



STAR CITY COUNCIL REGULAR MEETING AGENDA

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

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 RECORD RETENTION POLICY.

1. **CALL TO ORDER** – Welcome/Pledge of Allegiance
2. **INVOCATION** – Bishop Aaron Warren – Star 2nd Ward
3. **ROLL CALL**
4. **PUBLIC INPUT** – The Public is invited to speak to any item **NOT** already on the agenda. Items regarding Personnel or Elected Officials should be discussed with the Mayor. The Mayor or Presiding Officer may limit the amount of time. The public may be called upon to speak on any item on the agenda.
5. **COMMITTEE REPORTS (If available)**
 - A. Transportation & Pathways Committee / Parks, Art & Beautification Committee /Activities Committee / Historical Committee / Mayor's Youth Council
6. **POLICE BUDGET PRESENTATION** – Chief Jake Vogt (Amended 06/14/2021 – 1:00PM)
7. **CONSENT AGENDA (ACTION ITEM)** *All matters listed within the Consent Agenda have been distributed to each member of the Star City Council for reading and study, they are considered to be routine and will be enacted by one motion of the Consent Agenda or placed on the Regular Agenda by request.
 - A. Approval of Claims Provided & Previously Approved: June 1 – June 15, 2021
 - B. Minutes
 - C. Findings of Fact:
 - i. **Moyle Village/ Heights Subdivision** (PP-21-06/DA-21-05/PR-21-05)
 - ii. **Cranfield Subdivision** (RZ-21-02/DA-21-04/PP-21-05/PR-21-04)
 - D. 2021 Beer, Wine and Alcoholic Beverage Licenses: See Attached Report
 - E. Star Transportation Committee Additional Members: Steve Greene, Richard Girard
8. **PUBLIC HEARINGS & INDIVIDUAL ACTION ITEMS**
 - A. **PUBLIC HEARING** – Annexation of Stonebriar Subdivision Annexation and Zoning, and Development Agreement (AZ-21-05/DA-21-13)
 - i. **Action** of Annexation of Stonebriar Subdivision
 - B. **PUBLIC HEARING** – Stargazer Subdivision Annexation and Zoning, Development Agreement and Preliminary Plat (AZ-21-04/DA-21-06/PP-21-01)
 - i. **Action** of Stargazer Subdivision
 - C. **Action – Ordinance 337** River Park Subdivision Annexation and Development Agreement
 - D. **Action – Borton-Lakey Agreement** – An Agreement to contract for legal services
 - E. **Action – Western Ada School District Agreement** – An agreement to waive certain fees and to have certain fees waived.
9. **TABLED NOTICED PUBLIC HEARINGS**
 - A. **PUBLIC HEARING** – Rivermoor Subdivision Annexation and Zoning, Development Agreement, Preliminary Plat, Private Street (AZ-21-06/DA-21-08/PP-21-09/PR-21-08)
 - i. **Action** Rivermoor Subdivision – **Table to Date Specific**
 - B. **PUBLIC HEARING** – East Star River Ranch Subdivision Rezone, Development Agreement, Preliminary Plat, Conditional Use Permit and Private Street (RZ-20-12/DA-20-28/PP-21-03/CU-21-01/PR-21-02)
 - i. **Action** of East Star River Ranch Subdivision – **Table to Date Specific**
 - C. **PUBLIC HEARING** – Landyn Village Subdivision Annexation and Zoning, Development Agreement, Preliminary Plat, Planned Unit Development and Private Street (AZ-20-04/DA-21-14/PP-20-04/PUD-20-03/PR-21-07)
 - i. **Action** of Landyn Village Subdivision – **Table to Date Specific**
 - D. **PUBLIC HEARING** – Comprehensive Plan Amendment / South of the River Plan
 - i. **Action** on Comprehensive Plan Amendment / South of the River Plan – **Table to Date Specific**
 - ii. **Action** Adoption of South of the River Plan Architectural Overlay – **Table to Date Specific**
10. **DISCUSSION ITEM:**
 - A. **House Bill 389 (2020 Legislative Session)** – An item to discuss impacts of House Bill 389 and its effects on the budget for FY 2021/2022 and future years.
 - B. **Horizontal Apartments** – An item to discuss information received regarding developments with a single corporate ownership
 - C. **Development Cost Analysis Tool** – A discussion
11. **REPORTS**
 - A. Elected Official Reports
 - B. Staff Reports
12. **ADJOURNMENT**

Any person needing special accommodation to participate in the above noticed meeting should contact the City Clerk's Office at 208-286-7247, at least 24 hours in advance of the meeting date.



STAR CITY COUNCIL REGULAR MEETING AGENDA

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 15, 2021

7:00 PM

FUTURE MEETING TOPICS

- A. Canyon Highway District #4 Impact Fees
- B. Rivermoor Subdivision Annexation, DA, Preliminary Plat, Private Street
- C. Stonebriar Subdivision Annexation
- D. Stargazer Subdivision Annexation, DA, Preliminary Plat
- E. Cherished Estates Subdivision Rezone, DA, Preliminary Plat
- F. Inspirado Subdivision Annexation, DA, Preliminary Plat, Planned Unit Development
- G. Starpointe Subdivision Annexation, DA, Preliminary Plat
- H. Oaklawn Crossing Subdivision Annexation, DA, Preliminary Plat
- I. Moon Valley Townhomes Rezone, DA, Preliminary Plat
- J. Fountain Park Subdivision Annexation, DA, Preliminary Plat
- K. Milestone Ranch Subdivision
- L. Rooster Hollow Subdivision
- M. Langtree Bungalows Subdivision
- N. Stardust Ranch Subdivision
- O. Venue Use Ordinance (Parks, River House & Other City Owned Public Spaces)
- P. Consolidated Fee Schedule – Public Hearing for new fees
- Q. Personnel Policy Manual
- R. Ethics Manual
- S. Social Media Policy
- T. Surplus Property
- U. Audit Presentation

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.

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

Any person needing special accommodation to participate in the above noticed meeting should contact the City Clerk's Office at 208-286-7247, at least 24 hours in advance of the meeting date.

City of Star Transaction List by Vendor

June 1 - 14, 2021

Type	Date	Name	Memo	Amount
Bill	06/10/2021	A&B Heating & Cooling	MPR2021-354 Overpayment	-260.00
Bill	06/07/2021	Ada County Highway District	SRIF21-0293	-3,433.00
Bill	06/07/2021	Ada County Prosecutors Office	Attorney Services June 2021	-2,500.00
Bill	06/10/2021	Ada County Sheriff's Office	Police Services June 2021	-97,450.00
Bill	06/14/2021	Cintas	Carpet cleaning	-164.22
Bill	06/10/2021	Division of Building Safety	Annual Certification	-125.00
Bill	06/14/2021	Dog Waste Depot	Waste bags	-289.65
Bill	06/09/2021	Dude Solutions	Web based training	-283.10
Liability Check	06/01/2021	EFTPS	Tax payment	-6,841.92
Bill	06/10/2021	Fifty Five Electric	EL2021-244 Canceled permit	-195.00
Bill	06/14/2021	Gem State Paper & Supply	Janitorial supplies	-206.49
Bill	06/09/2021	Hannah Leiby	Park deposit	-75.00
Bill	06/09/2021	ICRMP	Claims through 6/1/21	-3,664.56
Bill	06/10/2021	Idaho Correctional Industries	Business Cards Dana Partridge	-35.00
Liability Check	06/01/2021	Idaho State Tax Commission	Tax payment	-894.50
Bill	06/09/2021	Intermountain Gas Company	Gas	-51.00
Bill	06/14/2021	Krista Hamel	Art by the River	-150.00
Bill	06/14/2021	Larry Bearg	Tai Chi Instructor	-385.00
Bill	06/11/2021	Logan Simpson	Services 04/10/21 through 05/07/21	-21,285.00
Bill	06/09/2021	Mary Shaw	Art by the River logo design	-100.00
Liability Check	06/01/2021	Mass Mutual		-869.52
Bill	06/10/2021	McClatchy Company LLC	Print Legal Ads	-132.52
Bill	06/10/2021	Mountain Alarm	Security monitoring	-70.00
Bill	06/14/2021	Niki Dean	Yoga Instruction	-710.50
Bill	06/10/2021	Office Savers Online	Office Supplies	-252.91
Bill	06/01/2021	PERSI	May 16 - May 31 Contributions - C690	-5,379.07
Bill	06/04/2021	PERSI	May 16 - May 31 Contributions - C690	-223.29
Bill	06/10/2021	Phone Works	Plan coverage	-439.00
Bill	06/14/2021	PortaPros	Porta potties	-806.20
Bill	06/09/2021	Republic Services	Waste service	-660.75
Bill	06/11/2021	Sparklight	Internet service	-664.98
Bill	06/14/2021	Star Merc	Supplies	-342.04
Bill	06/14/2021	Star Tire & Auto LLC	Tire repair	-20.00
Bill	06/10/2021	Sterling Codifiers, Inc.	Supplement Editing Ord 336-2021	-1,214.00
Bill Pmt -Check	06/07/2021	Stroth General, LLC	Hunters Creek Park (Retainage Release)	-16,862.10
Bill	06/14/2021	Tates Rents	1487468-9, 1488204-9	-147.48
Bill	06/14/2021	Treasure Valley Coffee	Coffee service (with credit)	-13.47
Bill	06/07/2021	Tucker Johnson	Greiners Hope Springs 1 Surety Release	-100,100.00
Bill	06/08/2021	Tucker Johnson	Greiners Hope Springs 1 Surety Release	-1,000.00
Bill	06/10/2021	U.S. Postal Service	12 months P.O. Box 130	-322.00
Liability Check	06/01/2021	United Heritage	Vision	-67.44
Liability Check	06/01/2021	United Heritage	Vision	-33.72
Bill	06/14/2021	Vanguard Cleaning	Janitorial services	-450.00
Bill	06/10/2021	Verizon	Cellular phones	-509.57
Bill	06/09/2021	Xerox	Copies services	-131.46
Bill	06/01/2021	Yorgason Law Offices, PLLC	Monthly Additional Services May 2021	-1,820.00

City of Star
Transaction List by Vendor
June 1 - 14, 2021

TOTAL -271,630.46

FINDINGS OF FACT AND CONCLUSIONS OF LAW
MOYLE VILLAGE-HEIGHTS SUBDIVISION
FILE NO. PP-21-06/DA-21-05/PR-21-05

The above-entitled Preliminary Plat, Development Agreement and Private Street land use application came before the Star City Council for their action on June 1, 2021, 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 (PP-21-06), Private Street (PR-21-05) and a Development Agreement (DA-21-05) for a proposed residential subdivision consisting of 161 residential lots and 32 common lots. The property is located north of W. Beacon Light Road, east of N. Wing Road in Star, Idaho, and consists of 78.37 acres with a proposed density of 2.05 dwelling units per acre. The subject property is generally located west of Highway 16, south of Hillsdale Subdivision and north of W. Beacon Light Road. Ada County Parcel No. S0332141810.

B. Application Submittal:

A neighborhood meeting was held on March 29, 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 April 1, 2021.

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 21, 2021. 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 April 20, 2021. Notice was sent to agencies having jurisdiction in the City of Star on April 19, 2021. The property was posted in accordance with the Star Unified Development Code on May 22, 2021.

D. History of Previous Actions:

August 21, 2007	Property was annexed into the City of Star as part of the BM Star, LLC property. Zoning was assigned as R-1 for land north of the canal and R-3 for land south of the canal. This was formalized in Ordinance 182.
-----------------	--

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

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Residential (R-1), (R-3)	Estate Residential	Agricultural
Proposed	Residential (R-3)	Estate Residential	Single Family Residential
North of site	Rural Residential (RR)	Estate Residential	Hillsdale Estates
South of site	Residential (RUT)(R-3) (R-2)	Estate Residential	Residential/Agricultural Moyle Estates Subdivision and Nash Estates
East of site	Rural Urban Transition (RUT)	Estate Residential	Residential/Agricultural
West of site	Residential (R-3) (R-1) (RUT)	Estate Residential	Residential/Agricultural

F. *Development Features.*

PRELIMINARY PLATS:

Moyle Village

The Preliminary Plat submitted [for Moyle Village](#) contains one hundred forty-nine (149) single family residential lots and 27 common lots on 52.23 acres with a density of 2.85 du/ac. The residential lots range in size from 6,600 square feet to 16,414 square feet with the average buildable lot of 9,858 square feet. The applicant has indicated that the total open space is 8.60 acres (16.47%) with usable open space, not including street endcaps and drainage areas of 7.63 acres (14.61%) exceeding the requirement of the current Unified Development Code, Section 8-4E-2. Streets are proposed to be public and will measure 36 ft. from back of curb to back of curb with a 48 ft right-of-way, satisfying Section 8-4D-34B(4) of the Unified Development Code.

The primary access for the development will be off Beacon Light Road using N. Pinehaven Way through Moyle Estates Subdivision Number 2 (Cresta Del Sol) connecting to N. Foxton Way. The development is providing several stub streets, to be connected at a later date, allowing for greater connectivity. One stub street on the southwest corner will align with a future road within the Torchlight Subdivision. Another stub street on the southwest corner will align with a future road in the Trident Ridge Subdivision. The development has also provided three stub streets along the eastern boundary to provide for future connectivity should these larger parcels be developed.

The current Unified Development Code, Section 8-4E-2 requires a development of this size to have 5 amenities. The applicant is proposing a 1.99-acre central common area with a pool, pickleball courts, pathways and parking. A 1.80 open space with pathways and benches. A five-

foot-wide pathway along the Farmer's Union canal and a micro path that will connect to the development on the west.

Moyle Heights

The Preliminary Plat submitted [for Moyle Heights](#) contains twelve (12) single family residential lots and 5 common lots on 26.14 acres with a density of 0.46 du/ac. The residential lots range in size from 1 acre to 2.74 acres with the average buildable lot of 1.78 acres. The applicant has indicated that total open space is 3.02 acres (11.55%). Section 8-4E-2 of the UDC allows Council to waive landscaping requirements for subdivisions with densities of 1 acre or less. Given the large lot size and rural nature of this development, staff is supportive of the waiver for open space.

Streets within this portion of the development are proposed to be private with a 26-foot-wide pavement in a 40-foot-wide lot. The road will include a private gate at the entrance. Unified Development Code Section 8-4D-3B(4) States that a 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. Ada County Code, Section 8-4D-4A(1)a states that "... inside an area of city impact, the easement of lot shall be a minimum of fifty feet (50') in width. The proposed lot width does not meet ACHD code. ACHD Code, Section 8-4D-4(B)2a states "Private roads that will provide frontage or access to more than four (4) properties shall have a travel way with a minimum improved width of twenty-four feet (24')." The proposed lane of travel of twenty-six (26') feet with 5 feet striped for pedestrian access falls short of the required twenty-four (24') width for lane of travel. Applicant will work with Star Fire

Applicant is proposing to have a 5-foot-wide path striped on the private street, satisfying Section 8-4D-34B(4) of the Unified Development Code.

The submitted landscape plan does not include street trees along the private street portion of the development. 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 landscaping plan submitted indicates street trees. The applicant shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code. The Moyle Heights development abuts the Hillsdale Estates subdivision, which is designated as a special transitional overlay area on the City of Star Land Use Map. To accommodate the requirements of the Special Transitional Overlay area, the applicant is proposing lots to be no smaller than 1 acre, which is supported by the Star Comprehensive Plan, Section 8-5-4.

ADDITIONAL DEVELOPMENT FEATURES:

- Private Street
As part of 8-4D-3C, 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. A reserve account condition shall be included in the recorded CC&R's.

- Lighting
 The applicant has provided both a streetlight plan and design. The plan does not have all the required streetlight locations called out. **Staff will require an updated lighting plan depicting all the required streetlight locations.** The applicant has also provided a streetlight design. **This design is NOT an approved streetlight design.** Staff will provide the applicant with the suggested streetlight spec sheet. The lights should be the same throughout both Moyle Heights and Village.
- Landscaping – Street trees shall be provided on all building lots, 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 has submitted a landscape plan showing trees along the public streets only. The entire subdivision shall be required to meet this standard. **A condition of approval will be included requiring a revised landscape plan be submitted at final plat application showing the required trees.** All new trees within buildable lots shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code.
- Sidewalks – The applicant is proposing detached sidewalks within the Moyle Village development. The sidewalk will be five (5) feet in width with an eight (8) foot wide landscape strip. The applicant is proposing a five (5) foot wide striped path on the private road within the Moyle Heights development.
- Setbacks – The applicant requested and received approval from the Council for the following setback waivers for the Moyle Village portion of the approved Preliminary Plat.
(* Required by Council)

Minimum Street Frontage	Minimum Front Yard Setback	Minimum Rear Yard setback	Minimum Interior Side Setback	Minimum Street Side Setback
35' <u>(unchanged)</u>	15' to living space 20' to garage space <u>(unchanged)</u>	15' <u>(unchanged)</u> <u>20' minimum for Lots 2-10, Block 5 and Lots 2-6, Block 12 *</u>	5' per story <u>5' (1 & 2 stories) for Lots 2-21, Block 9, Lots 2-8, Block 7 and Lots 16-24, Block 2 of approved Preliminary Plat</u>	20' <u>(unchanged)</u>

DEVELOPMENT AGREEMENT(S):

The applicant has request~~ed~~ to enter into separate Development Agreements with the City for Moyle Village and Moyle Heights in order to keep ownership and required conditions independent from each other.

As part of the Moyle Village Development Agreement, the applicant is requesting a modification to the side yard setbacks for 35 homes along the western edge of the Moyle Village development. These setbacks will align with the setbacks approved for the Trident Ridge Subdivision, allowing for transition of lot sizes and setbacks within the development moving from west to east. This is the only setback modification that the applicant is requesting. All other lots in the Moyle Village Subdivision will utilize the R-1 or R-3 setback requirements, guidelines as appropriate.

As part of the Moyle Village Development Agreement and the Moyle Heights Development Agreement, the applicant will also enter into an agreement with the City of Star to pay a proportionate share contribution for impacts to the State Highway system. The Idaho Transportation Department has calculated this proportionate share amount to be \$46,615 or approximately \$289.53 per buildable lot in the Moyle Village and Moyle Heights Subdivisions developments. **This amount shall be paid, per phase, prior to signing the Final Plat.**

The Both Development Agreements may also contain additional items as directed by the City Council as part of the review and approval process.

H. *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 – Yes, on the northern part of the parcel.
- ✪ Stream/Creek – None.
- ✪ Unique Animal Life – No unique animal life has been identified by the applicant or IDFG.
- ✪ Unique Plant Life – No unique plant life has been identified by the applicant or IDFG.
- ✪ Unstable Soils – No known issues.
- ✪ Wildlife Habitat – No known wildlife habitat has been indicated by the applicant or IDFG.
- ✪ Historical Assets – No historical assets have been observed.

I. *Agencies Responding:*

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

Star Fire District	May 25, 2021, 2021
Central District Health	April 20, 2021
Department of Environmental Quality	April 30, 2021
ITD	April 19 & 30, 2021
Keller and Associates	May 3, 2021
ACHD	June 3, 2021
Farmer's Union Ditch Company	May 18, 2021

J. Staff received the following letters for the development:

Jerry Kiser; Atty for Lloyd & Betty Akins May 19, 2021

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

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Neighborhood Residential:

Suitable primarily for single family residential use. Densities in the majority of this land use area are to range from 3 units per acre to 5 units per acre. Densities not exceeding 1 to 2 units per acre are to be encouraged in areas of 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 subdivided in the future.

Special Transition Overlay Area

Development adjacent to, and potentially within, this area is to provide for an appropriate transition between existing and new home sites where new urban development is being planned adjacent to previously approved and constructed rural county developments of years past. Site layout is to provide for a transition in density and lot sizing.

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 subdivided in the future.
- C. Site layout within the Special Transition Overlay Area is to provide for a transition in density and lot sizing. Base densities may be significantly reduced, or home sites may be clustered to increase open space within a portion of a site when property is within this overlay.

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.

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.

Unified Development Code:

8-3B-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.

DA DEVELOPMENT AGREEMENT: 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.

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	A	R-R	R
Accessory structure	A	A	A
Dwelling:			
Multi-family 1	N	N	C
Secondary 1	A	A	A
Single-family attached	N	N	C
Single-family detached	P	P	P
Two-family duplex	N	N	P

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

Zoning	Maximum	Minimum Yard Setbacks
---------------	----------------	------------------------------

District	Height Note Conditions	Note Conditions			
		Front (1)	Rear	Interior Side	Street Side
R-1	35'	30'	30'	10'	20'
R-3	35'	15' to living area/side load garage 20' to garage face	15'	5' per story (2)	20'

Notes:

1. 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.
2. 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.

8-3B-3: ADDITIONAL RESIDENTIAL DISTRICT STANDARDS - RESIDENTIAL DISTRICTS:

- B. When development is planned with lots that directly abut existing lots within a Rural Residential area, or "Special Transition Overlay Area" as shown on the Comprehensive Plan Land Use map, an appropriate transition shall be provided for the two abutting residential lot types. A transition shall take into consideration site constraints that may exist and may include clustering of the urban lots in order to provide an open space area avoiding urban lots directly abutting rural residential lots, or may include the provision of a buffer strip avoiding urban lots directly abutting rural residential lots, or may include setbacks within the urban lots similar to the rural residential lots directly abutting, or may include the provision of one half to one acre size lots directly abutting the rural residential lots.

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 and the Fire District.

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 Street 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 street 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 street 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 street 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: STANDARDS FOR COMMON OPEN SPACE AND SITE AMENITY REQUIREMENTS:

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 unit 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.

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.

E. Maintenance:

1. All common open space and site amenities shall be the responsibility of an owners' association for the purpose of maintaining the common area and improvements thereon.

8-6A-7: REQUIRED FINDINGS:

In consideration of a preliminary plat or combined preliminary and final plat, the decision-making body shall make the following findings:

- A. The plat is in conformance with the comprehensive plan;
- B. Public services are available or can be made available and are adequate to accommodate the proposed development;
- C. There is public financial capability of supporting services for the proposed development;
- D. The development will not be detrimental to the public health, safety or general welfare; and
- E. The development preserves significant natural, scenic or historic features.

Public Hearing of the Council:

a. A public hearing on the application was heard by the City Council, 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:

- Becky McKay, Engineering Solutions, the applicant, 1029 N. Rosario St. Suite 100, Meridian, ID 83642
- Jeff Likes, 3985 N. Pollard Lane, Star, Idaho
- Barbara Moyle, 9800 W. Beacon Light Road, Star, Idaho
- Ken Broadhead, 9600 W. Beacon Light Road, Star, Idaho
- Kari Knotts, 9600 W. Beacon Light Road, Star, Idaho

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

None

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of ~~the this~~ proposed Preliminary Plat, Development Agreement and Private Street applications ~~annexation and zoning application~~ in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in discussions on the platting of the development. Discussion included development layout, access and street configuration, density, setbacks, animal friendly fencing, private street construction, one-story homes, open space, pathways and landscaping. The Council concluded that the Applicant’s request meets the requirements for a preliminary plat and private streets.

