



CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

1. CALL TO ORDER – Welcome/Pledge of Allegiance

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

2. INVOCATION – Bishop Cody Larson, Floating Feather Ward, Church of Latter-Day Saints

Bishop Larson offered the invocation.

3. ROLL CALL

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

Staff: City Clerk Jacob Qualls; City Attorney Chris Yorgason; City Planning Administrator Shawn Nickel; Public Information Officer Dana Partridge; Planning Administrator Assistant Ryan Field; Star Police Chief Zach Hessing.

4. PRESENTATIONS

A. New Deputy Introductions – Chief Zach Hessing

Chief Hessing introduced Deputy John Cleveland, one of two new deputies with the City of Star Police Department recently hired in order to create an almost full twenty-four hours with two deputies on shift. Deputy Cleveland has twenty-one years of experience on the job and was a lateral transfer from the California Highway Patrol. He started with Ada County Sheriff's Office in August of 2021. Since, he has graduated both the in-house academy with the Ada County Sheriff's Office and the on-duty police training program.

Chief Hessing then spoke on his report to the community, citizens, and officials of the City of Star regarding Star Police and the amount of work they do. He explained the Ada County Sheriff's Office provided Star Police Department with data an analytics team had put together into a report. This report will be put out by mid-February every year. The data is pulled from three areas: the National Incident-Based Reporting System (NIBRS), Star Police's Computer-Aided Dispatch (CAD), and their report writing system ITS. This data is separated into three categories: person crimes, property crimes, and society crimes. He explained the purpose of the program is to provide reliable statistics and inform the public about the nature of crime problems. He mentioned some crimes take longer to investigate and solve, causing them to be listed under a different year than when they occurred.

Chief Hessing spoke on various statistics and types of calls, noting the numbers are not going up for crime rates as Star Police Department has been proactive in trying to stop crimes from occurring. He also mentioned the Idaho Supreme Court case *State of Idaho v Clark*, which has made it so they cannot arrest misdemeanors committed outside their presence. Because of this, they must first obtain a warrant. He noted this has caused them some issues in solving crimes. Additionally, he stated the spike in juvenile cases is likely due to a full-time School Resource Officer (SRO) being at Star Middle School.

Chief Hessing stated Ada County Sheriff's Office provides training a lot of other agencies don't, including a once a month, nine-and-a-half-hour block of training. They also have a lot of different specialties, with three additional deputies coming in the future who will have specialties. Council Member Nielsen asked what a fusion liaison officer is. Hessing explained they are officers who get intel from federal agencies about things such as drugs coming into the community.

**CITY COUNCIL REGULAR MEETING MINUTES**City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

Chief Hessing then spoke on the monthly reports, which will give information on person crimes, property crimes, and society crimes. This information will include whether the crimes are being investigated or sent to the prosecutor's office. Ultimately, these reports will show a snapshot of how busy the police have been by listing what's been investigated, calls coming into dispatch, traffic stops, automobile accidents, etc. In addition, it will show Code 3 response times, which are currently at an average of 3 minutes and 16 seconds for when someone calls 9-1-1. He noticed this is better than the Ada County Sheriff's Office goal of five minutes.

Council Member Salmonsens asked where the data for Canyon County will be pulled from. Hessing explained it would not be coming from NIBRS, which does the yearly report, but would be pulled from the Star designator and come from both CAD and ITS for the monthly reports.

B. Building Permit Report – Fiscal Year 2022 to Date

Mayor Chadwick spoke briefly on the Building Premier Report for the Fiscal Year, from October 1st to September 30th. It showed there have been 241 housing permits, five commercial remodels, eighteen miscellaneous, and the exempt park impact fees in the Reunion Subdivision due to a deal made years before for the land where the dog park will be. This report will be posted monthly.

5. CONSENT AGENDA (ACTION ITEM)

Item 5C. Final Plat: Moon Valley #5 (FP-21-32) was removed from the Consent Agenda.

City Planning Administrator Shawn Nickel noted City Council was given two sheets of paper listing minor changes to Findings of Fact / Conclusion of Law: Inspirado, Findings of Fact / Conclusion of Law: Oaklawn Crossing Subdivision, and Findings of Fact / Conclusion of Law: Langtree Bungalows Subdivision. It was confirmed the revisions came about via a review by the applicant which was then confirmed by Staff.

