting reconsideration has relevant information; and the relevant information was not previously presented and is in response to something brought up at the previous hearing; and the information was not previously available.
- B. Consideration: The council will consider the request and provide a written decision to the requesting party within sixty (60) days of receipt of the request for reconsideration.
 - C. If The City Council Approves The Request: The requesting party must pay the fee for a new public hearing within ten (10) calendar days of council's reconsideration. If the payment is not made to the city clerk within the specified time frame, the city council shall be notified at their next regularly scheduled meeting and the request for reconsideration shall be rescinded.
 - D. All Noticing Shall Be Done in The Same Manner As All Public Hearings: If the applicant for reconsideration is not the property owner, they may post the notice of hearing sign that is required by ordinance in the right of way, if they have permission of the appropriate authority. The city council may waive this requirement, excepting publication costs. The city council shall consider all relevant facts regarding the reasons the property has not been properly posted and may direct any reasonable measures it wants to assure

that the public has appropriate notice. The new hearing shall be conducted in the same manner as all public hearings.

- E. Public Hearing: The administrator will schedule a new public hearing for the application as allowed by this code and all noticing requirements shall be mandatory. The public hearing shall be limited to a discussion of the new information and the ultimate decision shall be a final action of the city council. No request for reconsideration may be accepted by the administrator on the decision of the city council from this hearing.
- F. Number of Requests: One request for reconsideration by any party as stated in subsection A1 of this section, may be sought on any project.

8-6A-7: PRELIMINARY PLAT FINDINGS:

1. The plat is in conformance with the Comprehensive Plan;
The Council finds that the Preliminary Plat, as approved and conditioned meets all requirements associated with Section 8-6A-3 of the UDC and is consistent with the Comprehensive Plan and will meet the intent of the Land Use designation. Further, the property is required to develop under the guidelines of the Comprehensive Plan and requirements of the Unified Development Code.
2. Public Services are available or can be made available and are adequate to accommodate the proposed development;
The Council finds that Agencies having jurisdiction on this parcel were notified of this action. The City has not received notice that public services are not available or cannot be made available for this development. Emergency services were reviewed and mitigation recommended by the Star Fire District.
3. There is public financial capability of supporting services for the proposed development;
The Council finds that the City has not received notice from any jurisdictional agency that there are any problems with public financial capability for this development.
4. The development will not be detrimental to the public health, safety or general welfare;
The Council finds that the City has not been made aware of any known detriment that will be caused by this development. Residential uses are a permitted use and are compatible with other residential uses in the immediate area.
5. The development preserves significant natural, scenic or historic features;
The Council finds that there are no known natural, scenic, or historic features that have been identified with this Preliminary Plat. The property has been in previous agricultural production.

8-4D-4: PRIVATE STREET FINDINGS:

A. The design of the private street meets the requirements of this article;

Council finds that the proposed private street meets the design standards in the Code.

B. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity:

Council finds that it has not been presented with any facts stating this private road will cause damage, hazard or nuisance, or other detriment to persons, property or uses in the vicinity. Conditions of approval shall be placed to insure compliance with emergency services.

C. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

Council finds that the use is not in conflict with the comprehensive plan and/or regional transportation plan.

Public Hearing of the Council:

a. A public hearing on the application was heard by the City Council on April 19, 2022, and September 6, 2022, at which time testimony was heard and the public hearing was closed. The City Council made their decision at that time.

b. Oral testimony regarding the application was presented to the City Council by:

- Tamara Thompson
- Michael Keyes
- Eric Davis
- Evan Fisher
- John Forcina

c. Written testimony in favor of or opposing the application was presented to the City Council at the hearing by:

None

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this proposed annexation and zoning and preliminary plat application in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in review of the record, including the staff report, and discussions on the platting of the development. Review and discussion included

development layout, emergency access/turn-around and street configuration, setbacks, open space, pathways and landscaping. The Council concluded that the Applicant's request, as conditioned, meets the requirements for preliminary plat and private streets. Council hereby incorporates the staff report dated April 19, 2022 into the official decision as part of these Findings of Fact, Conclusions of Law.

Request for Reconsideration:

The Council received a request for reconsideration from the applicant on April 19, 2022. On July 19, 2022, the Council granted the request for reconsideration with specific allowances on what conditions of approval would be considered. A hearing date of September 6, 2022 was scheduled to discuss the condition of approval requiring the public access easements along walking paths behind the townhouse units, i.e., adjacent to private back yards, to be removed.

Statement of Compliance:

Council finds the Applicant has met all requirements of the Unified Development Code and the intent and purpose of the Comprehensive Plan and Map requirements.

Council added to the Preliminary Plat and Private Street application the following conditions of approval to their decision to approve the applications to include the following:

- A Fire District approved cul-de-sac turn-around shall be provided at the eastern end of the proposed private street. The turn-around shall include an emergency access to the east and onto N. Center Street.
- Street widths shall be 36' back of curb to back of curb, where possible to meet City requirements.
- \$1,000 per lot ITD proportionate shares shall be collected for each building lot within the development at the time of final plat.
- A pathway aligning to the north to provide pedestrian connectivity to the proposed subdivision to the north shall be included in the revised preliminary plat. Staff shall provide the exact location prior to final plat submittal.
- **Provide within the development public easements on the private street sidewalks and the pathway connection to the north. All pathways shall be improved with either concrete or paved surfaces. – (As revised by Council through the reconsideration request).**

Conditions of Approval:

1. The revised and approved Preliminary Plat for the Addington Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.

2. **The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. ITD has calculated the fees to be \$1,000.00 per buildable lot. These fees will be collected by the City of Star, by phase, prior to final plat signature. The development agreement shall be signed and recorded prior to submittal of a final plat application and shall contain the details of the fees to be collected.**
3. **Applicant shall provide a revised preliminary plat and landscape plan showing the private street meeting the City of Star requirements of 50 feet of easement with 36 feet, from back of curb to back of curb of travel lane, in as many sections as possible, as approved by Council.**
4. **Applicant shall provide a revised preliminary plat and landscape plan that shows a fire district approved cul-de-sac turn-around with emergency access to the east. The revised plat and plan shall also indicate that all sidewalks and pathways are to be provided with a recorded public access, and that all pathways shall be improved with a concrete or paved surface. The pathway to the north shall be aligned with the pathway located in the future subdivision to the north. Staff shall provide the exact location to the applicant.**
5. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Homeowners Association. **Streetlights shall be installed and energized prior to issuing of building permits.** Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. **Applicant/Owner shall work with staff and submit a streetlight design that meets city standards prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative. A streetlight shall be provided near the eastern emergency access.**
6. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
7. The property associated with this approved Final Plat, in addition to the property of all future phases shall be properly maintained throughout the construction process to include trash picked up and trash receptacles emptied with regular frequency, streets swept and cleaned weekly, including any streets used to access the property and all debris shall be prevented from accumulating on any adjacent property or public right of way and shall remove all debris from public way at least daily.
8. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
9. **Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees. Applicant shall provide locations for the local street trees at the time of final plat. If driveway locations will not be determined until sale of the lot, Applicant agrees to not receive the Certificate of Occupancy until street trees are confirmed in place.**
10. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.

- 11. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
- 12. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
- 13. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met, including annexation into the District.
- 14. Prior to signing the final plat, Applicant shall provide approval from Ada County for all street names and they should be accurately reflected on the plat.**
- 15. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
- 16. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
- 17. All common areas shall be owned and maintained by the Homeowners Association.
- 18. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of construction.**
- 19. A sign application is required for any subdivision signs.
- 20. Owner/Developer will agree to install a 2" (High Density Polyethylene) HDPE SDR-11 roll pipe in the shared utility trench to be used for future fiber optic telecommunication cables.**

Council Decision:

The Council voted 3-0 to approve the Preliminary Plat and Private Street for Addington Subdivision on April 19, 2022.

The Council voted 4-0 to approve the Preliminary Plat with modified conditions of approval, through reconsideration, on September 6, 2022.

Dated this 20th day of September 2022.

Star, Idaho

By: _____
Trevor A. Chadwick, Mayor

ATTEST:

Jacob M. Qualls, City Clerk



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star, Idaho – Planning & Zoning Department *Shawn T. Smith*

MEETING DATE: **September 20, 2022**

FILE #: FP-22-11 Final Plat, Greiner’s Hope Springs Subdivision Phase 6

REQUEST

The Applicant is seeking approval of a Final Plat for Greiner’s Hope Springs Subdivision Phase 6 consisting of 53 residential lots and 3 common lots on 11.3 acres. The subject property is generally located on the south side of W. New Hope Road, approximately 1,600 feet east of N. Munger Road in Star, Idaho. Ada County Parcel Number is R76268000015.

APPLICANT/OWNER/REPRESENTATIVE

Owner/Applicant:
Richland American Homes of Idaho, Inc.
Joe Austin
1804 N. Midland Blvd
Nampa, Idaho 83651

PROPERTY INFORMATION

Land Use Designation: Residential (R-4)

Phase 6

Acres: 11.30 Acres

Residential Lots: 53

Common Lots: 3

Commercial: 0

Total Residential Units **53 Units**

HISTORY

- On April 18, 2006, the City Council approved an annexation and zoning (AZ-06-06) for parcel no. R7626790405 containing 11.17-acres with a zoning designation of R-3.
- On August 20, 2019, the City Council approved annexation and zoning, development agreement and preliminary plat for Greiner’s Hope Springs Subdivision (AZ-19-05/DA-19-06/PP-19-03).
- On June 2, 2020, the Council approved the Final Plat for Phase 1 of Greiner’s New Hope Subdivision with 38 residential lots and 8 common lots on 11.41 acres.
- On October 6, 2020, the Council approved the Final Plat for Phase 2 of Greiner’s New Hope Subdivision with 44 residential lots and 3 common lots on 9.79 acres. (FP-20-16)
- On July 6, 2021, the Council approved the Final Plat for Phase 3 of Greiner’s New Hope Subdivision with 37 residential lots and 6 common lots on 10.27 acres. (FP-21-14)
- On January 11, 2022, the Council approved the Final Plat for Phase 4 of Greiner’s New Hope Subdivision with 38 residential lots and 6 common lots on 9.88 acres. (FP-21-30)
- On July 19, 2022, the Council approved the Final Plat for Phase 5 of Greiner’s New Hope Subdivision with 42 residential lots and 2 common lots on 10.05 acres. (FP-22-10)

GENERAL DISCUSSION

The Applicant is requesting approval of the Final Plat for Phase 6 of Greiner’s Hope Springs Subdivision.

The approved Preliminary Plat consists of 252 single family residential lots and 18 common lots. There are two existing dwellings that will remain and be platted as individual lots. The residential lots range in size from 5,000 square feet to 29,345 square feet (existing dwelling lot), with an average lots size of 6,885 square feet. The applicant has indicated that the development will contain a total of 11.62 acres (18.5%) open space. Although the application was submitted prior to the adoption of Ordinance 290 requiring a minimum of 15% open space, 10% usable, the applicant has provided 13.5% (8.49 acres) more open space than the required 5% in the Code that was relevant at the time of submittal of the application. Staff has interpreted and calculated the total usable open space provided as 7.4 acres, or 11.8% usable. This amount excludes drainage areas*, although the drainage areas are designed as grassed areas with minimal slope. Staff calculations do include the planting strips along the roadways for the proposed detached sidewalks. *Adding the drainage areas would increase the usable open space to 8.97 acres (14.3%).

The Unified Development Code in affect at the time of approval required one site amenity for each 20-acres of development area (total of 3 amenities required). Proposed amenities within the development include the following:

- Quality of Life Amenities – Proposed pathway system, seasonal stream and ponds with waterfalls, benches, community gardens, hanging flower baskets
- Clubhouse for gatherings and private events and with Parking Lot
- Additional Open Space in excess of 5% (as required by Code in affect at time of submittal)
- Detached 5' sidewalks with 8' landscape strips
- Usable landscaped storm water detention areas

Irrigation to the property will be provided by the Middleton Mill Irrigation District. The applicant has been working with the district.

The ingress/egress will be taken from W. New Hope Road. The design shows several future street connections to adjacent properties, including connection to the currently developing Sailing Hawks and Fallbrook Subdivisions.

The development received Specific Setbacks as Requested:

Greiner's Hope Springs

Front Setbacks - 15' for living area, 26' to garage door (measured from property line)

Interior Side Setback – 5 feet (for one and two story)

Street Side Setback – 15 feet for dwelling

26 feet for garage

Locations for decorative streetlights are reflected on the submitted lighting plan. Streetlight design has also been submitted and meets the intent of the City's "Dark sky lighting" standards.

If a pump house is proposed, a location needs to be called out on the site plans and identified in the "Notes".

Fencing is being proposed to be solid cedar or vinyl fencing along the boundary and within the subdivision with potential open fencing proposed between the residential lots and the central open space/common lots containing the streams. Any fencing shall reflect the Clear Vision Triangle regulations.

All internal roads are proposed as public streets and shall be 36' from back of curb to back of curb.

The Applicant received a waiver from Council for exceeding the 750' block lengths for two blocks within this subdivision. The blocks that would be affected would be Block 1 and Block 7.

The applicant indicated that the subdivision would develop in four to five phases. The applicant has requested flexibility in phasing in order to adjust the number of lots and combination of lots to reflect changing market conditions.

Landscaping as required by the Unified Development Code, Street Trees; the minimum density of one (1) tree per thirty-five (35) linear feet is required. The landscaping plan does meet this requirement as submitted. (Please see "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code.)

The submitted final plat meets the conditions of approval for the approved preliminary plat application.

Staff analysis of Final Plat Submittal:

Lot Layout – The gross density of Phase 6 is 4.69 du/acre. The phase contains lots ranging in size consistent with the approved preliminary plat. **After phase 6 is complete, all 252 lots approved on the preliminary plat will have been platted.**

Setbacks – The development was approved with special setbacks.

Front Setbacks - 15' for living area, 26' to garage door (measured from property line)

Interior Side Setback – 5 feet (for one and two story)

Street Side Setback – 15 feet for dwelling

26 feet for garage

Common/Open Space and Amenities – Amenities have been installed in previous phases of the development. The sidewalks will be detached with a landscape strip. The submitted landscape plan meets the standards of the current zoning ordinance, including street trees. The applicant shall use "Tree Selection Guide for Streets and Landscapes throughout Idaho", as adopted by the Unified Development Code.

Streetlights – Streetlight plan/design specifications have been submitted with the final plat application. The streetlight design meets the dark sky standards consistent with the intent of the city. Streetlights shall be consistent throughout the remaining phases of the subdivision.

Mailbox Cluster – Location has been approved for previous phases and will be the same location for all phases. Letter of approval was included in the application packet.

Street Names - Applicant has provided documentation from Ada County that the proposed street names have been approved. Correct street names are reflected on the final plat.

Landscape – Landscaping as required by the Unified Development Code, Street Trees; the minimum density of one (1) tree per thirty-five (35) linear feet is required. The landscaping plan, as submitted appears to satisfy this requirement. Common Area landscape requirements call for

one deciduous shade tree per 4,000 square feet. The plan as submitted meets these requirements.

Sidewalks - Sidewalks are proposed at five-foot (5') widths and will be detached throughout the overall subdivision with 8-foot landscape strips.

SITE SPECIFIC DISCUSSION

In review of the application, staff finds that per the Unified Development Code, the Greiner’s Hope Springs Subdivision Final Plat, Phase 6, is in substantial compliance.

Applicant shall continue to advise all contractors of the City preferred transportation routes to and from the subdivision. This includes a route that avoids New Hope Road from the east as a primary travel pattern.

The Unified Development Code states that the final plat shall be in substantial compliance with the approved or conditionally approved preliminary plat, notwithstanding the following changes:

- 1- The number of buildable lots is the same or fewer;
- 2- The amount of common open space is increased;
- 3- The amount of open space is relocated with no reduction in the total amount;
- 4- The number of open space lots has been increased; or
- 5- The transportation authority has required minor changes.

AGENCY NOTIFICATIONS

Notification of this application was sent to agencies having jurisdiction on May 30, 2022. The following agencies responded:

November 22, 2021	City Engineer	Approval Letter Phase 6
April 20, 2022	Central District Health	Approval Letter Phases 6
June 10, 2022	DEQ	Standard Response Phase 6

FINDINGS

The Council may **approve, conditionally approve, deny** or **table** this request. In order to approve this Final Plat, the Unified Development Code requires that Council must find the following:

- A. The Plat is in conformance with the Comprehensive Plan.
Staff finds that this subdivision upon Preliminary Plat approval was in conformance with the Comprehensive Plan; no changes have been made to change this status.

- B. Public services are available or can be made available and are adequate to accommodate the proposed development.
Staff finds that all public services are available and able to accommodate this development.
- C. There is public financial capability of supporting services for the proposed development.
Staff has not received information from agencies having jurisdiction reflecting any financial hardships that would prevent services from being provided.
- D. The development will not be detrimental to the public health, safety or general welfare; and,
Staff has not received facts to support that this subdivision phase will be detrimental to the public health, safety or general welfare.
- E. The development preserves significant natural, scenic or historic features.
Staff finds that existing conditions have not changed from the approved Preliminary Plat of this subdivision.

CONDITIONS OF APPROVAL

1. The final plat for the Greiner's Hope Springs Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. The Final Plat shall comply with all received comments from the City Engineer prior to signature of the plat by the City.
3. **Prior to signature of the final plat for Phase 6, all outstanding issues regarding HRM Lateral Pipeline shall be resolved and confirmed by the City Engineer.**
4. The property shall be satisfactorily weed abated at all times, including future phases, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
5. The property associated with this approved Final Plat, in addition to the property of all future phases shall be properly maintained throughout the construction process to include trash picked up and trash receptacles emptied with regular frequency, streets swept and cleaned weekly, including any streets used to access the property and all debris shall be prevented from accumulating on any adjacent property or public right of way and shall remove all debris from public way at least daily.
6. Mylar's/final plats must include the statement supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45.
7. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, unless otherwise approved.
8. The Mylar of this final plat shall be signed by the owner, Surveyor, Central District Health, ACHD and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
9. All common area lots shall be owned and maintained by the Homeowner's Association.
10. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Homeowners Association. **Streetlights shall be installed and**

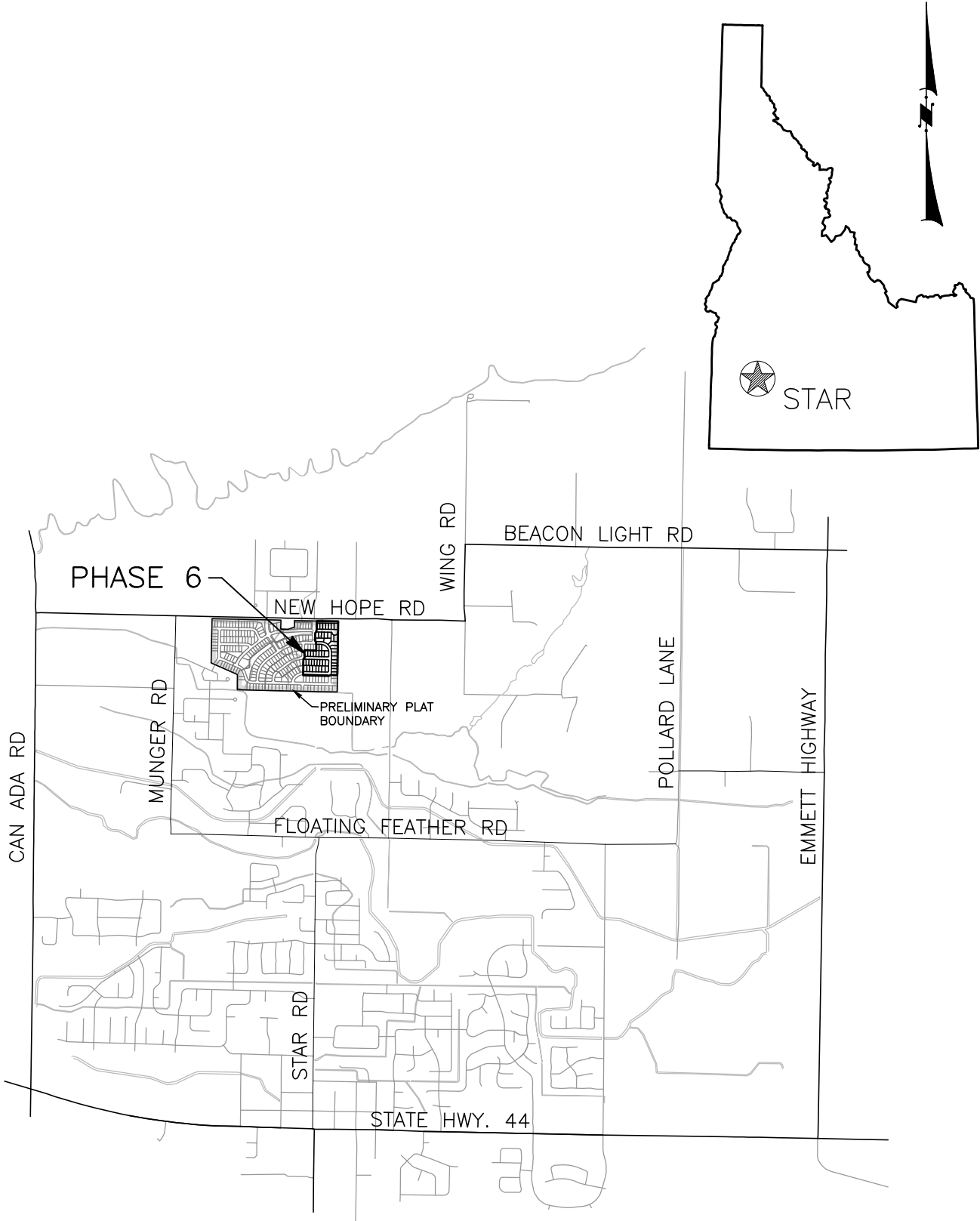
energized prior to issuing of building permits. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative.