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.

The applicant had requested the platting of the existing R-1 and R-3 zoned property with a private street and a Development Agreement.

Council added to the respective Development Agreements (Moyle Village, Moyle Heights, or both) the following conditions of approval to their decision to approve the applications to include the following:

- (Moyle Village): Council approves reduced side yard setbacks to 5-feet for one and two-story homes along the western boundary for a total of 35 lots (Lots 2-21, Block 9, Lots 2-8, Block 7 and Lots 16-24, Block 2 of approved Preliminary Plat). Lots with reduced setbacks will include enhanced landscaping in the front and side yards, to referenced on revised Landscape Plan.
- (Both): Right to Farm Act will be included on the Final Plat.
- (Moyle Village): Coordinate animal friendly fencing on property line with owners of 3985 N. Pollard Lane and 9800 W. Beacon Light Road.
- (Moyle Village): One lot shall be removed between Lots 3-6, Block 2 of the approved Preliminary Plat with remaining lots being widened equally.
- Moyle Village: Lots 2-10, Block 5 and Lots 2-6, Block 12 shall have a 20' rear yard setback.
- Moyle Village: Lot 1, Block 1, to be dedicated to the property owner at 9600 W. State Street Beacon Light Road shall include an interim access easement prior to recording of the first phase of the subdivision and shall be recognized as an agricultural lot to be used in conjunction with the un-platted out-parcel at 9600 W. Beacon Light Road State Street.
- Moyle Village: Public access shall be dedicated for the 5' pathway located adjacent to the Farmers Union Canal. This pathway shall be paved.
- Moyle Village: The stub street located to the east between Lots 10, Block 5 and Lot 2, Block 12 of the approved Preliminary Plat shall be removed, if approved by ACHD. The owner shall work with ACHD to remove the stub.

Conditions of Approval:

1. The approved Preliminary Plat for Moyle Village and Moyle Heights Subdivisions shall comply with all statutory requirements of all applicable agencies and districts having jurisdiction in the City of Star.
2. The subdivisions shall meet all requirements of the Ada County Highway District and Star Fire District.

3. **Applicant/Owner shall ensure conduit is installed in the shared utility trench in order to provide fiber connectivity for both developments at a later time. Conduit should be a minimum size of 2-inch diameter, or larger as needed. Coordinate with Staff on specific standards prior to installation.**
4. The **Moyle Heights** private street shall be built to ACHD and Star Fire District standards, and/or as otherwise approved by Council. Star Fire District shall inspect and approve private street prior to signature of final plat.
5. A revised **Moyle Village** preliminary plat shall be submitted prior to final plat application that includes removal of one lot between Lots 3-6, Block 2 of the approved **Moyle Village** Preliminary Plat with remaining lots being widened equally. The revised **Moyle Village** Preliminary Plat shall also include the removal of the stub street located to the east between Lots 10, Block 5 and Lot 2, Block 12 of the approved **Moyle Village** Preliminary Plat if approved by ACHD.
6. 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. These fees will be collected by the City of Star, by phase, based on the number of units in the phase, prior to final plat signature. The development agreement shall be signed and recorded in accordance with the Star City Code, as part of the ordinance for annexation and zoning and shall contain the details of the fees to be collected.
7. All approvals relating to hillside issues and requirements shall be completed and approved by the City Engineer **prior to submittal of the final plat. Construction of any kind is prohibited prior to approval.**
8. The property with in the approved Preliminary Plats shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code.
9. Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees to include one (1) tree per thirty-five (35) linear feet.
10. **A revised landscape plan shall be submitted to Staff prior to submittal of final plat application referencing enhanced landscaping on all lots with reduced side yard setbacks (Lots 2-21, Block 9, Lots 2-8, Block 7 and Lots 16-24, Block 2 of approved **Moyle Village** Preliminary Plat). The revised plan shall also include details of the required animal friendly fencing located adjacent to 3985 N. Pollard Lane and 9800 W. Beacon Light Road.**
11. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star **prior to signature of final plat.**
12. Irrigation system shall comply with the Irrigation District(s) and the City of Star Codes.
13. The mylar/final plat shall be signed by the owner, Surveyor, Health District, and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
14. Applicant shall provide the City with one (1) full size, one (1) 11"x17" copy and an electronic copy of the **signed recorded final plat** with all signatures, prior to any building permits being issued.
15. As built plans for the irrigation system shall be submitted to the City of Star **prior to signature of the final plat.**

16. **A plat note** supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
17. A copy of the CC&R's shall be submitted to the City of Star **prior to final plat signature**. The CC&R's shall include a condition requiring a reserve account that follows the specific wording in Section 8-4D-3C(1) of the Unified Development Code.
18. A letter from the US Postal Service shall be given to the City **prior to final plat signature** stating the subdivision is in compliance with the Postal Service.
19. **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.
20. Any required 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 prior to issuing of any building permits. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. **Prior to signing the Final Plat, applicant will be required to provide an updated streetlight plan, showing all required streetlight locations and an updated streetlight design using approved, City of Star streetlights.**
21. 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.
22. Private street shall be maintained by the Homeowners Association.
23. 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.**
24. A sign application is required for any subdivision signs.

Council Decision:

The Council voted unanimously to approve the Preliminary Plat, Private Street and Development Agreement for Moyle Village and Heights Subdivision on June 1, 2021.

Dated this 15th day of June 2021.

Star, Idaho

By: _____
Trevor A. Chadwick, Mayor

ATTEST:

Jacob M. Qualls, City Clerk

FINDINGS OF FACT AND CONCLUSIONS OF LAW
CRANEFIELD SUBDIVISION
FILE NO. RZ-21-02/DA-21-04/PP-21-05/PR-21-04

The above-entitled Rezone, Development Agreement, Preliminary Plat, and Private Street land use application came before the Star City Council for their action on June 1, 2021, 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 Rezone (R-3 to R-4-DA), a Development Agreement, Preliminary Plat for a proposed residential subdivision consisting of 203 residential lots and 12 common lots. The property is located at 12667 W. State Street in Star, Idaho, and consists of 50.56 acres with a proposed density of 4 dwelling units per acre. The subject property is generally located south of W. State Street, near the southeast corner of N. Can Ada Road and W. State Street. Ada County Parcel No. S0418223400.

B. Application Submittal:

A neighborhood meeting was held on December 3, 2020, 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 April 19, 2021.

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 20, 2021. 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 April 19, 2021. Notice was sent to agencies having jurisdiction in the City of Star on April 19, 2021. The property was posted in accordance with the Star Unified Development Code on May 19, 2021.

D. History of Previous Actions:

In 2006, the property was annexed into the City of Star and zoned R-3. Council approved a preliminary plat for Fiore Springs Subdivision. In 2007, a final plat was approved by Council. The property was never developed, and all previous approvals expired.

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

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Residential (R-3)	Neighborhood Residential	Agricultural/Vacant
Proposed	Residential (R-4)	Neighborhood Residential	Residential
North of site	CBD-PUD	Central Business District	Residential/Commercial
South of site	RUT (Ada County)	Estate Residential	Agricultural
East of site	Residential (R-2)	Neighborhood Residential	Residential – Pinewood Lakes
West of site	Canyon County Agricultural (AG)	Neighborhood Residential	Agricultural

F. *Development Features.*

REZONE:

The rezone request from Residential (R-3) to Residential (R-4-DA) on the applicant’s property will allow for the subdivision of the property to develop with urban densities that will be consistent with the current Comprehensive Plan Map. The overall gross density of the proposed development is 4.01 dwelling units per acre. The current Comprehensive Plan Land Use Map designates this property as Neighborhood Residential, with an allowed density of 3 to 5 dwelling units per acre. The requested density aligns with the surrounding residential land uses in the immediate area. The requested zoning designation and density meets the intent of the Comprehensive Plan.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 203 single family residential lots, and 12 common area lots for a total of 215 total lots. The residential lots will include 137 detached single-family dwellings and 66 attached single-family townhomes. Lots range in size from 1,545 square feet (attached townhomes) to 25,586 square feet with the average lot size of 6,281.58 square feet. The street system within the development will be both public and private. Proposed local public streets and private streets measure 36 ft from back of curb to back of curb on the submitted preliminary plat which meets the minimum City width requirement of the UDC. The private alleyways within the townhome section of the development will measure 24 feet in width. The Star Fire District has approved the width of the alleyways.

The applicant has indicated on the preliminary plat that the development will contain a total of 13.53 acres (26.8%) of open space with the majority being usable open space (over 15%). This exceeds the minimum requirements for total and usable open space in the current Unified Development Code, Section 8-4E-2. Amenities proposed include a community pool with on-site restroom and changing rooms, a tot lot, an open space park with picnic area, a public pathway

along the Lawrence-Kennedy Lateral that will connect to the east and west, and a pond with a fishing dock.

The development has two current access points, including an access to the east at W. Bridger Bay Drive (Pinewood Lakes Subdivision), and north at S. Quincannon Avenue (Stonecrest Subdivision). In addition, two stub streets to the west are included for future connection to S. Can Ada Road extension and a future planned collector road to the west.

ADDITIONAL DEVELOPMENT FEATURES:

- Sidewalks
Sidewalks are proposed at five-foot (5') widths and will be detached throughout the subdivision with 8-foot landscape strips.
- Streetlights
A streetlight location plan and design sample has been submitted by the applicant. 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 concept design for the streetlights that meet the intent of this criteria. Staff will continue to work with the applicant on the final design.
- Pathways
The development contains several internal pathways throughout the development linking open space and amenities to the residents. City policy requires all pathways to be improved with a concrete or asphalt surface. The City has also been working towards public pathway connections along canals and other waterways with the individual irrigation districts. The applicant has included a pathway along the Lawrence-Kennedy lateral that will connect the proposed community to the east and eventually the north and west. The applicant shall provide a public easement for this pathway.
- Subdivision and Street Names
Street names will be approved by Canyon County Development Services prior to signature of final plat. The subdivision name has been approved by the County Surveyor.
- 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. The submitted landscape plan meets this requirement.

- Floodplain
The property is located within a Special Flood Hazard Area. The applicant shall submit an application Permit to Develop in an Area of Special Flood Hazard to the City Engineer for review and approval.

- Block Length Waiver
Many of the block lengths in the proposed subdivision exceed the 750' maximum block length requirement. Given the physical constraints of the property, including the locations of existing stub street from the east and north, along with the unique, circuitous layout of the street system and use of private streets, Staff is supportive of a waiver to the block lengths in this development. The applicant should work with the Highway District with regards to traffic calming technics, if necessary.

- Phasing Plan
The applicant has submitted a phasing plan for this development.

- Setback Waiver
The applicant has requested the following setbacks through the Development Agreement for the attached single-family dwellings:
 - **Zero (0') setback for interior lot lines, and**
 - **3-foot rear setback from garage to alley.**
 - **14-foot corner side yards from back of sidewalk.**
 - **14-foot front yards from back of sidewalk.**
 - **15 feet minimum between buildings.**

DEVELOPMENT AGREEMENT:

The applicant shall enter into a Development Agreement with the City. In addition to the setback waivers and attached residential allowances listed above, the applicant will also enter into an agreement with the City of Star to pay a proportionate share contribution for impacts to the State Highway system. The Idaho Transportation Department has calculated this proportionate share amount to be \$72,798 or approximately \$355 per buildable lot in the Moyle Village and Heights developments. **This amount shall be paid, per phase, prior to signing the Final Plat.**

The Development Agreement may also contain additional items as directed by the City Council as part of the review and approval process.

H. *On-Site Features:*

- ✪ Areas of Critical Environmental Concern – No known areas.
- ✪ Evidence of Erosion – No known areas.

- ✪ Fish Habitat – None.
- ✪ Mature Trees – Yes. To be removed.
- ✪ Riparian Vegetation – Yes, near Lawrence-Kennedy Lateral.
- ✪ Steep Slopes – None.
- ✪ Stream/Creek – Lawrence-Kennedy Lateral.
- ✪ Unique Animal Life – No unique animal life has been identified by the applicant or IDFG.
- ✪ Unique Plant Life – No unique plant life has been identified by the applicant or IDFG.
- ✪ Unstable Soils – No known issues.
- ✪ Wildlife Habitat – No known wildlife habitat has been indicated by the applicant or IDFG.
- ✪ Historical Assets – No historical assets have been observed.

I. *Agencies Responding:*

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

Keller and Associates	May 6, 2021
ITD	April 1, 2021
ACHD	May 20, 2021
West Ada School District	May 24, 2021
Star Fire District	May 25, 2021
DEQ	April 30, 2021
Central District Health	April 20, 2021
COMPASS	April 5, 2021
Idaho Dept of Water Resources	March 31, 2021
Postmaster	February 18, 2021
Canyon County	January 27, 2021
Canyon County Water LTD	April 8, 2021

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

Dan and Corrie Cox (email)	May 26, 2021
Juli Page (email)	May 24, 2021
William Foster (email)	May 24, 2021
Barbara Barsness (email)	May 24, 2021
Brian & Kelly Keller (email)	May 27, 2021
Matt & Jenny Bramwell (email)	May 27, 2021
William Kinard	May 27, 2021

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

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Neighborhood Residential:

Suitable primarily for single family residential use. Densities in the majority of this land use area are to range from 3 units per acre to 5 units per acre. Densities not exceeding 1 to 2 units per acre are to be encouraged in areas of 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 subdivided in the future.

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:

- 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 service.
- 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 subdivided in the future.

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.
- Require more open space and trees in subdivisions.

- 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.

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.

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.

DA DEVELOPMENT AGREEMENT: 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.

8-3A-3: USES WITHIN ZONING DISTRICTS

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

<u>ZONING DISTRICT USES</u>	A	R-R	R
Accessory structure	A	A	A
Dwelling:			
Multi-family 1	N	N	C
Secondary 1	A	A	A
Single-family attached	N	N	C
Single-family detached	P	P	P
Two-family duplex	N	N	P

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-4	35'	15' to living area 20' to garage face	15'	5' per story (2)	20'

Notes:

1. 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.
2. 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.

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

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.

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. Parkway 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.

E. Maintenance:

1. All common open space and site amenities shall be the responsibility of an owners' association for the purpose of maintaining the common area and improvements thereon.

8-1E-1: DEFINITIONS - TERMS DEFINED

TRANSITIONAL LOT OR PROPERTY: The size of a new residential lot when being proposed adjacent to an established residential use. The ratio for lots adjacent to properties shall be determined on a case-by-case basis, when considering the size of the development potential for the existing use. This shall not be required if separated by an existing roadway or large canal where the distance between new structures and existing structures equal or exceed 100 feet.

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.
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.
 - vi. A copy of all studies and updates shall be provided to the City, to be included in the development application record.

Public Hearing of the Council:

a. A public hearing on the application was heard by the City Council, 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:

- Dave Yorgason, 14254 W. Battenburg Drive, Boise, ID
- Bill Foster, 397 S. Selwood Lane, Star, ID
- Laurie Hynson, 279 S. Long Bay Way, Star, ID
- Ronald Greevy, 11996 W. Caribee Inlet Drive, Star, ID
- Gerry Boren, 401 S. Winslow Bay Way, Star, ID
- Karen Ahrens, 12144 W. Pinewood River Lane, Star, ID
- Matt Frost, 230 S. Spring Lake Way, Star, ID
- David Baumann, 232 Langer Lake Way, Star, ID
- Christian Koenig, 11989 W. Caribee Inlet Drive, Star, ID
- Jon Turnipseed, 11725 W. Caribee Inlet Drive, Star, ID
- Dean Quenzer, 3680 N. Black Cat Road, Star, ID
- Jim Mora, 261 S. Fernan Lake Way, Star, ID
- Melodye Andrade, 350 S. Winslow Bay Way, Star, ID
- Doug Kadlec, 426 S. Long Bay Way, Star, ID
- Mike Sager, 273 S. Selwood Way, Star, ID

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

Jon Turnipseed

June 1, 2021

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this proposed annexation and zoning application in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in discussions on the platting of the development. Discussion included development layout, access and street configuration, density, setbacks, one-story homes, open space, floodplain issues, pathways and landscaping. The Council concluded that the Applicant's request meets the requirements for annexation, preliminary plat and private streets.

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 application and Development Agreement the following conditions of approval to their decision to approve the applications to include the following:

- Match rear lot widths of Lots 2-9, Block 6* of the approved Preliminary Plat with rear lot lines of the adjacent Pinewood Lakes Subdivision to the east. This may result in the removal of one (1) lot.
- Match rear lot lines of Lots 11-24, Block 6* of the approved Preliminary Plat with rear lot lines of the adjacent rectangular lots in Pinewood Lakes Subdivision to the east and utilize those lot widths adjacent to the pie shaped lots. This may result in the removal of one (1) or more lots.
- Construction traffic shall be directed north to W. State Street via the Stonecrest Subdivision access. No heavy equipment shall be transported to or from the construction site through adjacent subdivisions during normal school bus pick-up or drop-off hours.
- Twenty Foot (20') rear yard setbacks (R-2 standard) shall only be allowed on all lots along the eastern boundary of the development, south of the Lawrence Kennedy Canal (Lots 11-24, Block 6* of the approved Preliminary Plat).
- Single-story homes shall be required where abutting existing single-story homes in Pinewood Lakes Subdivision along the eastern boundary of the development, south of the Lawrence Kennedy Canal (Lots 11-24, Block 6* of the approved Preliminary Plat).
- Parking spaces shall be provided for the pool for guest parking. This shall be illustrated in the revised landscape plan.
- A Conditional Letter of Map Revision (CLOMR) shall be required prior to approval of the final plat. any construction on the property.
- A six-foot (6') vinyl fence shall be constructed along the entire western boundary of the subdivision adjacent to the existing agricultural use to the west. A gate shall be required at the northern stub street to the west unless an emergency or secondary access connection is not obtained, at which point the fencing shall be solid at the stub.
- The developer shall extend the right of way of the future extension of Bridger Bay Drive to the north boundary of the subdivision at the 3-way intersection in the northwest corner of the development in order to accommodate a potential four-way intersection and future northern roadway extension. If a connection to the north is not approved within one year of the approval date of Cranefield Subdivision, this condition shall not apply.
- Rear fences of lots, where fencing currently does not exist, abutting Pinewood Lakes Subdivision south of the Lawrence-Kennedy Lateral shall have wrought iron style fencing installed by the developer.
- The applicant shall dedicate a public access easement for the pathway along the Lawrence-Kennedy Lateral to the City for public use.

*Lot numbers subject to change with revised Preliminary Plat

Conditions of Approval:

1. **The applicant shall submit a revised Preliminary Plat matching rear lot widths of Lots 2-9, Block 6* of the approved Preliminary Plat with rear lot lines of the adjacent Pinewood Lakes Subdivision to the east and matching rear lot lines of Lots 11-24, Block 6* of the approved Preliminary Plat with rear lot lines of the adjacent rectangular lots in Pinewood Lakes Subdivision to the east and utilizing those lot widths adjacent to the pie shaped lots. The Preliminary Plat shall also show the right of way of Bridger Bay Drive in the northwest corner of the development at the intersection extending to the north property line for potential future extension to the north. If a connection to the north is not approved within one year of the approval date of Cranefield Subdivision, this condition shall not apply.**
2. The approved Preliminary Plat for the Cranefield Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
3. All public streets shall have a minimum street width of 36' and shall be constructed to ACHD standards.
4. **The applicant shall submit a revised Landscape Plan referencing the revised Preliminary Plat and including parking spaces at the pool area, a six-foot (6') vinyl fence along the entire western boundary of the development with an optional gate at the northernmost western stub if access is granted, and wrought iron fencing along the eastern boundary of the development, south of the Lawrence-Kennedy Lateral, where existing fencing does not exist.**
5. Applicant shall meet all the setback requirements in the Unified Development Code Section 8-3A-4, or as approved by Council.
6. **The Applicant/Owner shall submit a private street maintenance plan, including future funding, in compliance with Section 8-4D-3C of the UDC, with the submittal of the final plat application.**
7. **Applicant/Owner shall install conduit in the shared utility trench to be used for high-speed fiber optics at a later date. The conduit shall be a minimum of 2-inch diameter or larger to accommodate the needs of the development.**
8. **The applicant shall receive approval of a CLOMR prior to approval of the final plat, any construction on the property. The applicant shall also submit a Permit to Develop in an Area of Special Flood Hazard to the Floodplain Manager City Engineer for review and approval prior to any development work on the property.**
9. 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. 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 as part of the ordinance for annexation and zoning and shall contain the details of the fees to be collected.

10. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision and shall be maintained by the Homeowners Association. Streetlights shall be installed prior to any building occupancy. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. **Applicant/Owner shall work with Staff on a final streetlight design prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative.**
11. Street trees shall be installed per Chapter 8, including Section 8-8C-2-M(2) Street Trees including one (1) tree per thirty-five (35) linear feet.
12. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
13. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
14. 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.
15. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
16. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
17. 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.
18. 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.
19. 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.
20. All common areas shall be owned and maintained by the Homeowners Association.
21. 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 any construction.**
22. A sign application is required for any subdivision signs.

Council Decision:

The Council voted 3-1 (Hershey voted against) to approve the Annexation and Zoning, Preliminary Plat, Private Street and Development Agreement for Cranefield Subdivision on June 1, 2021.

Dated this 15th day of June 2021.

Star, Idaho

ATTEST:

Jacob M. Qualls, City Clerk

By: _____
Trevor A. Chadwick, Mayor

Alcoholic Beverage Licensing 2021-2022

Business Information	State License #	County License #	Floor Plan	Fire Inspection	Payment	City License #
Beer Guys Saloon	1407	2022482	X	X	X	AB2021-2022-02
10937 W State St Star ID 83669						
Bi-Mart Corp	23367	2022234	X	X	X	AB2021-2022-05
11347 W State St Star ID 83669						
(Blue Heron LLC) DBA Bobbie Jean's	21111	2022374	X	X	X	AB2021-2022-01
11530 W State St Star ID 83669						
El Mariachi Loco	15375	2022388	X	X	X	AB2021-2022-10
9966 W State St Star ID 83669						
Helina Marie's Inc	28023	202236	X	X	X	AB2021-2022-11
11053 W State St Star ID 83669						
Maverik, Inc #465	12745	2022142	X	X	X	AB2021-2022-12
11243 W State St Star ID 83669						
Ridley's	30405	2022802	X	X	X	AB2021-2022-07
145 S Plummer Wy Star ID 83669						
River Birch Golf Course	5196	2022392	X	X	X	AB2021-2022-06
3740 N Pollard Ln Star ID 83669						
Rustic Table, LLC	27723	2022734	X	X	X	AB2021-2022-03
9846 W State St Star ID 83669						
Star Mercantile Inc	3762	2022239	X	X	X	AB2021-2022-09
10942 W State St Star ID 83669						
Sully's Pub & Grill	3161	2022421	X	X	X	AB2021-2022-08
11123 W State St Star ID 83669						
Westside Pizza Star Inc	16380	2022807	X	X	X	AB2021-2022-04
11200 Hercules Dr Star ID 83669						

NOTE: Complete license renewal applications will be available for review at the Council Meeting



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel, Planning Director *Shawn L. Nickel*

MEETING DATE: **June 15, 2021 – PUBLIC HEARING**

FILE(S) #: **AZ-21-04 Annexation and Zoning of Stonebriar Subdivision
DA-21-13 Development Agreement**

OWNER/APPLICANT/REPRESENTATIVE

Applicant/Representative:

Stonebriar HOA, Inc.
P.O. Box 810
Star, Idaho 83669

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (R-R-DA) and a Development Agreement for the annexation of the existing Stonebriar Subdivision into the City of Star. The annexation of the subdivision includes a total of 13 existing residential lots and associated common lots and an out-parcel. The properties included in this annexation are located at 7105, 7549, 7353, 7549, 7685, 7768, 7787, 7795, 7843, 8000, 8151, 8165, 8177 & 8189 N. Stonebriar Lane, and 6850 W. Joplin Road in Star, Idaho, and consists of approximately 147.26 acres.