- Council Member Nielsen moved to approve the Consent Agenda consisting of 5A. Approval of Claims: Provided and Previously Approved, 5B. Approval of Minutes: December 21, 2021 City Council Meeting with a correction where it says Council Member Nielsen believes Star is very liberty minded and no one should have to ask for a permit to have an alcoholic beverage in City parks as this was said by Council Member Keyes, 5D. Findings of Fact / Conclusion of Law: Inspirado Subdivision, 5E. Findings of Fact / Conclusion of Law: Star Pointe Subdivision, 5F. Findings of Fact / Conclusion of Law: Oaklawn Crossing Subdivision, 5G. Findings of Fact / Conclusion of Law: Langtree Bungalows Subdivision, and 5H. Findings of Fact / Conclusion of Law: Union Street / State Street Rezone; Council Member Wheelock seconded the motion. **ROLL CALL VOTE:** Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

6. ACTION ITEMS:**A. COMPASS Reimburse Agreement / Floating Feather Road to Star Middle School Project Development:**
Authorizing Mayor Chadwick to Sign

Mayor Chadwick spoke on the Compass Reimbursement Agreement form, which is for the Floating Feather Safe Routes to School. The City of Star received a grant for \$25,000 and a match of \$10,000 would bring the total to \$35,000. Approval would authorize Mayor Chadwick to sign the agreement to reimburse no more than \$10,000 for their portion of the grant. There was a brief discussion for clarity regarding the amount to confirm it was \$35,000.



CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

- Council Member Salmonsens moved to approve the Compass Reimbursement Agreement Form; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

7. PUBLIC HEARINGS with ACTION ITEMS:

A. PUBLIC HEARING: Springtree Estates Subdivision (FILE: AZ-21-16, DA21-24 & PP-21-19) (Previously tabled from)

Mayor Chadwick read the rules for the Public Hearings.

Mayor Chadwick asked the City Council if there was any ex parte contact to report. All City Council members presented stated there were none.

Mayor Chadwick opened the public hearing at ? pm.

SPRINGTREE ESTATES APPLICANT PRESENTATION

Marianne Payne – 6105 West Franklin Street, Boise, ID

Ms. Payne stated she met with City Staff, as well as neighbors via a neighborhood meeting, to present the project and receive input prior to submitting a formal plan for a subdivision with a total of fifteen houses on the five-acre site. During her meeting with City Staff, they were encouraged to have density be at 2.8 units per acre, with larger sized lots. During the neighborhood meeting, neighbors expressed concerns over fencing and privacy.

To mitigate these concerns, and to benefit the neighbor across Beacon Light Road, it was decided the common lot should be placed at the end of the cul-de-sac on the south side. Ms. Payne stated she believes landscaping and fencing is important to the project and is included in their staff report. Additionally, she spoke on how the project has an R3 designation set by the City, how they are complying with all the designation requirements, and how they are aiming to create a community with character and integrity via the architecture and landscaping this high-end residential subdivision will have.

Ms. Payne stated the Staff report supports the project and a request by Ada County Highway District's (ACHD) for the road within the subdivision to remain private was included within it.

Council Member Wheelock spoke on the property owner on the north side, noting the lots were large enough the homes could be single story in order to help with privacy concerns. He asked Ms. Payne if they would be willing to make this change. Ms. Payne referenced the thirty-five-foot height for the R3 designation, stating there is a height difference where the property owner to the north has a home twenty-five feet above the development. In addition, their house was a two-story which she believed would make it so the property owner would look right over the development. She noted site studies had been done for other neighbors and the same could be done for these to the north.

Mayor Chadwick clarified the area is designated as a one to three, so a three is not entitled and adjustments could be made if the Council wants them.

Council Member Salmonsens asked if the area was in a flood plain. Ms. Payne deferred to Antonio Conti, a civil engineer with the project.

**CITY COUNCIL REGULAR MEETING MINUTES**

City Hall - 10769 W State Street, Star, Idaho

Tuesday, February 15, 2022 at 7:00 PM

Antonio Conti – 7661 West Riverside, Garden City, ID

Mr. Conti stated the parcel is part of a flood zone and they did a base flood elevation study to verify the impact which was then presented to the City Engineer in February for review. He spoke on the design they are proposing for the roads, which will pull the lots, primarily three and fifteen, out of the flood zone as the lots will be higher than the roads and the risk for flooding will be eliminated.