11. The Applicant/Owner shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages (See Section 8-4 B Landscaping Requirements).
12. The applicant shall provide the City with a written Certificate of Completion that all landscaping and amenities have been installed in substantial compliance with the City approved landscape plan. The certification shall be prepared by the licensed landscape architect responsible for the landscape plan. **This certification shall be submitted prior to issuance of first certificate of occupancy for this phase.**
13. A letter from the US Postal Service shall be given to the City prior to final Mylar signature stating the subdivision is in compliance with the Postal Service.
14. A form signed by the Star Sewer & Water District shall be submitted to the City prior to final mylar signature stating that all conditions have been met.
15. A sign application shall be submitted to the City for any internal or subdivision signs.
16. The applicant shall maintain, during all construction (including home construction), the installed construction sign, located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time).
17. Applicant shall provide the City with one (1) full size copy, one (1) 11"x17" copy and an electronic pdf copy of the as-built irrigation plans, **prior to any building permits being issued.**
18. Applicant shall provide the City with two (2) full size copies, one (1) 11"x17" copy and an electronic pdf copy of the **signed recorded final plat** with all signatures, **prior to any building permits being issued.**
19. Applicant shall provide the City with one (1) copy and an electronic pdf copy of the recorded CC&R's, **prior to any building permits being issued.**
20. Applicant shall provide the City with one (1) full size copy and an electronic pdf copy of the final, approved construction drawings, **prior to any building permits being issued.**
21. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION

The Star City Council _____ File # FP-22-11 Greiner's Hope Springs Subdivision, Final Plat Phase 6 on _____, 2022.

VICINITY MAP
GREINERS HOPE SPRINGS SUBDIVISION No. 6



PREPARED BY
CIVIL SURVEY CONSULTANTS, INC
2893 S. MERIDIAN ROAD
MERIDIAN, ID 83642
(208)888-4312

SCALE: 1"=1/2 M

3. The Applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7 a.m. start time). Sign shall be approved by zoning administrator prior to start of construction.
 - a. This sign was installed 2-29-2020 before construction began on phase 1 and remains on site.
4. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
 - a. See enclosed License Agreement (see also item #21 on thumb drive)
5. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigations systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
 - a. Construction drawings including the PI system have been reviewed and approved by Ryan Morgan. See attached, stamped plans. (see also item #17 on thumb drive)
6. The approved Preliminary Plat shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements)
 - a. The Plat complies.
7. Applicant/Owner/Developer shall submit a streetlight plan/design with each subsequent Final Plat application. Streetlights shall comply with the Star City Code, to include the "Dark Sky" initiative, and shall be of the same design throughout the entire subdivision.
 - a. See page 22 of approved construction drawings (see also Items #19 on thumb drive)
8. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
 - a. See Note #6 on the Final Plat.
9. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
 - a. See Notes #1, #3, #5, on the Final Plat
10. The subsequent Final Plats shall comply with and be in accordance with the current City of Star Code, with the exception of any waivers granted by the council.
 - a. This plat is in compliance with current Code and the specific City approvals for this preliminary plat.



Greiners Hope Springs General Data and Statement of Compliance for Phase 6

GENERAL DATA (this phase)

- a. Gross Density- 53 on 11.304 acres= 4.7 DU/Ac
- b. Lot size range – 5,600SF to 11,821SF
- c. Lot size average – 6,668SF
- d. Open Space
 - a. Landscaped open space and berm along New Hope Rd.
 - b. These comprise 0.731 acres, which is 647% of the 11.304 acres planned.
- e. Specific Setbacks for Greiners Hope Springs

TABLE 1- HOPE SPRINGS DIMENSIONALSTANDARDS

(this table replaces Table 8-3B-6(a)of Star Code specific to Hope Springs)

Minimum street frontage	35 feet	
Front Setback ¹	15 feet to the living area, 26 feet to the garage door ²	
Rear setback	15 feet	
Interior side setback	5 feet	
Street side setback (local) ¹		Items highlighted in yellow differ from the City's R-4 standard setbacks.
Dwelling	15 feet	
Garage ²	26 feet	
Street side setback (arterial and collector)	n/a	
Street landscape buffer:		
Arterial and collector	35 feet	
Entryway corridor	n/a	
Maximum building height	35 feet	
1. Measured from the Property Line 2. Setback for garage side wall (wall without vehicle door) is same as "dwelling or living" setback		

CONDITIONS OF APPROVAL

1. The approved Preliminary Plat for Greiner Hope Springs Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
 - a. The final plat must be signed by various agencies having jurisdiction before the mylar is recorded.
2. The property with the approved Preliminary Plat shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1through 3-1-7.
 - a. We shall maintain the property accordingly. We will mow weeds as needed.

3. The Applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7 a.m. start time). Sign shall be approved by zoning administrator prior to start of construction.
 - a. This sign was installed 2-29-2020 before construction began on phase 1 and remains on site.
4. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
 - a. See enclosed License Agreement (see also item #21 on thumb drive)
5. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigations systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
 - a. Construction drawings including the PI system have been reviewed and approved by Ryan Morgan. See attached, stamped plans. (see also item #17 on thumb drive)
6. The approved Preliminary Plat shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements)
 - a. The Plat complies.
7. Applicant/Owner/Developer shall submit a streetlight plan/design with each subsequent Final Plat application. Streetlights shall comply with the Star City Code, to include the "Dark Sky" initiative, and shall be of the same design throughout the entire subdivision.
 - a. See page 19 of approved construction drawings (see also Items #19 on thumb drive)
8. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
 - a. See Note #6 on the Final Plat.
9. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
 - a. See Notes #1, #3, #5, on the Final Plat
10. The subsequent Final Plats shall comply with and be in accordance with the current City of Star Code, with the exception of any waivers granted by the council.
 - a. This plat is in compliance with current Code and the specific City approvals for this preliminary plat.



11. Requested Surety will be required at 150% of the total installed cost, as approved by the City

Engineer or Administrator. The term of approval shall not exceed 180 days. (See Section 8-1 C-1 of the Unified Development Code for a list of eligible items.) Bonding shall only apply to landscaping during winter months.

- a. If we bond for landscaping, we will provide bid for bonding prior to Clerk signing the mylar.
12. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
 - a. See enclosed copy (see also item #22 on thumb drive).
13. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
 - a. See attached approval letter - all boxes in one location (see also item #23 on thumb drive)
14. A form signed by the Star Sewer & Water shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met.
 - a. Will do
15. All State, Federal and local rules and regulations regarding development in the Special Hazard Areas (Floodplain/Floodway) shall be adhered to, if applicable.
 - a. N/A
16. The applicant shall provide a domestic water stub to the properties to the east. This stub shall be coordinated with the City and the Star Sewer & Water District regarding location of said stub.
 - a. See page 12 of approved construction drawings
17. All existing irrigation and drainage ditches located along the boundary of the subdivision shall be provided with fire-proof fencing to protect against burning by Irrigation Districts or farmers.
 - a. N/A to this phase
18. The applicant shall coordinate with the property owner to the west regarding irrigation water delivery to their adjacent properties.
 - a. N/A to this phase - installed with phase 2.
19. The applicant shall include language in the CC&R's that recognizes and references surrounding active agricultural activities in the general vicinity and the sights, sounds and smells that are associated with these activities.
 - a. See Section 5.26 of the enclosed Master CCR's. (items #22 on thumb drive)
20. The applicant shall advise all contractors of the City preferred transportation routes to and from the subdivision. This includes a route that avoids New Hope Road from the east as a primary travel pattern.
 - a. Notice provided to contractors.

I certify that the above items are accurate.

A handwritten signature in blue ink, consisting of a stylized 'J' followed by a series of loops and a long horizontal stroke.

Richmond American Homes of Idaho, Inc.

REVISIONS		PROJECT NO.	18048/Polat
NO.	ITEM	DATE	DESIGNED
1.	Revisions per City of Stor comments	7/25/19	JRM
			DRAWN
			JRM/KK
			CHECKED
			APPROVED

CIVIL SURVEY CONSULTANTS, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS

2893 S. MERIDIAN ROAD
MERIDIAN, IDAHO 83642
(208)888-4312
Fax 888-0323

PRELIMINARY PLAT

GREINERS HOPE SPRINGS SUBDIVISION

LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 5 AND
THE S 1/2 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 4 NORTH,
RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO

DATE:	8/8/2019
DRAWING:	Preplat-NH
JOB NO:	18048/Preplat

SHEET 2 OF 2

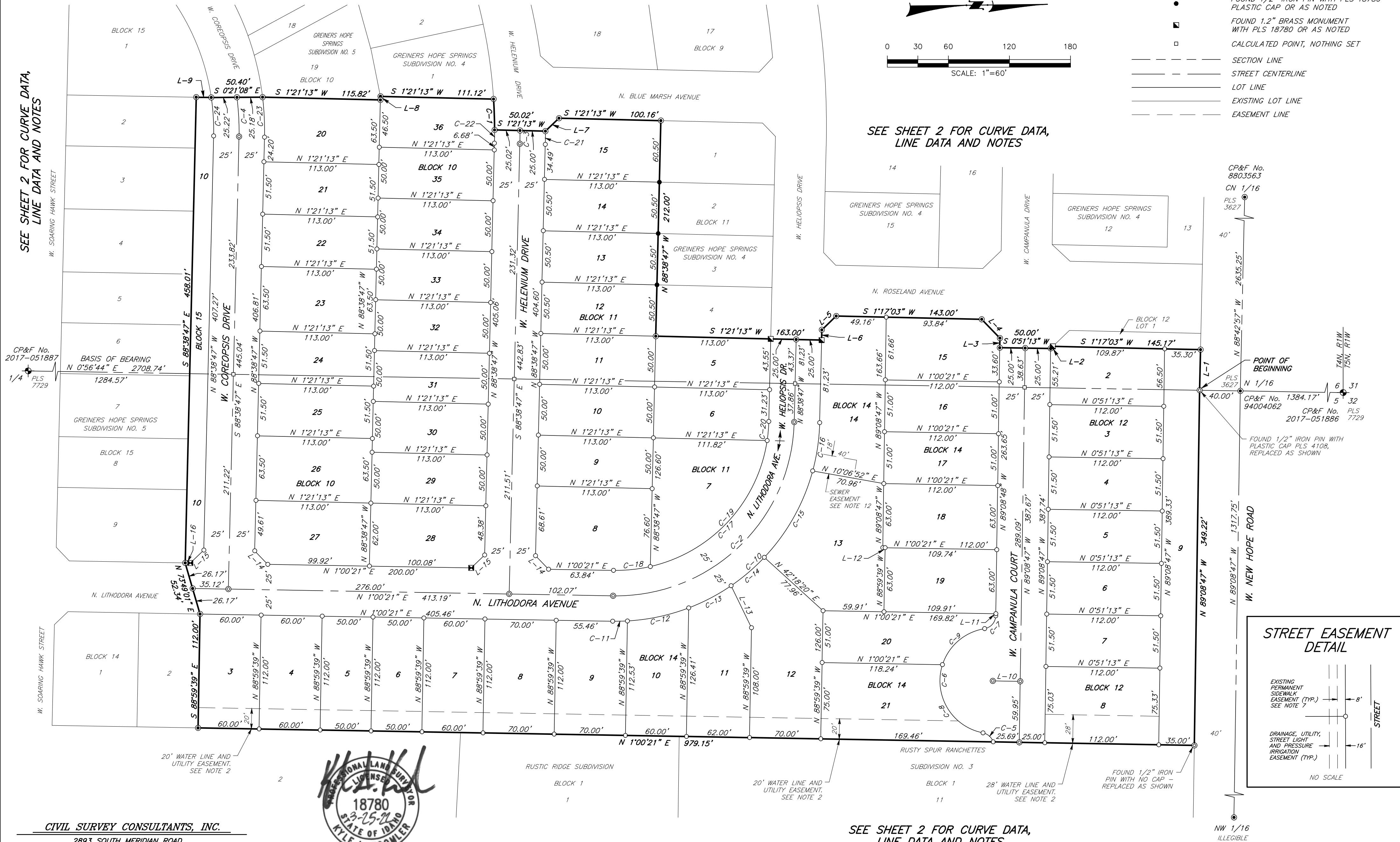
GREINERS HOPE SPRINGS SUBDIVISION NO. 6

LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 5, AND IN THE SE 1/4 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF STAR, ADA COUNTY, IDAHO, AND BEING A REPLAT OF A PART OF LOTS 5, 7, 8, AND 9 OF BLOCK 1 OF RUSTY SPUR RANCHETTES SUBDIVISION NO. 2

A DEVELOPMENT BY RICHMOND AMERICAN HOMES OF IDAHO, INC.

2022

SEE SHEET 2 FOR CURVE DATA,
LINE DATA AND NOTES

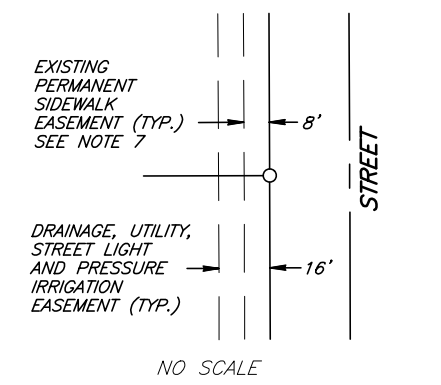


LEGEND

- SUBDIVISION BOUNDARY
- SET 5/8"x24" IRON PIN WITH PLS 18780 PLASTIC CAP
- SET 1/2"x24" IRON PIN WITH PLS 18780 PLASTIC CAP
- SET 1.2" COPPER MONUMENT WITH PLS 18780 WITH MAGNET
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" IRON PIN WITH PLS 18780 PLASTIC CAP OR AS NOTED
- FOUND 1/2" IRON PIN WITH PLS 18780 PLASTIC CAP OR AS NOTED
- FOUND 1.2" BRASS MONUMENT WITH PLS 18780 OR AS NOTED
- CALCULATED POINT, NOTHING SET
- SECTION LINE
- STREET CENTERLINE
- LOT LINE
- EXISTING LOT LINE
- EASEMENT LINE

SEE SHEET 2 FOR CURVE DATA,
LINE DATA AND NOTES

STREET EASEMENT DETAIL



CIVIL SURVEY CONSULTANTS, INC.

2893 SOUTH MERIDIAN ROAD
MERIDIAN, IDAHO 83642
(208) 888-4312

SEE SHEET 2 FOR CURVE DATA,
LINE DATA AND NOTES

GREINERS HOPE SPRINGS SUBDIVISION NO. 6

NOTES

1. THE DEVELOPMENT OF THIS PROPERTY SHALL BE IN COMPLIANCE WITH THE ZONING ORDINANCE OR AS SPECIFICALLY APPROVED BY FILE NO. AZ-19-05/DA-19-06/PP-19-03.
2. ALL LOTS HAVE A 16 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, LOT DRAINAGE, PRESSURE IRRIGATION AND STREET LIGHT PURPOSES CONTIGUOUS TO ALL PUBLIC STREETS. ALL SIDE LOT LINES HAVE A 5 FOOT WIDE EASEMENT ON EACH SIDE FOR PUBLIC UTILITIES, LOT DRAINAGE AND PRESSURE IRRIGATION PURPOSES. ALL REAR LOT LINES HAVE A 10 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, LOT DRAINAGE AND PRESSURIZED IRRIGATION PURPOSES. THE PRESSURE IRRIGATION EASEMENT IS RESERVED FOR THE HOPE SPRINGS OWNERS ASSOCIATION, INC.. ALL OTHER EASEMENTS ARE AS SHOWN.
3. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF STAR APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
4. BUILDING AND OCCUPANCY SHALL CONFORM TO THE COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&R's) RECORDED AS INSTRUMENT NO. 2020-107706, OFFICIAL RECORDS OF ADA COUNTY, AS WELL AS ANY FUTURE AMENDMENTS.
5. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
6. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
7. LOTS ABUTTING PUBLIC RIGHT-OF-WAY ARE SUBJECT TO AN EXISTING TEMPORARY EASEMENT CONTIGUOUS TO ALL STREETS AS DESCRIBED IN INST. NO. 2022-_____.
8. LOT 9 OF BLOCK 12, AND LOT 14 OF BLOCK 14 ARE LANDSCAPE COMMON LOTS WHICH SHALL BE OWNED AND MAINTAINED BY THE HOPE SPRINGS OWNERS ASSOCIATION, INC.. SAID LOTS ARE SUBJECT TO A BLANKET EASEMENT FOR PUBLIC UTILITIES, DRAINAGE AND PRESSURIZED IRRIGATION PURPOSES. THE PRESSURE IRRIGATION EASEMENT IS RESERVED FOR THE HOPE SPRINGS OWNERS ASSOCIATION, INC..
9. GREINERS HOPE SPRINGS SUBDIVISION NO. 6 IS SUBJECT TO A TEMPORARY LICENSE AGREEMENT WITH ACHD FOR LANDSCAPING AS DESCRIBED IN INSTRUMENT NO. 2022-_____.
10. DIRECT LOT OR PARCEL ACCESS TO W. NEW HOPE ROAD IS PROHIBITED.
11. EASEMENTS AS PLATTED BY RUSTY SPUR RANCHETTES NO. 2 THAT ARE WITHIN THE BOUNDS OF GREINERS HOPE SPRINGS SUBDIVISION NO. 6 HAVE BEEN VACATED BY THE CITY OF STAR AND BY THE RELEVANT UTILITY COMPANIES, SEE STAR VACATION FILE NO. VAC-20-01. ANY OTHER EXISTING EASEMENTS ARE AS SHOWN OR NOTED HEREON.
12. LOT 14 OF BLOCK 14 IS HEREBY SUBJECT TO A SANITARY SEWER EASEMENT AS SHOWN FOR THE BENEFIT OF LOT 13 OF BLOCK 14 FOR THE PURPOSES OF A SANITARY SEWER SERVICE. SAID EASEMENT IS FOR THE INSTALLATION, MAINTENANCE, AND REPAIR OF SAID SEWER SERVICE.

REFERENCES

REFERENCE RECORD OF SURVEY NUMBERS:
1229, 1249, 2473, 4087, 7793, 11785, 11809

REFERENCE PLATS OF:
RUSTY SPUR RANCHETTES NO. 2
RUSTY SPUR RANCHETTES NO. 3
RUSTIC RIDGE SUBDIVISION
GREINERS HOPE SPRINGS NO. 3
GREINERS HOPE SPRINGS NO. 4
GREINERS HOPE SPRINGS NO. 5

SURVEYOR NARRATIVE

THE PLAT OF GREINERS HOPE SPRINGS SUBDIVISION NO. 6 IS THE FINAL PORTION OF THE CONTINUATION OF THE MASTER PLAN FOR THE GREINERS HOPE SPRINGS SUBDIVISION. THIS SUBDIVISION IS A RE-PLAT OF A PART OF LOTS 5, 7, 8, AND 9 OF BLOCK 1 OF RUSTY SPUR RANCHETTES NO. 2 AS SHOWN IN BOOK 64 OF PLATS AT PAGE 6556 IN THE OFFICE OF THE RECORDER, ADA COUNTY, IDAHO.

GREINERS HOPE SPRINGS SUBDIVISION NO. 6 IS BOUNDED TO THE SOUTH BY GREINERS HOPE SPRINGS NO. 5, BOUNDED TO THE EAST BY RUSTY SPUR RANCHETTES NO. 3 AND RUSTIC RIDGE SUBDIVISION, BOUNDED ON THE WEST BY GREINERS HOPE SPRINGS SUBDIVISION NO. 4 AND GREINERS HOPE SPRINGS SUBDIVISION NO. 5, AND ABUTS W. NEW HOPE ROAD RIGHT-OF-WAY ON THE NORTH.

THE MONUMENTS ALONG THE BOUNDARY OF GREINERS HOPE SPRINGS SUBDIVISION NO. 4 AND 5 WERE FOUND IN PLACE AND UNDISTURBED UNLESS OTHERWISE SHOWN. THE REMAINING PROPERTY LINES WERE DEVELOPED AS PER THE OWNER AS SHOWN HEREON.



CIVIL SURVEY CONSULTANTS, INC.