PROPERTY INFORMATION

Property Location: The subject properties are generally located on the north side at the east end of W. Joplin Road and N. Stonebriar Lane. Ada County Parcel No's R8180730041, R8180730001, R8180730022, R8180730050, R8180730031, R8180730011, R8180733900, R8180730080, R8180730070, R8180730060, R8180730110, R8180730100, R8180730090, R8180730120, R8180730130, R8180730140, R8180730150, R8180730160, S0421325606.

Existing Site Characteristics: The property is currently a platted subdivision with single-family dwellings and associated detached accessory structures, and a private, gated street.

Irrigation/Drainage District(s): - Eureka Water Company

Flood Zone: This property is located in an area of Special Hazard with portions located within Zones AE and X.

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 – Unknown.
- ✪ Steep Slopes – None.
- ✪ Stream/Creek – Portion of Common Area adjacent to Boise River.
- ✪ 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

Neighborhood Meeting Held	April 6, 2021
Application Submitted & Fees Paid	April 24, 2021
Application Accepted	April 25, 2021
Residents within 300' Notified	April 26, 2021
Agencies Notified	April 26, 2021
Legal Notice Published	April 28, 2021
Property Posted	June 4, 2021

HISTORY

The Stonebriar Subdivision was approved by Ada County in the 2000's for a 13-lot residential subdivision of 10 plus acre lots with common lots and a private road and a community sewage system with individual wells.

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS

	Zoning Designation	Comp Plan Designation	Land Use
Existing	County Rural Transitional (RUT)	Rural Residential Special Transition Overlay	Existing Residential Subdivision
Proposed	R-R-DA	Rural Residential Special Transition Overlay	Existing Residential Subdivision
North of site		Floodway	Boise River
South of site	County Rural Transitional (RUT)	Neighborhood Residential	Vacant
East of site	County Rural Transitional (RUT)	Estate Residential	Agricultural Proposed Residential Subdivision (Rivermoor)
West of site	County Rural Transitional (RUT)	Neighborhood Residential	Agricultural

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.

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

R-R RURAL-RESIDENTIAL DISTRICT: To provide for rural single-family residential use adjacent to agricultural uses, adjacent to other Rural Residential type uses, and adjacent to BLM land areas. Parcels are to be two acres minimum. It is the intent of this land use designation to help to preserve Star's rural feel. Huge manicured "Rural Residential" lots are discouraged and therefore manicured home site areas on these properties should not exceed 1/2 acre. Uses may include active agriculture, viticulture, equestrian, and residential. Uses include native open space and small-scale active farmland. The Rural Residential land use is not amenity based (sewer, water, schools) and will usually be located away from goods and services. These areas encourage the keeping and raising of small-scale crops and/or animals and do not necessarily include manicured yards, sidewalks, bike paths, streetlights or planned park and recreation facilities. Density may be further limited due to the limited availability of infrastructure. Modified street sections and a reduction in light pollution (by reducing or eliminating lighting standards) may be offered for a more rural feel. Private streets may be permitted in this district for access to newly subdivided or split property. This land use designation is to be located such that it does not block extension of urban services at reasonable costs. Wells and septic systems should be permitted for lots in this land use designation if approved by the applicable Health Department. Easements of at least 20-feet in width shall be provided where determined necessary for the

future extension of water and sewer mains. This district does allow for some commercial uses as specified in 8-3A-3.

DA DEVELOPMENT AGREEMENT: 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.

8-3B-2: ADDITIONAL RESIDENTIAL DISTRICT STANDARDS - RURAL RESIDENTIAL DISTRICT:

- A. Comply with Section 8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED.
- B. Manicured homesite areas shall be minimal and subordinate to open rural ground for pastures, farming, and other rural uses.
- C. Rural style street sections shall be provided if approved by the applicable roadway authority.
- D. Rural Residential developments are to be located so that they do not block extension of urban services at reasonable costs and will require utility easements where necessary to assure urban service extensions.

8-3A-3: USES WITHIN ZONING DISTRICTS

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

<u>ZONING DISTRICT USES</u>	A	R-R	R
Accessory structure	A	A	A
Dwelling:			
Multi-family 1	N	N	C
Secondary 1	A	A	A
Single-family attached	N	N	C
Single-family detached	P	P	P
Two-family duplex	N	N	P

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-R	35'	30'	30'	20'	20'

Notes:

1. 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.
2. 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.

8-1E-1: DEFINITIONS - TERMS DEFINED

TRANSITIONAL LOT OR PROPERTY: The size of a new residential lot when being proposed adjacent to an established residential use. The ratio for lots adjacent to properties shall be determined on a case by case basis, when considering the size of the development potential for the existing use. This shall not be required if separated by an existing roadway or large canal where the distance between new structures and existing structures equal or exceed 100 feet.

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Rural Residential

Suitable primarily for rural single-family residential use adjacent to agricultural uses, adjacent to other Rural Residential type uses, and adjacent to BLM land areas. Densities typically range from 1 unit per 2 acres to 1 unit per 5 acres.

It is the intent of this land use designation to help to preserve Star’s rural feel. Huge manicured “Rural Residential” lots are discouraged and therefore manicured home site areas on these properties should not exceed 1/2 acre. Uses may include active agriculture, viticulture, equestrian, and residential. Uses include native open space and small-scale active farmland. The Rural Residential land use is not amenity based (sewer, water, schools) and will usually be located away from goods and services. These areas encourage the keeping and raising of crops and/or animals and do not necessarily include manicured yards, sidewalks, bike paths, or

planned park and recreation facilities. Density may be further limited due to the limited availability of infrastructure. Modified street sections and a reduction in light pollution (by reducing lighting standards) may be offered for a more rural feel. This land use designation is to be located such that it does not block extension of urban services at reasonable costs. Wells and septic systems should be permitted for lots in this land use designation if approved by the applicable Health Department.

Special Transition Overlay Area

Development adjacent to, and potentially within, this area is to provide for an appropriate transition between existing and new home sites where new urban development is being planned adjacent to previously approved and constructed rural county developments of years past. Site layout is to provide for a transition in density and lot sizing.

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:

- 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 service.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.

8.5.2 Policies Related Mostly to the Rural and Agricultural Planning Areas

- A. Create a "Rural Residential" land use zoning designation for rural lots to permanently remain as a part of the city in strategic locations and terminate rezones to the Rural Transitional (RT).
- B. Rural Residential areas help to preserve Star's rural feel and huge manicured "Rural Residential" lots are discouraged in order to preserve land for more rural/agricultural type use. The manicured home site areas on these properties should be minimal and subordinate to open rural ground for pastures, farming, and other rural uses.
- C. Modified street sections with dark sky lighting standards should be encouraged in Rural Residential land use areas.

- D. When an urban density residential development is planned with lots that directly abut lots within a Rural Residential area an appropriate transition is to be provided for the two abutting residential lot types. A transition must take into consideration site constraints that provide transitional lots and/or open space area avoiding urban lots directly abutting rural residential lots.
- E. Larger setbacks should be required for new lots planned to abut existing Rural Residential lots.
- F. Lots within a Rural Residential Land Use designation should be designed such that lots on each side of the street are of similar size.
- G. Rural Residential developments are to be located so that they do not block extension of urban services at reasonable costs and will require utility easements where necessary to assure urban service extensions.
- H. Add an Agricultural (A) zoning designation within the zoning code to allow for large parcels of land to be annexed into the city as either agricultural use or as agricultural use transitioning in the future to city rural residential or urban lots.
- I. At the time that the Comprehensive Plan is adopted, the existing legal uses of land will not be impeded.

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.
- Require more open space and trees in subdivisions.
- 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

ANNEXATION & REZONE:

The annexation and rezoning request for the Stonebriar Subdivision will bring the existing 10-acre lot development into the City of Star. The R-R zoning designation proposed is consistent with the current Comprehensive Plan Map. The subdivision will also be annexing into the Star Sewer and Water District, and will be eventually connecting to extended services, once available.

The existing subdivision was developed with a 24' wide private, gated roadway with gravel shoulder and no sidewalk. Because this was a rural development when approved by Ada County, the subdivision does not include streetlights, fire hydrants or municipal sewer and water service. When the City annexes this property, they will be annexing the subdivision under its current configuration.

PUBLIC AND AGENCY RESPONSES

No public or agency comments have been received to date.

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of the annexation request for Stonebriar Subdivision. A development agreement is included and conditions of approval can be negotiated between the City and the homeowners prior to annexation.

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed annexation and zoning and development agreement meets the requirements, standards and intent for development as they relate to the Unified Development Code and the Comprehensive Plan. 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 applications, either as presented or with added 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:

ANNEXATION/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 Land Use is to encourage the development of a diverse community that provides a mixture of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible provides an assortment of amenities within walking distance of a residential development. The City must find compliance with 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 of the rural-residential districts is to provide for rural single-family residential use adjacent to agricultural uses, adjacent to other Rural Residential type uses, and adjacent to BLM land areas. Parcels are to be two acres minimum. It is the intent of this land use designation to help to preserve Star's rural feel. The Rural Residential land use is not amenity based (sewer, water, schools) and will usually be located away from goods and services. These areas encourage the keeping and raising of small-scale crops and/or animals and do not necessarily include manicured yards, sidewalks, bike paths, streetlights or planned park and recreation facilities. Density may be further limited due to the limited availability of infrastructure. Modified street sections and a reduction in light pollution (by reducing or eliminating lighting standards) may be offered for a more rural feel. Private streets may be permitted in this district for access to newly subdivided or split property. This land use designation is to be located such that it does not block extension of urban services at reasonable costs. Wells and septic systems should be permitted for lots in this land use designation if approved by the applicable Health Department. Easements of at least 20-feet in width shall be provided where determined necessary for the future extension of water and sewer mains.

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 this annexation and 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 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 City must find that this annexation is reasonably necessary for the orderly development of the City.

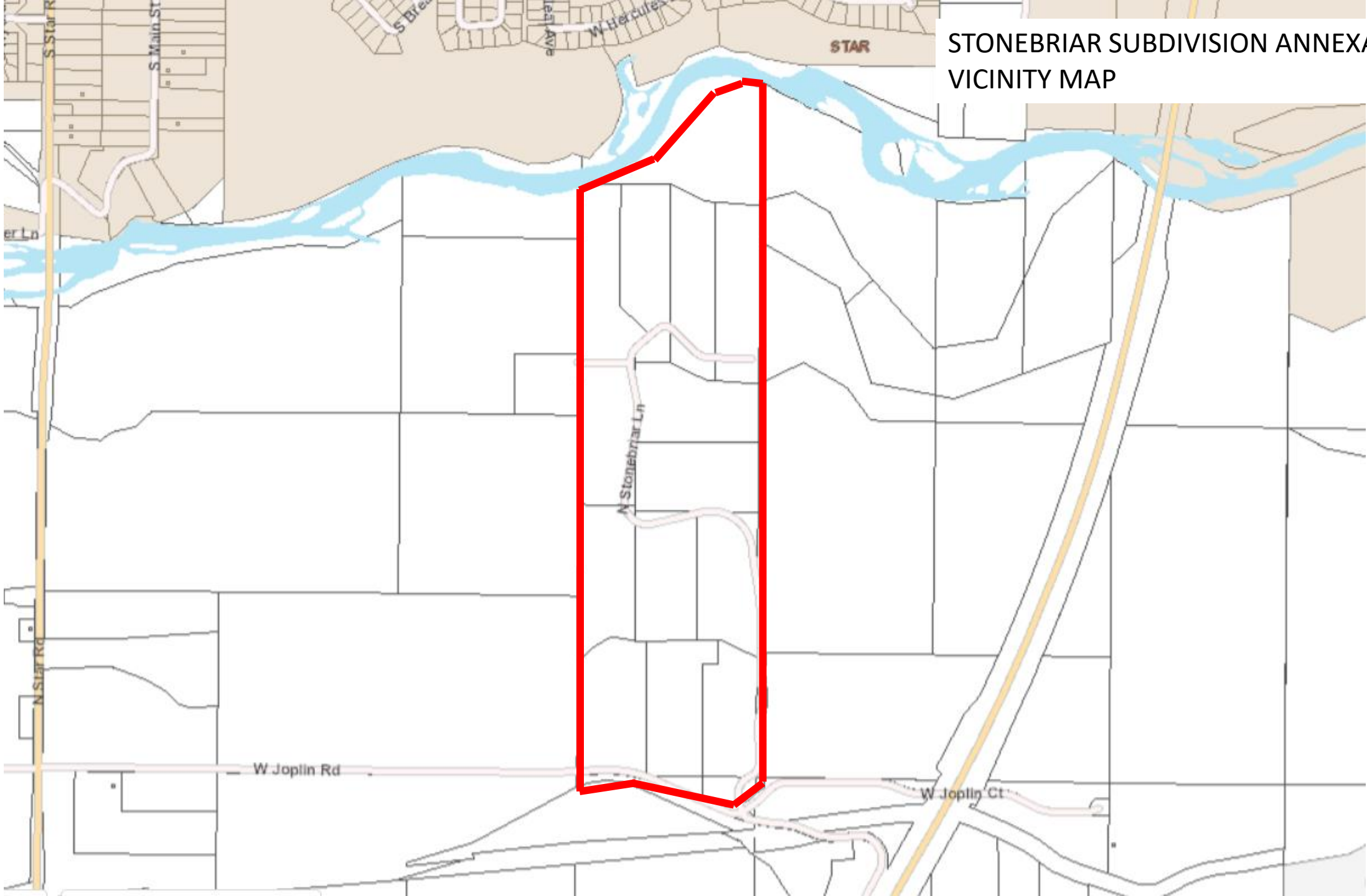
Upon granting approval or denial of the application, the Council shall specify:

1. The Ordinance and standards used in evaluating the application;
2. The reasons for recommending approval or denial; and
3. The actions, if any, that the applicant could take to obtain approval.

COUNCIL DECISION

The Star City Council _____ File #AZ-21-04/DA-21-13 Annexation of Stonebriar Subdivision on _____, 2021.

STONEBRIAR SUBDIVISION ANNEXATION
VICINITY MAP



STONEBRIAR SUBDIVISION

Drollinger - Portion
Lot 2, Block 1
R8180730041

Drollinger
Lot 3, Block 1
R8180730050

Brunk/JKB
Lots 4, Block 1
R8180730060

Barker
Lot 9, Block 1
R8180730110

Cauffman
Lot 10, Block 1
R8180730120

Stonebriar HOA
Parcel #30001
R8180730001

Drollinger - Portion
Lot 2, Block 1
R8180730031

Dali
Lot 5, Block 1
R8180730070

Taylor
Lot 7, Block 1
R8180730090

Ellison
Lot 8, Block 1
R8180730100

Jamison
Lot 11, Block 1
R8180730130

Hansell - Portion
Lots 1-2, Block 1
R8180730011

Groves
Lot 6, Block 1
R8180730080

Lockhart
Lot 12, Block 1
R8180730140

Hansell - Portion
Lots 1-2, Block 1
R8180730022

Barker
Lot 13, Block 1
R8180730150

Stonebriar HOA Inc.
Lot 14, Block 1
R8180730160

Hansell
Parcel #3900
R8180733900

A parcel of and being Government Lot 8 Section 17 and a portion of the E1/2 of the E 1/2 of Section 20, all in T.4N. R.1W., B.M., Ada County, Idaho, more particularly described as follows:

BEGINNING at the northeast corner of said Section 20 as shown on Record of Survey No. 3084, from which corner, the southwest corner of Section bears, S00°32'11"W., 5307.22 feet; thence, along the easterly line of said section,

- 1) S.00° 32'11 "W., 2653.61 feet to the east ¼ corner of said Section; thence, continuing,
- 2) S.00° 32' 11 "W., 381.63 feet to a line parallel with and 75.00 feet northerly of the center line of the Phyllis Canal as currently constructed ; thence, along said parallel line,
- 3) S. 83°25'36 "W., 156.75 feet; thence
- 4) N.65°29'09 "W., 775.00 feet to the beginning of a tangent curve: thence
- 5) Northwesterly along said curve to the left having a radius of 573.69 feet. An arc length of 477.01 feet, through a central angle of 47°38'23", and a chord bearing and distance of N.89°18'21 "W 463.38 feet to a point on the westerly line of said E1/2 of the E1/2 of Section 20; thence, leaving said parcel northerly line, along said westerly line,
- 6) N.00°34'19"E., 2747.35 feet to the E1/16 corner common to Sections 20 and 17; thence, along the westerly line of Government Lot 8 of said Section 17,
- 7) N.00°36'39"E., 1306.11 feet to the S—E 1/16 corner of said Section; thence, continuing along said westerly line,
- 8) N.00°33'30"E 366.84 feet to the south bank of the Boise River; thence along said south bank through the following courses:
- 9) N.67°09'31"E., 571.96 feet; thence,
- 10) N.43°58'36"E., 673.77 feet; thence
- 11) N.66°28'19"E 221.37 feet; thence
- 12) S.72°19'13"E., 139.33 feet to the easterly line of said Section 17; thence, leaving said Boise River south bank, along said easterly section line,
- 13) S.00°32'15"W 2447.23 feet to the POINT OF BEGINNING.

CONTAINING 150.15 Acres, more or less.

SUBJECT TO all Covenants. Rights. Rights -of-Way and Easements of Record

STONEBRIAR SUBDIVISION

A PARCEL OF LAND BEING GOVERNMENT LOT 8 OF SECTION 17, AND A PORTION OF THE E1/2 OF THE E1/2 OF SECTION 20, T.4N., R.1W., B.M., ADA COUNTY, IDAHO. 2002

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED ARE THE OWNERS OF THE PROPERTY HEREINAFTER DESCRIBED:

A parcel of land being Government Lot 8 of Section 17 and a portion of the E1/2 of the E1/2 of Section 20, all in T.4N., R.1W., B.M., Ada County, Idaho, more particularly described as follows:

BEGINNING at the northeast corner of said Section 20 as shown on Record of Survey No. 3084, from which corner, the southeast corner of said Section bears, S00°32'11"W., 5307.22 feet; thence, along the easterly line of said Section,

- 1) S.00°32'11"W., 2653.61 feet to the east 1/4 corner of said Section; thence, continuing,
 - 2) S.00°32'11"W., 381.63 feet to a line parallel with and 75.00 feet northerly of the centerline of the Phyllis Canal as currently constructed; thence, along said parallel line,
 - 3) S.83°25'36"W., 156.75 feet; thence,
 - 4) N.65°29'09"W., 775.00 feet to the beginning of a tangent curve; thence,
 - 5) Northwesterly along said curve to the left having a radius of 573.69 feet, an arc length of 477.01 feet, through a central angle of 47°38'23", and a chord bearing and distance of N.89°19'21"W., 463.38 feet to a point on the westerly line of said E1/2 of the E1/2 of Section 20; thence, leaving said parcel northerly line, along said westerly line,
 - 6) N.00°34'19"E., 2747.35 feet to the E1/16 corner common to Sections 20 and 17; thence, along the westerly line of Government Lot 8 of said Section 17,
 - 7) N.00°36'39"E., 1306.11 feet to the S-E 1/16 corner of said Section; thence, continuing along said westerly line,
 - 8) N.00°33'30"E., 366.84 feet to the south bank of the Boise River; thence, along said south bank through the following courses:
 - 9) N.67°09'31"E., 571.96 feet; thence,
 - 10) N.43°58'36"E., 673.77 feet; thence,
 - 11) N.66°28'19"E., 221.37 feet; thence,
 - 12) S.72°19'13"E., 139.33 feet to the easterly line of said Section 17; thence, leaving said Boise River south bank, along said easterly section line,
 - 13) S.00°32'15"W., 2447.23 feet to the POINT OF BEGINNING.
- CONTAINING 150.15 Acres, more or less.
- SUBJECT TO all Covenants, Rights, Rights-of-Way and Easements of Record.

IT IS THE INTENTION OF THE UNDERSIGNED TO AND THEY DO HEREBY INCLUDE SAID LAND IN THIS PLAT: THAT THE UNDERSIGNED DOES BY THESE PRESENTS DEDICATE TO THE PUBLIC ALL PUBLIC STREETS AS SHOWN ON THIS PLAT. THE EASEMENTS INDICATED ON SAID PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND FOR SUCH OTHER USES AS DESIGNATED HEREON.

THE INDIVIDUAL LOTS DESCRIBED IN THE PLAT WILL NOT BE SERVED BY ANY WATER SYSTEM COMMON TO ONE (1) OR MORE OF THE LOTS, BUT WILL BE SERVED BY INDIVIDUAL WELLS.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS 19 DAY OF March, 2002.

STONEBRIAR DEVELOPMENT, INC.

BY: LARRY R. SHIDELER PRESIDENT

NOTES

This development recognizes Idaho Code 22-4503, Right to Farm Act, which states: "No agricultural operation or an appurtenance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided, that the provisions of this section shall not apply whenever a nuisance results from the improper operation of any agricultural operation or appurtenance to it."

Any resubdivision of this plat shall comply with the applicable regulations in effect at the time of the resubdivision.

Building setbacks and dimensional standards in this subdivision shall be in compliance with the applicable zoning regulations of Ada County and this approval.

Lots 10, 11, 12, 13 and 14, shall be subject to the standards of Article 8-3F (Flood Hazard Overlay District), and Article 8-3C, (Boise River Greenway Overlay District) of the Ada County Zoning Ordinance.

The 10.00 foot Public Utilities Easement shown hereon shall exist only outside of the existing wetland areas. Utilities falling within the wetland areas shall be constructed within the road easement.

This plat is subject to compliance with Idaho Code 31-3805. Irrigation water will be provided.

RESTRICTIVE COVENANTS

BUILDING AND OCCUPANCY IN THIS SUBDIVISION SHALL CONFORM TO THE STANDARDS ESTABLISHED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS FILED AS INSTRUMENT NO. 18-035-107, ADA COUNTY, IDAHO.