Council Member Salmonsens put forth a question for staff regarding the Comprehensive Plan and whether this area qualifies for the one to two units per acre in a flood plain. City Planning Administrator Shawn Nickel clarified the designation referenced was for river area and as this flood plain can be taken out via Federal Emergency Management Agency (FEMA) actions, it does not qualify.

Council Member Salmonsens then spoke on the road, referencing the recommendation by ACHD in the staff report for the road to be designated as private. She asked if they would agree to that. Ms. Payne stated they would, and there would be a road maintenance agreement for it, as well.

Council Member Salmonsens then asked what amenities will be included in the common space. Ms. Payne stated it will be a park with a gazebo. Salmonsens reminded her one amenity is required. Ms. Payne again referenced the gazebo in addition to a picnic area and stated it could be taken even further. Salmonsens clarified she had wanted to be sure it wasn't simply a picnic table in the green space.

Council Member Salmonsens then spoke on the common lot, prompting a conversation about whether it was a drainage hill. Mr. Conti confirmed it was, noting the runoff will be collected underground. He also spoke on there being a separation berm to minimize noise from cars. Salmonsens sought further clarification on the common lot, stating the requirement for usable open space is ten percent but they only have three, indicating they may have to reassess the project in order to meet the requirement.

Council Member Salmonsens's final question pertained to the mailboxes and their location. Ms. Payne stated the Post Office would not be coming into the subdivision as it is dangerous, and the mailboxes would have to be located along Pollard Lane at the entrance to the subdivision. She also spoke briefly on the design of the mailboxes, stating each resident would get their own mailbox rather than having one large one.

Salmonsens noted the location of the mailboxes could cause issues with cars traveling along Pollard Lane. Ms. Payne stated at peak hours there are only nineteen cars travelling along the road. She also mentioned Beacon Light was not an option as ACHD wouldn't even consider access into the subdivision from there due to traffic.

Council Member Wheelock had questions about the buffer between the subdivision and the property to the north, wondering if the elevation being raised for the flood plain would cause problems. Mr. Conti stated they had received a phone call on Monday from the neighbor to the north posing the same questions, prompting them to look at the elevations in order to figure out how the water will run through the area. He explained the neighbor's property is higher than the existing ground, and there is an existing culvert beneath Beacon Light, so no water is going across it. Wheelock wanted to know if the lots were all being raised, would it create a problem with water for the road. Mr. Conti confirmed it would not create any problems.

Council Member Wheelock then asked about the landscaping, wanting to know what it will look like between them and the neighbor. Ms. Payne stated they did not have their landscape plan up, but she is passionate about

**CITY COUNCIL REGULAR MEETING MINUTES**City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

landscaping, noting that although it will depend on what the City of Star wants it will be a collaborative effort and they will be happy to plant whatever is desired. She referenced the City of Boise and their preference for fifty percent evergreen and fifty percent deciduous, stating she is an advocate for one hundred percent evergreen as it will provide privacy year-round.

Additionally, Ms. Payne stated she liked seeing variety in landscaping and brought pictures to help illustrate her vision, as well as to provide what would be seen from the abutting property. She also noted there was existing landscaping shielding the view of houses from the neighbor's patio. Mayor Chadwick asked for copies of the pictures to enter into the record which were provided.

Council Member Nielsen continued the discussion on landscaping, noting the City of Star does not have any requirements for fifty percent deciduous and fifty percent evergreen, but did say she might want to consider adding variety as evergreen does not always survive. He encouraged Ms. Payne to take what was in their City Code and double or triple it in order to make a beautiful landscape.

Council Member Nielsen then prompted a discussion on the mailboxes for the subdivision, wanting to know what they would look like. Ms. Payne explained the current design was the postmaster's idea, and it would be a long bench of mailboxes with each resident having their own old-fashioned one. Nielsen expressed concern over this style of mailbox falling into disrepair quickly. He stated he would prefer to see something more long lasting. Ms. Payne stated she was happy to discuss the design with postmaster again. She also mentioned the Homeowner's Association (HOA) would have resources to repair the mailboxes and would be maintaining it instead of it falling under the resident's individual responsibility.

Nielsen proposed materials such as stone or concrete being used instead of wood, noting these are generally postmaster approved. Ms. Payne agreed this would be a good approach as wood does not hold up well with the weather in the area. Nielsen encouraged her to be creative, and Mayor Chadwick added they would not want something industrial in design.