2893 SOUTH MERIDIAN ROAD
MERIDIAN, IDAHO 83642
(208) 888-4312

LINE DATA						
LINE	BEARING	DISTANCE				
L-1	N 88°42'57" W	39.94'				
L-2	S 43°55'50" E	3.01'				
L-3	N 89°08'37" W	9.44'				
L-4	S 45°55'57" W	25.72'				
L-5	S 43°51'58" E	19.59'				
L-6	S 88°41'32" E	10.06'				
L-7	S 43°38'47" E	18.38'				
L-8	S 88°38'47" E	3.49'				
L-9	S 1°00'21" W	14.80'				
L-10	S 0°51'13" W	27.00'				
L-11	N 89°08'47" W	2.05'				
L-12	N 1°00'21" E	2.26'				
L-13	S 64°07'35" W	45.89'				
L-14	N 46°10'47" E	18.44'				
L-15	N 43°49'13" W	18.33'				
L-16	N 1°00'21" E	5.08'				
CURVE DATA						
CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BRNG.
C-1	3°28'43"	500.00	30.36	15.18	30.35	S 88°07'23" W
C-2	89°39'08"	175.00	273.83	173.94	246.74	N 43°49'13" W
C-3	1°25'03"	526.00	13.01	6.51	13.01	S 89°17'50" E
C-4	8°52'13"	250.00	38.70	19.39	38.66	N 86°55'07" E
C-5	61°30'58"	13.00	13.96	7.74	13.30	S 41°21'17" W
C-6	160°30'51"	52.00	145.68	302.85	102.50	N 89°08'47" W
C-7	80°15'26"	13.00	18.21	10.96	16.76	N 49°01'04" W
C-8	97°18'39"	52.00	88.32	59.10	78.08	S 59°15'08" W
C-9	63°12'11"	52.00	57.36	31.99	54.50	N 40°29'27" W
C-10	89°39'08"	200.00	312.94	198.79	281.98	N 43°49'13" W
C-11	4°10'10"	200.00	14.55	7.28	14.55	N 1°04'43" W
C-12	17°42'42"	200.00	61.83	31.16	61.58	N 12°01'12" W
C-13	13°29'44"	200.00	47.11	23.66	47.00	N 27°32'28" W
C-14	12°20'33"	200.00	43.08	21.63	43.00	N 40°32'37" W
C-15	28°09'58"	200.00	98.32	50.17	97.33	N 60°47'52" W
C-16	13°45'56"	200.00	48.05	24.14	47.94	N 81°45'49" W
C-17	89°39'08"	150.00	234.71	149.09	211.49	N 43°49'13" W
C-18	13°55'57"	150.00	36.48	18.33	36.39	N 5°57'37" W
C-19	68°31'52"	150.00	179.41	102.19	168.91	N 47°11'32" W
C-20	7°11'18"	150.00	18.82	9.42	18.81	N 85°03'08" W
C-21	1°21'11"	551.00	13.01	6.51	13.01	S 89°16'04" E
C-22	1°29'18"	501.00	13.01	6.51	13.01	S 89°19'47" E
C-23	8°12'57"	275.00	39.43	19.75	39.40	N 87°14'45" E
C-24	9°40'16"	225.00	37.98	19.03	37.93	N 86°31'05" E

GREINERS HOPE SPRINGS SUBDIVISION NO. 6

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, are the Owners of the real property described below in City of Star, Ada County, Idaho, and that we intend to include the following described property in this GREINERS HOPE SPRINGS SUBDIVISION NO. 6:

A parcel located in the SW 1/4 of the NW 1/4 of Section 5, and in the SE 1/4 of the NE 1/4 of Section 6, Township 4 North, Range 1 West, Boise Meridian, City of Star, and being a part of Lots 5, 7, 8, and 9 of Block 1 of RUSTY SPUR RANCHETTES SUBDIVISION NO. 2 as shown in Book 64 of Plats at Pages 6556 – 6557 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the southeasterly corner of said SE 1/4 of the NE 1/4, from which an aluminum cap monument marking the northeasterly corner of said Section 6 bears N 0°56'44" E a distance of 2708.74 feet;

Thence N 0°56'44" E along the easterly boundary of said SE 1/4 of the NE 1/4 a distance of 1284.57 feet to a point on the southerly right-of-way of W. New Hope Road, said point being the POINT OF BEGINNING;

Thence leaving said easterly boundary N 88°42'57" W along said southerly right-of-way a distance of 39.94 feet to a point marking the northeasterly corner of GREINERS HOPE SPRINGS SUBDIVISION NO. 4 as shown in Book 122 of Plats at Pages 19327 – 19330 in said office of the Recorder;

Thence leaving said right-of-way and along the easterly boundary of said GREINERS HOPE SPRINGS SUBDIVISION NO. 4 the following described courses:

Thence S 1°17'03" W a distance of 145.17 feet to a point;

Thence S 43°55'50" E a distance of 3.01 feet to a point;

Thence S 0°51'13" W a distance of 50.00 feet to a point;

Thence N 89°08'37" W a distance of 9.44 feet to a point;

Thence S 45°55'57" W a distance of 25.72 feet to a point;

Thence S 1°17'03" W a distance of 143.00 feet to a point;

Thence S 43°51'58" E a distance of 19.59 feet to a point;

Thence S 88°41'32" E a distance of 10.06 feet to a point;

Thence S 1°21'13" W a distance of 163.00 feet to a point;

Thence N 88°38'47" W a distance of 212.00 feet to a point;

Thence S 1°21'13" W a distance of 100.16 feet to a point;

Thence S 43°38'47" E a distance of 18.38 feet to a point;

Thence S 1°21'13" W a distance of 50.02 feet to a point;

Thence a distance of 30.36 feet along the arc of a 500.00 foot radius non-tangent curve left, said curve having a radius point bearing S 0°08'15" E, a central angle of 3°28'43" and a long chord bearing S 88°07'23" W a distance of 30.35 feet to a point;

Thence S 1°21'13" W a distance of 111.12 feet to a point marking the southeasterly corner of said GREINERS HOPE SPRINGS SUBDIVISION NO. 4., said point being on the northerly boundary of GREINERS HOPE SPRINGS SUBDIVISION NO. 5 as shown in Book ____ of Plats at Pages ____ – ____ in said office of the Recorder;

Thence leaving said easterly boundary and along said northerly boundary the following described courses:

Thence S 88°38'47" E a distance of 3.49 feet to a point;

Thence S 1°21'13" W a distance of 115.82 feet to a point;

Thence S 0°21'08" E a distance of 50.40 feet to a point;

Thence S 1°00'21" W a distance of 14.80 feet to a point;

Thence S 88°38'47" E a distance of 458.01 feet to a point;

Thence N 73°49'01" E a distance of 52.34 feet to a point;

Thence S 88°59'39" E a distance of 112.00 feet to a point marking the northeasterly corner of said GREINERS HOPE SPRINGS SUBDIVISION NO. 5, said point being on the easterly boundary of said RUSTY SPUR RANCHETTES SUBDIVISION NO. 2;

Thence leaving said northerly boundary N 1°00'21" E along said easterly boundary a distance of 979.15 feet to a point on the southerly right-of-way of W New Hope Road;

Thence leaving said easterly boundary N 89°08'47" W along said southerly right-of-way a distance of 349.22 feet to the POINT OF BEGINNING.

This parcel contains 11.304 acres, more or less.

CERTIFICATE OF OWNERS (CONT'D)

All the lots in this subdivision will be eligible to receive irrigation water as provided under Idaho Code 31-3805(1)(b) and lies within the Middleton Irrigation Association and Middleton Mill Ditch Company and the Farmers Union Ditch Company and are subject to assessments for said water.

All the lots in this subdivision will be eligible to receive water and sewer service from the Star Sewer and Water District. The Star Sewer and Water District has agreed in writing to serve all the lots in this subdivision.

The public streets shown on this plat are hereby dedicated to the public. Public utility, irrigation and drainage easements on this plat are not dedicated to the public, but the right of access to, and use of, these easements is hereby reserved for public utilities, irrigation and drainage and for any other uses as may be designated hereon and no permanent structures other than for said uses are to be erected within the limits of said easements.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS 14TH DAY OF APRIL, 2022.

Richmond American Homes of Idaho, Inc.

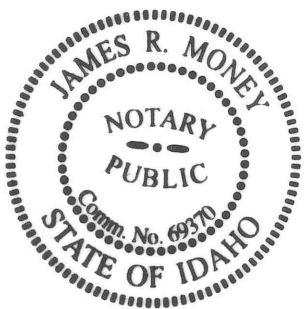
By Paul Peterson, Regional President

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF ADA } s.s.

ON THIS 14TH DAY OF APRIL, 2022, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED PAUL PETERSON, KNOWN TO ME TO BE THE REGIONAL PRESIDENT OF RICHMOND AMERICAN HOMES OF IDAHO, INC. THE PERSON WHO EXECUTED THE INSTRUMENT AND ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



MY COMMISSION EXPIRES FEB. 13, 2023
RESIDING AT ADA COUNTY, IDAHO
Notary Public for the State of Idaho



CIVIL SURVEY CONSULTANTS, INC.

2893 SOUTH MERIDIAN ROAD
MERIDIAN, IDAHO 83642
(208) 888-4312

GREINERS HOPE SPRINGS SUBDIVISION NO. 6

CERTIFICATE OF SURVEYOR

I, KYLE A. KOOMLER DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

KYLE A. KOOMLER
IDAHO NO. 18780



APPROVAL OF THE CITY ENGINEER

I, THE UNDERSIGNED CITY ENGINEER IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO, ON THIS DAY, _____, HEREBY APPROVE THIS PLAT OF GREINERS HOPE SPRINGS SUBDIVISION NO. 6.

CITY ENGINEER ~ STAR, IDAHO

CERTIFICATE OF THE COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR IN AND FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

DATE _____
ADA COUNTY SURVEYOR

CERTIFICATE OF COUNTY RECORDER

STATE OF IDAHO }
COUNTY OF ADA } S.S.

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____, AT _____ MINUTES PAST ____ O'CLOCK ____ .M. ON THIS ____ DAY OF _____, ____.

DEPUTY EX-OFFICIO RECORDER

BOOK _____ PAGES _____ INSTRUMENT NO. _____

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MAY BE RE-IMPOSED IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF DISAPPROVAL.

DATE _____
CENTRAL DISTRICT HEALTH

ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ACCEPTANCE

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE ____ DAY OF _____, ____.

ADA COUNTY HIGHWAY DISTRICT

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON _____ THIS FINAL PLAT WAS APPROVED AND ACCEPTED.

CHAIRMAN

CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

DATE _____
COUNTY TREASURER



Greiner Hope Springs Subdivision
Phase 6

Star, Idaho

Revisions	
1.	



Project No.: 120012
Date of Issuance: 4.14.2022
Project Milestone: CD

Landscape Plan

L1.00

Landscape Notes:

- A. CONTRACTOR SHALL REPORT TO LANDSCAPE ARCHITECT ALL CONDITIONS WHICH IMPAIR AND/OR PREVENT THE PROPER EXECUTION OF THIS WORK, PRIOR TO BEGINNING WORK.
- B. FINISH GRADES TO BE SMOOTH AND EVEN GRADIENTS WITH POSITIVE DRAINAGE IN ACCORDANCE WITH SITE GRADING PLAN. REMOVE RIDGES AND FILL DEPRESSIONS, AS REQUIRED TO MEET FINISH GRADES. PLACE 3" OF MULCH OVER SUBGRADE SOIL TO ACHIEVE FINISH GRADE. FINISH GRADE RELATED TO ADJACENT SITE ELEMENTS SHALL BE:
- B.A. 1-INCH BELOW TOP OF ADJACENT PAVEMENT, VALVE BOX, VAULT, ETC.
- B.B. 3-INCHES BELOW TOP OF CURB UNLESS NOTED OTHERWISE.
- C. ALL PLANTING BEDS SHALL HAVE A MINIMUM OF 18" OF TOPSOIL. SOD AREAS A MINIMUM OF 12" OF TOPSOIL. SPREAD, COMPACT AND FINE GRADE TOPSOIL TO A SMOOTH AND UNIFORM GRADE.
- D. RE-USE EXISTING SURFACE TOPSOIL WHERE POSSIBLE. VERIFY SUITABILITY OF SURFACE SOIL TO PRODUCE TOPSOIL MEETING REQUIREMENTS AND AMEND WHEN NECESSARY. TOPSOIL SHALL BE A LOOSE, FRIABLE, SANDY LOAM, CLEAN AND FREE OF TOXIC MATERIALS, NOXIOUS WEEDS, WEED SEEDS, ROCKS, GRASS OR OTHER FOREIGN MATERIAL AND A PH OF 5.5 TO 7.0. IF ON-SITE TOPSOIL DOES NOT MEET THESE MINIMUM STANDARDS, CONTRACTORS ARE RESPONSIBLE TO EITHER: A) PROVIDE APPROVED IMPORTED TOPSOIL, OR B.) IMPROVE ON-SITE TOPSOIL WITH METHODS APPROVED BY LANDSCAPE ARCHITECT. SUPPLEMENT WITH IMPORTED TOPSOIL WHEN QUANTITIES ARE INSUFFICIENT. CLEAN TOPSOIL OF ROOTS, PLANTS, SODS, STONES, CLAY LUMPS AND OTHER EXTRANEOUS MATERIALS HARMFUL TO PLANT GROWTH.
- E. IF IMPORTED TOPSOIL FROM OFF-SITE SOURCES IS REQUIRED, PROVIDE NEW TOPSOIL THAT IS FERTILE, FRIABLE, NATURAL LOAM, SURFACE SOIL, REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH, WEEDS AND OTHER LITTER, AND FREE OF ROOTS, STUMPS, STONES LARGER THAN 2 INCHES IN ANY DIMENSION, AND OTHER EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH.
- F. OBTAIN TOPSOIL FROM LOCAL SOURCES OR FROM AREAS HAVING SIMILAR SOIL CHARACTERISTICS TO THAT FOUND AT PROJECT SITE. OBTAIN TOPSOIL ONLY FROM NATURALLY, WELL-DRAINED SITES WHERE TOPSOIL OCCURS IN A DEPTH OF NOT LESS THAN 4 INCHES.
- G. ALL LANDSCAPE AREAS SHALL BE WEED FREE AT THE TIME OF LANDSCAPE INSTALLATION.REMOVE ALL ROOTS, WEEDS, ROCKS AND FOREIGN MATERIAL ON THE SURFACE.
- H. NEW TREE PLANTING, SEE DETAIL 1/L1.00. CONTRACTOR SHALL STAKE ALL TREES DEEMED NECESSARY, I.E.,... FROM BEING BLOWN OVER, PLANTED WITH LOOSE ROOT BALL, ETC. CONTRACTOR'S OPTION.
- I. ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE SHOWN. PLANTS WILL BE REJECTED IF NOT IN A SOUND AND HEALTHY CONDITION.
- J. ALL PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF SUBSTANTIAL COMPLETION. REPLACE ALL PLANT MATERIAL FOUND DEAD OR NOT IN A HEALTHY CONDITION IMMEDIATELY WITH THE SAME SIZE AND SPECIES AT NO COST TO THE OWNER.
- K. TREE PIT BACKFILL PLANTING MIX: BLEND TOPSOIL AND SOIL AMENDMENTS AND FERTILIZER FOR TREE PIT BACKFILL AT THE FOLLOWING RATES. BLEND AMENDMENTS THOROUGHLY WITH SOIL BACKFILL. TREE PITS SHALL BE 5'x5'x1.5' (37.5 CF/ 1.5 CY).
- K.A. APPLICATION RATES:
- K.A.A. HUMIC ACID: 25 LBS PER TREE PIT
- K.A.B. COMMERCIAL GRADE COMPOST - 10 CUBIC FEET PER TREE PIT
- K.A.C. PLANTING TABLET FERTILIZER - 4 TABLETS PER TREE PIT
- K.A.D. CALCIFIED DIATOMACEOUS EARTH - 75 LBS PER TREE PIT
- L. IMMEDIATELY CLEAN UP ANY TOPSOIL OR OTHER DEBRIS ON THE SITE CREATED FROM LANDSCAPE OPERATIONS AND DISPOSE OF PROPERLY OFF SITE.
- M. CONTRACTOR SHALL SUBMIT MATERIAL SAMPLES FOR LANDSCAPE ROCK MULCH TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO PROCUREMENT. LANDSCAPE BOLDERS, PHOTO SUBMITTAL IS ADEQUATE. FOR ROCK MULCH, SUBMIT 1 GALLON BAG SAMPLE TO OWNER.

Keynotes:

1. BEGIN FENCING, SEE LEGEND FOR FENCING TYPE.
2. END FENCING, SEE LEGEND FOR FENCING TYPE.

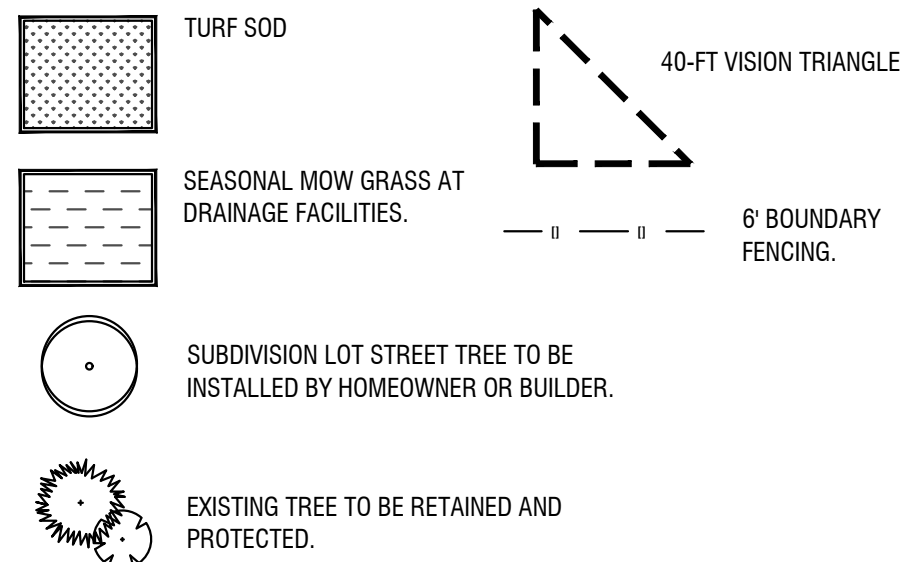
ACHD Landscape Plan Notes:

- A. TREES SHALL NOT BE PLANTED WITHIN THE 10' CLEAR ZONE OF ALL ACHD STORM DRAIN PIPES, STRUCTURES, OR FACILITIES.
- B. IF ACHD SEEPAGE BEDS ARE LOCATED WITHIN A COMMON LOT WHERE IRRIGATION LINES WILL BE INSTALLED, SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.

PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	SIZE	CONTAINER
LW	LIQUIDAMBAR STYRACIFLUA "WORPLESTON" / WORPLESTON SWEET GUM	2" CAL.	B&B
CLASS II TREES	BOTANICAL / COMMON NAME	SIZE	CONTAINER
AE	ACER PLATANOIDES 'EMERALD QUEEN' / EMERALD QUEEN MAPLE	2" CAL.	B&B
CLASS III TREES	BOTANICAL / COMMON NAME	SIZE	CONTAINER
PB	PLATANUS X ACERIFOLIA "BLOODGOOD" / LONDON PLANE TREE	2" CAL.	B&B

Material Legend:



Landscape Calculations:

1. COMMON LOT OPEN SPACE: 30,188.85 SQFT
- 1.1. COMMON LOT TREES: REQUIRED 5 | PROVIDED 5
2. STREET TREES:
- 2.11. NEW HOPE RD: REQUIRED 11 | PROVIDED 11
- 2.12. W. COREOPSIS DR: REQUIRED 12 | PROVIDED 12
- 2.13. N. LITHODORA AVE: REQUIRED 4 | PROVIDED 4

Tree Protection Notes:

- A. PROTECT THE CRITICAL ROOT ZONE OF THE TREES TO BE RETAINED ON SITE. (NOTE: CRITICAL ROOT ZONE IS THE AREA DIRECTLY BELOW THE DRIP LINE OF THE TREE.)
- A.A. CONSTRUCT PROTECTIVE FENCING OF CHAIN-LINK AROUND THE CRITICAL ROOT ZONE PRIOR TO DEMOLITION OR CONSTRUCTION.
- A.B. DO NOT ALLOW COMPACTION BY EQUIPMENT TRAFFIC DURING CONSTRUCTION OR DURING DEMOLITION.
- A.C. DO NOT ALLOW CEMENT TRUCKS TO RINSE WITHIN THE PROTECTION AREA, ANYWHERE THAT TREE ROOTS EXIST OR IN PLANNED PLANTING BEDS.
- A.D. DO NOT STOCKPILE MATERIALS, DEBRIS OR DIRT WITHIN THE TREE PROTECTION AREA.
- A.E. MAINTAIN WATERING WITHIN THE CRITICAL ROOT ZONE FROM MID-APRIL TO MID-OCTOBER AT THE RATE OF NOT LESS THAN THE EQUIVALENT OF 1-1/2" OF WATER OVER THE ENTIRE AREA PER WEEK.
- A.F. DO NOT TRENCH, EXCAVATE, FILL OR OTHERWISE DISTURB THE SOIL WITHIN THE CRITICAL ROOT ZONE.
- A.G. ADJUST PROPOSED IMPROVEMENT LOCATIONS AS REQUIRED TO AVOID DAMAGING TREE ROOTS.
- B. PROTECT THE CROWN AND TRUNK OF TREES TO BE RETAINED ON SITE:
- B.A. OPERATE EQUIPMENT IN SUCH A WAY AS TO AVOID CONTACT WITH TREE TRUNKS OR BRANCHES.
- B.B. PRUNING OF PUBLIC PROPERTY TREES SHALL BE PERFORMED BY A LICENSED ARBORIST.
- C. ALL TREES DAMAGED OR DESTROYED DURING CONSTRUCTION SHALL BE REPLACED USING THE FOLLOWING CRITERIA:

EXISTING TREE	REPLACEMENT
1" TO 6" CALIPER.....	2X CALIPER OF TREE REMOVED
6" TO 12" CALIPER.....	1.5X CALIPER OF TREE REMOVED
> 12" OR LARGER CALIPER.....	1X CALIPER OF TREE REMOVED

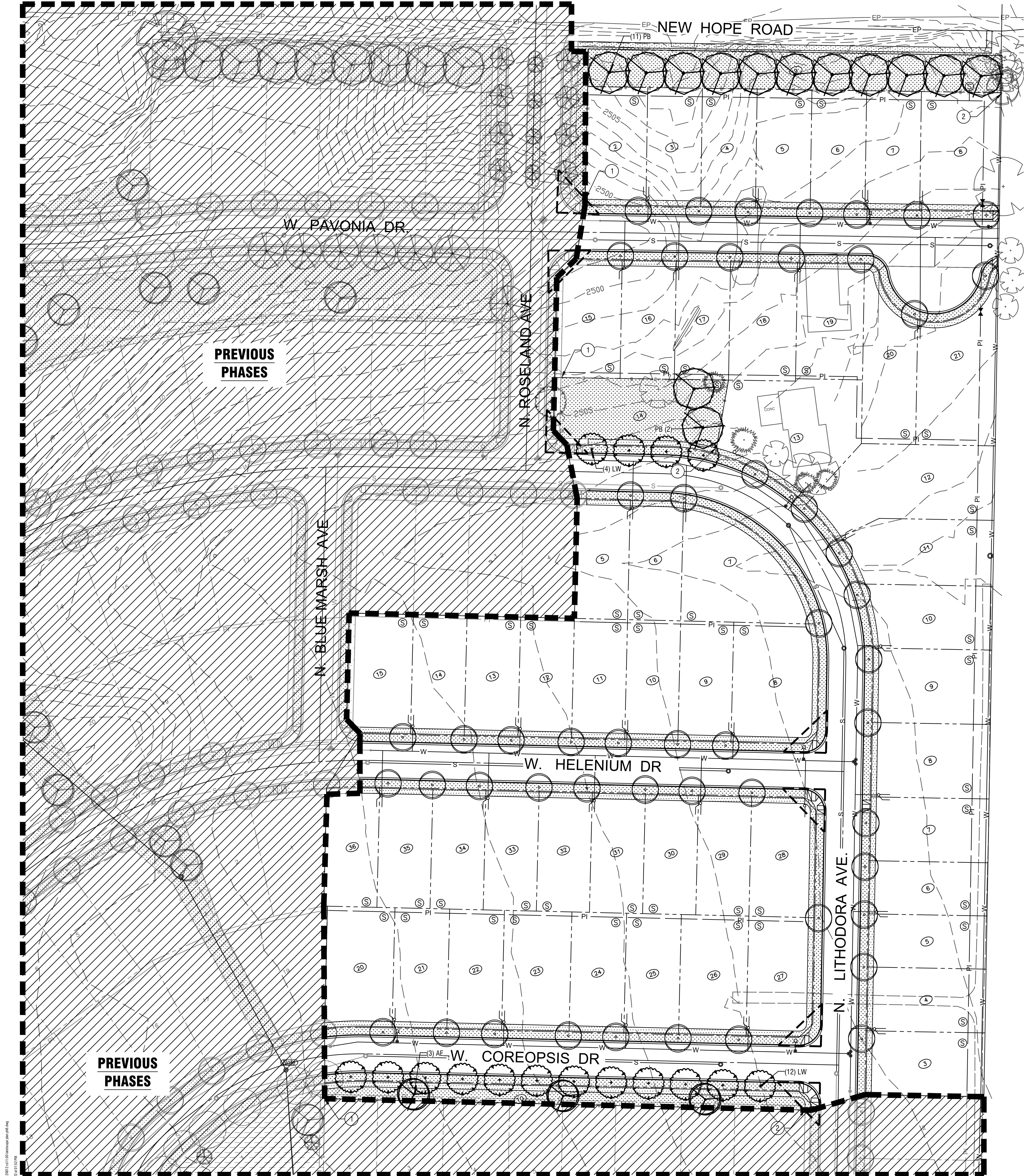
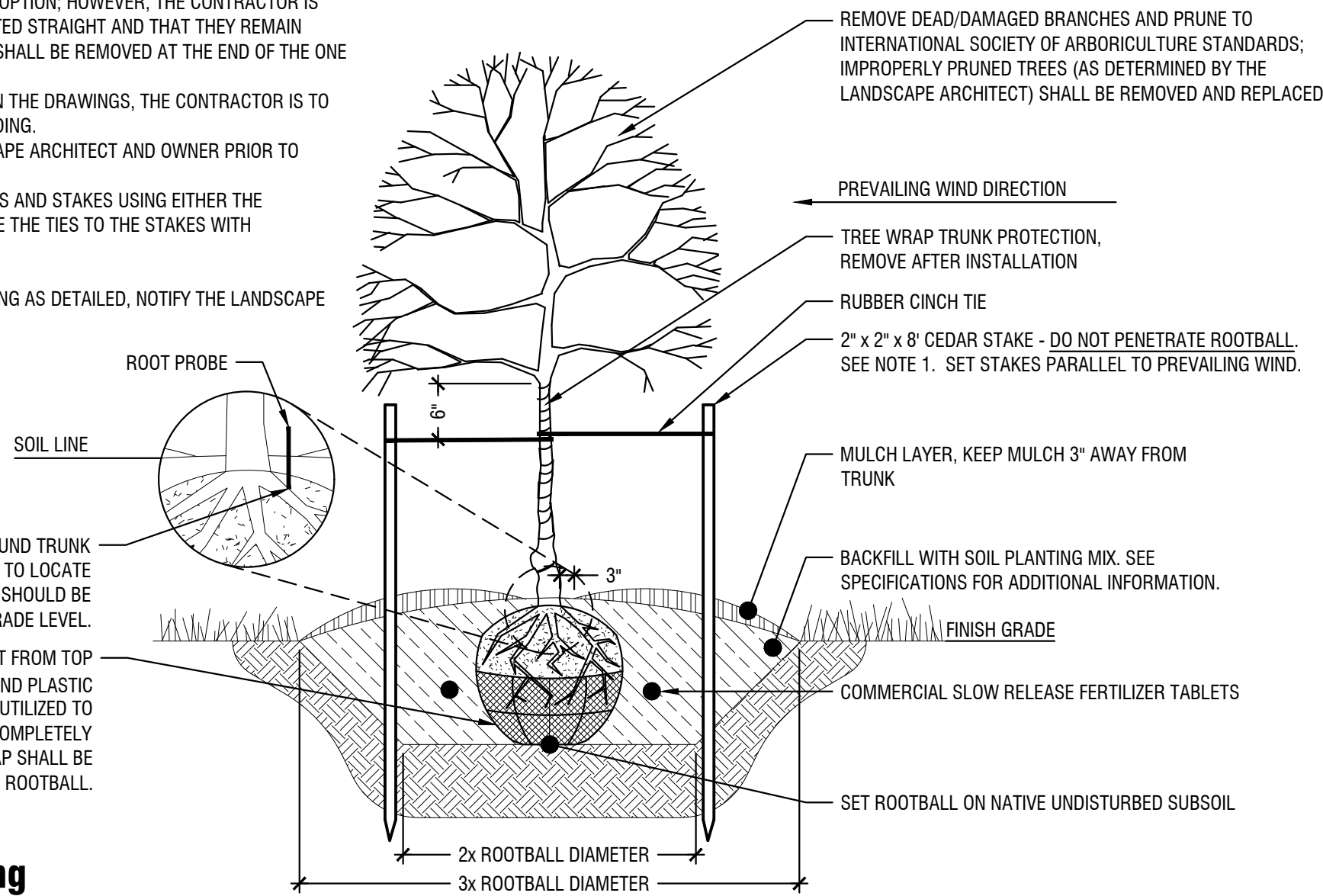
EXAMPLE: IF AN 8" CALIPER TREE IS REMOVED, AN ACCEPTABLE REPLACEMENT WOULD BE (3) 4" CALIPER TREES OR (4) 3" CALIPER TREES.

NOTES:

1. THE STAKING OF TREES IS TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND THAT THEY REMAIN STRAIGHT FOR A MINIMUM OF 1 YEAR. ALL STAKING SHALL BE REMOVED AT THE END OF THE ONE YEAR WARRANTY PERIOD.
2. IN THE EVENT OF A QUESTION OR LACK OF CLARITY ON THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
3. LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
4. WRAP RUBBER CINCH TIES AROUND THE TREE TRUNKS AND STAKES USING EITHER THE STANDARD OR FIGURE EIGHT TYING METHOD. SECURE THE TIES TO THE STAKES WITH GALVANIZED NAILS TO PREVENT SLIPPAGE.
5. WATER TREE TWICE WITHIN THE FIRST 24 HOURS.
6. IN THE EVENT HARDPAN SOILS PREVENT TREE PLANTING AS DETAILED, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.

1 Deciduous Tree Planting

Scale: NTS



Landscape Plan

Horizontal Scale: 1" = 50'



November 22, 2021

Mayor Trevor Chadwick
City of Star
P.O. Box 130
Star, Idaho 83669

Re: Greiners Hope Springs Subdivision Phase 6 – Final Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Final Plat and Construction Drawings for the Greiners Hopes Springs Subdivision Phase 6 dated October 25, 2021. We reviewed this package to check conformance with the City Subdivision Ordinance and coordinated our review with Shawn L. Nickel. There are a few outstanding items that need to be addressed prior to the City Engineer signing the final plat as indicated on the attached Final Plat and Construction Drawing Review Checklist.

We recommend that the construction drawings and final plat be **APPROVED**. The City Engineer's signature on the final plat will be withheld until the requirements identified on the attached checklist are satisfactorily addressed. The attached checklist was reviewed with the applicant's engineer and it was agreed that the additional items needed for approval would be addressed.

By stamping and signing the Final Plat and Construction Drawings, the Registered Professional Land Surveyor and Professional Engineer, respectively, are responsible to ensure that said plat and construction drawings conform to all City standards, ordinances, and policies (and State laws and statutes). Any variances or waivers to these standards, ordinances, or policies must be specifically and previously approved in writing by the City. Acceptance of the above referenced Final Plat and Construction Drawings does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,

KELLER ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Ryan V. Morgan".

Ryan V. Morgan, P.E.
City Engineer

Enclosure(s)

cc: File



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

Section 5, Item C.

1445 N Orchard Street, Boise, ID 83706
(208) 373-0550

Brad Little, Governor
Jess Byrne, Director

June 10, 2022

By e-mail: snickel@staridaho.org

City of Star
P.O. Box 130
Star, Idaho 83669

Subject: Greiner's Hope Springs Subdivision Final Plat Phase 6, FP-22-11

Dear Mr. Nickel:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
- All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.

Response to Request for Comment

June 10, 2022

Page 5

- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator
DEQ-Boise Regional Office

EDMS#: 2022AEK125

File Number: 5752

April 20, 2022

Ada County Recorder
Attn: Phil McGrane
200 West Front Street
Boise, ID 83702

RE: Greiners Hope Springs Subdivision No. 6

Dear Mr. McGrane:

Central District Health has reviewed and does approve the final plat for this subdivision for central water and central sewer facilities. Final approval was given April 20, 2022.

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied based on a review by a Qualified Licensed Professional Engineer (QLPE) representing the Star Sewer and Water District and the QLPE approval of the design plans and specifications and the conditions imposed on the developer for continued satisfaction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water extensions or sewer extensions were constructed. Building construction can be allowed with appropriate building permits if drinking water extensions or sewer extensions have since been constructed or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities then sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

If you have any questions, please call 208-327-8517.

Sincerely,



Lori Badigian, R.E.H.S.
Senior Environmental Health Specialist

cc: Richmond American Homes of Idaho, Inc.
Civil Survey Consultants, Inc.
City of Star

LB:bk

Jerry A. Kiser
Attorney at Law
P.O. Box 8389
Boise, Idaho 83707

jerrykiserlaw@gmail.com (208) 861-4657

May 25, 2022

CITY OF STAR
Attn. Shawn L. Nickel
P.O. Box 130
Star, ID 83669

Re: HRM Lateral Pipeline/ Greiners Hope Springs Subdivision No. 6

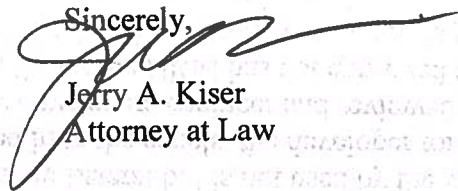
Dear Mr. Nickel:

I write as attorney for the HRM Lateral Pipeline (HRM) regarding the above referenced development. As I informed you by phone previously, the developer of this subdivision destroyed the drainage system at the end of the HRM ditch. This drain carries tail water from the HRM to a drain operated by Drainage District No. 2 which is South of the development. Tail water is water remaining in the end of the ditch which is necessary to convey water to water users on the Lateral but is not used by the water users. Early this spring before the water was turned in to the canals, the developer tore out the drain. The HRM has had discussion with the developers engineer and reviewed a proposed solution to address the tail water problem. So far the HRM has not approved the developers proposal and has very grave concerns that the approach proposed is going to work. I have enclosed my letter to the developers engineer sent today which more fully explains HRM's concerns.

At this time, and the principle reason for this letter is that despite the developer being informed of the HRM's concerns construction on the site appears to be continuing as though the solution proposed by the developer will be the final solution accepted by the HRM. Please understand the HRM is willing to work with the developer to find an acceptable solution to the issues created by the developer when they destroyed the HRM drainage system without the permission of the HRM and without even contacting the HRM. The HRM is concerned the developer will continue construction without addressing the problems it created and then claim they are too far into construction to make changes which are necessary to protect the HRM tail water drainage requirements.

If you have any questions regarding the foregoing, please feel free to contact me.

Sincerely,


Jerry A. Kiser
Attorney at Law

cc: Client

James R. Money P.E.

RECEIVED
MAY 27 2022

BY: 



1 REPLACE READERBOARD W/15.85mm EMC & REPLACE POLE COVER SCALE: 1/2" = 1'-0"
QUANTITY: 1 MANUFACTURE & INSTALL

SCOPE OF WORK:

REMOVE AND JUNK EXISTING POLE COVER/MOWSTRIP AND REVEAL FROM BOTTOM OF DISPLAY.
REMOVE AND JUNK EXISTING READER BOARD FACES AND ILLUMINATION AND REUSE CAB.
REMOVE ADDRESS VINYL AND CUT APPROX. 5" OF PLEX FROM THE BOTTOM OF THE FACE.
RELOCATE DIVIDER BAR APPROX. 5" HIGHER.
INSTALL EMC UNITS. USE FILLER AS NEEDED.
MFR & INSTALL NEW POLE COVER.
SET CAB AND EMC DISPLAY 20" FROM GROUND.

FABRICATION SPECIFICATIONS

A	EMC	PIXEL SPACING	15.85mm, DAKTRONICS
		MATRIX SIZE	40 x 125
		COLOR	FULL COLOR
		COMMUNICATION	CELLULAR
B	POLE COVER	MATERIAL	ALUMINUM
		THICKNESS	0.120"
		PAINT	MATCH EXISTING CAB
		FINISH	MATCH EXISTING CAB

Section 6, Item A.

YESCO®
Northwest
Region

Boise
416 East 41st Street
Boise, ID 83714
208-345-2982

This drawing was created to assist you in visualizing our proposal. The original ideas herein are the property of YESCO. Permission to copy or revise this drawing can only be obtained thru a written agreement with YESCO.

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All rights reserved.

www.yesco.com

CLIENT:

CITY OF STAR

ADDRESS:

10769 W STATE ST

CITY / STATE / ZIP:

STAR, ID

ACCOUNT EXECUTIVE:

TODD TAYLOR

DESIGNER:

JAN BAUGHMAN

ORIGINAL DATE:

12/29/2020

CUSTOMER APPROVAL

Client Signature / Date

Landlord Signature / Date

ELECTRICAL NOTE

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL CONNECTION CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

IF VOLTAGE IS NOT 120 PLEASE INDICATE YOUR VOLTAGE HERE

VOLTS **AMPS**

UL NOTE

UL YESCO IS A UL LISTED SIGN MANUFACTURER

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND / OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

REVISIONS

DATE	REVISION	DESIGNER
9/14/22	REV01	JB
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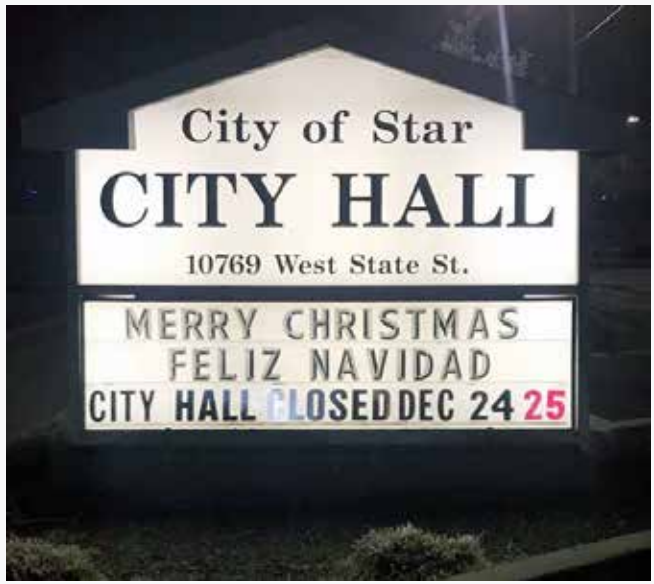
OPY-36923

PAGE

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66

EXISTING - SCALE: N.T.S.



Agreement

For Work At

City of Star
10769 W State St
Star ID 83669-6046
United States

Billing Address

City of Star
10769 W State St
Star ID 83669-6046
United States

Account Executive

003757 Todd B Taylor
ttaylor@yesco.com
1 208-595-4586
YESCO - Boise
416 East 41st Street
Boise ID 83714
United States

Date	Project Number	Project Description	Terms	Pricing Valid Until	Deposit
09/14/2022	PRY-42454	City of Star EMC	Net 30	10/14/2022	\$15,825.00

Item	Amount
------	--------

Scope

YESCO to perform the following work:

Remove and dispose of the existing manual reader board from the customers monument sign.
Provide and install a new support pipe and concrete base to raise the structure approx 12".
Manufacture and install a new aluminum pole cover.
Provide and install one new double face full color electronic message center to replace the old manual change portion.
Scope to include removal of approximately 5" from bottom of the existing sign face and fabricate an new divider bar.
Electronic message center to be a Daktronics 15.85 mm full color LED message center 2'7" tall x 6'9" wide with matrix of 40 lines by 125 columns. Communication to be via secured web based software that enables display management any time, anywhere via internet connection.
Daktronics will provide operator training in a live web-based conference call format using customers phone and computer.
Customer to provide cellular connection at the site, Daktronics to provide lifetime 4G cellular data plan.

Customer to provide primary power to the sign location(s).
Any additional circuits, time clocks, photocells, controllers or switches are not included.

Permits fees, acquisition and or procurement costs, wet stamped engineering, special inspections to be billed on a separate work order and are not included in this agreement.

Fabricate Custom Signage

Material

\$20,423.00

Install Custom Signage

Labor

\$11,227.00

Payment Terms

50% due upon acceptance of agreement.
Balance due within (30) days of completion of installation.

Subtotal	\$31,650.00
Tax Total (%)	\$0.00
Total	\$31,650.00

Agreement Acceptance

YESCO's Standard Terms and Conditions, available below and at www.yesco.com/terms/standardtermsandconditions.pdf, are an integral part of this agreement and are incorporated by reference. City of Star acknowledges that it has accessed and reviewed the Standard Terms and Conditions. Upon acceptance by an authorized agent of YESCO LLC, this agreement becomes effective as of the last date signed below. This document is a complete integration and final expression of the agreement between the parties, and may not be amended, supplemented, or otherwise modified except by written agreement executed by authorized representatives of each.