ACKNOWLEDGMENT

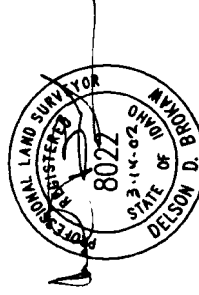
STATE OF IDAHO }
COUNTY OF ADA }

ON THIS 14 DAY OF MAR, 2002, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED LARRY R. SHIDELER, KNOWN TO ME TO BE THE PRESIDENT OF STONEBRIAR DEVELOPMENT, INC. THE CORPORATION THAT EXECUTED THE WITHIN 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.



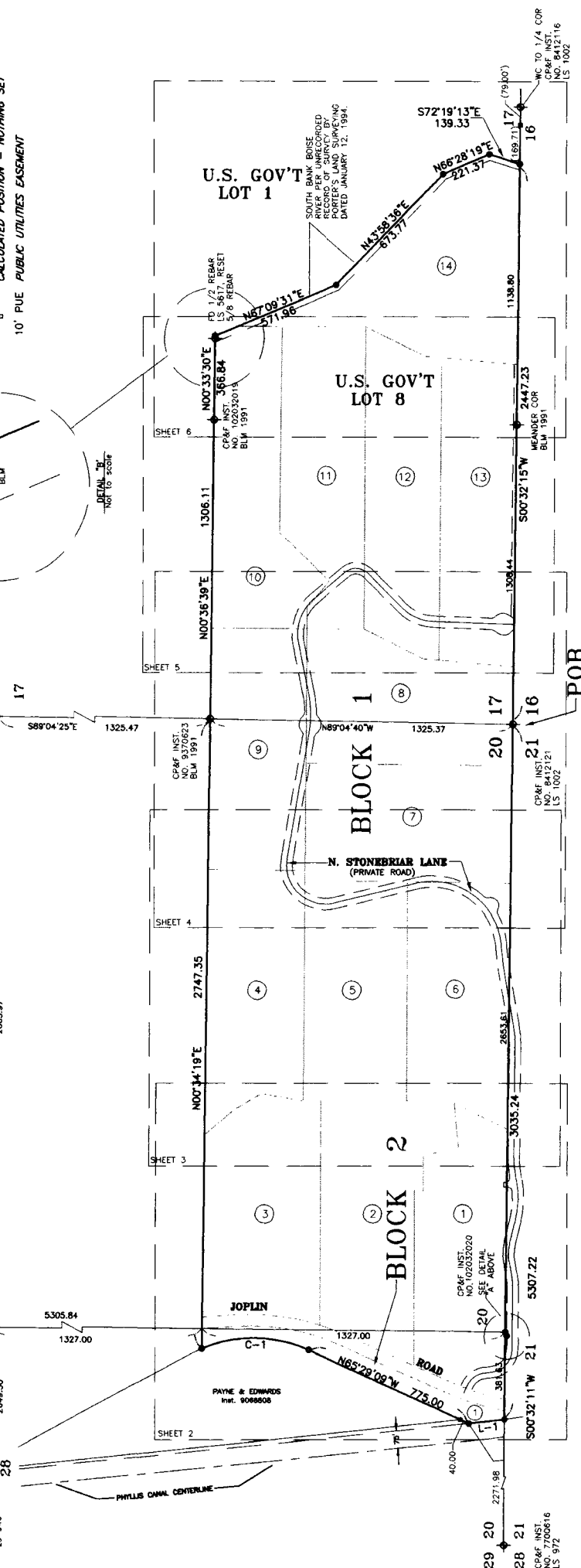
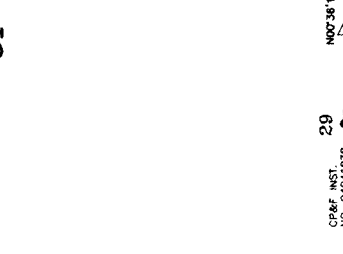
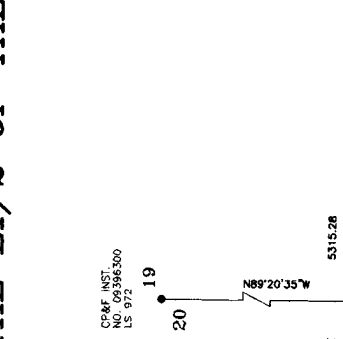
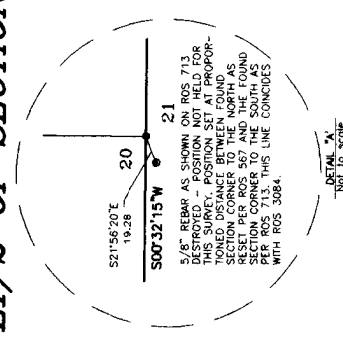
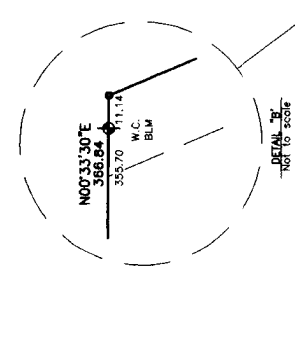
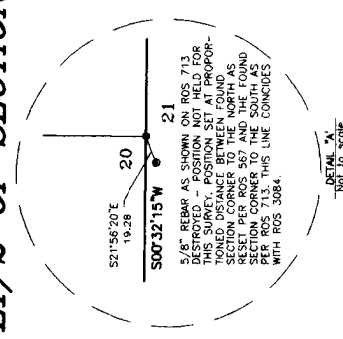
Peter M. Peterson
NOTARY PUBLIC FOR THE STATE OF IDAHO
3/14/02 DATE
1-26-05 MY COMMISSION EXPIRES



STONEBRIAR SUBDIVISION

A PARCEL OF LAND BEING GOVERNMENT LOT 8 OF SECTION 17, AND A PORTION OF THE E1/2 OF THE E1/2 OF SECTION 20, T.4N., R.1W., B.M., ADA COUNTY, IDAHO. 2002

- LEGEND**
- SUBDIVISION BOUNDARY
 - FOUND 5/8" IRON PIN
 - SET 3/8" REBAR MARKED LS 8022
 - FOUND 1/2" IRON PIN
 - SET 1/2" REBAR MARKED LS 8022
 - ◆ FOUND ALUMINUM CAP MONUMENT
 - EASEMENT LINE
 - CALCULATED POSITION - NOTHING SET
 - 10' PUE PUBLIC UTILITIES EASEMENT



LINE TABLE

LINE	BEARING	DISTANCE
L-1	S83°25'36"W	156.75

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	DELTA	BEARING	DISTANCE
C-1	573.69	477.01	253.27	147°58'23"	N89°18'21"W	443.55



TOOTHMAN-ORTON ENGINEERING COMPANY
9777 CHERRY BOLLWORM
BOISE, IDAHO 83714
(208) 353-2288



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Ryan B. Field, Assistant City Planner *Ryan B. Field*

MEETING DATE: **June 15, 2021 – PUBLIC HEARING**

FILE(S) #: **AZ-21-04 Annexation and Zoning**
DA-21-06 Development Agreement
PP-21-01 Preliminary Plat for Stargazer Subdivision

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Endurance Holdings, LLC
1977 E. Overland Road
Meridian, ID 83642

Property Owner:

Open Door Rentals, LLC
1977 E. Overland Road
Meridian, ID 83642

Property Owner:

Jerry Z (Zach) Bruneel
3035 N. Hamlet Lane
Star, ID 83669

Applicant/Representative:

Jane Suggs, Gem State Planning
9840 W. Overland Road, Suite 120
Boise, Idaho 83709

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (R-3), a Development Agreement, and a Preliminary Plat for a proposed residential subdivision consisting of 125 residential lots and 10 common lots. The property is located at 2987 & 3035 N. Hamlet Lane, and 10820 & 10824 W. New Hope Road in Star, Idaho. The property consists of 41.84 acres with a proposed density of 3 dwelling units per acre.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the northwest corner of the intersection of N. Brandon Road and W. New Hope Road. Ada County Parcel No's R3843650400, R3843650100, R3843650300 & R3843650200.

Existing Site Characteristics: The property is currently 4 separate parcels, each with a single-family home and pasture ground.

Irrigation/Drainage District(s): - Farmer's Union Ditch Company, LTD
P.O. Box 1474, Eagle, ID 83616

Flood Zone: This property is not located in a Special Flood Hazard Area.

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 – Some, around homes.
- ✪ Riparian Vegetation – No known areas.
- ✪ Steep Slopes – No.
- ✪ 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.
- ✪ 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	December 18, 2019/February 4, 2021
Neighborhood Meeting Held	February 22, 2021
Application Submitted & Fees Paid	April 7, 2021
Application Accepted	April 20, 2021
Residents within 300' Notified	April 20, 2021
Agencies Notified	April 20, 2021
Legal Notice Published	April 22, 2021
Property Posted	June 2, 2021

HISTORY

There have been no previous requests through the City for development of this property. The property is part of an existing, 4-lot County Subdivision (Hutton Ranchettes Subdivision).

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS

	Zoning Designation	Comp Plan Designation	Land Use
Existing	County Rural Transitional (RUT)	Estate Residential	Single Family Dwellings/ Pasture
Proposed	R-3-DA	Estate Residential	Single Family Residential
North of site	R-3-DA	Estate Residential	Collina Vista Sub.

South of site	County Rural Transitional (RUT) / Residential (R-4)	Neighborhood Residential	Rusty Spur Ranchettes
East of site	Residential (R-3)	Estate Residential	Greendale / Greendale Grove Subdivisions
West of site	Residential (R-3-DA)	Estate Residential	Roselands Subdivision

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.

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.

DA DEVELOPMENT AGREEMENT: 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.

8-3A-3: USES WITHIN ZONING DISTRICTS

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

<u>ZONING DISTRICT USES</u>	A	R-R	R
Accessory structure	A	A	A
Dwelling:			
Multi-family 1	N	N	C
Secondary 1	A	A	A
Single-family attached	N	N	C
Single-family detached	P	P	P
Two-family duplex	N	N	P

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-3	35'	15' to living area/side load garage 20' to garage face	15'	5' per story (2)	20'

Notes:

1. 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.
2. 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.

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

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.

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. Parkway 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.
- E. Maintenance:
1. All common open space and site amenities shall be the responsibility of an owners' association for the purpose of maintaining the common area and improvements thereon.

8-1E-1: DEFINITIONS - TERMS DEFINED

TRANSITIONAL LOT OR PROPERTY: The size of a new residential lot when being proposed adjacent to an established residential use. The ratio for lots adjacent to properties shall be determined on a case by case basis, when considering the size of the development potential for the existing use. This shall not be required if separated by an existing roadway or large canal where the distance between new structures and existing structures equal or exceed 100 feet.

8-3B-3: ADDITIONAL RESIDENTIAL DISTRICT STANDARDS - RESIDENTIAL DISTRICTS:

- B. When development is planned with lots that directly abut existing lots within a Rural Residential area, or "Special Transition Overlay Area" as shown on the Comprehensive Plan Land Use map, an appropriate transition shall be provided for the two abutting residential lot types. A transition shall take into consideration site constraints that may

exist and may include clustering of the urban lots in order to provide an open space area avoiding urban lots directly abutting rural residential lots, or may include the provision of a buffer strip avoiding urban lots directly abutting rural residential lots, or may include setbacks within the urban lots similar to the rural residential lots directly abutting, or may include the provision of one half to one acre size lots directly abutting the rural residential lots.

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Neighborhood Residential:

Suitable primarily for single family residential use. Densities in the majority of this land use area are to range from 3 units per acre to 5 units per acre. Densities not exceeding 1 to 2 units per acre are to be encouraged in areas of 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 subdivided in the future.

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:

- 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 service.
- 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

C. Site layout within the Special Transition Overlay Area is to provide for a transition in density and lot sizing. Base densities may be significantly reduced or home sites may be clustered to increase open space within a portion of a site when property is within this overlay.

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.
- Require more open space and trees in subdivisions.
- 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

ANNEXATION & REZONE:

The annexation and rezone request from County Rural Urban Transition (RUT) to Residential (R-3) on the applicant's property will allow for the subdivision of the property to develop with urban densities that will be consistent with the current Comprehensive Plan Map. The overall gross density of the proposed development is 2.97 dwelling units per acre. The current Comprehensive Plan Land Use Map designates this property as Estate Residential, with an anticipated density of 1 to 3 dwelling units per acre. The requested density is within this designation. The requested zoning designation and density meets the intent of the Comprehensive Plan.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 125 single family residential lots, and 10 common area lots for a total of 135 total lots. The buildable, residential lots range in size from 5,750 square feet to 12,162 square feet with an average buildable lot of 8,061 square feet. The applicant has indicated that the development will contain a total of 6.77 acres (16.2%) of open space. The applicant states that useable open space, not including street buffers and endcaps equal to 5.55 acres (13.3%) exceeding the requirement for usable open space in the current Unified Development Code, Section 8-4E-2. Streets are proposed to be public and will measure 36 ft from back of curb to back of curb and satisfy Section 8-4D-34B(4) of the UDC.

According to the plat map, two of the existing four homes will remain and be platted within the development. The first home will be on Lot 16, Block 1 and will have direct access on a public street. The second home will be located on Lot 10, Block 4, also with direct street access. This leaves 123 new buildable lots in the development.

The development will be accessed on the west via Meadow Lilly Street off Roseland Way. Access on the east off N. Brandon Road and W. Bellatrix Street. Access on the south will be directly off W. New Hope Road via N. Bright Light Avenue. The current private street, Hamlet Lane will be replaced by the new public street, N. Bright Light Avenue. The development will also have a stub road on the north of the property, N. Hosa Avenue, that will connect with the Collina Vista development in the future.

The development will have a five (5) foot detached sidewalk along W. New Hope Road with a landscape strip and a twenty-five (25) foot buffer.

The current Unified Development Code, Section 8-4E-2 requires a development of this size to have 4 site amenities. The applicant is proposing a children's play structure, covered picnic shelter and pathway connections for access to the development and park. The development is also proposing 3 open areas that measure 50 ft by 100 ft or larger, that qualify as an amenity, per Section 8-4E-2.

ADDITIONAL DEVELOPMENT FEATURES:

- Sidewalks
Internal sidewalks are proposed at five-foot (5') widths and will be attached throughout overall subdivision.
- 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 streetlight design that satisfies the Star City standards.
The streetlight plan submitted needs lights added the intersections of N. Brandon Road and W. New Hope Road. N. Brandon Road and W. Bellatrix Street and W. Wild

Aster Street and N. Nembus Avenue. All other proposed light locations satisfy code requirements.

- Street Names
Street names will be approved by the Ada Street Naming Committee prior to signature of final plat.
- 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. Client shall update the landscape plan to show the appropriate trees in the common areas. Because the preliminary plat was revised after the original submittal of the application, a revised landscape plan referencing all new changes shall be submitted prior to final plat.
- Setbacks – Client is not requesting any set back waivers and will adhere to the R-3 requirements outlined earlier in this report.
- Block lengths – All blocks meet the 750' block length requirement.
- Mailbox Cluster – Star Postmaster Mel Norton has approved the mailbox cluster for the entire development to be placed on Block 4, Lot 8 in the northeast corner of the lot facing N. Bright Light Avenue. Approval letter included in the application packet.
- Phasing – The development is proposing to be built out in two (2) phases.
- Pressure Irrigation – Block 2, Lot 20 will have a new pressure irrigation pump station installed that will be maintained by the homeowner's association.

AGENCY RESPONSES

Keller and Associates	June 02, 2021
ITD	March 4, 2021
ACHD	Pending
DEQ	April 30, 2021
Farmer's Union Ditch Company	June 03, 2021
West Ada School District	June 7, 2021
Central District Health	April 20, 2021
COMPASS	May 10, 2021

PUBLIC RESPONSES

No public comments have been received.

STAFF ANALYSIS & RECOMMENDATIONS

Staff is overall supportive of the design, layout and density of the development application, with the proposed conditions of approval.

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed annexation and zoning, development agreement modification, and preliminary plat meets the requirements, standards and intent for development as they relate to the Unified Development Code and the Comprehensive Plan. 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 applications, either as presented or with added 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:

ANNEXATION/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 Land Use is to encourage the development of a diverse community that provides a mixture of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible provides an assortment of amenities within walking distance of a residential development. The City must find compliance with 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 of the residential districts is to provide regulations and districts for various residential neighborhoods with gross densities in compliance with the intent of the Comprehensive Plan designation. 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 in all districts exceeding one dwelling unit per acre. Private streets may be approved in this district for access to newly subdivided or split property.

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 this annexation and 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 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 City must find that this annexation is reasonably necessary for the orderly development of the City.

PRELIMINARY PLAT FINDINGS:

1. The plat is in compliance with the Comprehensive Plan.

The City must find that this Plat follows designations, spirit and intent of the Comprehensive Plan regarding residential development and meets several of the objectives of the Comprehensive Plan such as:

1. *Designing development projects that minimize impacts on existing adjacent properties, and*
2. *Managing urban sprawl to protect outlying rural areas.*

2. Public Services are available or can be made available and are adequate to accommodate the proposed development.

The City must find that Agencies having jurisdiction on this parcel were notified of this action, and that it has not received notice that public services are not available or cannot be made available for this development.

3. There is public financial capability of supporting services for the proposed development;

The City must find that they have not been notified of any deficiencies in public financial capabilities to support this development.

4. The development will not be detrimental to the public health, safety or general welfare;
The City must find that it has not been presented with any facts stating this Preliminary Plat will be materially detrimental to the public health, safety and welfare. Residential uses are a permitted use.
5. The development preserves significant natural, scenic or historic features;
The City must find that there are no known natural, scenic, or historic features that have been identified within this Preliminary Plat.

Upon granting approval or denial of the application, the Council shall specify:

1. The Ordinance and standards used in evaluating the application;
2. The reasons for recommending approval or denial; and
3. The actions, if any, that the applicant could take to obtain approval.

CONDITIONS OF APPROVAL

1. The approved Preliminary Plat for the Stargazer Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. All public streets shall have a minimum street width of 36' and shall be constructed to ACHD standards.
3. The stub street shall be built in accordance with Star Fire District requirements.
4. 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. 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 as part of the ordinance for annexation and zoning and shall contain the details of the fees to be collected.
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 prior to any building occupancy. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. **Applicant/Owner shall submit a streetlight plan, showing the required additional streetlight locations prior to Final Plat approval.**
6. Street trees shall be installed per Chapter 8, including Section 8-8C-2-M(2) Street Trees including one (1) tree per thirty-five (35) linear feet. This shall include the berm along W. New Hope Road.
7. Common area trees shall be provided as stated in Section 8-8C-2, J5, including one (1) tree per four thousand (4,000) square feet. **A revised landscape plan shall be provided prior to final plat submittal showing the correct number of trees in the common areas and street buffers and shall include any revisions to the preliminary plat.**

8. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
9. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
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. 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.
15. 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.
16. All common areas shall be owned and maintained by the Homeowners Association.
17. 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.**
18. A sign application is required for any subdivision signs.
- 19. 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 and/or copper telecommunication cables.**
20. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION

The Star City Council _____ File #AZ-21-04/PP-21-01/DA-21-06 for Stargazer Subdivision on _____, 2021.

Gem State Planning, LLC

March 30, 2021

Mr. Shawn Nickel, City Planner
City of Star
10769 W. State Street
Star, Idaho 83669

Subject: Stargazer Subdivision on New Hope Road
Applications for Annexation, Rezone, Preliminary Plat and Development Agreement

Dear Mr. Nickel:

On behalf of Trilogy Development please accept the subject applications for Stargazer Subdivision, located north of New Hope Road, between Brandon Road and Roseland Way. (4N, 1W, Section 5). Stargazer is the re-subdivision of the Hutton Ranchettes Subdivision, platted in 1998, that created 4 lots of approximately 10 acres each. The property to be redeveloped is 41.84 acres and is zoned RUT in Ada County. Stargazer Subdivision will include 125 single family home lots for a density of 3.0 dwelling units per acre (3.0 du/ac)

Annexation and Rezone

The property is located west of the recently annexed Greendale Subdivision, east of Roselands Subdivision and south of Collina Vista Subdivision (a part of Roselands Sub). The Star Comprehensive Plan Future Land Use Map was recently amended to re-designate the properties north of New Hope Road from "Neighborhood Residential", with allowable densities from 3-5 du/acre, to "Estate Residential", with densities from 1-3 du/acre. This change occurred as the plan for Stargazer Subdivision was being drafted for submittal. Stargazer Subdivision was redesigned to meet the new Estate Residential designation, with 125 buildable lots on 41.84 acres or 3.0 du/acre.

Preliminary Plat

The 125 buildable lots in Stargazer include 123 new single family home lots and 2 existing home lots (Lot 16, Block 1 and Lot 10, Block 4). The new SF home lots range in size from 5750 sf to 12,902 sf. All new home lots will meet the R-3 zoning district dimensional standards in the Star Unified Development Code (UDC) 8-3A-4.

Open Space and Amenities

The open space and amenities meet the requirements of the Star UDC 8-4E-2. The common open space lots in Stargazer total 6.77 acres or 16.2% of the total project site. The usable open space is 5.55 acres or 13.3% of the subdivision. The qualified amenities include children's play

9839 W. Cable Car Street, Suite 101, Boise, Idaho 83709

structure, picnic shelter/ pergola and pathways located in the 3.1 acre community park (Lot 8, Block 4). Lot 9, Block 1 will be a large, 1.7-acre grassy lot that is perfect for open play.

Street and Utilities

All streets in Stargazer are public streets and meet ACHD and Star requirements. New Hope Road will be improved with curb, gutter and detached sidewalk and will include a dedication of 12' of right of way, plus a 25' landscape buffer.

Residents will access Stargazer Subdivision on the west side on Meadow Lily Street via Roseland Way and on the east side on Bellatrix Street via N. Brandon Road. The current access to the property, Hamlet Lane, will be replaced with N. Bright Light Avenue. All New Hope Road accesses meet ACHD offset criteria. A stub street to the north, Hosta Ave, will connect to Collina Vista Subdivision. The unused ACHD right of way along the east property line will be vacated.

Water, sewer, and pressurized irrigation will be provided to each buildable lot. A new pressure irrigation pump station will be constructed on Lot 20, Block 2. Stormwater will be stored and treated in subsurface infiltration basins as shown on the preliminary plat sheet 2.

A traffic study was prepared and submitted to ACHD and ITD on February 9, 2021 and has been accepted by both agencies.

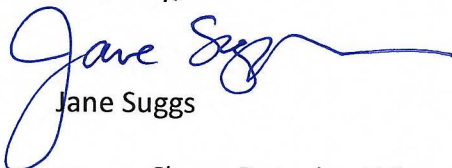
Neighborhood Meeting

A neighborhood meeting was held on October 1, 2020. The plan discussed at that time included 124 buildable lots on 31.21 acres and a density of 3.97 du/acre. After the City's Comprehensive Plan was revised in December 2020, the developer purchased additional land and redesigned the preliminary plat; now 125 buildable lots on 41.84 acres and a density of 3.0 du/acre.