SPRINGTREE ESTATES PUBLIC TESTIMONY**Steve Green – 9999 West Star Acres Drive, Star, ID**

Mr. Green recommended the application be tabled as he did not believe it was ready. He stated he was not against it, but in its current form the subdivision would need to reduce density to fall within its designation as estate residential due to it being adjacent to an existing five-acre lot with no plans for development. He referenced the reasoning behind the creation of the estate residential category, noting it was for this exact situation where small lots adjacent to large lots should be avoided. Mr. Greene also felt the lot should be reviewed as there is not actually five acres of developable land based on its property lines, dedications requested by ACHD along Beacon Light Road and Pollard Lane, and lack of planning for the right-of-way needed for the planned roundabout. Further, he stated the mailbox location along Pollard Lane would be a hazard to residents checking the mail, suggesting this should be explored further with the postal service and ACHD.

Cody Larson – 9393 West Beacon Light Road, Star, ID

Mr. Larson owns the property to the south and west of the proposed development. He stated his concerns were over the planned roundabout, a lack of privacy and loss of landscape views such as the mountains due to height of

**CITY COUNCIL REGULAR MEETING MINUTES**City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

homes. He felt single story homes would be best and mentioned the common lot would be more appropriate on the north side where Geoff Bauchman and his family live.

Geoff Bauchman – 3301 North Pollard Lane, Star, ID

Mr. Bauchman owns the lot to the north of the subdivision. He stated it was his and his wife's vision to move back to Idaho to have rural property, and while he is aware growth will happen, he wants it to be sensible growth that works for both his family and the developers. His goal in being at the meeting, as well as speaking and submitting a letter, was to be involved in the process.

Specifically, Mr. Bauchman wanted to see changes benefiting his property and the lifestyle he and his wife were trying to provide for their children. His primary concern was over privacy, noting even with landscaping and trees any two-story homes would be able to see onto his property from the second floor. In order to create the sensible landscaping mentioned by the applicant, Mr. Bauchman asked for a dirt berm on lots 10 and 11 upon which could be placed fencing and landscaping in order to assist with privacy and natural transition between his rural lot and the development.

Next, he spoke on the drainage, referencing a natural drainage disc running through the center of his field from the property north of his and a culvert running on his road. Mr. Bauchman estimated the culvert also ran through lot thirteen, where it would dump water and naturally pool around lots five or four. He stated there was recently a flood there because when they redid Beacon Light to put in the sewer the culvert there was removed. Referencing the hundred-year FEMA flood map plain, his concerns were over where the water would go if the lots were elevated as it would hit his road and have nowhere to flow in the event of a large rainstorm or snowstorm.

Mr. Bauchman asked the City Council to consider he and his wife do not plan to subdivide their property as they plan to live on it in a rural environment. Further, he asked the lots be reshaped on the north side near his property so there would be bigger lots, with bigger backyards and an abundance of landscaping in order to maintain a natural transition from city to rural living. He also stated the common lot being moved to lot ten or eleven, which is closest to their structures, would help create more privacy.

Council Member Nielsen prompted a discussion regarding the culvert, seeking clarification as to whether the culvert drained onto this property. Mr. Bauchman confirmed it did at one point drain into the culvert under Beacon Light but as the culvert no longer exists it drains onto the property. Further, once the culvert between his property and the subdivision is removed, it will drain onto his property and flood. Nielsen inquired as to whether Mr. Bauchman knew if this was why the area was designated as being in a flood plain. He confirmed he had to speak with FEMA when he bought the property and the hundred-year flood map does indicate everything east of his barns are in the flood plain where water naturally flows, which also runs through lot twelve in the development.

Council Member Nielsen then asked a question of City Staff regarding County Ordinances requiring properties to collect, retain, and deal with water on site and if this was different due to it being flood per his own understanding. Ryan Morgan wasn't there to answer the question. Nielsen requested the applicant discuss this and what facilities are in place to manage it when they came back up to rebut as he wasn't sure what the impacts were.