City of Star	YESCO LLC
Signature	Signature
Title	Title
Name	Name
Date Signed	Date Signed

Standard Terms and Conditions

1. Terms: The terms and conditions described in this document are incorporated by reference into a written estimate, quotation, proposal, agreement, order, or other transaction form ("Transaction Document") (together with these YESCO Standard Terms and Conditions, the "Agreement"), and pertain to the manufacturing, repair, service, installation, or other goods or services provided by YESCO (the "Work", "goods", and/or "services") as requested by you, the Customer, as further described in the Transaction Document. "YESCO" refers to the entity providing the Work, as identified in the applicable Transaction Document, or in the absence thereof, YESCO LLC, a Utah limited liability company, doing business in California as YESCO Signs LLC.

2. Pricing Exclusions: YESCO's pricing does not include sales and use taxes, tariffs, customs fees, duties, or other charges levied by customs or taxing authorities, including any material cost increases due to the escalation of any of these costs ("Assessments"). Assessments may be noted in the Transaction Document; however, they are only estimates. You agree to pay the actual cost for these Assessments as invoiced by YESCO. You agree to bear the risk of Assessment increases in excess of the amounts included in the Transaction Document, including increases due to changes in sales tax rates, tariff increases, or similar occurrences.

3. Payment: In the absence of specified payment terms in the Transaction Document, you agree to pay 50% of the purchase price upon signing this Agreement and to pay the remaining balance upon completion of the Work. You agree to pay monthly payments, if any, on the first business day of each month in advance. If you choose to make payment(s) by credit card, you agree to pay a 2% surcharge on the total amount of such payment(s).

4. Inspection: You must carefully inspect the Work within ten calendar days after delivery. If the Work does not meet the written requirements as described in the Transaction Document, or if the Work has any defect in manufacture, installation, or operation, you must give YESCO written notice of the nonconformance or defect claimed within five calendar days. **ABSENCE OF SUCH WRITTEN NOTICE SHALL BE CONCLUSIVE EVIDENCE THAT THE WORK IS ACCEPTABLE TO YOU AS DELIVERED.** If a third-party carrier delivers any goods, you must inspect the goods and promptly notify YESCO and the carrier if any damage exists before moving the goods from the place of delivery. If damage exists, you must retain the packing materials and otherwise comply with all requirements necessary to preserve all claims against the carrier. If you or your agent moves the goods before inspecting the goods, accept the goods in a damaged condition, or otherwise fail to comply with the requirements of this paragraph, YESCO shall have no responsibility for defects notwithstanding the warranty set forth below.

5. Installation: If the Work involves installation of goods, additional work beyond that contemplated in the Agreement will be required if YESCO encounters subsurface or concealed conditions which are extraordinary or unexpected such as subsurface water, caliche, rock, utilities, or pipelines. You must compensate YESCO for such additional work on a time and materials basis at YESCO's standard rates. Further, YESCO shall not be responsible for damage to underground pipes, sewer lines, sprinkling systems, or any other underground obstructions unless notified of them in writing prior to commencement of the Work. Absent such written notification, you agree to pay for any resulting damage. YESCO is not an Exterior Insulation and Finish System ("EIFS") contractor, and if YESCO's responsibilities hereunder involve penetrations of EIFS, YESCO will seal such penetrations with products and procedures that are common in the sign industry—but which may not meet EIFS warranty requirements. YESCO shall thereafter have no responsibility for damage resulting from the penetrations.

6. Limited Warranty:

A. New Signs, Lighting, and other Manufactured Products. YESCO warrants that goods and services provided by YESCO (other than electronic displays and digitally-controlled lighting products) will be free from material defects in workmanship and materials for a period of one year from the date of delivery. This includes materials and factory labor. On-site labor is included only where YESCO performs the installation. Upon expiration of the one-year warranty, the goods are warranted solely in accordance with the manufacturer's separate warranty, if any. Electronic displays and digitally-controlled lighting products, related controllers, and similar components are warranted solely in accordance with the manufacturer's warranty, if any.

B. Service and Retrofit Services. YESCO warrants that service, repair and/or lighting retrofit services will be free from material defects in workmanship for a period of 90 days from the completion of the repair, maintenance, and/or retrofit. This includes on-site labor only; any goods are warranted solely in accordance with the manufacturer's warranty, if any. YESCO's warranties exclude damage caused by ordinary wear and tear, accident, abuse, misuse, misapplication of electricity, extreme winds or rain, hail, wildlife or rodent damage, or other casualty, unless the same is caused solely by YESCO. YESCO SPECIFICALLY DISCLAIMS ANY AND ALL OTHER WARRANTIES OF ANY TYPE, WHETHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY OF NON-INFRINGEMENT, MERCHANTABILITY OR FITNESS FOR PURPOSE. YESCO will either repair or replace, at YESCO's election, any part of the goods or services that prove to be materially defective during the warranty period, in accordance with the terms of the above warranties.

7. Extended Warranty: If the Work expressly includes an extended warranty for the recurring maintenance, service, or repair of goods over a term for a one-time, up-front payment or periodic payments over term, the provisions of this paragraph will apply. So long as your payment obligations are current, and you are not in default to YESCO or any YESCO affiliate under any agreement (e.g., a lease agreement), including this Agreement, YESCO agrees to service the goods only as described in the Work. When the goods require service, you agree to notify YESCO in writing, and YESCO shall, if practicable (e.g., parts are immediately available) and unless otherwise provided in this Agreement, acknowledge the request within five business days. YESCO's extended warranty obligations are inapplicable to damage for the same exclusions set forth in the limited warranty above, unless and to the extent the same is caused by YESCO. In the event that parts or materials become unavailable or in the event the goods or any components are or become unusually difficult or unsafe to access, YESCO may cancel its extended warranty obligations with respect to the affected goods or components and your exclusive remedy is for YESCO to proportionately credit any up-front payment or proportionately credit your periodic payment for the same. In the event that service is performed by a third party without the authorization of YESCO, YESCO may, at its option, suspend or terminate its extended warranty or service obligations without any credit to any up-front payment or reduction to any periodic payment upon written notice to you.

8. Risk of Loss, Damage or Destruction; Insurance: Except to the extent of damage caused by the negligent or otherwise wrongful acts of YESCO, you bear all risk of loss or damage to any goods, including, without limitation, loss or damage caused by seizure, casualty, vandalism, terrorism, accident, theft, riot, strike, insurrection, war, fire, and acts of God. Any shipments are FOB YESCO. Until your obligations are fully satisfied, at your sole cost and expense, you must insure any goods against loss or damage at least in the amount owed to YESCO for the Work, and you must name YESCO as loss payee with respect to such insurance.

9. Liens and Taxes: Until your obligations are fully satisfied, at your sole cost and expense you must maintain the Work free and clear of all levies, liens, and encumbrances. You must declare as required, and pay when due all taxes, fees, assessments, charges, and all associated penalties and interest (collectively "Assessments"). If YESCO, at its option, pays any Assessments, you must immediately reimburse YESCO for the same.

10. Security Interest: Until your obligations are fully satisfied, you agree that the Work and related goods are YESCO's property, free of any ownership claim by you, the owner of any adjacent realty, or the creditors of either. To secure the performance of your obligations, including, without limitation your payment obligations, you grant to YESCO a security interest in the goods and permission to perfect, assign, amend, continue, and terminate the security interest in any way allowed by applicable law, both as to personal property and as to fixtures.

11. Default: If you default in the payment of any amount when due, or fail to perform any other obligation in this Agreement after delivery of the Work or after YESCO is ready to perform the Work, whichever first occurs, or if at any time bankruptcy, receivership, or other insolvency proceedings are commenced by or against you or any guarantor, you will, without notice, become obligated to immediately pay to YESCO an amount equal to the sum of 1) all previously billed but unpaid amounts, and 2) all unbilled remaining amounts and other payments owed to YESCO pursuant to

any other agreement between you and YESCO or any of YESCO's affiliates. In addition, YESCO has the right to stop the Work, including, without limitation, suspending warranty obligations until YESCO is paid in full. You agree that these remedies for default are fair and reasonable compensation for the damage to YESCO resulting from your breach, and are not a penalty. YESCO's acceptance of a late payment(s) or forbearance of any other event of default shall not operate as a waiver of YESCO's rights as to any subsequent late payment(s) or any other event of default.

12. Repossession: If you fail to make any payment when due or otherwise default in any of your obligations in this Agreement, YESCO may terminate this Agreement and may (but has no obligation to) repossess the goods or any component(s) thereof, without resort to judicial process, and without liability for trespass. YESCO's right of repossession includes the right to remove the goods, and also to disconnect or otherwise render the goods unusable. Repossession is not an acceptance of your surrender of the goods, and shall not require patching painting, touch up, etc. afterwards. YESCO's rights of termination and repossession shall be in addition to and not as an alternative to YESCO's right to its other remedies in this Agreement and any other remedy available at law or in equity.

13. Indemnification: Except to the extent of YESCO's negligence or willful misconduct, you agree to indemnify, defend, and hold harmless YESCO and its officers, directors, employees, agents, and subcontractors from any and all claims, costs, expenses (including reasonable attorney's fees), damages, and liabilities, at law or in equity arising out of or related to the Work. The provisions of this paragraph shall survive the completion of the Work and/or the termination of the Agreement.

14. Disputes: The parties agree to use good faith efforts to resolve any claims or disputes that may arise. If unsuccessful for any reason, at YESCO's sole option and upon YESCO's written notice to you, such claims or disputes may be submitted to formal mediation, with each party to pay one-half of the costs. In the event of litigation, venue of any action shall be in Salt Lake County, State of Utah. This Agreement shall be governed and construed in accordance with Utah law, without regard to its conflict of laws provisions. YESCO shall not be liable for special, indirect, incidental or consequential damages, including lost profits, irrespective of cause or theory. If YESCO places this Agreement with a collection agency or an attorney for collection or enforcement, you must pay all costs and expenses resulting therefrom, including reasonable attorneys' fees.

15. Possession, Transfers, and Assignment: Until your obligations herein are fully satisfied, you must keep any goods in your sole possession and control, and will not allow the goods to be modified, relocated, removed, or otherwise tampered with in any way without YESCO's prior written consent. If you determine to sell or otherwise transfer ownership (or other rights) to your business assets, the Work, or the real property on which any goods are located, you agree to deliver to YESCO written notice of such intention at least 30 days prior to closing. At the time of closing and with proceeds therefrom, you agree to pay to YESCO all amounts then outstanding and all unbilled remaining amounts owed to YESCO, unless YESCO has previously agreed in writing to your assignment of this Agreement. All the terms and conditions hereof shall be binding upon and inure to the benefit of the successors, assigns, and legal representatives of the respective parties, including, if applicable, successors to your interest in the Work, the real property upon which any goods are located, and any successor owners of interests in any of your business assets. You may transfer your interests, rights, and obligations in this Agreement only upon the prior written consent of YESCO. YESCO may assign its interests, rights, and obligations in this Agreement as may be expedient to perform the Work.

16. Your Special Duties: You agree to warrant and obtain and maintain all necessary access rights (including computer access, if necessary) for YESCO to safely perform the Work on the premises for which the Work is ordered, and to disconnect, render unusable, and/or remove the Work, or any component or part thereof, free and clear of lien, encumbrance, or claim of trespass. You agree to indemnify YESCO against and hold YESCO harmless from damage or expense resulting from a breach of this provision. The Work excludes primary-side electrical and communication wiring, service, controllers (e.g., timers and photo cells), circuit breakers, and fuses. At your own expense, you agree to furnish and maintain power lines, controllers, and data service as necessary for the performance of the goods and compliance with applicable law, and agree to install the same as designated by YESCO ready and in place for connection to the goods at the intended time of installation, if applicable. You must pay all charges for electrical and data service, if required. You agree to provide all necessary reinforcements to any previously existing building, pole, base, or any other object or surface on which the goods will be installed, or which will be utilized by YESCO in the installation or access thereof, if applicable. You agree to advise YESCO in writing of all cellular antennas, microwave, and other equipment or hazards that may be dangerous to workers. YESCO's performance is subject to you properly securing or otherwise rendering safe all such dangers whenever YESCO's employees will be in the area.

You agree to bear all permitting and other compliance costs and risks pertaining to federal, state, or local laws, regulations, and ordinances or authoritative interpretations that relate to the placement, configuration, operation, and use of the goods and services. You acknowledge that outdoor advertising laws generally prohibit advertisements that are not the principal business, products, services, or activities where the advertisement is located. You agree to be solely responsible for the procurement of outdoor advertising permits (if desired) and compliance with outdoor advertising laws. You acknowledge and agree that your rights, whether arising under contract, permit from a land use authority, or otherwise, to install or operate the Work may be or become subject to revocation, limitation, suspension, condemnation, modification, restriction, or adverse interpretation by judicial, governmental agency, or other third party action. Upon the occurrence and during the pendency of any such event, you will not be released from your payment obligations under this Agreement.

17. Miscellaneous Provisions:

A. No statement made by YESCO's account executive(s) will be binding on YESCO unless incorporated in this Agreement in writing. Although the Agreement may be signed by YESCO's account executive(s), the Agreement shall not be binding upon YESCO for any purpose until an executive officer or another authorized agent of YESCO accepts this Agreement by providing a written signature evidencing such acceptance on the applicable Transaction Document.

B. Time is of the essence. All past due amounts shall bear an annual interest rate of the lesser of 18% percent or the maximum rate allowed by law.

C. Performance by YESCO shall be subject to delay due to strike, labor dispute, breakage, fire, unforeseen commercial delays, infectious disease, epidemic, pandemic, insurrection, war, acts of terror, acts of God, governmental regulation, or other causes beyond YESCO's reasonable control.

D. YESCO shall not be responsible for radio or television interference, nor for the replacement of light emitting diodes, neon tubing or other tubing because of color change or reduction of brilliance.

E. YESCO's listing of contractor's licenses available on the Internet at <http://www.yesco.com/licenses.html> is incorporated by reference herein.

F. If any part of this Agreement is found invalid or unenforceable, that part will be amended to achieve as nearly as possible the intent and economic effect of the original provision to the fullest extent permitted by law, and the remaining provisions shall continue in full force and effect.

G. Except for original works created by you or your agents, all designs, animations, or other advertising content (collectively, "Content") provided by YESCO is the sole property of YESCO. You warrant that you have the full legal right to use any original works created by you and delivered to YESCO by you for your use. You are granted a non-exclusive, non-transferable license to use the YESCO-owned Content for so long as you operate your business. You agree to not create derivative works of the YESCO-owned Content. YESCO may reject any request for Content that YESCO determines may reflect adversely on the character, integrity, or standing of any person or business.

This Agreement is a complete integration and final expression of the agreement between the parties, and may not be amended, supplemented, or otherwise modified except by written agreement executed by authorized representatives of each.



Invoice

Bill To City of Star 10769 W State St Star ID 83669-6046 United States	Ship To City of Star 10769 W State St Star ID 83669-6046 United States	Remit To YESCO - Boise 416 East 41st Street Boise ID 83714 United States
Project Number / Invoice # PRY-42454	Terms DUE UPON ACCEPTANCE	Account Executive 003757 Todd B Taylor

Item	Amount
Down Payment Invoice for 50% (Prefunding)	\$15,825.00
Total	\$15,825.00

ACH Payment Authorization

By completing your ACH information below, you authorize YESCO to withdraw all payment(s) pursuant to the Agreement on the applicable due date (s) from Customer's depository account as described below. Written revocation of this authorization must be received by YESCO with at least 30 days prior notice.

Name on Bank Account		
Name of Bank	Checking <input checked="" type="checkbox"/>	Savings
Bank Account Number		
Routing Number	Bank City and State	
E-mail Address for Receipt	Phone	
Authorized Signature	Date	

LEGAL NOTICE PUBLIC HEARING

Notice is hereby given that the Star City Council will hold a Public Hearing on **September 6, 2022** at the Star City Hall, 10769 W. State Street, Star, Idaho at 7:00 pm, or as soon thereafter as the matter may be heard.

Application: Baron Properties Commercial Rezone
Files #'s RZ-22-02 Annexation-Zoning
DA-22-05 Development Agreement

Applicant/Representative: Elizabeth Koeckeritz, Givens Pursley LLP, 601 W Bannock St, Boise, ID 83702

Owner: Calhoun Comm, LLC, 1401 17th Street, Suite 700, Denver, OC, 80202

Action: The Applicant is seeking approval of a Rezone (C-1 to C-2) and a Development Agreement for a parcel of land consisting of 11.38 acres. The property is located at 342 S. Calhoun Place in Star, Idaho.

Property Location: The subject property is generally located on the northeast corner of W. Wildbranch Street and S. Calhoun Place, on the south side of W. State Street. Ada County Parcel No. S0416120900.

Information/Comments: A complete copy of the applications are available at City Hall for public review. The City invites all interested parties to attend the meeting and provide public testimony. Written comments will be accepted by the City up to 2 days prior to the date of the public hearing.

Services for persons with disabilities may be made available if notice is received in advance of the meeting by calling Star City Hall at (208) 286-7247.

Shawn L. Nickel
Planning Director and Zoning Administrator
snickel@staridaho.org

LEGAL NOTICE PUBLIC HEARING

Notice is hereby given that the Star City Council will hold a Public Hearing on **September 20, 2022** at the Star City Hall, 10769 W. State Street, Star, Idaho at 7:00 pm, or as soon thereafter as the matter may be heard. Rescheduled from September 6TH, 2022

Application: Baron Properties Commercial Rezone
Files #'s RZ-22-02 Annexation-Zoning
DA-22-05 Development Agreement

Applicant/Representative: Elizabeth Koeckeritz, Givens Pursley LLP, 601 W Bannock St, Boise, ID 83702

Owner: Calhoun Comm, LLC, 1401 17th Street, Suite 700, Denver, OC, 80202

Action: The Applicant is seeking approval of a Rezone (C-1 to C-2) and a Development Agreement for a parcel of land consisting of 11.38 acres. The property is located at 342 S. Calhoun Place in Star, Idaho.

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Shawn L. Nickel
Planning Director and Zoning Administrator
snickel@staridaho.org



CITY OF STAR

STAFF MEMO

TO: Mayor & Council

FROM: Star Planning & Zoning Department *Shen T. Muth*

MEETING DATE: July 19, 2022 – **PUBLIC HEARING**

FILE(S) #: RZ-22-02 Commercial Rezone – Baron Properties
DA-22-05 Development Agreement

APPLICANT/REPRESENTATIVE/OWNER

Applicant/Owner:	Representative:
Baron Properties	Elizabeth Koeckeritz
Calhoun Comm, LLC	Givens Pursley, LLP
1401 17 th Street, Ste. 700	6001 W. Bannock Street
Denver, Colorado 80202	Boise, Idaho 83702

REQUEST

Request: The Applicant is seeking approval of a Rezone (C-1 to C-2) and a Development Agreement for a parcel of land consisting of 11.38 acres. The property is located at 342 S. Calhoun Place in Star, Idaho.

UPDATE

The applicant has requested that the application be tabled to September 20, 2022.



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star – Planning Department *Shen T. Muth*

MEETING DATE: **September 6, 2022 – PUBLIC HEARING**

FILE(S) #: RZ-22-02 Commercial Rezone – Baron Properties
DA-22-05 Development Agreement

APPLICANT/REPRESENTATIVE/OWNER

Applicant/Owner:	Representative:
Baron Properties	Elizabeth Koeckeritz
Calhoun Comm, LLC	Givens Pursley, LLP
1401 17 th Street, Ste. 700	6001 W. Bannock Street
Denver, Colorado 80202	Boise, Idaho 83702

REQUEST

Request: The Applicant is seeking approval of a Rezone (C-1 to C-2) and a Development Agreement for a parcel of land consisting of 11.38 acres. The property is located at 342 S. Calhoun Place in Star, Idaho.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the northeast corner of W. Wildbranch Street and S. Calhoun Place, on the south side of W. State Street. Ada County Parcel No S0416120900.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Commercial C-1	Commercial	Vacant – Pasture
Proposed	Commercial C-2	Commercial	Commercial, Retail
North of site	ITD Right of Way	Commercial	State Street (Hwy 44)
South of site	Residential (R-14)	High Density Residential	Crystal Springs Apts.
East of site	ITD Right of Way	Commercial/Industrial Corridor	State Hwy 16
West of site	Commercial (C-2)/Light Office (LO)	Commercial/Compact Residential	Vacant – Pasture

8-3A-4 Zoning District Dimensional Standards for Commercial (C-2):

Dimensional Standards	C-1	C-2	L-O	CBD
Front Setback	0'	0'	20'	0'
Rear Setback	20'	20'	20'	0'
Interior Side Setback	0'	0'	0'	0'
Street Side Setback	20'	20'	20'	0'
Maximum Building Height	35'	35'	35'	35'
Parking Requirements	See Chapter 4, Article B , "Off Street Parking And Loading Requirements", of this title			
Landscape Requirements	See Chapter 4, Article D , "Landscaping Requirements", of this title			

Existing Site Characteristics: The property is currently vacant.