A second neighborhood meeting was held on February 22, 2021 that included the residents within 300' of the newly acquired property.

Stargazer Subdivision will be an attractive addition to the City of Star and we look forward to working with you through the approval process. Please let me know if you have questions about the applications or the proposed Stargazer community.

Sincerely,



Jane Suggs

cc: Shawn Brownlee, Trilogy Development

9839 W. Cable Car Street, Suite 101, Boise, Idaho 83709



PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVERGREEN TREES			
	AUSTRIAN PINE BLACK HILLS SPRUCE FAT ALBERT BLUE SPRUCE MOONGLOW JUNIPER NORWAY SPRUCE VANDERWOLFS PINE	PINUS NIGRA PICEA GLAUGA 'DENSATA' PICEA FUNGENS 'FAT ALBERT' JUNIPERUS SCOPIULORUM 'MOOGLOW' PICEA ABIES PINUS FLEXILIS 'VANDERWOLFS'	6-8' HT B4B 6-8' HT B4B 6-8' HT B4B 6-8' HT B4B 6-8' HT B4B 6-8' HT B4B
SHADE TREES (CLASS III)			
	BLOODGOOD LONDON PLANETREE SWAMP OAK	PLATANUS x ACERIFOLIA 'BLOODGOOD' QUERCUS BICOLOR	2" CAL B4B 2" CAL B4B
SHADE/STREET TREES (CLASS II)			
	AUTUMN PURPLE ASH CRIMSON SPIRE OAK CHANTICLEER FEAR SKYLINE HONEYLOCUST LITTLELEAF LINDEN AMERICAN SWEETGUM TULIP TREE	FRAXINUS AMERICANA 'AUTUMN PURPLE' QUERCUS ROBUR x Q. ALBA 'CRIMSCHMIDT' PYRUS CALLERYANA 'GLEN'S FORM' GLEDTISIA TRIACANTHOS INERMIS 'SKYCOLE' TILIA CORDATA LIQUIDAMBAR STYRACIFLUA LIRIODENDRON TULIPIFERA	2" CAL B4B 2" CAL B4B 2" CAL B4B 2" CAL B4B 2" CAL B4B 2" CAL B4B 2" CAL B4B
ORNAMENTAL TREES (CLASS I)			
	FLAME AMUR MAPLE CANADA RED CHOKECHERRY CRUZAN CRUSADER HAWTHORN HOTWINGS MAPLE ROYAL RAINDROPS CRABAPPLE SPRING SNOW CRABAPPLE	ACER GINNALA 'FLAME' PRUNUS VIRGINIANA 'CANADA RED' CRATAEGUS CRUS-GALLI 'CRUZAM' ACER TATARICUM 'GARANN' MALUS x 'JFS-KWS' MALUS 'SPRINGSNOW'	6-8' HT. MULTI-STEM 6-8' HT. MULTI-STEM 2" CAL B4B 6-8' HT. MULTI-STEM 2" CAL B4B 2" CAL B4B
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS			
	ARIZONA SUN GAILLARDIA BLACK EYED SUSAN BLUE GRAMMA GRASS BLUE MIST SPIREA BLUE OAT GRASS BLUE RUG JUNIPER PURPLE CONEFLOWER RED FLOWER CARPET ROSE DARTS GOLD NINEBARK STELLA DE ORO DAYLILLY FINE LINE BUCKTHORN GRO-LOW SUMAC HUSKER RED PENSTEMON IVORY HALO DOGWOOD KARL FOERSTER REED GRASS LITTLE DEVIL NINEBARK HIDCOTE BLUE ENGLISH LAVENDER MAIDEN GRASS BRAKELIGHTS RED YUCCA SUMMERWINE NINEBARK	GAILLARDIA x 'ARIZONA SUN' RUDBECKIA FULGIDA 'GOLDSTRUM' BOUTELLOUA GRACILIS 'BLONDE AMBITION' CARYOPTERIS x GLANDONENSIS 'BLUE MIST' HELICTOTRICHON SEMPERVIRENS JUNIPERUS HORIZONTALIS 'WILTON' ECHINACEA PURPUREA ROSA 'FLOWER CARPET- NOARE' PHYSOCARPUS OPULIFOLIUS 'DARTS GOLD' HEMEROCALLIS 'STELLA D'ORO' RHAMNUS FRAGULA 'RON WILLIAMS' RHUS AROMATICA 'GRO-LOW' PENSTEMON DIGITALIS 'HUSKER RED' CORNUS ALBA 'BAILHALO' CALAMAGROSTIS ARUNDINACEA 'K.F.' PHYSOCARPUS OPULIFOLIUS 'DONNA MAY' LAVANDULA ANGUSTIFOLIA 'HIDCOTE BLUE' MISCANTHUS SINENSIS 'GRACILLIMUS' HESPERALOE PARVIFLORA 'PERPA' PHYSOCARPUS OPULIFOLIA 'SEWARD'	1 GAL 1 GAL 1 GAL 2 GAL 1 GAL 3 GAL 1 GAL 2 GAL 3 GAL 1 GAL 5 GAL 3 GAL 3 GAL 1 GAL 1 GAL 1 GAL 1 GAL 3 GAL 5 GAL
	LAWN		
	6" VINYL FENCE ALONG PERIMETER PROPERTY LINES (TYP).	6" VINYL FENCE W/ LATTICE TOP ALONG COMMON AREAS (TYP).	EXISTING FENCING (TYP).

NOTES

- ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF STAR ORDINANCE REQUIREMENTS.
- ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
- TREES SHALL NOT BE PLANTED WITHIN THE 10'-CLEAR ZONE OF ALL STORM DRAIN PIPE, STRUCTURES, OR FACILITIES. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM. ALL SHRUBS PLANTED OVER OR ADJACENT TO SEEPAGE BEDS TO HAVE A ROOT BALL THAT DOES NOT EXCEED 18" IN DIAMETER. NO LAWN SOD TO BE PLACED OVER DRAINAGE SWALE SAND WINDOWS.
- NO TREES SHALL IMPEDE THE 40' VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM INTERSECTION STOP SIGNS. BUILDER SHALL BE REQUIRED TO INSTALL STREET TREES 5' FROM BACK OF SIDEWALKS EVERY 35' ADJACENT TO ALL BUILDABLE HOME LOTS PRIOR TO OCCUPANCY. FLEXIBILITY IN TREE PLACEMENT AND QUANTITIES TO BE GIVEN FOR DRIVEWAY AND UTILITY CONFLICTS.
- LANDSCAPE AND TREES IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION OF THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UTILITY LINES.
- PLANT LIST IS REPRESENTATIVE AND SUBJECT TO ADDITIONS AND/OR SUBSTITUTIONS OF SIMILAR SPECIES THAT ARE SUBJECT TO CITY FORESTER'S PRE-APPROVAL. PLANTING BED DESIGN AND QUANTITIES MAY BE ALTERED DURING FINAL PLAT LANDSCAPE PLAN DESIGN. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
- ALL EXISTING TREES ON SITE TO BE REMOVED EXCEPT THOSE AROUND EXISTING HOME TO REMAIN.

LANDSCAPE CALCULATIONS

COLLECTOR ROAD LANDSCAPE REQUIREMENTS: PLANT MATERIAL PER 100' - TWO (2) SHADE TREES, TWO (2) EVERGREEN TREES.

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
W. NEW HOPE ROAD (COLLECTOR)	25'	1225' / 100' =	25 SHADE TREES 25 EVERGREENS	22 SHADE TREES 9 ORNAMENTAL TREES 27 EVERGREENS
NUMBER OF TREES PROVIDED ON BUFFERS:			58	
NUMBER OF TREES PROVIDED ON COMMON LOTS:			166	
NUMBER OF TREES PROVIDED ON RESIDENTIAL STREETS:			125	
TOTAL NUMBER OF TREES:			344	

DEVELOPMENT DATA

TOTAL AREA	41.10 ACRES
COMMON AREA	6.71 ACRES (16.2%)
USEABLE OPEN SPACE	5.50 ACRES (13.15%)
BUILDABLE LOTS	125
COMMON AREA LOTS	10
TOTAL LOTS	135
EXISTING ZONING	RUT/RT
EXISTING ZONING	R-3

OWNER(S)		
ENDURANCE HOLDING LLC 1977 E. OVERLAND RD BOISE, ID 83642	OPEN DOOR RENTALS LLC 1977 E. OVERLAND RD BOISE, ID 83642	BRUNEEL, JERRY Z. 3035 HAMLET LN. STAR, ID 83669
DEVELOPER		
TRILogy DEVELOPMENT, INC. 9839 W. CABLE CAR ST., STE. 101 BOISE, IDAHO 83709		
PLANNER/CONTACT		
JANE SUGGS GEM STATE PLANNING 9839 W. CABLE CAR ST., STE. 101 BOISE, IDAHO 83709		
ENGINEER		
DAVID A. BAILEY, P.E. BAILEY ENGINEERING, INC. 1119 E. STATE ST. SUITE 210 EAGLE, IDAHO 83616		



STARGAZER SUBDIVISION

STAR, IDAHO

PRELIMINARY PLAT LANDSCAPE PLAN

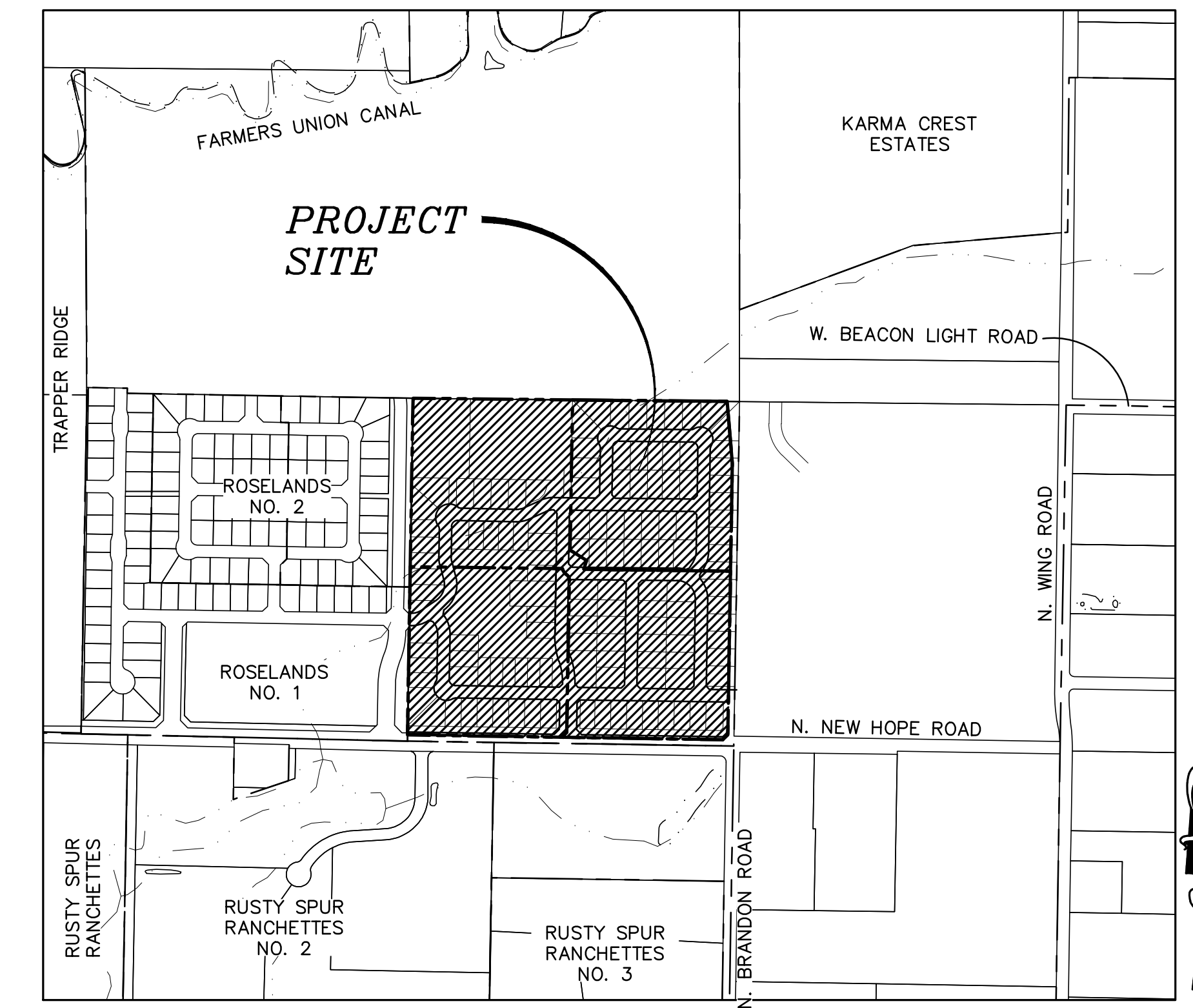
MARCH 24, 2021

JENSENBELTS ASSOCIATES

Site Planning / Landscape Architecture
1508 Tyrrel Lane, Ste 150 Boise, ID 83706
Ph: (208) 948-7778 www.jensensbelts.com

PRELIMINARY PLAT FOR STARGAZER SUBDIVISION

A RESUBDIVISION OF HUTTON RANCHETTES SUBDIVISION
 LOCATED IN GOVERNMENT LOT 4 OF SECTION 5
 T.4N., R.1W. B.M., CITY OF STAR, ADA COUNTY, IDAHO
 2021



VICINITY MAP
 1"=500'

PLAN SHEET INDEX

SHEET	DESCRIPTION
PP-1	PRELIMINARY PLAT, SHEET INDEX, VICINITY MAP, NOTES, COMMON LOTS & STREET DETAILS
PP-2	CONCEPTUAL ENGINEERING PLAN, CURVE TABLE & PARCEL TABLES
PP-4	CONCEPTUAL SEWER PROFILES
PP-5	CONCEPTUAL SEWER PROFILES

NOTES

- STAR SEWER AND WATER DISTRICT WATER AND SEWER SERVICE SHALL BE EXTENDED TO ALL LOTS.
- THE SUBJECT PROPERTY DOES NOT FALL WITHIN ANY FEMA FLOOD HAZARD ZONE. REFERENCE FIRM PANEL 16001C0130H REVISED FEBRUARY 19, 2003.
- ALL LOT SHALL HAVE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, STREET LIGHTS, IRRIGATION AND LOT DRAINAGE OVER THE 10 (TEN) FEET ADJACENT TO ANY PUBLIC STREET. ALL LOTS SHALL HAVE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE OVER THE 10 (TEN) FEET ADJACENT TO THE REAR LOT LINE. EXCEPT AS OTHERWISE SHOWN, THERE SHALL BE A 5 (FIVE) FOOT PUBLIC UTILITY, IRRIGATION AND LOT DRAINAGE EASEMENT ADJACENT TO ANY LOT LINE NOT ADJACENT TO A PUBLIC STREET.
- MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF THE CITY OF STAR AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT.
- THE DEVELOPER SHALL PROVIDE PRESSURIZED IRRIGATION WATER TO EACH LOT. ALL LOTS IN THIS SUBDIVISION WILL BE SUBJECT TO ASSESSMENTS OF THE FARMERS UNION DITCH COMPANY.
- STORM DRAINAGE SHALL BE RETAINED ON SITE THROUGH SUBSURFACE SEEPAGE TRENCHES AS APPROVED BY ACHD.
- ALL EXISTING STRUCTURES, WITH THE EXCEPTION OF THE EXISTING HOME, WILL BE REMOVED PRIOR TO DEVELOPMENT OF THE PHASE CONTAINING THE STRUCTURE.
- ALL EASEMENTS FROM HUTTON RANCHETTES SUBDIVISION AS SHOWN ARE TO BE VACATED/ABANDONED PRIOR TO RECORDING OF FINAL PLAT. THERE ARE NO PUBLIC UTILITIES IDENTIFIED WITHIN THE EASEMENTS - VERIFICATION SHALL BE BY EACH APPLICABLE UTILITY COMPANY.
- LOTS 11 THROUGH 29, BLOCK 2 CONTAIN EXISTING ACHD RIGHT OF WAY TO BE VACATED.
- ALL LOTS WITHIN THIS SUBDIVISION ARE SINGLE FAMILY RESIDENTIAL LOTS, WITH THE EXCEPTION OF LOT 9, BLOCK 1; LOTS 28 & 29, BLOCK 2; LOT 16, BLOCK 5; LOT 7, BLOCK 6; LOT 1, BLOCK 8; THAT ARE COMMON LOTS OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

LEGEND

- LOT LINES
- BENCHMARK AS NOTED
- FOUND BRASS CAP
- FOUND ALUMINUM CAP
- FOUND 1/2" IRON PIN
- FOUND 5/8" IRON PIN
- CALC. POINT
- PROPERTY BOUNDARY LINE
- SECTION LINE

OWNERS

- ENDURANCE HOLDINGS LLC
1977 E OVERLAND RD
MERIDIAN, ID 83642
- OPEN DOOR RENTALS LLC
1977 E OVERLAND RD
MERIDIAN, ID 83642
- BRUNEEL JERRY Z
3035 HAMLET LN
STAR ID 83669

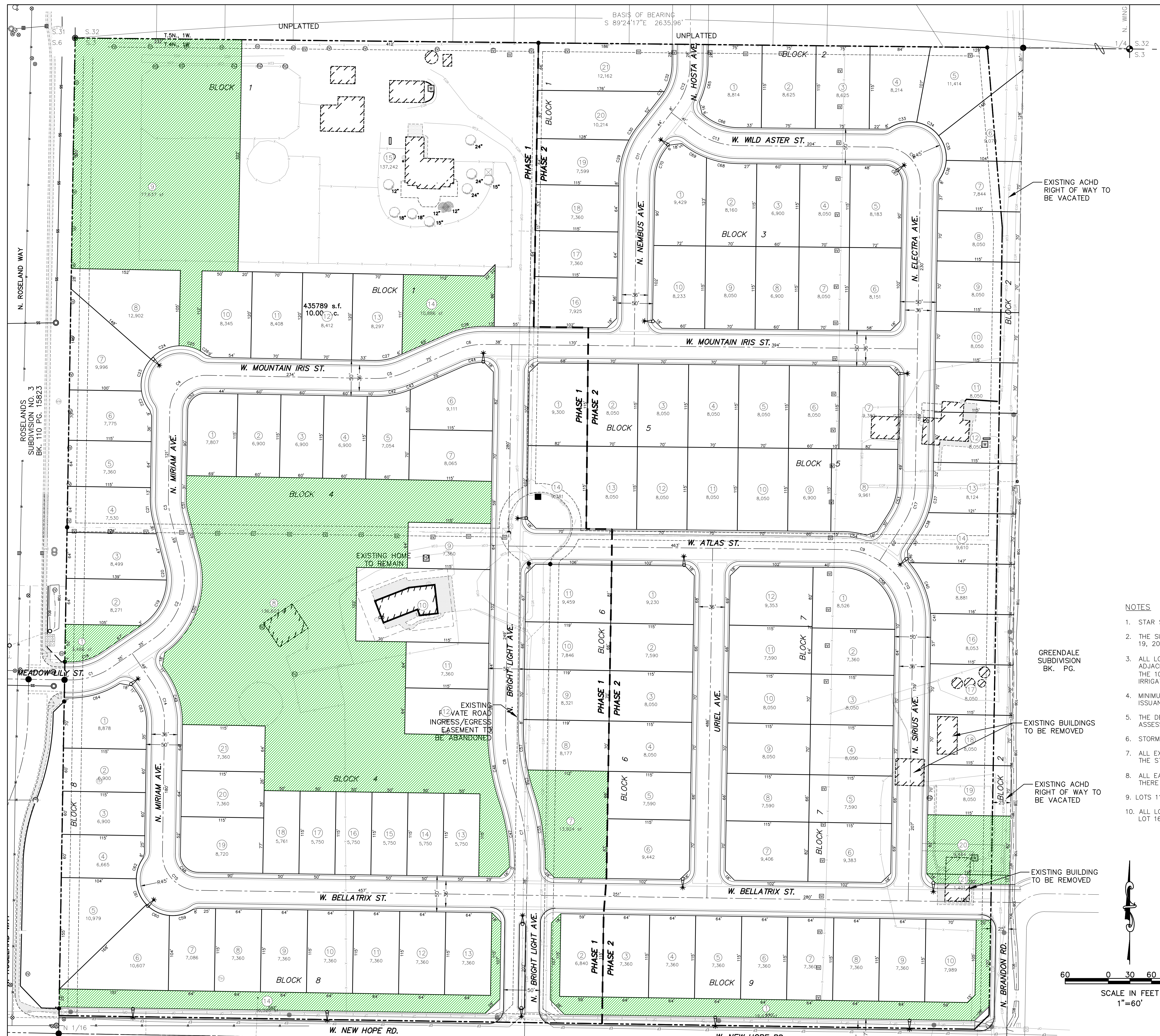
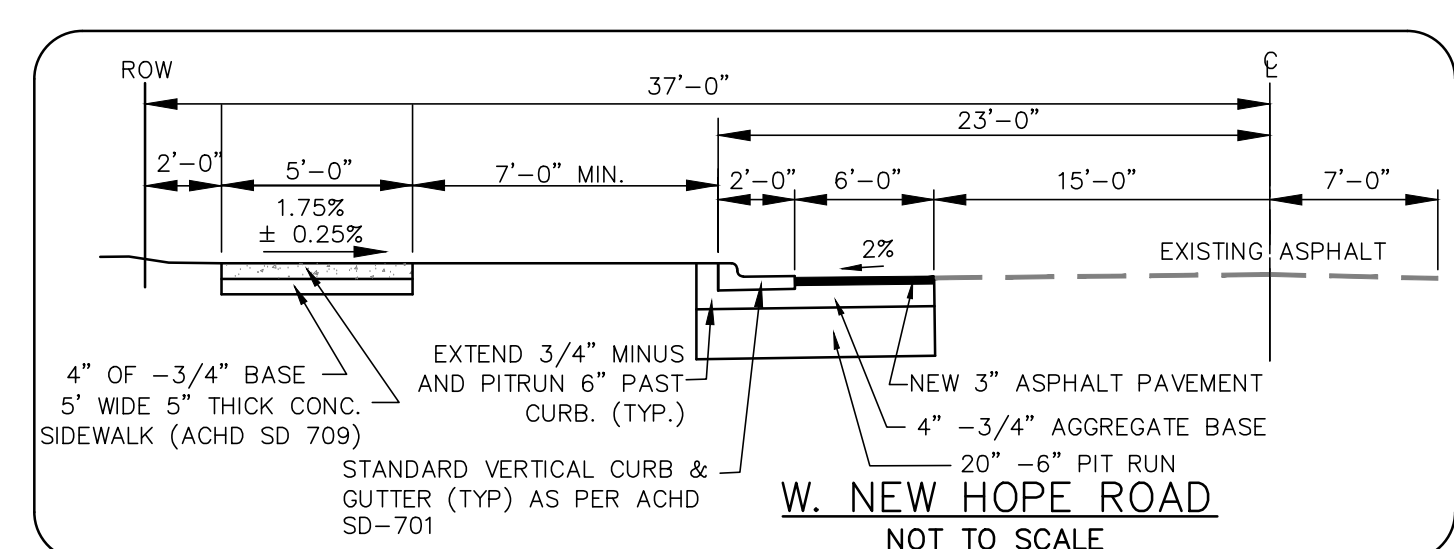
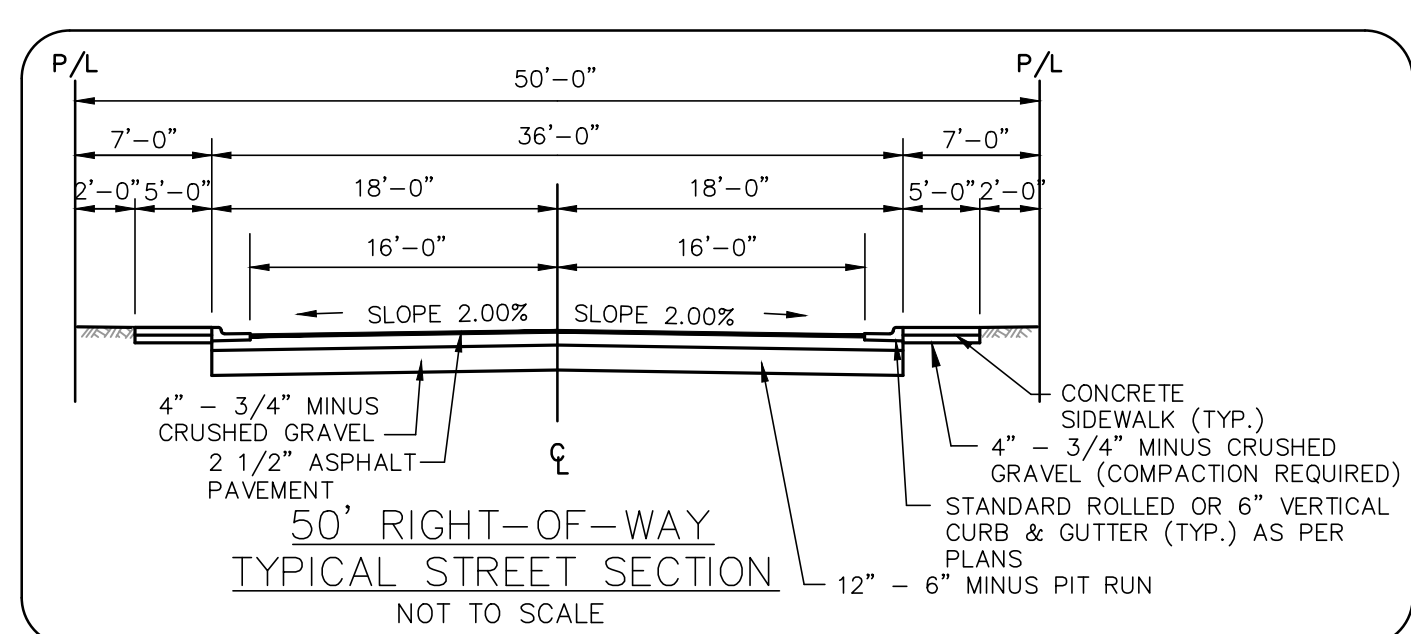
DEVELOPER