Council Member Nielsen mentioned the tendency for people in the past to come up to speak in order to say they want no development, and how it has shifted to people saying they aren't against it, but they want the view

**CITY COUNCIL REGULAR MEETING MINUTES**City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

preserved. He spoke on the rights each person has to their own property, and how no one owns the view. Mr. Bauchman agreed no one had a right to tell others what to do with their land but wanted a concession between what's being built and where his family lives to create a natural flow from city living to rural. He suggested a transition from two-story homes on Beacon Light to one-story with sensible landscaping on the north side near his home.

Council Member Salmonsén asked if he would be in favor of moving the common lot from lot eight to lot ten. Mr. Bauchman said he was, as he felt with the hill elevating those lots having it be a common lot would give more privacy.

SPRINTREE ESTATES APPLICANT REBUTTAL**Marianne Payne / Antonio Conti**

Mr. Conti spoke on the technical aspect due to Ms. Payne having temporarily left. He clarified flood water and runoff are different, and to his knowledge there was no culvert under the road on this property, apologizing for having missed it. He stated there was a culvert beneath Beacon Hill, noting it drained to the north, not the south, and there was a ninety-degree pipe inserted by the previous owner to prevent water coming from the south of Beacon Hill. Regarding runoff and retaining water on site, Mr. Conti spoke on the technical aspect of diverting water, which would be easy to do and could be added as part of the conditions of approval.

Council Member Nielsen asked for clarification on the culvert, asking if it was the one running underneath Beacon Light being proposed to extend around the property. Mr. Conti stated he could not extend the culvert beneath Beacon Light as it was an ACHD road runoff. He clarified the culvert he spoke on was the one located beneath Mr. Bauchman's road, which could be extended and rerouted.

Ms. Payne had returned by this point and spoke, addressing the roundabout. She affirmed the roundabout had been taken into consideration, along with the forty-foot setback for ACHD, and was already included in the design for the development. Regarding the common lot, she stated they would be happy to switch the common lot to lot ten as they would like to be accommodating and place it where it is wanted and needed most.

Council Member Nielsen asked whether they would be willing to place a pathway to Beacon Light in the subdivision if the common lot is moved to the north side. A discussion followed determining a pathway would have to be on a common lot and Ms. Payne agreed this is something they could do.

Council Member Nielsen then asked City Staff to speak on the calculations for the usable open space percentages. City Planning Administrator Shawn Nickel stated during the review they counted the detached sidewalks, the common lot, and the pathway going to Beacon Light. Nielsen noted the added pathway between lots would increase the percentage as well. Mr. Nickel stated they should be able to maintain the ten percent open space. Ms. Payne stated they would be incorporating more in the form of a buffer on Pollard, which would also add to the percentage and an amenity could be placed there.

Mayor Chadwick then prompted a discussion regarding the density of the lots to the north, offering a compromise in the form of changing the six lots to four 12,000 square-foot lots while shifting the open space in order to create larger lots on the south side where the pathway would be and a transitional buffer. In total, two lots would be removed. Council Member Wheelock added a reminder less fences to the neighbor will always be easier to deal with long term, referencing his own large parcel and when less fences touch his, the less he complains.

**CITY COUNCIL REGULAR MEETING MINUTES**

City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

There was a five-minute recess starting at 8:26pm and ending at 8:31pm.

Council Member Nielsen spoke further on the density, proposing the common lot be removed in order to take lot nine and split it so it can be combined with lots ten and eight to create two larger lots. This way lot sizes could also be increased to the south which would reduce the applicant losing as many lots. It would also increase the overall density while increasing open space contained within the lots themselves, which would be more useful. Nielsen added he wanted to be sure the pathway would still be included.

Council Member Hershey sought clarification regarding the reduction of usable open space in favor of larger lots. Council Member Nielsen stated it would be a reduction of commonly held open space but there would be an increase of privately held open space which would ultimately increase the open space percentage.

Ms. Payne felt the suggestions were creative and was willing to make these changes in order to make everyone happy.

Council Member Nielsen asked if they would be agreeable to ranch style homes in the larger lots created by splitting lot nine and combining those with lots ten and eight. Ms. Payne indicated a two-story home would be a non-issue as they could grade the hill, build below it, and have elevated landscaping.

Mr. Conti then spoke on the elevation difference between the front of lot nine and the back of lot nine, stating it is a 20-foot difference which would mean any house built would be below the hill. Ms. Payne added landscaping would be done at the 20-foot level elevation making it so the house wouldn't be seen at all.