Irrigation/Drainage District(s): Pioneer Ditch Company
P.O. Box 70
Star, Idaho 83669

Flood Zone This property is currently located in Flood Hazzard Area AE.
FEMA FIRM Panel Number: 16001C0130J
Effective Date: 6/19/2020

Special On-Site Features:

- ★ Areas of Critical Environmental Concern – No known areas.
- ★ Evidence of Erosion – No known areas.
- ★ Fish Habitat – No known areas.
- ★ Mature Trees – Yes.
- ★ Riparian Vegetation – No known areas.
- ★ Steep Slopes – None.
- ★ Stream/Creek – Pioneer Canal runs through the property.
- ★ Unique Animal Life – No unique animal life has been identified.
- ★ Unique Plant Life – No unique plant life has been identified.
- ★ Unstable Soils – No known issues.
- ★ Wildlife Habitat – No wildlife habitat has been developed or will be destroyed.
- ★ Historical Assets – No historical assets have been observed.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	June 7, 2022
Neighborhood Meeting Held	May 31, 2022
Application Submitted & Fees Paid	June 22, 2022
Residents within 300' Notified	August 11, 2022
Agencies Notified	July 27, 2022
Legal Notice Published	August 14, 2022 & August 26, 2022
Property Posted	August 25, 2022

HISTORY

On April 4, 2017, the Council approved a rezone of the property from Rural Transition (RT) to C-1-DA (Ord 258).

From the records that are available, it appears that the property was originally annexed into the City sometime around 2009.

CODE DEFINITIONS / COMPREHENSIVE PLAN

UNIFIED DEVELOPMENT CODE:

8-1B-1: ANNEXATION AND ZONING; REZONE:

B. Standards:

1. The subject property shall meet the minimum dimensional standards of the proper district.
2. The city may require a development agreement in conjunction with the annexation and zoning, or rezone, pursuant to Idaho Code section 67-6511A, which may include a concept plan.

In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through execution of a development agreement. A development agreement and concept plan shall be required for any rezone to a mixed-use zone, high density zone or land which includes steep slope (land over 25%) or floodway.

3. The termination of a development agreement shall result in the reversal of the official zoning map amendment approval and applicable development approval for any undeveloped portion of property subject to the development agreement. The undeveloped property subject to the development agreement shall be rezoned to the district classification as designated by the development agreement. When no designation is provided, the property shall revert to its original zoning or, if the original designation no longer exists, to the closest current equivalent zoning as determined by the current Comprehensive Plan Land Use Map designation.

4. An amendment or termination of a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.

5. An approved development agreement must be executed within ninety (90) days of the meeting at which the development agreement is approved by the city council. A one-time administrative extension of maximum thirty (30) days may be granted by the zoning administrator. Additional extensions may be approved by majority vote of the city council. Failure to execute the development agreement within the required timeframe will result in the denial of all related applications.

C. Required Findings: The council shall review the application at the public hearing. In order to grant an annexation and zoning or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;
2. The map amendment complies with the regulations outlined for the proposed district;
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.
5. The annexation (as applicable) is in the best interest of city.

Section 8-3A-1 - ZONING DISTRICTS AND PURPOSE ESTABLISHED

District	Purpose
Commercial (C-2) General Business District	To provide for the establishment of areas for commercial uses allowed in other commercial zones and commercial uses which are more intensive than those permitted in other commercial zones, and typically located adjacent to arterial roadways and not immediately adjacent to residential, including the establishment of areas for travel related services such as hotels, motels, service stations, drive-in restaurants, offices, limited warehousing, commercial services and retail sales.
Development Agreement (DA)	This designation, following any zoning designation noted on the official zoning map of the city (i.e., C-2-DA), indicates that the zoning was approved by the city with a development agreement, with specific conditions of zoning.

TABLE 8-3A-3 - USES WITHIN ZONING DISTRICTS

ZONING DISTRICT USES

Section 7, Item A.

USES	C-1	C-2
Accessory structure - Residential or Commercial	A	A
Adult business/adult entertainment	N	N
Agriculture, forestry, fishing	N	N
Airport	N	N
Animal care facility ¹	P	P
Artist studio ¹	P	P
Arts, entertainment, recreation facility ¹	C	P
Asphalt plant ¹	N	N
Auction facility	N	C
Automated Teller Machine (ATM) ¹	A	A
Automotive hobby ¹	N	N
Automotive mechanical/electrical repair and maintenance	C	P
Bakery- Retail or Manufacturing	P	P
Bar/tavern/lounge/drinking establishment	C	P
Barbershop/styling salon	P	P
Bed and breakfast	P	P
Beverage bottling plant	N	N
Boarding house	N	N
Brewery/Distillery	C	P
Brewpub/Wine Tasting	C	P

Building material, garden equipment and supplies	C	P
Campground/RV park ₁	N	N
Caretaker Unit ₁	A	A
Cement or clay products manufacturing	N	N
Cemetery ₁	N	N
Chemical manufacturing plant ₁	N	N
Child Care center (more than 12) ₁	C	C
Child Care family (6 or fewer) ₁	A	A
Child Care group (7-12) ₁	C	C
Child Care-Preschool/Early Learning ₁	C	C
Church or place of religious worship ₁	P	P
Civic, social or fraternal organizations	P	P
	<u>C-1</u>	<u>C-2</u>
Concrete batch plant ₁	N	N
Conference/convention center	P	P
Contractor's yard or shop ₁	N	N
Convenience store	C	P
Dairy farm	N	N
Drive-through establishment/drive-up service window ₁	<u>C</u>	<u>C</u>
Dwelling:		
Multi-family ₁	N	N

Secondary ¹	N	N
Single-family attached	N	N
Single-family detached	N	N
Two-family duplex ¹	N	N
Live/Work Multi-Use ¹	N	N
<u>Single-family build to rent ¹</u>	<u>N</u>	<u>N</u>
Educational institution, private	C	C
Educational institution, public	C	C
Equipment rental, sales, and services	C	P
Events Center, public or private (indoor/outdoor)	C	C
Fabrication shop	N	P
Farm	N	N
Farmers' or Saturday market	C	C
Feedlot	N	N
Financial institution	P	P
Fireworks Stands	P	P
Flammable substance storage	N	N
Flex Space	C	P
Food products processing	C	C
Fracking	N	N
Gasoline, Fueling & Charging station with or without convenience store ¹	C	P

Golf course/Driving Range	C	C
Government office	P	P
Greenhouse, private	N	N
Greenhouse, commercial	C	P
Guesthouse/granny flat	N	N
Healthcare and social services	P	P
Heliport	N	N
Home occupation ¹	N	N
Hospital	C	P
Hotel/motel	C	P
Ice manufacturing plant	N	N
Industry, information	P	P
Institution	C	P
Junkyard	N	N
Kennel	N	C
Laboratory	P	P
Laboratory, medical	P	P
Lagoon	N	N
Laundromat	P	P
Laundry and dry cleaning	P	P
Library	P	P
Manufactured home ¹	N	N
Manufactured home park ¹	N	N

Manufacturing plant	N	C
Meatpacking plant	N	N
Medical clinic	P	P
Mining, Pit or Quarry (excluding accessory pit) ¹	N	N
Mining, Pit or Quarry (for accessory pit) ¹	A	A
Mortuary	C	P
Museum	P	P
Nursery, garden center and farm supply	P	P
Nursing or residential care facility ¹	P	P
Office security facility	P	P
Parking lot/parking garage (commercial)	C	C
Parks, public and private	P	P
Pawnshop	P	P
Personal and professional services	P	P
Pharmacy	P	P
Photographic studio	P	P
Portable classroom/modular building (for private & public Educational Institutions) ¹	<u>P</u>	<u>P</u>
Power plant	N	N
Processing plant	N	N

Professional offices	P	P
Public infrastructure; Public utility major, minor and yard ¹	C	C
Public utility yard	C	C
Recreational vehicle dump station	C	C
Recycling center	C	C
Research activities	P	P
Restaurant	C	P
Retail store/retail services	C	P
Retirement home	C	N
Riding Arena or Stable, Private/ Commercial	N	N
Salvage yard	N	N
Sand and gravel yard	N	N
Service building	P	P
Shooting range (<u>Indoor/Outdoor</u>)	C/N	C/N
Shopping center	C	P
Short Term Rentals ¹	N	N
Solid waste transfer station	N	N
Storage facility, outdoor (commercial) ¹	C	<u>C</u>
Storage facility, self-service (commercial) ¹	C	<u>C</u>
Swimming pool, commercial/public	P	P

Television station	N	C
Temporary living quarters ¹	N	N
Terminal, freight or truck ¹	N	C
Truck stop	N	C
Turf farm	N	N
Vehicle emission testing ¹	P	P
Vehicle impound yard ¹	N	N
Vehicle repair, major ¹	C	P
Vehicle repair, minor ¹	C	P
Vehicle sales or rental and service ¹	C	P
Vehicle washing facility ¹	C	P
Vehicle wrecking, junk, or salvage yard ¹	N	N
Veterinarian office	P	P
Vineyard	N	N
Warehouse and storage	N	P
Wholesale sales	P	P
Winery	N	C
Wireless communication facility ¹	C	C
Woodworking shop	N	P

Notes:

The table lists principal permitted (P), accessory uses (A), conditional (C), or prohibited (N) uses.

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Commercial

Suitable primarily for the development of a wide range of commercial activities including offices, retail, and service establishments. Rezoning to this designation should not be allowed unless adequate ingress/egress to major transportation corridors are assured. Light industrial uses may be considered at the discretion of the City Council without amending this plan.

8.4 Objectives:

- Preserve the family friendly feel of Star.
- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Retain and encourage rural areas where it will not result in increased costs for urban services.
- Work to create a vibrant Central Business District.
- Encourage public participation in the land use planning process.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.
- Require the conservation and preservation of open spaces and public access to the Boise River and BLM lands and interconnected pathways to be open to the public in new developments.
- Discourage development within the floodplain.
- Encourage commercial development that is consistent with a family friendly feel, not overburdening the community with big box and franchise uses and discourage the development of strip commercial areas.

8.5.6 Policies Related Mostly to the Commercial Planning Areas:

- Assist in the provision of coordinated, efficient, and cost-effective public facilities and utility services, carefully managing both residential and non-residential development and design, and proactively reinforcing downtown Star's role as the urban core while protecting existing property rights.
- Encourage commercial facilities to locate on transportation corridors.
- Locate neighborhood services within walking distance to residential development.
- Discourage the development of strip commercial areas.

- Maintain and develop convenient access and opportunities for shopping and employment activities.
- Commercial areas of five acres or less should be encouraged in residential land use designations with appropriate zoning to allow for commercial services for residential neighborhoods and to limit trip lengths. Such commercial areas should be submitted for approvals with a Conditional Use Permit or Development Agreement to assure that conditions are placed on the use to provide for compatibility with existing or planned residential uses. These areas should be oriented with the front on a collector or arterial street.
- Allow for some light industrial uses within the commercial areas at the sole discretion of the City Council.

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Encourage landscaping to enhance the appearance of subdivisions, structures, and parking areas.
- Work with Ada County Highway District (ACHD), Canyon Highway District #4 (CHD4), and Idaho Department of Transportation (ITD) for better coordination of roadway and access needs.
- Support well-planned, pedestrian-friendly developments.
- Dark sky provision should be adopted within the code to assure down style lighting in all developments and Star should consider joining the International Dark Sky Association.
- The City should utilize the 2018 Treasure Valley Tree Selection Guide when requiring trees within developments.

18.4 Implementation Policies:

E. Development Agreements allow the city to enter into a contract with a developer upon rezoning. The Development Agreement may provide the city and the developer with certain assurances regarding the proposed development upon rezoning.

PROJECT OVERVIEW

REZONE & POTENTIAL LAND USES:

The rezone from Commercial (C-1) to Commercial (C-2) will allow for the property zoning to be consistent with the Comprehensive Plan and provide the applicant with the ability to market the property for commercial uses intended to be located within the C-2 District. At this time, the applicant states that an end user has not yet been determined. The rezone will allow the property as much flexibility as possible for the applicant to attract potential businesses. Future

uses may be subject to additional review from the City, either as a Conditional Use Permit or as a Certificate of Zoning Compliance staff review.

ADDITIONAL ITEMS FOR CONSIDERATION:

Site Development Plan:

Streetlights - All future lighting, including streetlights and parking lot lighting will need to be reviewed by staff and will be required to meet all Dark Sky lighting standards that may apply.

Sidewalks - With the surrounding properties also in the State Street commercial corridor and future development anticipated along W. State Street, providing safe pedestrian access and circulation to existing sidewalks through the Central Business District is a priority. Staff will require sidewalks be completed as part of any future development.

Fire -The Star Fire District has not provided a review of this rezone request. Any new use will be required to meet all requirements of the District regarding access and safety.

Land Uses – Specific land uses have not been proposed by the applicant as part of this application request. Future uses will need to be evaluated by staff , using the most current zoning ordinance, to determine if additional Council approval is necessary. This would be the case for any requested conditional uses in the Commercial (C-2) zone.

AGENCY RESPONSES

None

PUBLIC RESPONSES

No responses have been received from the public at this time.

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of this proposal as submitted and believes that approval of this application by the Council will meet the intent of the Comprehensive Plan by encouraging continued economic growth in the State Street commercial corridor. Future uses will be required to meet the standards of the zoning ordinance that is in affect at the time of submittal for a future land use application, including conditional use permits and certificates of zoning compliance for principally permitted uses.

A future development site plan will need to provide details regarding the following:

- Landscape Plan – Street Trees, Buffer Landscaping
- Streetlights
- Fire District Approval
- Parking Lot/Spaces
- Buffering/Fencing between Commercial and Residential Uses

DEVELOPMENT AGREEMENT

Through the Development Agreement process, the applicant is proposing to work with the City to provide further insurances that the development will be built as presented and/or modified by the Council through the review process. In addition, the Development Agreement allows the Council to prohibit certain allowed uses outright or require Conditional Use approval should Council desire to have further input on the use. Items that can be considered by the applicant and Council include the following:

- Specific uses within the Commercial (C-2) zone that the Council may approve outright as part of the development agreement. The applicant has not proposed any specific uses at this time.

To be consistent with the intent of the Council on the recently approved commercial rezone of the Larson property to the west, and to protect this important commercial property at the entrance to the City, Staff is recommending similar conditions of approval be placed in the Development Agreement for this rezone request:

- **Uses in the C-2 zone subject to further Conditional Use approval:**
 - **Bar/tavern/lounge/drinking establishment**
 - **Brewery/Distillery**
 - **Brewpub/Wine Tasting**
 - **Building material, garden equipment and supplies**
 - **Hospital (Private)**
 - **Mortuary**
 - **Nursing or Residential Care Facility**
 - **Vehicle Sales or Rental and Services**
 - **Any other currently listed Conditional Uses**
- **Prohibited Uses in the proposed C-2 Zone:**
 - **Churches**
 - **Storage Facilities**
 - **Non-profit Hospitals**

Based upon the information provided to staff in the application and agency comments received to date, the proposed rezone meets the requirements, standards and intent for a rezone as it relates to the Comprehensive Plan and Unified Development Code. The Council should consider

the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the application, either as presented or with added or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date.

FINDINGS

The Council may **approve**, **conditionally approve**, **deny** or **table** this request. In order to approve these applications, the Unified Development Code requires that Council must find the following:

REZONE FINDINGS:

1. The map amendment complies with the applicable provisions of the Comprehensive Plan.
The purpose of the Star Comprehensive Plan is to promote the health, safety, and general welfare of the people of the City of Star and its Impact Area. Some of the prime objectives of the Comprehensive Plan include:
 - ✓ *Protection of property rights.*
 - ✓ *Adequate public facilities and services are provided to the people at reasonable cost.*
 - ✓ *Ensure the local economy is protected.*
 - ✓ *Encourage urban and urban-type development and overcrowding of land.*
 - ✓ *Ensure development is commensurate with the physical characteristics of the land.**The goal of the Comprehensive Plan for the Central Business District is to encourage a vibrant downtown center for the community. Uses encouraged are commercial, retail, civic, private offices, and entertainment. High density housing is encouraged on the upper floors of mixed-use buildings and at the fringes of the land use designation. Developments in this district are to place an emphasis on pedestrian and bicycle access and compatibility. The City must find compliance with the intent of the Comprehensive Plan.*
2. The map amendment complies with the regulations outlined for the proposed district, specifically, the purposes statement.
The City must find that the proposal complies with the proposed district and purpose statement. The purpose statement provides for allowed uses to include small scale retail, public, quasi-public and adaptive reuse of residential structures.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and
The City must find that there is no indication from the material submitted by any political agency stating that the zoning of this property will be materially detrimental to the public health, safety or welfare.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts.

The City must find that it has not been presented with any information from agencies having jurisdiction indicating that public services will be adversely impacted, other than traffic, which will continue to be impacted as the City grows.

5. The annexation is in the best interest of the city.

The property is already within the City limits. The City must find that this rezone is reasonably necessary for the orderly development of the City.

COUNCIL DECISION

The Star City Council _____ File #RZ-22-02/DA-22-05 for Baron Properties
Commercial Rezone on _____, 2022.





ANNEXATION & ZONING - REZONE APPLICATION

***All information must be filled out to be processed.

FILE NO.: _____
Date Application Received: _____ Fee Paid: _____
Processed by: City: _____

Applicant Information:

PRIMARY CONTACT IS: *Applicant* ___ *Owner* ___ *Representative* ___

Applicant Name: Baron Properties
Applicant Address: 1401 17th Street, Suite 700, Denver, CO Zip: 80202
Phone: 720-488-2000 Email: GHector@baronproperties.com

Owner Name: Calhoun Comm LLC
Owner Address: 1401 17th Street, Suite 700, Denver, CO Zip: 80202
Phone: 720-488-2000 Email: GHector@baronproperties.com

Representative (e.g., architect, engineer, developer): Attorney
Contact: Elizabeth Koeckeritz Firm Name: Givens Pursley LLP
Address: 601 W Bannock St Boise, ID Zip: 83702
Phone: 208-388-1200 Email: eak@givenspursley.com

Property Information:

Site Address: 342 South Calhoun Place Parcel Number: S0416120900
Total Acreage of Site: +/-11.386 acres
Total Acreage of Site in Special Flood Hazard Area: _____
Proposed Zoning Designation of Site: Commercial General (C-2)

Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	C-1	Commercial	Ag
Proposed	C-2	no change	
North of site	M-U & RUT	Industrial	vacant
South of site	R-14	High Density Residential	Ag
East of site	M-U	Commercial	vacant
West of site	L-O & C-2	Commercial & Compact Residential	Ag / residential

Special On-Site Features (Yes or No – If yes explain):

Areas of Critical Environmental Concern - No

Evidence of Erosion - No

Fish Habitat - No

Floodplain - Portion of the property to be lifted out of current Flood Zone AE.

Mature Trees - No

Riparian Vegetation - No

Steep Slopes - No

Stream/Creek - Pioneer Canal currently cuts through the property.

Unique Animal Life - No

Unique Plant Life - No

Unstable Soils - No

Wildlife Habitat - No

Historical Assets - No

Application Requirements:

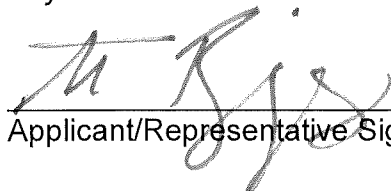
(Applications are required to contain *one* copy of the following unless otherwise noted. **When combining with other applications (Prelim Plat, CUP, etc.) please include one paper copy for all applications**)

Applicant (√)	Description	Staff (√)
X	Pre-application meeting with the Planning Department required prior to neighborhood meeting.	
X	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. (Please contact the City for addresses & labels) (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
X	Completed and signed Annexation & Zoning/Rezone Application	
X	Fee: (Include Development Agreement Fee). Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	
X	Narrative fully describing the proposed project (must be signed by applicant)	
X	Legal description of the property to be annexed and/or rezoned: <ul style="list-style-type: none"> • Include a metes & bounds description to the section line/centerline of all adjacent roadways, stamped and signed by a registered professional land surveyor, with a calculated closure sheet. • Scaled exhibit map showing the boundaries of the legal description in compliance w/the requirements of the Idaho State Tax Commission Property Tax Administrative Rules IDAPA 35.01.03.225.01h. • If requesting more than one zoning designation, include a legal description for each zone along with an overall annexation/rezone boundary description. Also include the boundaries of each different zone on the map. • Submit word.doc and pdf version with engineer's seal. 	
X	Recorded warranty deed for the subject property	

X	If the signature on this application is not the owner of the property, an original notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.	
X	One (1) 8½" X 11" copy and electronic copy in pdf. format of vicinity map showing the location of the subject property	
waived	One (1) full-size 24" X 36" copy and one (1) 11" X 17" copy of associated CUP/PUD Site Plan/Preliminary Plat. If this application is not accompanied by a plat or site plan, please submit conceptual development plan for the property.	
waived	Electronic copy in pdf. format of submitted plat, site or conceptual plan.	
X	List of name(s) and address(es) of all canal or irrigation ditches within or contiguous to the proposed development.	
X	One (1) copy of names and addresses printed on address labels, of property owners within three hundred feet (300') of the external boundaries of the property being considered as shown on record in the County Assessor's office. Please contact the City to request addresses and labels.	
X	Two (2) copies of the Electronic versions of submitted application including neighborhood meeting information, signed application, narrative, legal description, warranty deed, vicinity map, preliminary plat/site plan, irrigation district information, <u>shall be submitted in original pdf format (no scans for preliminary plat/site plans) on two (2) thumb drives only (no discs)</u> with the files named with project name and plan type.	
	Signed Certification of Posting with pictures. (see attached posting requirements and certification form) – To be completed by application after acceptance of application. Staff will notify applicant of hearing and posting date.	
	*Applicant agrees to enter into a Development Agreement with this application. Applicant's Signature: _____	
	Property shall be annexed into Star Sewer and Water District prior to Final Plat approval, building permits. Please contact SSWD for details.	