- TRILOGY DEVELOPMENT, INC.
9839 W. CABLE CAR ST.
BOISE ID 83709
- ENGINEER
DAVID A. BAILEY, P.E.
BAILEY ENGINEERING, INC.
4242 N. BROOKSIDE LANE
BOISE, ID 83642
- PLANNER/CONTACT
JANE SUGGS
GEM STATE PLANNING
9839 W. CABLE CAR ST STE 101
BOISE, ID 83709

DEVELOPMENT FEATURES

- ACREAGE
TOTAL PARCEL - 41.10 ACRES
ROW TO BE VACATED 0.74 ACRES
TOTAL ACREAGE - 41.84 ACRES
TOTAL LOTS - 135
BUILDABLE LOTS - 125
COMMON LOTS - 9
DENSITY DU/ACRE - 3.00
COMMON AREA - 6.82 ACRES - 16.1%
USEABLE OPEN SPACE - 5.50 ACRES - 13.15%
- ZONING
EXISTING - RUT/RT
PROPOSED - R-3
- SEWAGE DISPOSAL
STAR SEWER AND WATER DISTRICT
- WATER SUPPLY
STAR SEWER AND WATER DISTRICT
- CITY
STAR
- SCHOOL DISTRICT
STAR
- FIRE DISTRICT
STAR
- IRRIGATION DISTRICT
FARMERS UNION DITCH COMPANY LTD

Lot	Area	Perimeter	Type
BLOCK 1 Lot 1 OPEN	3486	277	BUFFER
BLOCK 1 Lot 9 OPEN	77637	1324	PARK OPEN
BLOCK 1 Lot 14 OPEN	10886	467	PARK OPEN
BLOCK 2 Lot 20 OPEN	9444	394	PI PUMP STATION - OPEN
BLOCK 2 Lot 21 OPEN	1401	248	BUFFER
BLOCK 4 Lot 8 OPEN	136603	2375	PARK OPEN
BLOCK 6 Lot 7 OPEN	13924	491	PARK OPEN
BLOCK 8 Lot 14 OPEN	16520	1485	BUFFER
BLOCK 9 Lot 1 OPEN	18622	1694	BUFFER



PRELIMINARY PLAT
STARGAZER SUBDIVISION
TRILOGY DEVELOPMENT, INC.

PP-1

REVISION NO. DATE DESCRIPTION

Bailey Engineering, Inc.
 CIVIL ENGINEERING | PLANNING | CADD
 1116 E. MYNIST ST., SUITE 210
 BOISE, ID 83709
 TEL: 208-988-0013
 WWW.BAILEYENGINEERING.COM



CHECKED BY: DAVID A. BAILEY P.E.
 DRAWN BY: DAB

DATE: 03-12-2021
 PROJECT: C2019-039
 SHEET: PP-1

CONCEPTUAL ENGINEERING FOR STARGAZER SUBDIVISION



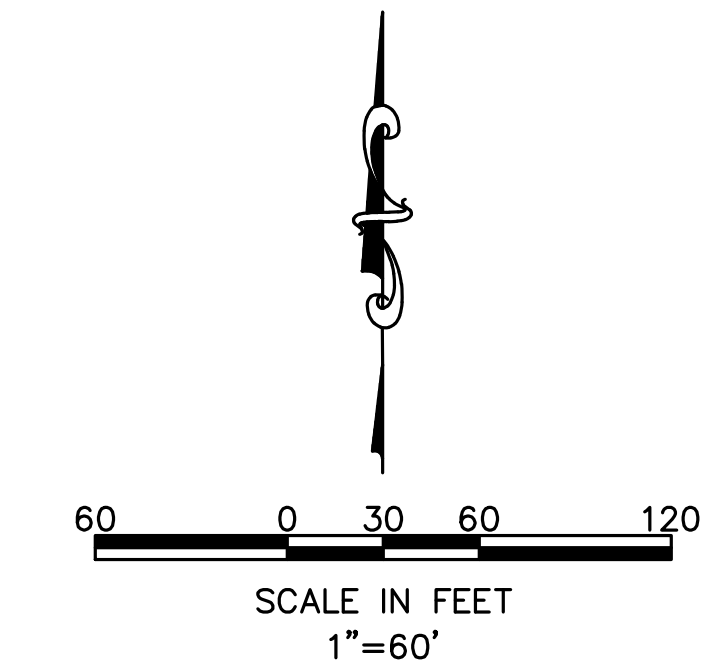
Curve Table					Curve Table						
Curve #	Radius	Length	Chord	Bearing	Delta	Curve #	Radius	Length	Chord	Bearing	Delta
C1	100.00	61.44	60.48	N73°20'45"E	35°12'15"	C36	50.50	27.35	27.02	S19°15'43"W	31°01'44"
C2	100.00	122.39	114.89	N20°40'58"E	70°07'19"	C37	125.00	38.61	38.46	S08°48'34"W	17°41'55"
C3	100.00	26.75	26.67	N06°42'55"W	15°19'34"	C38	125.00	30.13	30.06	S25°33'49"W	13°48'35"
C4	50.00	78.66	70.79	N46°00'56"E	90°08'07"	C39	125.00	1.51	1.51	S41°12'07"E	0°41'31"
C5	100.00	43.37	43.03	N78°39'27"E	24°51'05"	C40	125.00	77.86	76.61	S23°00'42"E	35°41'19"
C6	100.00	42.52	42.20	N08°42'48"E	24°21'49"	C41	125.00	13.37	13.36	S02°06'13"E	6°07'39"
C7	300.00	100.78	100.31	N08°40'13"W	19°14'55"	C42	125.00	51.28	50.90	N79°20'08"E	23°04'46"
C8	300.00	100.78	100.31	N08°40'13"W	19°14'55"	C43	125.00	2.96	2.96	N66°54'34"E	1°21'19"
C9	100.00	55.63	54.91	S73°28'06"E	31°52'23"	C44	75.00	31.60	31.37	N78°18'12"E	24°08'37"
C10	100.00	102.09	97.71	S28°17'09"E	58°29'31"	C45	325.00	14.47	14.47	S00°19'16"E	23°3'02"
C11	100.00	64.41	63.30	N19°24'23"E	36°54'17"	C46	325.00	94.72	94.38	S09°56'44"E	16°41'52"
C12	100.00	65.04	63.90	N19°13'37"E	37°15'49"	C47	275.00	92.39	91.95	S08°40'13"E	19°14'55"
C13	100.00	65.04	63.90	S70°46'23"E	37°15'49"	C48	25.00	39.31	35.38	N44°05'54"W	90°05'33"
C14	100.00	61.44	60.48	S16°39'15"E	35°12'15"	C49	125.00	76.80	75.60	N16°39'15"W	35°12'15"
C15	50.00	78.62	70.77	S44°05'54"E	90°05'33"	C50	125.00	150.25	141.37	N20°03'22"E	68°52'08"
C16	50.00	78.66	70.94	S44°13'20"E	90°21'54"	C51	75.00	20.06	20.00	N06°42'55"W	15°19'34"
C17	100.00	54.99	54.30	S16°42'51"W	31°30'29"	C52	25.00	39.33	35.40	N46°00'56"E	90°08'07"
C18	75.00	46.08	45.36	N73°20'45"E	35°12'15"	C53	75.00	41.24	40.73	S16°42'51"W	31°30'29"
C19	75.00	72.57	69.77	N28°01'24"E	55°26'28"	C54	125.00	34.67	34.55	N81°27'36"W	15°32'22"
C20	75.00	19.22	19.16	N07°02'16"W	14°40'52"	C55	325.00	109.18	108.67	N08°40'13"W	19°14'55"
C21	125.00	33.44	33.34	N06°42'55"W	15°19'34"	C56	275.00	30.13	30.12	N15°09'20"W	61°6'40"
C22	55.00	28.77	28.44	N23°16'46"W	29°58'18"	C57	275.00	62.26	62.12	N05°31'53"W	12°58'18"
C23	55.00	47.65	46.17	N16°31'25"E	49°38'04"	C58	75.00	118.29	106.40	S44°13'20"E	90°21'54"
C24	55.00	44.38	43.19	N64°27'24"E	46°13'54"	C59	50.50	33.49	32.88	S75°54'09"W	37°59'58"
C25	55.00	31.18	30.76	S76°11'17"E	32°28'43"	C60	50.50	36.14	35.37	N64°35'53"W	40°59'58"
C26	55.00	9.63	9.82	S54°49'35"E	10°14'42"	C61	50.50	39.70	38.69	N21°34'31"W	45°02'47"
C27	75.00	32.53	32.28	N78°39'27"E	24°51'05"	C62	50.50	29.93	29.49	N17°55'27"E	33°57'10"
C28	125.00	53.15	52.75	N78°24'48"E	24°21'49"	C63	75.00	46.08	45.36	N16°39'15"W	35°12'15"
C29	125.00	52.68	52.75	N14°06'54"E	26°42'36"	C64	125.00	74.07	72.99	S73°58'21"W	33°57'03"
C30	125.01	22.66	22.63	N32°39'52"E	10°23'18"	C65	125.00	54.03	53.61	S12°58'41"W	24°45'27"
C31	75.00	8.93	8.92	N34°26'53"E	6°49'18"	C66	75.00	48.78	47.92	S70°46'23"E	37°15'49"
C32	75.00	39.85	39.38	N15°48'58"E	30°26'31"	C67	25.00	39.43	35.47	N44°13'20"W	90°21'54"
C33	50.50	38.51	37.58	N78°37'27"E	43°41'28"	C68	125.00	44.18	43.95	N79°16'43"W	20°15'08"
C34	50.50	36.61	35.82	S58°45'39"E	41°32'21"	C69	125.00	37.11	36.98	N60°38'49"W	17°00'41"
C35	50.50	36.79	35.98	S17°07'19"E	41°44'20"	C70	75.00	48.31	47.48	S19°24'23"W	36°54'17"

LEGEND

- LOT LINES
- ROAD CENTERLINE
- RIGHT OF WAY
- LOT NUMBER
- BLOCK NUMBER
- CURB GUTTER & SW
- STREET NAME
- HANDICAP RAMP
- SEWER LINE
- WATER LINE
- STORM DRAIN LINE
- PRESSURE IRRIGATION
- GRAVITY IRRIGATION
- FLOW ARROW
- FIRE HYDRANT
- CATCH BASIN

SURVEY LEGEND

- BENCHMARK AS NOTED
- FOUND BRASS CAP
- FOUND ALUMINUM CAP
- FOUND 1/2" IRON PIN
- FOUND 5/8" IRON PIN
- CALC. POINT
- PROPERTY BOUNDARY LINE
- SECTION LINE

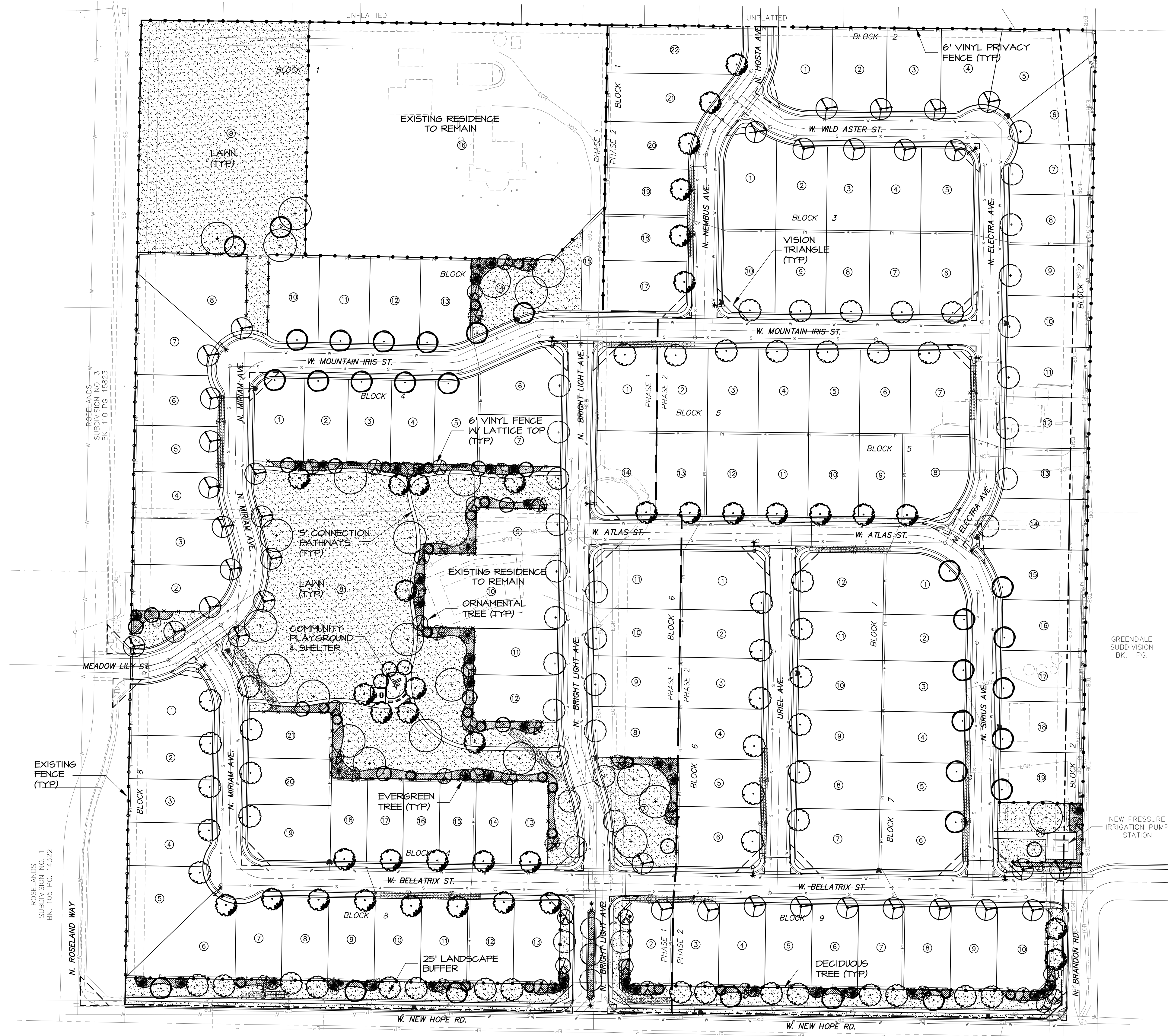


REVISIONS
 NO. DATE DESCRIPTION

DATE: 03-12-2021
 PROJECT: C2019-039
 SHEET: PP-2

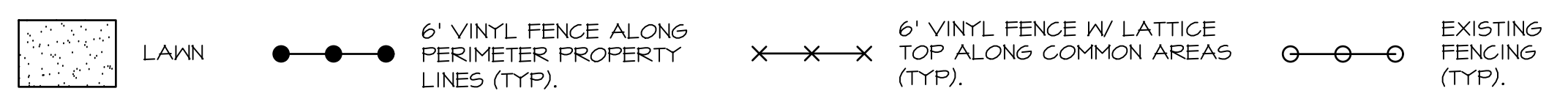
CONCEPTUAL ENGINEERING
STARGAZER SUBDIVISION
TRILOGY DEVELOPMENT, INC.

BAILEY ENGINEERING, INC.
 CIVIL ENGINEERING / PLANNING / CAD
 TITLE: STARGAZER SUBDIVISION
 SCALE: 1"=60'
 8272
 PROFESSIONAL ENGINEER
 STATE OF CALIFORNIA
 DAVID A. BAILEY
 CHECKED BY: DAVID A. BAILEY P.E.
 DRAWN BY: DMS/DSS



PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVERGREEN TREES			
	AUSTRIAN PINE	PINUS NIGRA	6-8' HT B4B
	BLACK HILLS SPRUCE	PICEA GLAUCOA 'DENSATA'	6-8' HT B4B
	FAT ALBERT BLUE SPRUCE	PICEA PUNGENS 'FAT ALBERT'	6-8' HT B4B
	MOONGLOW JUNIPER	JUNIPERUS SCOOPULORUM 'MOOGLOW'	6-8' HT B4B
	NOORNAY SPRUCE	PICEA ABIES	6-8' HT B4B
	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6-8' HT B4B
SHADE TREES (CLASS III)			
	BLOODGOOD LONDON PLANETREE	PLATANUS x ACERIFOLIA 'BLOODGOOD'	2" CAL B4B
	SWAMP OAK	QUERCUS BICOLOR	2" CAL B4B
SHADE/STREET TREES (CLASS II)			
	AUTUMN PURPLE ASH	FRAXINUS AMERICANA 'AUTUMN PURPLE'	2" CAL B4B
	CRIMSON SPIRE OAK	QUERCUS ROBUR x Q. ALBA 'CRIMSCHMIDT'	2" CAL B4B
	CHANTICLEER PEAR	PYRUS CALLERYANA 'GLEN'S FORM'	2" CAL B4B
	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE'	2" CAL B4B
	LITTLELEAF LINDEN	TILIA GORDATA	2" CAL B4B
	AMERICAN SWEETGUM	LIQUIDAMBAR STYRACIFLUA	2" CAL B4B
	TULIP TREE	LIRODENDRON TULIPIFERA	2" CAL B4B
ORNAMENTAL TREES (CLASS I)			
	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	6-8' HT. MULTI-STEM
	CANADA RED CHOKECHERRY	PRUNUS VIRGINIANA 'CANADA RED'	6-8' HT. MULTI-STEM
	CRUZADER HAWTHORN	CRATAEGUS CRUS-GALLI 'CRUZAM'	2" CAL B4B
	HOTWINGS MAPLE	ACER TATARICUM 'GARANN'	6-8' HT. MULTI-STEM
	ROYAL RAINDROPS CRABAPPLE	MALUS x 'JFS-KWS'	2" CAL B4B
	SPRING SNOW CRABAPPLE	MALUS 'SPRINGSNOW'	2" CAL B4B
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS			
	ARIZONA SUN GAILLARDIA	GAILLARDIA x 'ARIZONA SUN'	1 GAL
	BLACK EYED SUSAN	RUDBECKIA FULGIDA 'GOLDSTRUM'	1 GAL
	BLUE GRAMMA GRASS	BOUTELOUA GRACILIS 'BLONDE AMBITION'	2 GAL
	BLUE MIST SPIREA	CARYOPTERIS x GLANDONENSIS 'BLUE MIST'	1 GAL
	BLUE OAT GRASS	HELICTOTRICHON SEMPERVIRENS	3 GAL
	BLUE RUG JUNIPER	JUNIPERUS HORIZONTALIS 'MILTONI'	1 GAL
	PURPLE CONEFLOWER	ECHINACEA PURPUREA	1 GAL
	RED FLOWER CARPET ROSE	ROSA 'FLOWER CARPET- NOARE'	2 GAL
	DARTS GOLD NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DART'S GOLD'	3 GAL
	STELLA DE ORO DAYLILLY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL
	FINE LINE BUCKTHORN	RHAMNUS FRAGULA 'RON WILLIAMS'	5 GAL
	GRO-LOW SUMAC	Rhus AROMATICA 'GRO-LOW'	3 GAL
	HUSKER RED PENSTEMON	PENSTEMON DIGITALIS 'HUSKER RED'	1 GAL
	IVORY HALO DOGWOOD	CORNUS ALBA 'BAILHALO'	5 GAL
	KARL FOERSTER REED GRASS	CALAMAGROSTIS ARUNDINACEA 'K.F.'	1 GAL
	LITTLE DEVIL NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DONNA MAY'	3 GAL
	HIDCOTE BLUE ENGLISH LAVENDER	LAVANDULA ANGUSTIFOLIA 'HIDCOTE BLUE'	1 GAL
	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLIMUS'	1 GAL
	BRAKELIGHTS RED YUCCA	HESPERALOE PARVIFLORA 'PERPA'	3 GAL
	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIA 'SEWARD'	5 GAL



NOTES

- ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF STAR ORDINANCE REQUIREMENTS.
- ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
- TREES SHALL NOT BE PLANTED WITHIN THE 10'-CLEAR ZONE OF ALL STORM DRAIN PIPE, STRUCTURES, OR FACILITIES. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM. ALL SHRUBS PLANTED OVER OR ADJACENT TO SEEPAGE BEDS TO HAVE A ROOT BALL THAT DOES NOT EXCEED 18" IN DIAMETER. NO LAWN SOD TO BE PLACED OVER DRAINAGE SHALE SAND WINDOWS.
- NO TREES SHALL IMPEDE THE 40' VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM INTERSECTION STOP SIGNS. BUILDER SHALL BE REQUIRED TO INSTALL STREET TREES 5' FROM BACK OF SIDEWALKS EVERY 35' ADJACENT TO ALL BUILDABLE HOME LOTS PRIOR TO OCCUPANCY. FLEXIBILITY IN TREE PLACEMENT AND QUANTITIES TO BE GIVEN FOR DRIVEWAY AND UTILITY CONFLICTS.
- LANDSCAPE AND TREES IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION OF THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UTILITY LINES.
- PLANT LIST IS REPRESENTATIVE AND SUBJECT TO ADDITIONS AND/OR SUBSTITUTIONS OF SIMILAR SPECIES THAT ARE SUBJECT TO CITY FORESTER'S PRE-APPROVAL. PLANTING BED DESIGN AND INSTALLATION OF THE LANDSCAPE PLAN DESIGN, BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALF-WAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
- ALL EXISTING TREES ON SITE TO BE REMOVED EXCEPT THOSE AROUND EXISTING HOME TO REMAIN.