Council Member Salmonsens asked a question pertaining to sidewalk widths, wanting to know if they would be agreeable to changing the five-foot width to seven-foot on both Beacon Light and Pollard per a pending change for street widths along collector and arterial roads to be seven-foot minimum. Mr. Conti confirmed it would not be an issue make sure both sidewalks were seven-foot minimum.

Another discussion regarding the number of lots and density was prompted. It was decided twelve lots, with a possibility of thirteen, would be best and met the intention of the comprehensive plan. The larger lots would be to the north and smaller would be along Beacon Light. Ms. Payne noted the homes on Beacon Light, which was a busy street, would be less desirable, so she felt this would position everything correctly for the smaller, less expensive homes to be on Beacon Light while the larger lots could be at the north and mitigate concerns from the neighbor.

Council Member Nielsen commented on the mitigation, stating adhering to the Comprehensive Plan was also important when it comes to transition from city to rural. With this new proposed plan, both things could be accomplished. Council Member Wheelock also felt maintaining the five on the north would give a buffer from city to rural.

Mayor Chadwick closed the Springtree Estates Public Hearing at 8:49pm.

SPRINGTREE ESTATES CITY COUNCIL DELIBERATIONS

Council Member Hershey agreed with what Council Member Wheelock had said concerning the five lots to the north.

**CITY COUNCIL REGULAR MEETING MINUTES**City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

Council Member Wheelock stated he might not have given up the common lot, but would agree with it if everyone else wanted it. He also reminded them they needed to deal with the water coming across the field, which had been talked about being piped, as historically the flood zone there has been there for years.

- Council Member Nielsen moved to approve Springtree Estates with following conditions of approval: the culvert existing on the property to the north's drainage should be extended per the description by the applicant's engineer the water could be conveyed around the property and handled appropriately, the five lots across the north will be a minimum of 12,000 square feet, the lots along the south be preserved in width as much as possible with one lot at a smaller width if necessary, an appropriate product placed on the property, the sidewalk along Beacon Light being verified and built at a seven foot width, a pathway being provided from the applicant's private road to Beach Light which will count as an amenity, the mailboxes being built in accordance with the U.S. Postmaster but also with durable materials requiring minimal maintenance and upkeep, the landscaping trees be planted, a new primary preliminary plat and landscape plan be provided, and approval of construction of the private road built to both City of Star and ACHD standards; Council President Hershey seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

B. PUBLIC HEARING: Kirshner-Dill Annexation (FILE: AZ-21-15 & DA-21-23)

Mayor asked the City Council if there was any ex parte contact to report. All City Council members present stated there was none.

Mayor opened the public hearing at 8:59pm.

KIRSHNER-DILL ANNEXATION APPLICANT PRESENTATION**Kim Owens – 1208 North World Cup Lane, Eagle, ID**

Ms. Owens was there representing the Dills for the application for annexation and zoning of their property located at 2589 North Brandon Road. The current zoning designation is RUT R1. They would like to be annexed into the City of Star with an R1 designation. A picture was provided showing a proposed split on the property with the current owners residing on the east portion with an undetermined plan for the remaining 6.44 acres.

Council Member Salmonsens asked if they would be willing to install a sidewalk along their entire property on both Brandon and New Hope. Mayor Chadwick asked City Planning Administrator Shawn Nickel if the classification of the road gets changed to arterial would ACHD install the sidewalk when they widen there. There was a brief discussion about the sidewalk, including what other developments would be built along Brandon Road. Mr. Nickel stated City Staff had made a recommendation the sidewalk could be built at the time of development of the western parcel. This could be put into the development agreement as a condition if desired. He also noted there would be concerns regarding a ditch running on Brandon and a portion of New Hope which would need to be negotiated with HRM Lateral.

KIRSHNER-DILL ANNEXATION PUBLIC TESTIMONY

No one was signed up to speak. Only Mr. and Mrs. Dill were in attendance. Both were in favor, but neither wished to speak.

**CITY COUNCIL REGULAR MEETING MINUTES**City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

City Planning Administrator Shawn Nickel stated Staff was recommending an R1 zoning designation with the understanding they would likely be asking for a rezone to meet the Comprehensive Plan when the western parcel is developed. He wanted to be sure it was on the record and everyone understood even with an approval of R1 for now, it could still be rezoned in the future.

Mayor Chadwick closed the public hearing at 9:06pm.