FEE REQUIREMENT:

*** I have read and understand the above requirements. I further understand fees will be collected at the time of filing an application. I understand that there may be other fees associated with this application incurred by the City in obtaining reviews or referrals by architect, engineering, or other professionals necessary to enable the City to expedite this application. I understand that I, as the applicant, am responsible for all payments to the City of Star.*


Applicant/Representative Signature

6-14-22
Date

BARON

PROPERTIES

June 14, 2022

City of Star
Attn: Shawn Nickel
Planning & Zoning Administrator
10769 W. State Street
P.O. Box 130
Star, Idaho 83669

RE: Project Narrative – Star Crest Business Park Rezone

Dear Mayor, City Councilmembers, Planning and Zoning Commissioners and Planning Staff:

On behalf of BPS Calhoun Comm LLC, we are pleased to submit this application for the Star Crest Business Park, a +/-11.386 acre parcel on the southwest corner of State Street and Highway 16. This narrative is in support of our rezone application.

With this application BPS Calhoun Comm LLC proposes to rezone Ada County Tax Parcel No. S0416120900 (the “**Property**”) to Commercial General (C-2) zoning. The Property is annexed into the City of Star and is zoned Commercial Neighborhood (C-1). The Comprehensive Plan’s Future Land Use Map (“**FLUM**”) designates the Property as Commercial.

Approval of the requested rezone is proper because each of the City’s rezone criteria are met:

- A rezone to C-2 complies with the FLUM. The Property is appropriately designated Commercial on the FLUM, which designation supports C-2 zoning. The adjacent property to the west is designated Commercial and Compact Residential and the property to the south is designated High Density Residential. Property across State Street to the north is designated Industrial, and property across Highway 16 to the east is designated Commercial.
- The rezone to C-2 supports many of the Comprehensive Plan’s goals and objectives including 8.5.6.B, which encourages commercial facilities to locate on transportation corridors, and Goal 7.3., which provides for building a stronger community through enhancing and developing Star’s economy. *Implementation Policy 7.5.D* recommends that lands along Highways 16 and 20/26 be considered as the location of a mix of uses consisting of commercial and an industrial/high-technical park with a minor component of high density residential. The development associated with this rezone will help fund numerous traffic improvements in this area, improve connectivity throughout the


June 14, 2022
Page 2

development and adjacent properties, and maintain the functionality of the roads, in furtherance of *Roadway System Goal 12.3.1*.

- The stated purpose of the C-2 zoning district is to provide for the establishment of areas for commercial uses allowed in other commercial zones and commercial uses which are more intensive than those permitted in other commercial zones, and typically located adjacent to arterial roadways and not immediately adjacent to residential, including the establishment of areas for travel related services such as hotels, motels, service stations, drive-in restaurants, offices, limited warehousing, commercial services and retail sales. The Property, situated at the corner of two state highways, is ideally situated for C-2 zoning and more intensive commercial uses.
- The proposed C-2 zoning is compatible with adjoining zoning districts. To the west is limited office (L-O) and commercial general (C-2) zoning, and to the south is high density residential (R-14) zoning. To the east across Highway 16 is mixed use (M-U) zoning, and to the north across State Street is M-U zoning within the City and rural-urban transition (RUT) within the County. C-2 zoning is also compatible with the Property's location at the intersection of two State highways.
- The map amendment meets or exceeds all regulations outlined for the C-2 zone in City code.
- The map amendment will not be materially detrimental to the public health, safety and welfare. Rather, the rezone to C-2 allows for development in conformity with surrounding uses while adding to the City's economic base. It provides for a diversification of future businesses on this highly-visible intersection.
- The map amendment will not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the City. The Property is already located within the City; sewer and water are available to the Property; and the Property is within the police and fire response times.

Thank you for your consideration of this request to rezone the Property to C-2. We are excited for this opportunity to bring future businesses to this busy intersection in Star.

Sincerely,



Jeff Riggs, Owner

Star River Holdings, LLC
Situating a Portion of the West 1/4 of the Northeast 1/4 of Section 16
Township 4 North, Range 1 West, Boise Meridian, City of Star,
Ada County, Idaho

Situated in a Portion of the West 1/4 of the Northeast 1/4 of Section 16 Township 4 North, Range 1 West, Boise Meridian, City of Star,



- R1. RECORD OF SURVEY No. 10793, RECORDS OF ADA COUNTY, IDAHO.
R2. RECORD OF SURVEY No. 10276, RECORDS OF ADA COUNTY, IDAHO.
R3. RECORD OF SURVEY No. 10034, RECORDS OF ADA COUNTY, IDAHO.
R4. RECORD OF SURVEY No. 8592, RECORDS OF ADA COUNTY, IDAHO.
R5. RECORD OF SURVEY No. 3404, RECORDS OF ADA COUNTY, IDAHO.
R6. RECORD OF SURVEY No. 2653, RECORDS OF ADA COUNTY, IDAHO.

THE FOLLOWING DESCRIPTION IS PER THE TITLE DESCRIPTION PROVIDED IN THE TITLE REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-10S8759-CO WITH A COMMITMENT DATE OF MARCH 16, 2021.

THE FOLLOWING DESCRIPTION IS PER THE TITLE DESCRIPTION PROVIDED IN THE TITLE REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-10S8759-CO WITH A COMMITMENT DATE OF MARCH 16, 2021.

- [illegible]

THE FOLLOWING SCHEDULE B - PART II EXCEPTIONS ARE PROVIDED PER THE TITLE COMMITMENT BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-10587359-CO WITH A COMMITMENT DATE OF MARCH 16, 2021.

1. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING, LIES BY THE RECORDS OF ANY TAXING AUTHORITY THAT STATES TAXES OR ASSESSMENTS ON REAL PROPERTY ARE NOT ON THE PUBLIC RECORDS.
2. RIGHTS, ROYALTIES, INTEREST, OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF SAID LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF.
3. EASEMENTS, CLAIMS OF EASEMENT, OR ENCUMBRANCES WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
4. ANY DEPENDENCY, ENCUMBRANCE, VENDOR, WARRANTY, OR ASSESSED ORGANIZATION, AFFORDING THE TITLE INCLUDING DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, ADVERSE AND UNLAWFUL USES, UNLAWFUL SPLITTING OF THE LAND, AND THAT ARE NOT SHOWN IN THE PUBLIC RECORDS.
5. (A) UNREGISTERED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PLATS OR IN CLAIMS WITHIN THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR RIGHTS TO WATER, PRIORITIES, PERMITS, OR RIGHTS OF DIVERSION; (D) RIGHTS OF WAY; (E) RIGHTS OF RIGHT-OF-WAY RECORDS.
6. ANY LEAS, OR RIGHT TO A LEAS, FOR SERVICES, LABOR, MATERIAL, OR EQUIPMENT OTHERWISE INCURRED BY THE PARTY PROVIDING SERVICE REGARDING A RATE OF RENT, AND NOT OTHERWISE SET FORTH OVERLAP HEREIN.
7. ANY PENDING, UNRECORDED, ASSESSED CLAIM, OR OTHER MATTER THAT APPEARS DISCLOSED BETWEEN THE COMPLETION DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE D, PART I REQUIREMENTS ARE MET.
8. GENERAL AND SPECIAL TAXES FOR THE YEAR 2021, AN ACCRUING LIEN NOT DUE OR PAID, UNTIL THE FURTHER MONUMENT IS COMPLETED AND RECORDED AFTER DECEMBER 20, 2021.
9. REGIONAL TAXES WHICH MAY BE ASSESSED AND EXPENDED ON ANY "SUBSTANTIAL OR OCCUPANCY" TAX ROLL, WHICH MAY HAVE ESCAPE ASSIGNMENT OF THE REGULAR TAX ROLL, WHICH ARE A LIEN NOT YET DUE OR PAYABLE.
10. ANY TAX, FEE, ASSESSMENTS OR CHARGES AS MAY BE LEVIED BY CITY OF STAN.
11. ANY STATE FEE, ASSESSMENTS OR CHARGES AS MAY BE LEVIED BY STATE WATER & SEWER DISTRICT.
12. THE RIGHTS, POWERS AND EASEMENTS OF DRAINAGE DISTRICT NO. 2.
13. ANY TAX, FEE, ASSESSMENTS OR CHARGES AS MAY BE LEVIED BY POWER DITCH COMPANY, LTD.
14. RIGHTS OF THE STATE OF IDAHO IN AND TO THAT PORTION OF SAID PRESENTS, IF ANY, LYING ON THE BED OF FOUNDER BED OF THE BOISE RIVER, IF IT IS NAVIGABLE.
15. ANY AGREEMENT THAT MAY ARISE DUE TO THE SHIFTING AND/OR CHANNELING IN THE COURSE OF THE BOISE RIVER.

18. RIGHT OF WAY FOR LITTLE POWER CANAL AND THE RIGHTS OF ACCESS THEREFOR FOR MAINTENANCE OF SAID CANAL.
19. RIGHT OF WAY FOR LITTLE POWER CANAL AND THE RIGHTS OF ACCESS THEREFOR FOR MAINTENANCE OF SAID CANAL.
20. RIGHTS, CLAIMS, POWERS OR ASSIGNMENT OR RESIDUENTS OF THE POWER DITCH COMPANY, AND THE NEWMAN DITCH COMPANY.
21. RIGHTS OF WAY FOR DITCHES, TUNNELS AND THE TAPPING AND TRANSMISSION LINES CONSTRUCTED BY AUTHORITY OF THE UNITED STATES AS GRANTED TO THE UNITED STATES UNDER PROVISIONS OF SECTION 36-604, DDAH CODE.
22. EASEMENT INCLUDING TRAILS AND PROVISIONS CONTAINED THEREIN.
23. RECORDING INFORMATION: BOOK 14 OF MISCELLANEOUS RECORDS AT PAGE 416 IN FAVOR OF: DAVID POWER COMPANY.
24. RIGHTS OF WAY FOR POWER COMPANY.
25. RIGHTS OF WAY FOR POWER COMPANY. **THIS CANNOT BE PLOTTED HEREON** DUE TO THE FACTS CONCERNING RESTRICTIONS AND ACCESS RIGHTS CONTAINED IN DEED TO THE STATE OF IDAHO, RECORDED MAY 4, 1966, AS INSTRUMENT NO. 384016, RECORDING INFORMATION: 81722065.
26. EASEMENT INCLUDING TRAILS AND PROVISIONS CONTAINED THEREIN.
27. RECORDING INFORMATION: 81722065 IN FAVOR OF: ELMORE INVESTMENTS & DEVELOPMENT CO., AN IDAHO CORPORATION FOR INTEREST AND EASEMENT **PROPERTY AND IS PLOTTED HEREON**.
28. EASEMENT AND THE TERMS AND CONDITIONS THEREOF.
29. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF.
30. ROBERT L. ANDERSON AND SUSAN L. ANDERSON, HUSBAND AND WIFE, AND RECORDING INFORMATION: 81722065.
31. **SAID TIE APPEARS SUBJECT PROPERTY - A PORTION OF THE SUBJECT PROPERTY IS DESCRIBED IN EXHIBIT A.**
32. ALL MATTERS DISCLOSED IN A RECORD OF SURVEY RECORDED JANUARY 14, 2009 **SAID TIE APPEARS SUBJECT PROPERTY - MANY OF THE PARCELS, CONVEYANCES AND SURVEYS - MAY HAVE CHANGED SINCE THE RECORDING INFORMATION: 111092403.**
33. RECORDING INFORMATION: 111092403.
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1. THIS SURVEY WAS MADE ON THE GROUND ON MARCH 30, 2021.

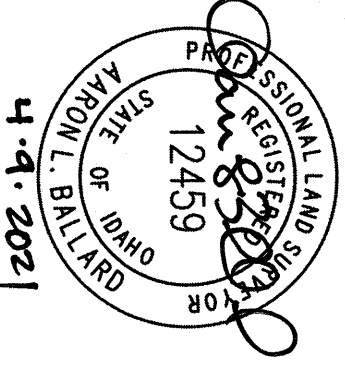
2. AT THE TIME OF SURVEY, THE SURVEYED DOW AND GIBBS DRIVE OF THE SUBJECT PROPERTY BEING BOUND AS A SOLID WEST SIDE, SHOWN ON SURVEYOR DOWDILL'S SURVEY DATED JANUARY 19, 2002.
3. UNDERGROUND UTILITIES, EXCEPT FOR THE EXISTING 12" WATER MAIN, APPROXIMATELY 10' NORTH OF THE SUBJECT PROPERTY, WERE NOT DETECTED DURING THE FIELD SURVEY. THEREFORE, THE UTILITIES ARE NOT SHOWN.
4. AT THE TIME OF THIS SURVEY, THE CONSTRUCTION OF PROPOSED IMPROVEMENTS TO THE SUBJECT PROPERTY, INCLUDING THE 12" WATER MAIN, WAS OBSERVED BY THE SURVEYOR. THE CONSTRUCTION OF THE 12" WATER MAIN STREET, FOR THE PURPOSE OF IMPROVING THE DRAINAGE OF THE SUBJECT PROPERTY, WAS OBSERVED DURING THE FIELD SURVEY. THEREFORE, THE UTILITIES ARE NOT SHOWN.
5. AS SHOWN HEREON, THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE "C" AND ZONE "D" OF THE CITY OF CHANDLER ZONING ORDINANCE, CHAPTER 17, ARTICLE 1, SECTION 17.01, AS AMENDED, ADOPTED BY THE CHANDLER CITY COUNCIL ON JANUARY 19, 2002.
10. THE UTILITY LINES, WITH A TIE-IN TO LINCOLN STREET, SHOWN HEREON AT THE END OF THE UTILITY LINE, ARE RELAYINGS OF A REMAINING IN, DETERMINING THE LOCATION OF THE UTILITY LINE, IT IS PREPARED TO CONTINUE IN THE DIRECTION SHOWN.
11. THE CROSS AREA FOR THE SUBJECT PROPERTY IS 13,884 SQUARE FEET.
12. AT THE TIME OF THIS SURVEY, THE SUBJECT PROPERTY IS ZONED C-1 (COMMERCIAL GENERAL), THE ZONING DISTRICT DESIGNATION, SHOWN ON CHANDLER CITY MAP C-1, AS AMENDED, ADOPTED BY THE CHANDLER CITY COUNCIL ON JANUARY 19, 2002, AS FOLLOWS:
13. AT THE TIME OF THIS SURVEY, THERE WERE NO MARKERS DELINEATING METADORS FOR THE CITY OF CHANDLER, CHAPTER 17, ARTICLE 8, 8-3A, 8-3B, 8-3C, 8-3D, 8-3E, 8-3F, 8-3G, 8-3H, 8-3I, 8-3J, 8-3K, 8-3L, 8-3M, 8-3N, 8-3O, 8-3P, 8-3Q, 8-3R, 8-3S, 8-3T, 8-3U, 8-3V, 8-3W, 8-3X, 8-3Y, 8-3Z, 8-3AA, 8-3AB, 8-3AC, 8-3AD, 8-3AE, 8-3AF, 8-3AG, 8-3AH, 8-3AI, 8-3AJ, 8-3AK, 8-3AL, 8-3AM, 8-3AN, 8-3AO, 8-3AP, 8-3AQ, 8-3AR, 8-3AS, 8-3AT, 8-3AU, 8-3AV, 8-3AW, 8-3AX, 8-3AY, 8-3AZ, 8-3BA, 8-3BB, 8-3BC, 8-3BD, 8-3BE, 8-3BF, 8-3BG, 8-3BH, 8-3BI, 8-3BJ, 8-3BK, 8-3BL, 8-3BM, 8-3BN, 8-3BO, 8-3BP, 8-3BQ, 8-3BR, 8-3BS, 8-3BT, 8-3BU, 8-3BV, 8-3BW, 8-3BX, 8-3BY, 8-3BZ, 8-3CA, 8-3CB, 8-3CC, 8-3CD, 8-3CE, 8-3CF, 8-3CG, 8-3CH, 8-3CI, 8-3CJ, 8-3CK, 8-3CL, 8-3CM, 8-3CN, 8-3CO, 8-3CP, 8-3CQ, 8-3CR, 8-3CS, 8-3CT, 8-3CU, 8-3CV, 8-3CW, 8-3CX, 8-3CY, 8-3CZ, 8-3DA, 8-3DB, 8-3DC, 8-3DD, 8-3DE, 8-3DF, 8-3DG, 8-3DH, 8-3DI, 8-3DJ, 8-3DK, 8-3DL, 8-3DM, 8-3DN, 8-3DO, 8-3DP, 8-3DQ, 8-3DR, 8-3DS, 8-3DT, 8-3DU, 8-3DV, 8-3DW, 8-3DX, 8-3DY, 8-3DZ, 8-3EA, 8-3EB, 8-3EC, 8-3ED, 8-3EE, 8-3EF, 8-3EG, 8-3EH, 8-3EI, 8-3EJ, 8-3EK, 8-3EL, 8-3EM, 8-3EN, 8-3EO, 8-3EP, 8-3EQ, 8-3ER, 8-3ES, 8-3ET, 8-3EU, 8-3EV, 8-3EW, 8-3EX, 8-3EY, 8-3EZ, 8-3FA, 8-3FB, 8-3FC, 8-3FD, 8-3FE, 8-3FF, 8-3FG, 8-3FH, 8-3FI, 8-3FJ, 8-3FK, 8-3FL, 8-3FM, 8-3FN, 8-3FO, 8-3FP, 8-3FQ, 8-3FR, 8-3FS, 8-3FT, 8-3FU, 8-3FV, 8-3FW, 8-3FX, 8-3FY, 8-3FZ, 8-3GA, 8-3GB, 8-3GC, 8-3GD, 8-3GE, 8-3GF, 8-3GG, 8-3GH, 8-3GI, 8-3GJ, 8-3GK, 8-3GL, 8-3GM, 8-3GN, 8-3GO, 8-3GP, 8-3GQ, 8-3GR, 8-3GS, 8-3GT, 8-3GU, 8-3GV, 8-3GW, 8-3GX, 8-3GY, 8-3GZ, 8-3HA, 8-3HB, 8-3HC, 8-3HD, 8-3HE, 8-3HF, 8-3HG, 8-3HI, 8-3HJ, 8-3HK, 8-3HL, 8-3HM, 8-3HN, 8-3HO, 8-3HP, 8-3HQ, 8-3HR, 8-3HS, 8-3HT, 8-3HU, 8-3HV, 8-3HW, 8-3HX, 8-3HY, 8-3HZ, 8-3IA, 8-3IB, 8-3IC, 8-3ID, 8-3IE, 8-3IF, 8-3IG, 8-3IH, 8-3II, 8-3IJ, 8-3IK, 8-3IL, 8-3IM, 8-3IN, 8-3IO, 8-3IP, 8-3IQ, 8-3IR, 8-3IS, 8-3IT, 8-3IU, 8-3IV, 8-3IW, 8-3IX, 8-3IY, 8-3IZ, 8-3JA, 8-3JB, 8-3JC, 8-3JD, 8-3JE, 8-3JF, 8-3JG, 8-3JH, 8-3JI, 8-3JJ, 8-3JK, 8-3JL, 8-3JM, 8-3JN, 8-3JO, 8-3JP, 8-3JQ, 8-3JR, 8-3JS, 8-3JT, 8-3JU, 8-3JV, 8-3JW, 8-3JX, 8-3JY, 8-3JZ, 8-3KA, 8-3KB, 8-3KC, 8-3KD, 8-3KE, 8-3KF, 8-3KG, 8-3KH, 8-3KI, 8-3KJ, 8-3KK, 8-3KL, 8-3KM, 8-3KN, 8-3KO, 8-3KP, 8-3KQ, 8-3KR, 8-3KS, 8-3KT, 8-3KU, 8-3KV, 8-3KW, 8-3KX, 8-3KY, 8-3KZ, 8-3LA, 8-3LB, 8-3LC, 8-3LD, 8-3LE, 8-3LF, 8-3LG, 8-3LH, 8-3LI, 8-3LJ, 8-3LK, 8-3LL, 8-3LM, 8-3LN, 8-3LO, 8-3LP, 8-3LQ, 8-3LR, 8-3LS, 8-3LT, 8-3LU, 8-3LV, 8-3LW, 8-3LX, 8-3LY, 8-3LZ, 8-3MA, 8-3MB, 8-3MC, 8-3MD, 8-3ME, 8-3MF, 8-3MG, 8-3MH, 8-3MI, 8-3MJ, 8-3MK, 8-3ML, 8-3MN, 8-3MO, 8-3MP, 8-3MQ, 8-3MR, 8-3MS, 8-3MT, 8-3MU, 8-3MV, 8-3MW, 8-3MX, 8-3MY, 8-3MZ, 8-3NA, 8-3NB, 8-3NC, 8-3ND, 8-3NE, 8-3NF, 8-3NG, 8-3NH, 8-3NI, 8-3NJ, 8-3NK, 8-3NL, 8-3NM, 8-3NO, 8-3NP, 8-3NQ, 8-3NR, 8-3NS, 8-3NT, 8-3NU, 8-3NV, 8-3NW, 8-3NX, 8-3NY, 8-3NZ, 8-3OA, 8-3OB, 8-3OC, 8-3OD, 8-3OE, 8-3OF, 8-3OG, 8-3OH, 8-3OI, 8-3OJ, 8-3OK, 8-3OL, 8-3OM, 8-3ON, 8-3OO, 8-3OP, 8-3OQ, 8-3OR, 8-3OS, 8-3OT, 8-3OU, 8-3OV, 8-3OW, 8-3OX, 8-3OY, 8-3OZ, 8-3PA, 8-3PB, 8-3PC, 8-3PD, 8-3PE, 8-3PF, 8-3PG, 8-3PH, 8-3PI, 8-3PJ, 8-3PK, 8-3PL, 8-3PM, 8-3PN, 8-3PO, 8-3PP, 8-3PQ, 8-3PR, 8-3PS, 8-3PT, 8-3PU, 8-3PV, 8-3PW, 8-3PX, 8-3PY, 8-3PZ, 8-3QA, 8-3QB, 8-3QC, 8-3QD, 8-3QE, 8-3QF, 8-3QG, 8-3QH, 8-3QI, 8-3QJ, 8-3QK, 8-3QL, 8-3QM, 8-3QN, 8-3QO, 8-3QP, 8-3QQ, 8-3QR, 8-3QS, 8-3QT, 8-3QU, 8-3QV, 8-3QW, 8-3QX, 8-3QY, 8-3QZ, 8-3RA, 8-3RB, 8-3RC, 8-3RD, 8-3RE, 8-3RF, 8-3RG, 8-3RH, 8-3RI, 8-3RJ, 8-3RK, 8-3RL, 8-3RM, 8-3RN, 8-3RO, 8-3RP, 8-3RQ, 8-3RR, 8-3RS, 8-3RT, 8-3RU, 8-3RV, 8-3RW, 8-3RX, 8-3RY, 8-3RZ, 8-3SA, 8-3SB, 8-3SC, 8-3SD, 8-3SE, 8-3SF, 8-3SG, 8-3SH, 8-3SI, 8-3SJ, 8-3SK, 8-3SL, 8-3SM, 8-3SN, 8-3SO, 8-3SP, 8-3SQ, 8-3SR, 8-3SS, 8-3ST, 8-3SU, 8-3SV, 8-3SW, 8-3SX, 8-3SY, 8-3SZ, 8-3TA, 8-3TB, 8-3TC, 8-3TD, 8-3TE, 8-3TF, 8-3TG, 8-3TH, 8-3TI, 8-3TJ, 8-3TK, 8-3TL, 8-3TM, 8-3TN, 8-3TO, 8-3TP, 8-3TQ, 8-3TR, 8-3TS, 8-3TT, 8-3TU, 8-3TV, 8-3TW, 8-3TX, 8-3TY, 8-3TZ, 8-3UA, 8-3UB, 8-3UC, 8-3UD, 8-3UE, 8-3UF, 8-3UG, 8-3UH, 8-3UI, 8-3UJ, 8-3UK, 8-3UL, 8-3UM, 8-3UN, 8-3UO, 8-3UP, 8-3UQ, 8-3UR, 8-3US, 8-3UT, 8-3UU, 8-3UV, 8-3UW, 8-3UX, 8-3UY, 8-3UZ, 8-3VA, 8-3VB, 8-3VC, 8-3VD, 8-3VE, 8-3VF, 8-3VG,