LANDSCAPE CALCULATIONS

COLLECTOR ROAD LANDSCAPE REQUIREMENTS: PLANT MATERIAL PER 100' - TWO (2) SHADE TREES, TWO (2) EVERGREEN TREES.

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
N. NEW HOPE ROAD (COLLECTOR)	25'	1225' / 100' =	25 SHADE TREES 25 EVERGREENS	22 SHADE TREES 9 ORNAMENTAL TREES 27 EVERGREENS
NUMBER OF TREES PROVIDED ON BUFFERS:			50	
NUMBER OF TREES PROVIDED ON COMMON LOTS:			166	
NUMBER OF TREES PROVIDED ON RESIDENTIAL STREETS:			125	
TOTAL NUMBER OF TREES:			341	

DEVELOPMENT DATA

TOTAL AREA	41.10 ACRES
COMMON AREA	6.77 ACRES (16.2%)
USEABLE OPEN SPACE	5.50 ACRES (13.15%)
BUILDABLE LOTS	125
COMMON AREA LOTS	10
TOTAL LOTS	135
EXISTING ZONING	RUT/R1
EXISTING ZONING	R-3

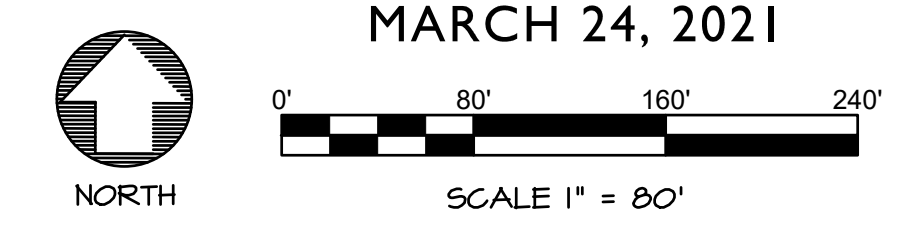
OWNER(S)		
ENDURANCE HOLDING LLC 1977 E. OVERLAND RD BOISE, ID 83642	OPEN DOOR RENTALS LLC 1977 E. OVERLAND RD BOISE, ID 83642	BRUNEEL, JERRY Z. 3035 HAMLET LN. STAR, ID 83669
DEVELOPER		
TRILOGY DEVELOPMENT, INC. 9839 W. CABLE CAR ST., STE. 101 BOISE, IDAHO 83709		
PLANNER/CONTACT		
JANE SUGGS GEM STATE PLANNING 9839 W. CABLE CAR ST., STE. 101 BOISE, IDAHO 83709		
ENGINEER		
DAVID A. BAILEY, P.E. BAILEY ENGINEERING, INC. 1119 E. STATE ST. SUITE 210 EAGLE, IDAHO 83616		



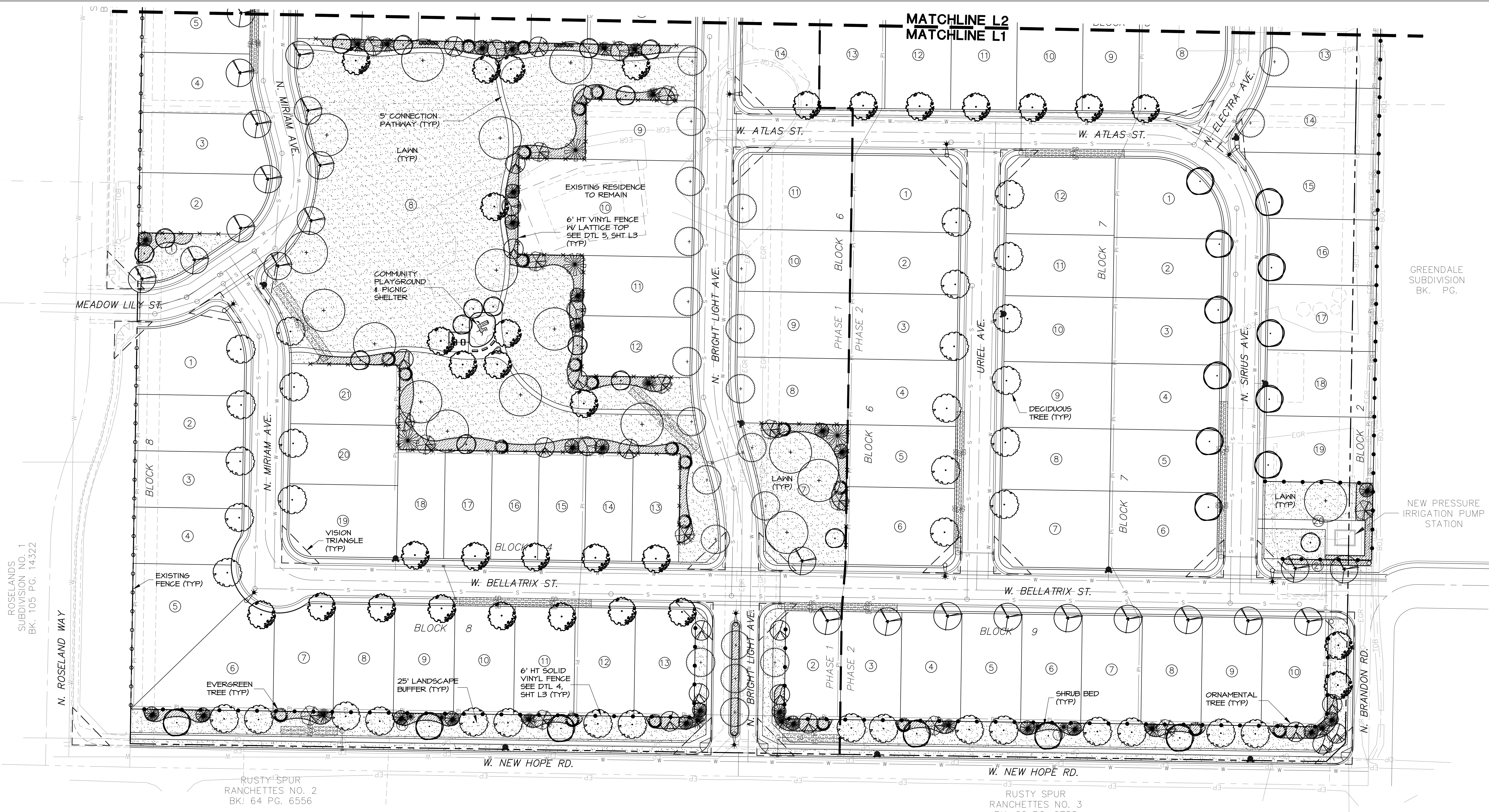
STARGAZER SUBDIVISION

STAR, IDAHO

PRELIMINARY PLAT LANDSCAPE PLAN



1600 Tyrrel Lane, Ste. 100 Boise, ID 83706
PH: 208-342-7776 www.jensenbelts.com



PLANT PALETTE

(REFERENCE SHEET L3)

SYM	COMMON NAME	SYM	COMMON NAME	SYM	COMMON NAME	SYM	COMMON NAME
EVERGREEN TREES				SHRUBS/ORNAMENTAL GRASSES/PERENNIALS			
	AUSTRIAN PINE BLACK HILLS SPRUCE FAT ALBERT BLUE SPRUCE MOONGLOW JUNIPER NORWAY SPRUCE VANDERKOLFS PINE		SHADE/STREET TREES (CLASS II) AUTUMN PURPLE ASH CRIMSON SPIRE OAK CHANTICLEER PEAR SKYLINE HONEYLOCUST LITTLELEAF LINDEN AMERICAN SWEETGUM TULIP TREE		ARIZONA SUN GAILLARDIA BLACK EYED SUSAN BLUE GRAMMA GRASS BLUE MIST SPIREA BLUE OAT GRASS BLUE RUG JUNIPER PURPLE CONEFLOWER RED FLOWER CARPET ROSE DARTS GOLD NINEBARK STELLA DE ORO DAYLILLY FINE LINE BUCKTHORN GRO-LOW SUMAC HUSKER RED PENSTEMON IVORY HALO DOGWOOD KARL FOERSTER REED GRASS LITTLE DEVIL NINEBARK HIDCOTE BLUE ENGLISH LAVENDER MAIDEN GRASS BRAKELIGHTS RED YUCCA SUMMERWINE NINEBARK		LAWN
	SHADE TREES (CLASS III) BLOODGOOD LONDON PLANETREE SWAMP OAK		ORNAMENTAL TREES (CLASS I) FLAME AMUR MAPLE CANADA RED CHOKECHERRY CRUZAN CRUSADER HAWTHORN HOTTINGS MAPLE ROYAL RAINDROPS CRABAPPLE SPRING SNOW CRABAPPLE		6' VINYL FENCE ALONG PERIMETER PROPERTY LINES (TYP). SEE DTL 4, SHT L3.		6' VINYL FENCE W/ LATTICE TOP ALONG COMMON AREAS (TYP). SEE DTL 5, SHT L3.
					EXISTING FENCE (TYP).		

NOTE

1. REFER TO SHT L3 FOR PLANT PALETTE, LANDSCAPE NOTES & DETAILS, LANDSCAPE CALCULATIONS, AND DEVELOPMENT DATA.

JENSENBELTS ASSOCIATES
Site Planning / Landscape Architecture
1606 Tynd Lane, Ste 100 Boise, ID 83709
PH: (208) 545-7978 www.jensensbelts.com

KEY MAP

0' 50' 100' 150'
SCALE 1" = 50'

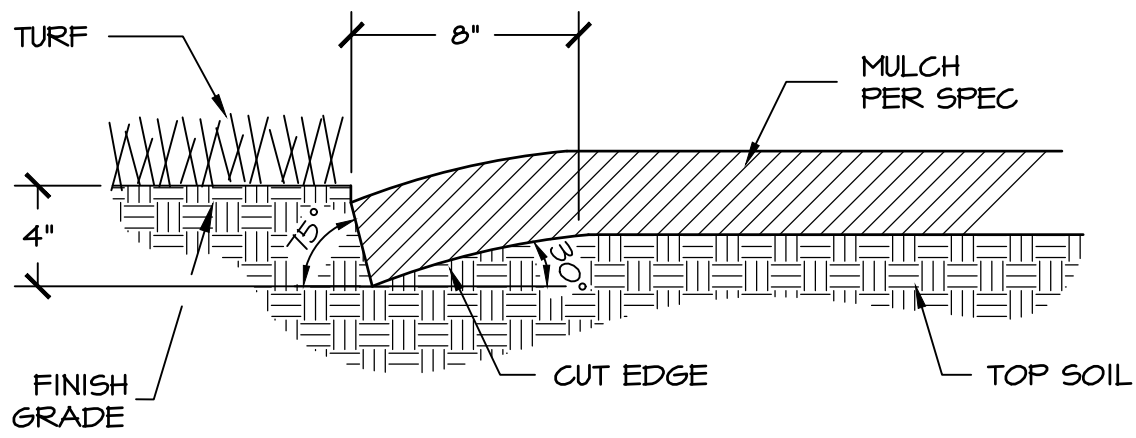
Bailey Engineering, Inc.
CIVIL ENGINEERING / PLANNING / CADD
1100 E STATE ST. SUITE 210
BOISE, ID 83706
TEL: 208-388-0010
WWW.BAILEYENGINEERING.COM

CHECKED BY: KCS
DRAWN BY: JAB

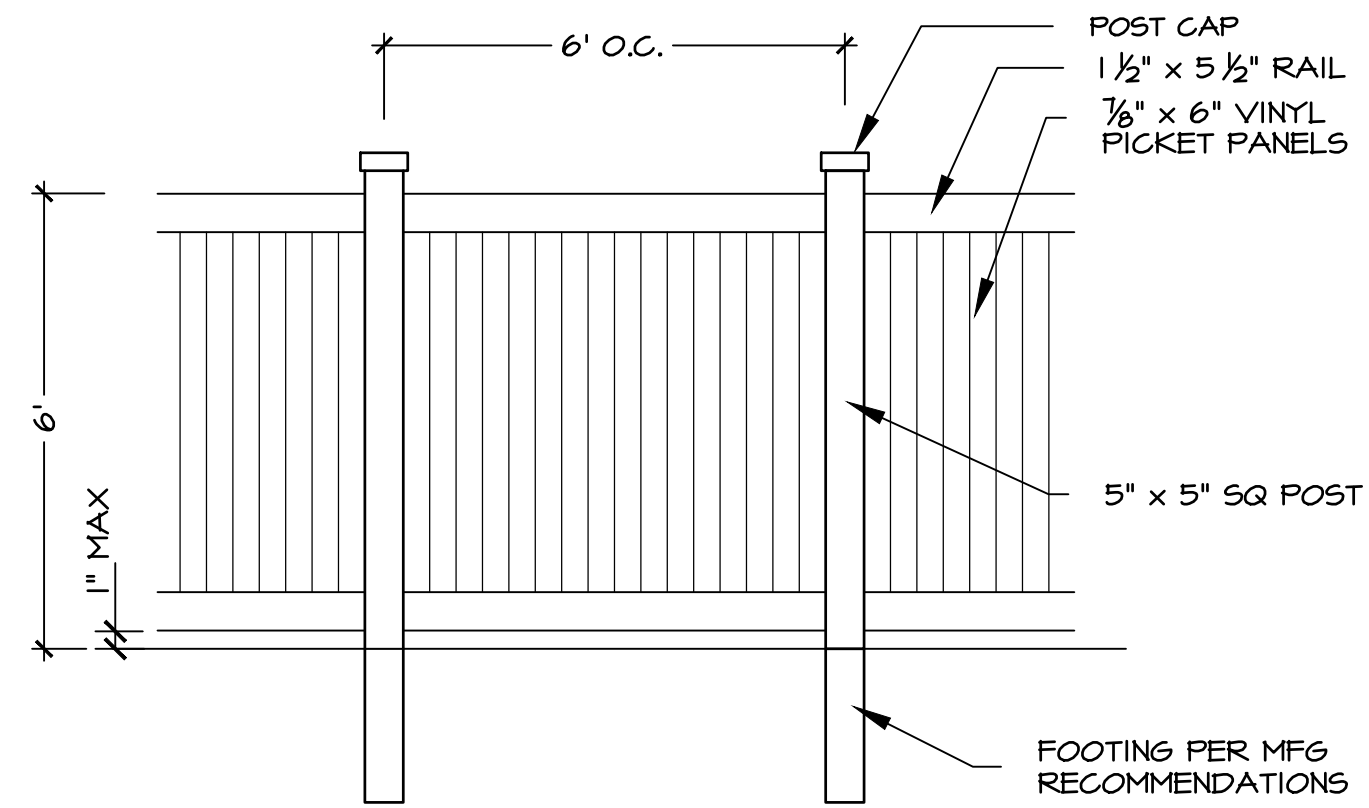
REVISION NO. DATE DESCRIPTION

PRELIMINARY PLAT LANDSCAPE PLAN
STARGAZER SUBDIVISION
TRILOGY DEVELOPMENT, INC.

DATE: 3-24-2021
PROJECT: JBA-19105
SHEET
L1

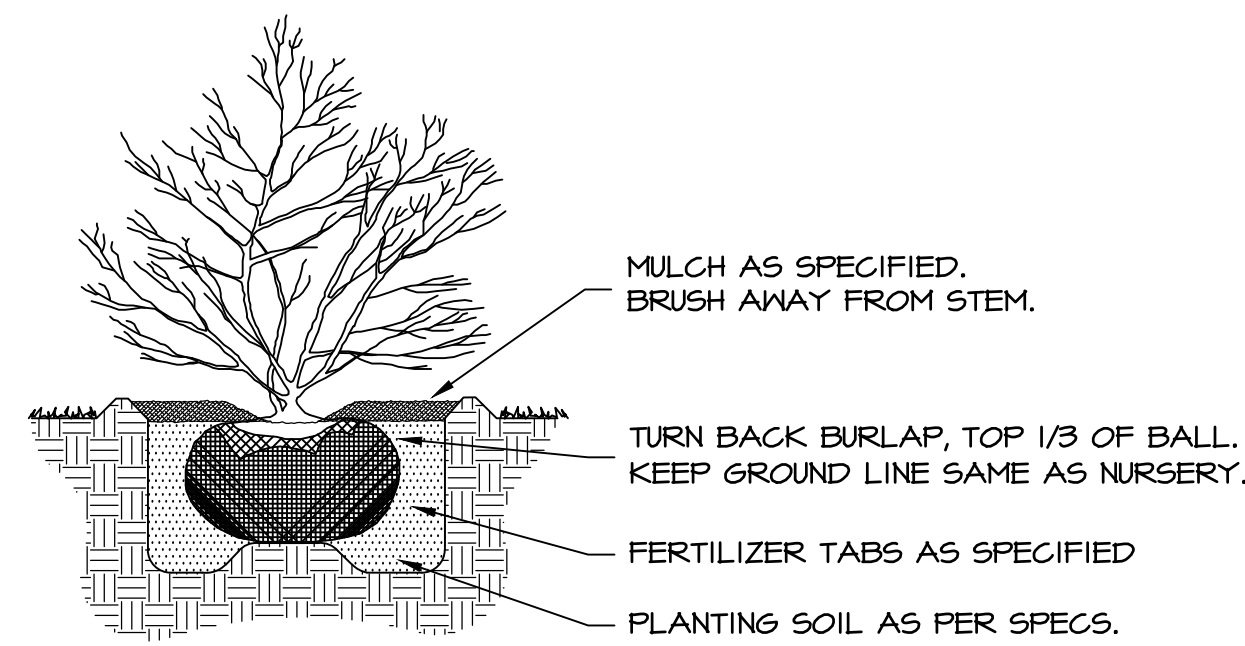


1 PLANTER CUT BED EDGE NOT TO SCALE



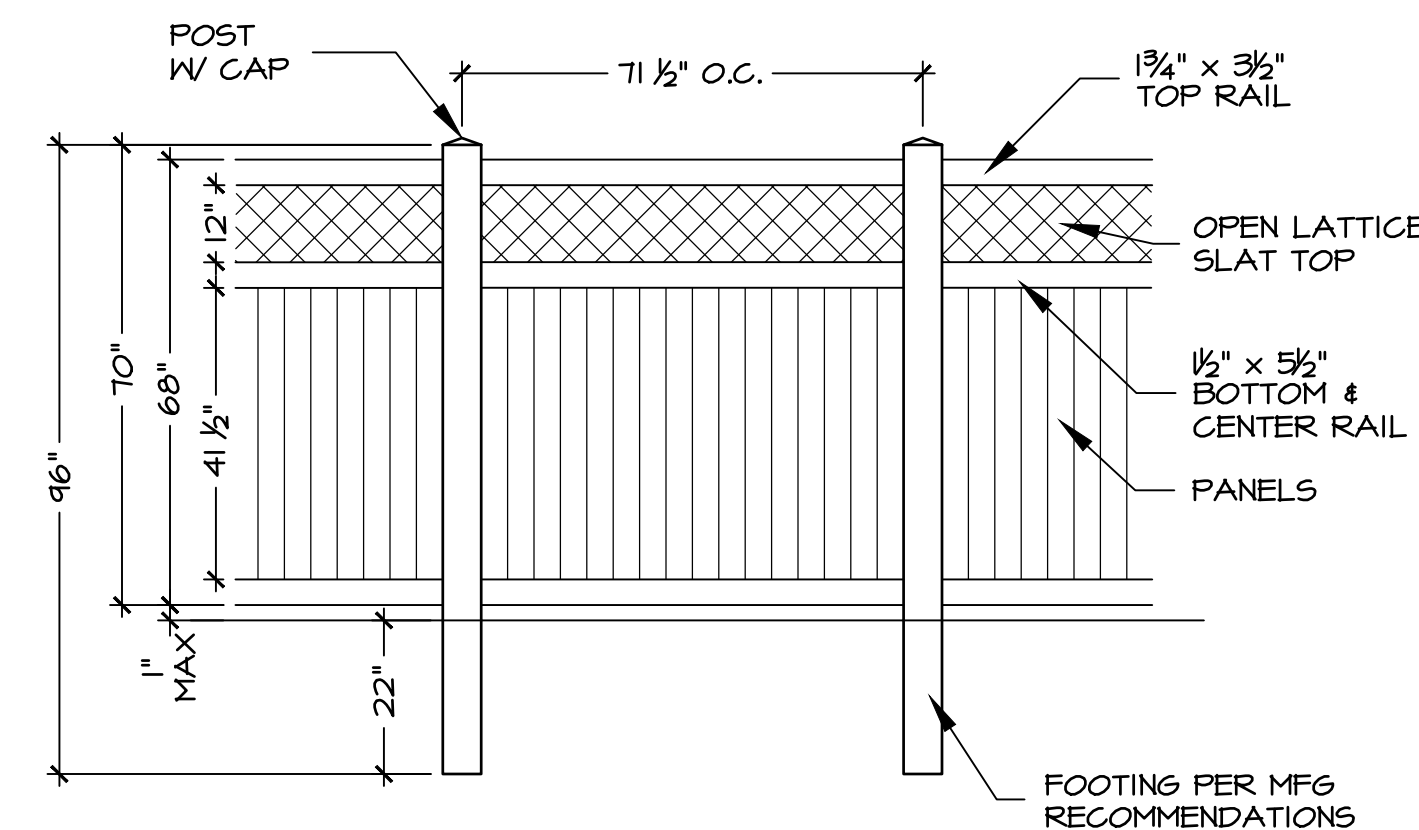
NOTES:
1. FENCE STYLE MAY VARY.
2. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.