KIRSHNER-DILL ANNEXATION CITY COUNCIL DELIBERATIONS

Council Member Nielsen affirmed what City Planning Administrator Shawn Nickel spoke on, stating all property can be requested to be rezoned at any time. Still, he gave a reminder their decision would create an entitlement going with the land, which may or may not be changed in the future. It may be an R1 now, but there's no guarantee it will become anything else. Nielsen stated he was satisfied with the R1 zoning despite it not being exactly what is on the Comprehensive Plan.

- Council Member Nielsen moved to approve the Kirshner-Dill Annexation with conditions to include in the development agreement the construction of the sidewalk along Brandon Road be developed either at the same time the western portion of the property is developed or at an agreed-upon date as part of the development application to coincide with the construction of the sidewalk along New Hope Road which is anticipated to be done using ACHD funding as the road is widened and classed as arterial; Council Member Salmonsén seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsén – aye; Nielsen – aye. Motion carried.

C. PUBLIC HEARING: Comprehensive Plan Amendment / South of the River Plan

The Comprehensive Plan Amendment / South of the River Plan was tabled from December 21, 2021.

- Council President Hershey moved to table the Comprehensive Plan Amendment / South of the River Plan until March 15, 2022; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsén – aye; Nielsen – aye. Motion carried.

D. DISCUSSION: Unified Development Code Updates and Additions

City Planning Administrator Shawn Nickel introduced the Unified Development Code updates and additions which would be brought back in front of the City Council, along with an updated redline copy, for a public hearing and approval.

He stated if anyone had questions, they could email or call him to discuss details. Council Member Nielsen asked if it was possible to place this on SharePoint so they could all have access to be able to look at it. City Clerk Jacob Qualls explained they could communicate to Shawn directly whether they agreed with certain aspects or suggest changes. Nielsen clarified he wanted a way to do this without having to receive a new email copy every time he wanted to see changes. Qualls stated SharePoint would be an illegal meeting.

City Planning Administrator Shawn Nickel further explained they wanted to make sure the City Council doesn't talk to each other about it outside of an official meeting, and they would try to find a solution. There was a brief discussion about meetings and emails before City Attorney Chris Yorgason spoke. He stated so long as there is no deliberation something like SharePoint or a dropbox could be used to place a pdf file for City Council to review it



CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 15, 2022 at 7:00 PM

would be fine. Used in this way, it would be no different than emails or council packets. There followed a brief discussion about communication outside meetings, with it being reiterated City Council Members could talk with City Planning Administrator Shawn Nickel directly one-on-one, just not with each other.

Mr. Nickel then spoke on the Unified Development Code Updates and Additions, starting with page 70, which would include: the Michael Keyes transitional lot definitions adopted as part of the Comprehensive Plan they're putting in the into the code; discussing updates on how properties are addressed; ACHD standards in order to make sure they are in line with what ACHD will allow regarding detached sidewalks; widths on arterials and collectors; an update on the food truck ordinance; and updated private road standards.

Mayor Chadwick wished to discuss the food truck ordinance, asking if they would be discussing updating the number of food trucks in the city by updating the number of food trucks being allow permits. Mr. Nickel stated it was up to City Council, noting currently one per 3,000 population is allowed. He felt this was a good number as it allowed them to have four with a fifth in the future. He explained the discussion would be regarding improving standards in order to bring back to City Council for review, at which time they could decide if they want to change it. He did reference an issue with a bar's food truck and how they have learned from that experience.

Mr. Nickel continued listing the updates and additions: a secondary dwelling unit update and refinement; land use division standards which is the staff level preliminary final plot review being renamed; developer responsibility updates for some of the code enforcement issues, such as start times in the mornings for contractors, and making sure they are part of the zoning ordinance so they can assist Ryan Field by backing him more with code enforcement; the south of the river section going back for review; more detailed discussions on horizontal apartments to provide standards for this new housing phenomenon; and more discussions on setbacks with a potential invite for the fire department and some of the members of the development community to come and be a part of those discussions.

Council Member Nielsen added a discussion regarding zoning classifications such as R3 being an average over the property, meaning one-third minimum acre lots.

8. ADJOURNMENT

Mayor Chadwick adjourned the meeting at 9:22pm.

/s/ Trevor A. Chadwick

/s/ Jacob M. Qualls

Trevor A. Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk / Treasurer