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TO STAR RIVER HOLDINGS, LLC, IT'S SUCCESSORS AND ASSIGNS, AND FIRST AMERICAN TITL
INSURANCE COMPANY:

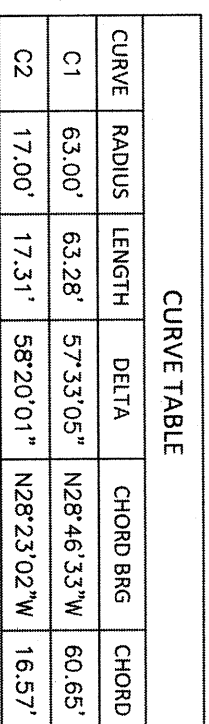
TO STAR RIVER HOLDINGS, LLC, IT'S SUCCESSORS AND ASSIGNS, AND FIRST AMERICAN TITL
INSURANCE COMPANY:

IDAHO PROFESSIONAL LAND SURVEYORS
REGISTRATION No. 12459
EMAIL: ABALLARD@KMENGLLP.COM
WWW.KMENGLLP.COM



4-9-2021

+	FOUR ALUMINUM CAP, AS NOTED
o	FOUND BRASS CAP, AS NOTED
o	FOUND 3/4-INCH REBAR, AS NOTED
⌚	ELECTRIC POLE
⌚	ELECTRIC VALVE/MANHOLE
⌚	TELEPHONE PEDestal
⌚	WATER VALVE
⌚	SEWER MANHOLE ID
⌚	SEWER SERVICE STUB MARKER
⌚	SEWER SIGN
---	SECTION LINE
---	PROPERTY BOUNDARY LINE
---	ADJACENT BOUNDARY LINE
---	--- FASION LINE, AS NOTED
---	--- ITEM FLOOR ZONE BOUNDARY LINE
---	POWER LINE
---	OVERHEAD POWER LINE
---	WATER LINE
---	SANITARY SEWER LINE
---	--- GAS LINE
---	1 --- TELEPHONE LINE
---	6 --- GRAVITY RAINFALL LINE
---	0 --- EDGE OF GRAVEL
---	⌚ --- EDGE OF PAVEMENT
---	--- TOP OF BANK
---	--- TOP OF BANK
---	--- FENCE LINE (TYPE AS NOTED)
---	INDICATES CONTINUATION OF UTILITY LINE
---	PROFESSIONAL LAND SURVEYOR



ALTA/NSPS Land Title Survey
Boundary, Easement and Planimetric Map

1 OF 1

THE
LANGDON
GROUPGATEWAY
MAPPING
INC.

J-U-B FAMILY OF COMPANIES

Legal Description for Zoning

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 16, Township 4 North, Range 1 West, Boise Meridian, City of Star, County of Ada, State of Idaho, and being more particularly described as follows;

COMMENCING at the north quarter corner of said Section, from which the south quarter corner of said Section bears South 00°46'55" West – 5263.37 feet:

THENCE South 00°46'55" West along a line coincident with the west boundary of said northwest quarter of the northeast quarter for a distance of 190.59 feet to a point on the Right-of-Way of State Highway 16 and being the POINT OF BEGINNING;

THENCE along a line coincident with said Right-of-Way the following three (3) courses;

South 79°57'23" East for a distance of 187.15 feet;

South 46°03'40" East for a distance of 363.59 feet;

South 01°20'36" East for a distance of 926.84 feet to the southerly boundary of subject parcel;

THENCE North 89°13'05" West along a line coincident with said southerly boundary for a distance of 421.33 feet to a point on the easterly Right-of-Way of South Calhoun Place;

THENCE continuing North 89°13'05" West for a distance of 62.98 feet to the centerline of South Calhoun Place and a point on the westerly boundary of said northwest quarter of the northeast quarter;

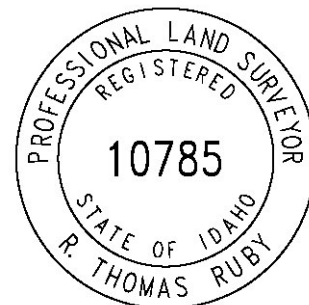
THENCE North 00°46'55" East along a line coincident with said centerline and said westerly boundary for a distance of 672.00 feet to a point on the northerly Right-of-Way of West Wildbranch Drive;

THENCE continuing North 00°46'55" East along a line coincident with said westerly boundary for a distance of 533.02 feet to the POINT OF BEGINNING.

The above described parcel contains 11.81 acres, more or less, and is subject to easements, covenants and restrictions of record.

This description was prepared from Ada County Record of Survey Instrument Number 2017-007907, and does not represent the results of a land boundary survey conducted by J-U-B ENGINEERS, Inc.

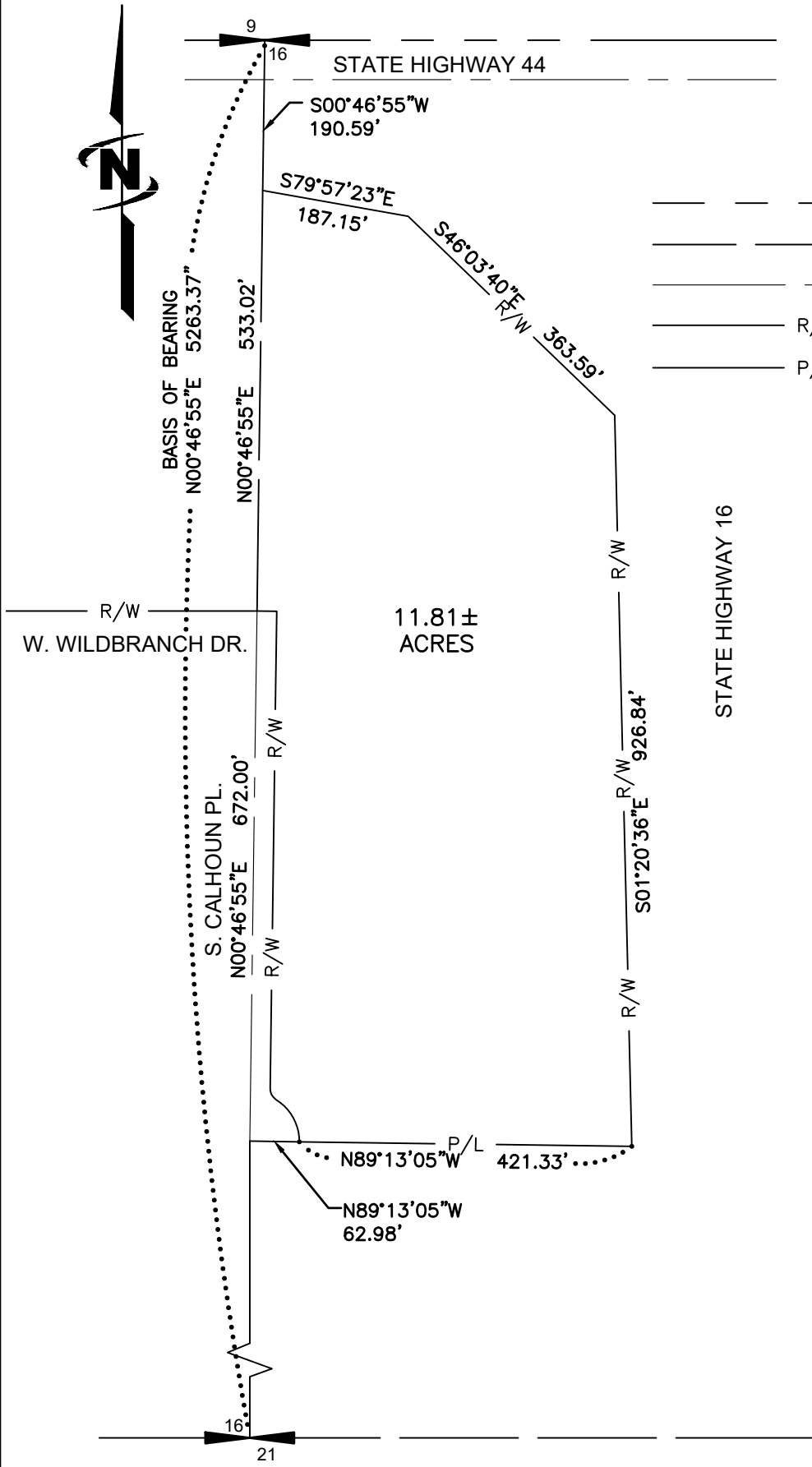
This description was prepared by me or under my immediate supervision. If any portion of this description is modified or removed without the written consent of R. Thomas Ruby, PLS, all professional liability associated with this document is hereby declared null and void.



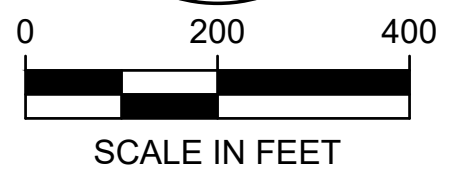


LEGEND

- SECTION LINE
- QUARTER LINE
- CENTER LINE
- R/W RIGHT OF WAY
- P/L PROPERTY LINE
- QUARTER CORNER



PREPARED FROM ADA COUNTY
RECORD OF SURVEY
INSTRUMENT #2017-007907



Plot Date: 8/18/2022 11:32 AM Plotted By: George Kinslow II
Data Created: 8/18/2022 JUB.COM/CENTRAL/C/CLIENTS/ID/ADAPROPERTIES/PROJECTS/10-21-080 CRYSTALS/COMMON/CONCEPTS/SURVEY/DWG/10-21-080-007 EX.DWG

REUSE OF DRAWINGS			FILE: 10-21-080-007_EX		
J-U-B SHALL RETAIN ALL COMMON LAW, STATUTORY, COPYRIGHT AND OTHER RESERVED RIGHTS OF THESE DRAWINGS, AND THE SAME SHALL NOT BE REUSED WITHOUT J-U-B'S PRIOR WRITTEN CONSENT. ANY REUSE WITHOUT WRITTEN CONSENT BY J-U-B WILL BE AT CLIENT'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO J-U-B.			JUB PROJ. #: 10-21-080		
			DRAWN BY: GCK		
			DESIGN BY:		
			CHECKED BY: RTR		
NO	REVISION DESCRIPTION	BY	DATE	LAST UPDATED: 8/18/2022	



BARON PROPERTIES
ZONING CHANGE EXHIBIT

LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 16, T. 4 N,
R. 1 W, B.M., CITY OF STAR, COUNTY OF ADA, STATE OF IDAHO

SHEET
100

RESOLUTION TBD-2022 (Police and Fire Mitigation Fee)

A RESOLUTION OF THE CITY OF STAR, IDAHO WITHIN ADA AND CANYON COUNTIES, CREATING A POLICY FOR THE ISSUANCE OF MITIGATION FEES FOR STAR POLICE AND MID-STAR FIRE PERSONNEL ON RESIDENTIAL AND MULTI-FAMILY BUILDING PERMITS; EXPLAINING THE REASONS FOR THE ISSUANCE OF MITIGATION FEES; ENCOURAGING OTHER ENTITIES TO REPEAL AND REPLACE OR MODIFY HOUSE BILL 389 (2021) AND PROVIDING AN EFFECTIVE DATE

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF STAR IDAHO WITHIN ADA AND CANYON COUNTIES WILL ISSUE MITIGATION FEES FOR STAR POLICE AND MID-STAR FIRE PERSONNEL IN THE FOLLOWING MANNER:

Whereas, the City Council and Mayor of the City of Star find:

- House Bill 389 (HB389), passed in the 2021 Idaho Legislative Session, has reduced the amount of new construction value to an extent that it harms the orderly growth of cities and districts such as Star throughout Idaho that rely on new construction market value to provide essential services (Police and Fire);
- 100% of the property taxes levied in the City of Star are used to pay for police services;
- Due to various government responses to COVID since 2020, Star has seen a large influx of new construction to accommodate the new citizens to the city;
- The City of Star enjoys low levy rates and as a policy does not raise taxes to recover Foregone amounts;
- The City of Star, through the Comprehensive Plan, requires the following metrics to be met for Police Public Safety:
 - The City of Star will operate under a proactive police model versus a reactive police model. The proactive police model allows for officers to get ahead of any criminal activity that may arise in the city which provides for greater safety for the residents and property in the city.
 - The City of Star will maintain a four (4) minute or less response time on all Code 3 calls. Code 3 calls are those calls which require an immediate emergency response.
 - The City of Star will maintain less than 18 crimes per 1,000 residents.
 - To achieve the above goals the City of Star will operate at a level of one (1) commissioned officer per 1,000 residents. Based on COMPASS numbers of an average of 2.7 residents per housing unit in Star; every 370 new residential units constructed will require a new officer.
- The City of Star for fiscal year 2022/2023 is operating at .80 commissioned officers per 1,000 residents; the COMPASS Population estimate is 15,230 residents and the city has 12 commissioned officers;
- The City of Star recognizes the need for an additional fire station for the Mid/Star Fire District due to the increase in call volume and the growth of the city; and
- Mid/Star Fire District is limited on hiring personnel to staff a new fire station due to HB389;

RESOLUTION TBD-2022 (Police and Fire Mitigation Fee)

Whereas, the Mayor and City Council of the City of Star encourages entities and other districts to request the modification, repeal and/or replacement of House Bill 389 to allow cities and other taxing entities to provide the essential services required by the citizens due to growth; and

Whereas, the Mayor and City Council of the City of Star and the Building Contractors Association of Southwestern Idaho, Inc. have worked together coming up with a mitigation fee to address the needs of public safety in the City of Star as follows:

- At the issuance of a building permit for single family residential and multi-family residential, the following mitigation fees will apply:
 - Police Mitigation Fee: \$ 1,120.00 per residential unit/door.
 - Fire Mitigation Fee: \$ 1,200.00 per residential unit/door.
 - Example for apartments: A 100-unit apartment complex would be assessed the following mitigation fee: $100 \times \$2,320.00 = \$232,000.00$.
- These mitigation fees are only to be used for the addition of personnel for each entity as outlined above;
- Every two (2) years the BCA and the City of Star will meet to discuss the continuation of the mitigation fees, beginning in April of 2024; and
- The BCA will work with the Idaho State Legislature to address the concerns of HB389 and the impacts of orderly growth addressing the concerns above.

Therefore, be it resolved the policy outlined above is hereby enacted.

PASSED and APPROVED by the Star City Council on September 20, 2022 and shall take effect and be in full force from this date forward.

DATED this _____ day of **September 2022**.

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk / Treasurer



August 23, 2022

Mayor Chadwick, City Council Members and City Planning staff
10769 W. State Street
Star, ID. 83669

Dear Mayor Chadwick, City Council Members, and Planning and Zoning Administrator,

The Building Contractors Association of Southwestern Idaho (BCA) appreciates the positive working relationship we have with the City of Star. As the BCA represents approximately 400 builder and associate member companies and thousands of local employees in the local homebuilding industry, we strive to support responsible development in our community.

The BCA appreciates the City pausing the decision to restrict building permits and allowing industry time to more thoroughly review and consider other viable options. After several discussions with the City as well as internal discussions with several of our members, we have the following points to share:

1. We acknowledge this is a very difficult issue for all stakeholders involved and until either 1) there is a change in the legislation that caused this problem or 2) a sufficient market-induced slowdown in growth occurs, something needs to be done to ensure current levels of service for emergency services do not further deteriorate.
2. We are concerned that capping the number of building permits will expose the City to potential lawsuits. Some lot owners and other land owners could believe they are treated unfairly if they are not able to acquire a building permit on entitled property. We could not determine a fair formula with current (or future) entitled properties.
3. Based on inputs from the City, we will not oppose the following new fee charged to future building permits based on the following criteria:
 - a. Fee to be called "Emergency Services Temporary Mitigation Fee", or similar
 - b. There will be no cap on building permits
 - c. Fee will be charged to all permits (single-family, multi-family and commercial)
 - d. Based on expected reduced permits: Fire fee will not exceed \$1,200 per permit (depending on split with other permits and assuming \$1.2M need)
 - e. Police fee will not exceed \$1,120 per permit (depending on split with other permits)
 - f. Same fee charged for single family and multi family, and the City will determine the fee amount for commercial
 - g. Fee will be charged for one year with an automatic extension for an additional year if the legislation is not changed in 2023 (ie reduce the 8% cap on property tax collections, etc). After 2 years, City and BCA will reassess fee amounts recognizing based on assumptions from the City it appears there will be adequate fees collected for fire after 2 years and a reduced or different amount may be needed for police.

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www.BCASWI.org



**BUILDING CONTRACTORS ASSOCIATION
OF SOUTHWESTERN IDAHO, Inc.**

"A Tradition of Building Excellence for Over 50 Years"

Section 7, Item B.



We believe this approach is the most equitable and reasonably fair solution as it enables current levels of service to be maintained, the costs are spread to all users of emergency services, and it avoids capping the number of building permits, which we strongly oppose. Again, trying to determine "fairly" who gets what percent of available building permits is not achievable in the eyes of all stakeholders (entitled or annexed property, final platted building lots, etc) and puts the City at risk of lawsuits. We do believe charging a temporary higher fee is the better approach to avoid as many future problems as possible and will achieve the financing necessary to maintain current levels of service.

The housing industry is starting to face economic headwinds and growth will not always be this strong. We look forward to continuing to work with the City in a positive way to continue providing the high quality of life that is offered to all the citizens of Star.

Sincerely,

Lance Snyder, President
Building Contractors Association of Southwestern Idaho