4 VINYL PRIVACY FENCE NOT TO SCALE



NOTE: DIG HOLE TWICE THE SIZE OF ROOTBALL.

2 SHRUB PLANTING NOT TO SCALE

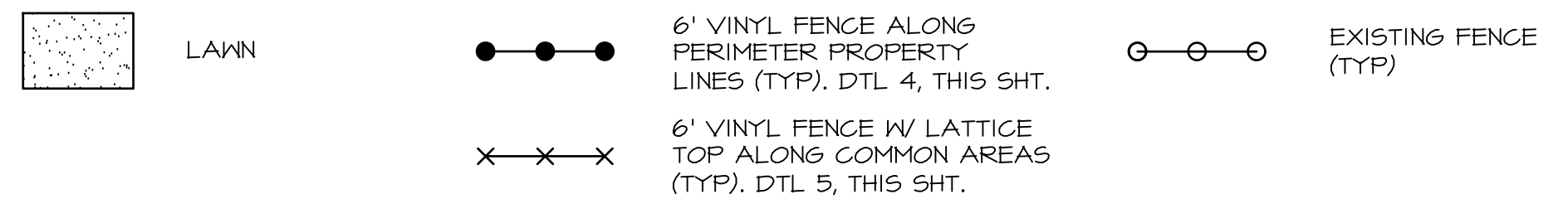


NOTES:
1. FENCE STYLE MAY VARY.
2. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.

5 VINYL LATTICE PRIVACY FENCE NOT TO SCALE

PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVERGREEN TREES			
	AUSTRIAN PINE	PINUS NIGRA	6-8' HT B4B
	BLACK HILLS SPRUCE	PICEA GLAUCA 'DENSATA'	6-8' HT B4B
	FAT ALBERT BLUE SPRUCE	PICEA PUMPENS 'FAT ALBERT'	6-8' HT B4B
	MOON GLOW JUNIPER	JUNIPERUS SCOPLULORUM 'MOON GLOW'	6-8' HT B4B
	NORWAY SPRUCE	PICEA ABIES	6-8' HT B4B
	VANDERWOLF'S PINE	PINUS FLEXILIS 'VANDERWOLF'S'	6-8' HT B4B
SHADE TREES (CLASS III)			
	BLOODGOOD LONDON PLANETREE	PLATANUS x ACERIFOLIA 'BLOODGOOD'	2" CAL B4B
	SWAMP OAK	QUERCUS BICOLOR	2" CAL B4B
SHADE/STREET TREES (CLASS II)			
	AUTUMN PURPLE ASH	FRAXINUS AMERICANA 'AUTUMN PURPLE'	2" CAL B4B
	CRIMSON SPIRE OAK	QUERCUS ROBUR x Q. ALBA 'CRIMSON MIDT'	2" CAL B4B
	CHANTICLEER PEAR	PYRUS CALLERYANA 'GLEN'S FORM'	2" CAL B4B
	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE'	2" CAL B4B
	LITTLELEAF LINDEN	TILIA CORDATA	2" CAL B4B
	AMERICAN SWEETGUM	LIQUIDAMBAR STYRACIFLUA	2" CAL B4B
	TULIP TREE	LIRODENDRON TULIPIFERA	2" CAL B4B
ORNAMENTAL TREES (CLASS I)			
	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	6-8' HT, MULTI-STEM
	CANADA RED CHOKECHERRY	FRAXINUS VIRGINIANA 'CANADA RED'	6-8' HT, MULTI-STEM
	CRUZAN CRUSADER HAWTHORN	CRATAEGUS GRUS-GALLI 'CRUZAN'	2" CAL B4B
	HOTWINGS MAPLE	ACER TATARICUM 'GARANN'	6-8' HT, MULTI-STEM
	ROYAL RAINDROPS CRABAPPLE	MALUS x 'JFS-KKB'	2" CAL B4B
	SPRING SNOW CRABAPPLE	MALUS 'SPRINGSNOW'	2" CAL B4B
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS			
	ARIZONA SUN GAILLARDIA	GAILLARDIA x 'ARIZONA SUN'	1 GAL
	BLACK EYED SUSAN	RUDBECKIA FULGIDA 'GOLDSTRUM'	1 GAL
	BLUE GRAMMA GRASS	BOUTELOUA GRACILIS 'BLONDE AMBITION'	1 GAL
	BLUE MIST SPIREA	CARYOPTERIS x CLANDONENSIS 'BLUE MIST'	2 GAL
	BLUE OAT GRASS	HELICTOTRICHON SEMPERVIRENS	1 GAL
	BLUE RUG JUNIPER	JUNIPERUS HORIZONTALIS 'WILTON'	3 GAL
	PURPLE CONEFLOWER	ECHINACEA PURPUREA	1 GAL
	RED FLOWER CARPET ROSE	ROSA 'FLOWER CARPET- NOARE'	2 GAL
	DART'S GOLD NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DART'S GOLD'	3 GAL
	STELLA DE ORO DAYLILY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL
	FINE LINE BUCKTHORN	RHAMNUS FRAGULA 'RON WILLIAMS'	5 GAL
	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	3 GAL
	HUSKER RED PENSTEMON	PENSTEMON DIGITALIS 'HUSKER RED'	1 GAL
	IVORY HALO DOGWOOD	CORNUS ALBA 'BAILHALO'	5 GAL
	KARL FOERSTER REED GRASS	CALAMAGROSTIS ARUNDINACEA 'K.F.'	1 GAL
	LITTLE DEVIL NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DONNA MAY'	3 GAL
	HIDCOTE BLUE ENGLISH LAVENDER	LAVANDULA ANGSTIFOLIA 'HIDCOTE BLUE'	1 GAL
	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLIMUS'	1 GAL
	BRAKELIGHTS RED YUCCA	HESPERALOE PARVIFLORA 'PERPA'	3 GAL
	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIA 'SEWARD'	5 GAL



LANDSCAPE CALCULATIONS

COLLECTOR ROAD LANDSCAPE REQUIREMENTS: PLANT MATERIAL PER 100' - TWO (2) SHADE TREES, TWO (2) EVERGREEN TREES.

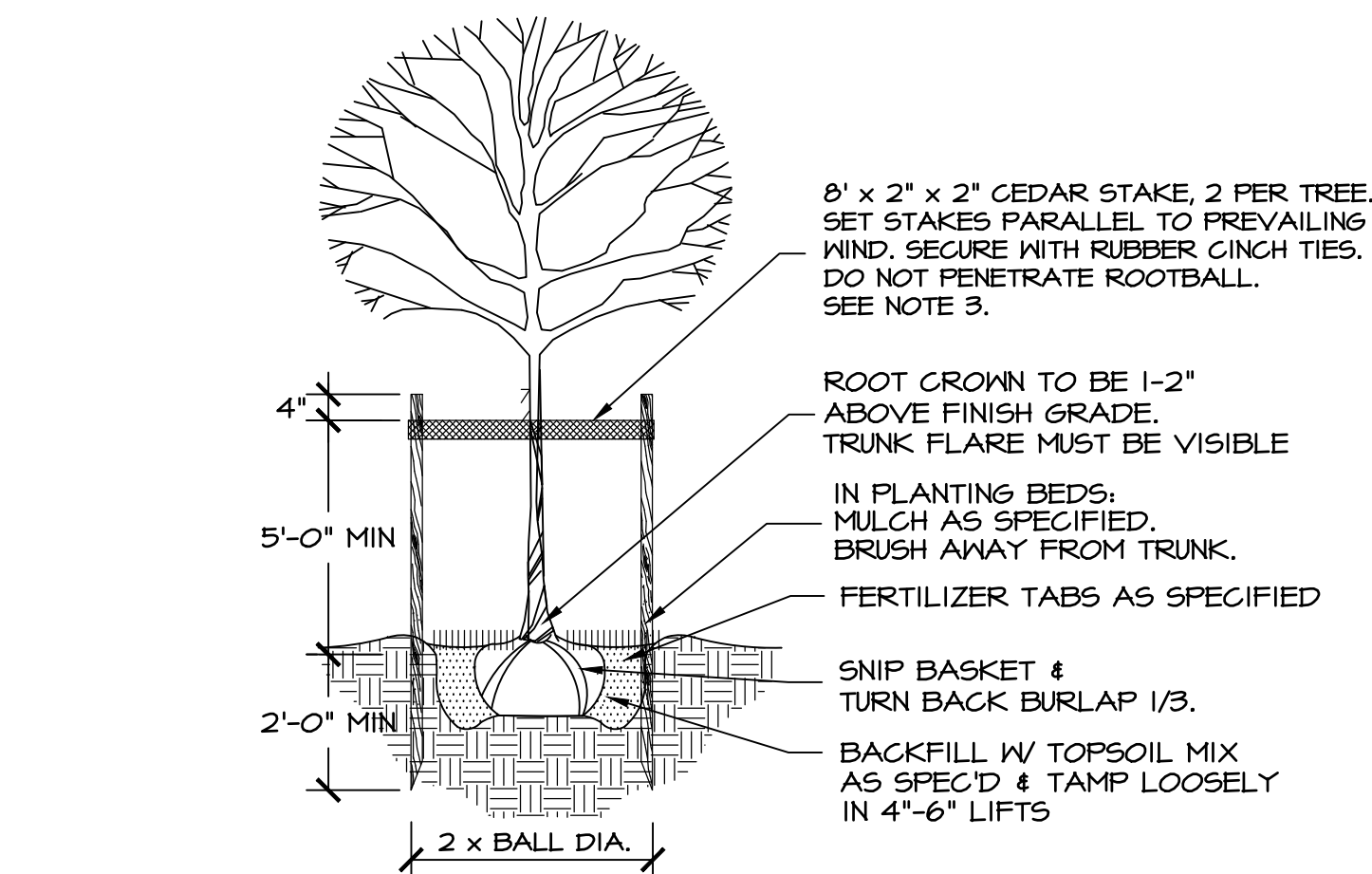
LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
W. NEW HOPE ROAD (COLLECTOR)	25'	1225' / 100' =	25 SHADE TREES 25 EVERGREENS	22 SHADE TREES 9 ORNAMENTAL TREES 27 EVERGREENS
NUMBER OF TREES PROVIDED ON BUFFERS:			58	
NUMBER OF TREES PROVIDED ON COMMON LOTS:			166	
NUMBER OF TREES PROVIDED ON RESIDENTIAL STREETS:			125	
TOTAL NUMBER OF TREES:			349	

DEVELOPMENT DATA

TOTAL AREA	41.10 ACRES
COMMON AREA	6.71 ACRES (16.2%)
USEABLE OPEN SPACE	5.50 ACRES (13.15%)
BUILDABLE LOTS	125
COMMON AREA LOTS	10
TOTAL LOTS	135
EXISTING ZONING	RUT/RT
EXISTING ZONING	R-3

NOTES

- ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF STAR ORDINANCE REQUIREMENTS.
- ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
- TREES SHALL NOT BE PLANTED WITHIN THE 10'-CLEAR ZONE OF ALL STORM DRAIN PIPE, STRUCTURES, OR FACILITIES. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM. ALL SHRUBS PLANTED OVER OR ADJACENT TO SEEPAGE BEDS TO HAVE A ROOT BALL THAT DOES NOT EXCEED 18" IN DIAMETER. NO LAWN SOD TO BE PLACED OVER DRAINAGE SWALE SAND WINDOWS.
- NO TREES SHALL IMPEDE THE 40' VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM INTERSECTION STOP SIGNS. BUILDER SHALL BE REQUIRED TO INSTALL STREET TREES 5' FROM BACK OF SIDEWALKS EVERY 35' ADJACENT TO ALL BUILDABLE HOME LOTS PRIOR TO OCCUPANCY. FLEXIBILITY IN TREE PLACEMENT AND QUANTITIES TO BE GIVEN FOR DRIVEWAY AND UTILITY CONFLICTS.
- LANDSCAPE AND TREES IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION OF THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UTILITY LINES.
- PLANT LIST IS REPRESENTATIVE AND SUBJECT TO ADDITIONS AND/OR SUBSTITUTIONS OF SIMILAR SPECIES THAT ARE SUBJECT TO CITY FORESTER'S PRE-APPROVAL. PLANTING BED DESIGN AND QUANTITIES MAY BE ALTERED DURING FINAL PLAT LANDSCAPE PLAN DESIGN. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
- ALL EXISTING TREES ON SITE TO BE REMOVED EXCEPT THOSE AROUND EXISTING HOME TO REMAIN.



- NOTES:
1. REMOVE ALL TWINE, ROPE, OR BINDINGS FROM ALL TRUNKS.
2. REMOVE BURLAP AND WIRE BASKETS FROM THE TOP 1/3 OF ALL ROOT BALLS AFTER PLANTING. IF SYNTHETIC WRAP/BURLAP IS USED, IT MUST BE COMPLETELY REMOVED.
3. STAKING OF TREES TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND REMAIN STRAIGHT FOR A MIN OF 1 YEAR. ALL STAKING SHALL BE REMOVED AT THE END OF THE 1 YEAR WARRANTY PERIOD.
4. TREES PLANTED IN TURF AREAS: REMOVE TURF 3' DIA. FROM TREE TRUNK.

3 TREE PLANTING/STAKING NOT TO SCALE

Bailey Engineering, Inc.
 CIVIL ENGINEERING / PLANNING / CADD
 1110 E. STATE ST., SUITE 210
 BOISE, IDAHO 83702
 TEL: 208-333-0010
 WWW.BAILEYENGINEERING.COM

PRELIMINARY PLAT LANDSCAPE PLAN
 NEW HOPE SUBDIVISION
 TRILOGY DEVELOPMENT, INC.

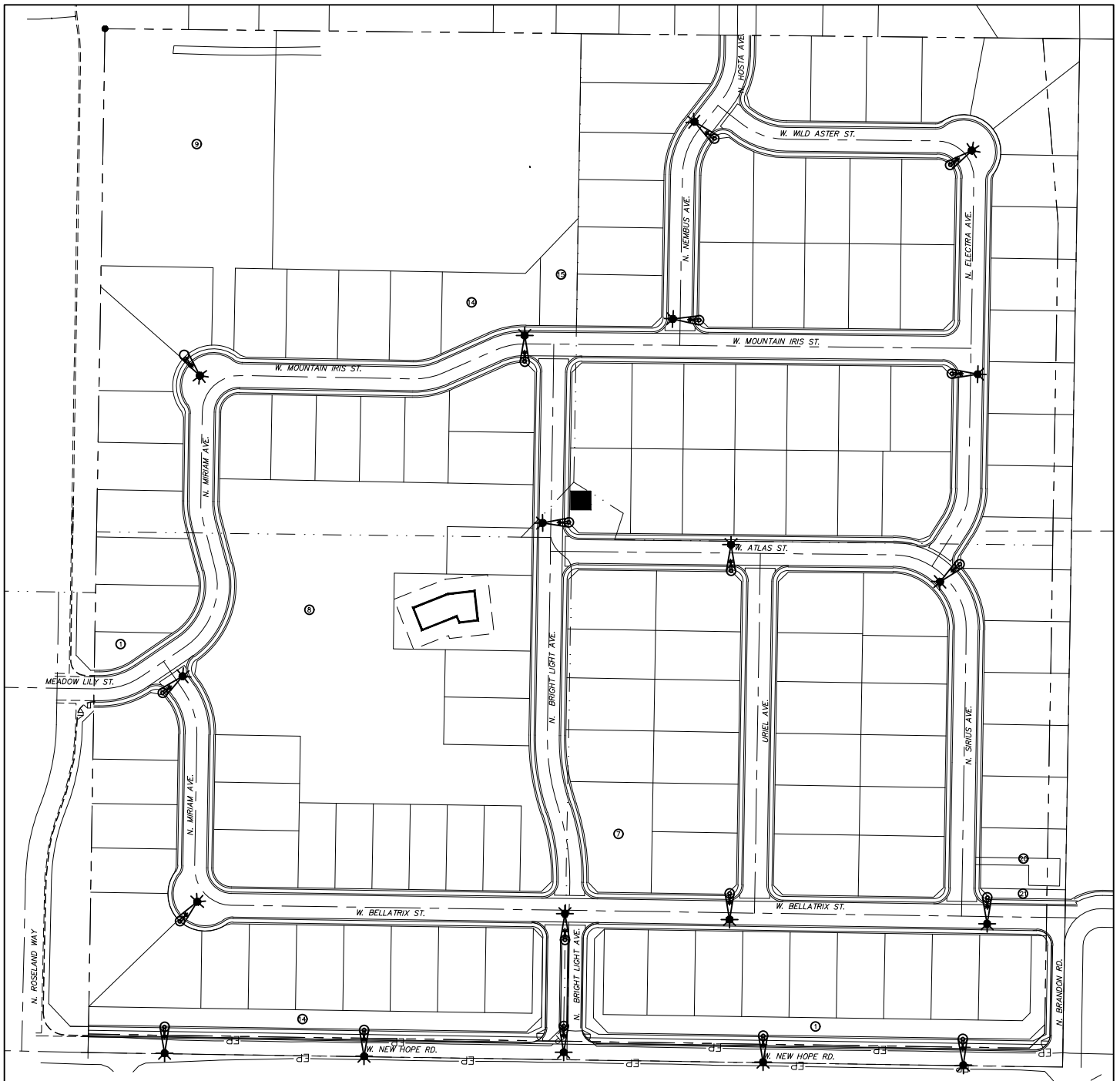
CHECKED BY: KCS
 DRAWN BY: JAB

REVISION NO. DATE DESCRIPTION

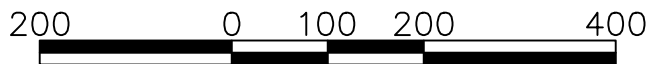
DATE: 3-24-2021
 PROJECT: JBA-19109
 SHEET: L3

OWNER(S)		
ENDURANCE HOLDING LLC 1977 E. OVERLAND RD BOISE, ID 83642	OPEN DOOR RENTALS LLC 1977 E. OVERLAND RD BOISE, ID 83642	BRUNEEL, JERRY Z. 3035 HAMLET LN. STAR, ID 83669
DEVELOPER		
TRILOGY DEVELOPMENT, INC. 9839 W. CABLE CAR ST., STE. 101 BOISE, IDAHO 83709		
PLANNER/CONTACT		
JANE SUGGS GEM STATE PLANNING 9839 W. CABLE CAR ST., STE. 101 BOISE, IDAHO 83709		
ENGINEER		
DAVID A. BAILEY, P.E. BAILEY ENGINEERING, INC. 1119 E. STATE ST. SUITE 210 EAGLE, IDAHO 83616		

JENSEN BELTS ASSOCIATES
 Site Planning / Landscape Architecture
 900 Tynel Lane, Ste 100 Boise, ID 83706
 Ph: 208-345-7174 www.jensenbelts.com



STREET LIGHT PLAN FOR STARGAZER SUBDIVISION



SCALE IN FEET
1"=200'

Bailey Engineering, Inc.

CIVIL ENGINEERING | PLANNING | CADD

1119 E STATE ST STE 210
EAGLE, ID 83616

TEL 208-938-0013
FAX 208-938-0516

SOLID STATE AREA LIGHTING

DSS SERIES - VLED

FEATURES

Luminaire

Upper housing is heavy gauge cast aluminum (min. .125" wall; alloy >0.2% Cu for DSS30) or spun aluminum with reveal (.125" min. wall for DSS20). Lower housing is 0.080" thick spun aluminum with integrated LED module seat. Lower housing is vented at top and bottom for convective cooling of LED module. Top Driver chamber is barriered from LED Module chamber. Trulevel ball coupling mount is welded to housing and facilitates quick leveling and installation.

VLED® Optics

Low copper (A356 Alloy; <0.2% Cu) cast aluminum housing. Integrated clear tempered glass lens sealed with a continuous silicone gasket protects emitters (LED's), Reflector-Prism optics, and seals the module from water intrusion and environmental contaminants. Module is sealed to meet an IP67 rating. Each emitter is optically controlled by a Reflector-Prism injection molded from H12 acrylic (3 types per module; one from 0° - 50°; one from 50° - 65°; one from 65° - 72°). Each Reflector-Prism is secured to an optical plate made of matte black anodized aluminum has indexing pins for precise aiming. The optical plate locates every Reflector-Prism over an emitter, are inserted to the optical plate from above and are secured with a UV curing adhesive. The Reflector-Prisms are arrayed to produce IES Type II, III, IV, and V-SQ distributions. The entire Optical Module is field rotatable in 90° increments. Both module and drivers are factory wired using water resistant, insulated cord.

LED Emitters

High output LED's are utilized with drive currents ranging from 350mA to 700mA. 70CRI Minimum. LED's are available in standard Neutral White (4000K), or optional Cool White (5000K) or Warm White (3000K). Consult Factory for other LED options.

LED Driver

Constant current programmable electronic with a power factor of >.90 and a minimum operating temperature of -40°F/-40°C. Driver(s) is/are UL and cUL recognized. In-line terminal blocks facilitate wiring between the driver and optical arrays. Drivers accept an input of 120-277V, 50/60Hz or 347V-480V, 50,60Hz. (0 - 10V dimmable driver is standard. Driver has a minimum of 3KV internal surge protection. Luminaire supplied with 20KV surge protector for field installation.)

Amber LED's

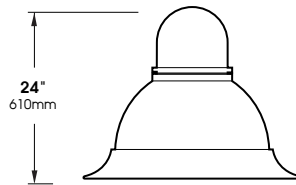
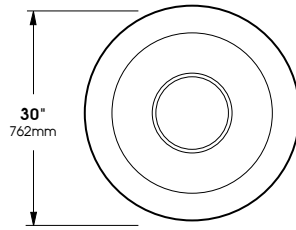
PCA (Phosphor Converted Amber) LED's utilize phosphors to create color output similar to LPS lamps and have a slight output in the blue spectral bandwidth. TRA (True Amber) LED's utilize material that emits light in the amber spectral bandwidth only without the use of phosphors.

Finish

Polyester powder coat incorporates four step iron phosphate process to pretreat metal surface for maximum adhesion. Top coat is baked at 400°F for maximum hardness and exterior durability.

PROJECT NAME: _____

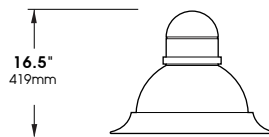
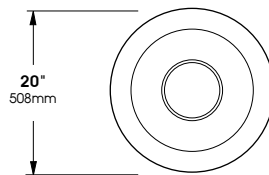
FIXTURE TYPE: _____



DSS30

(Formerly DSS1)

Patent pending



DSS20

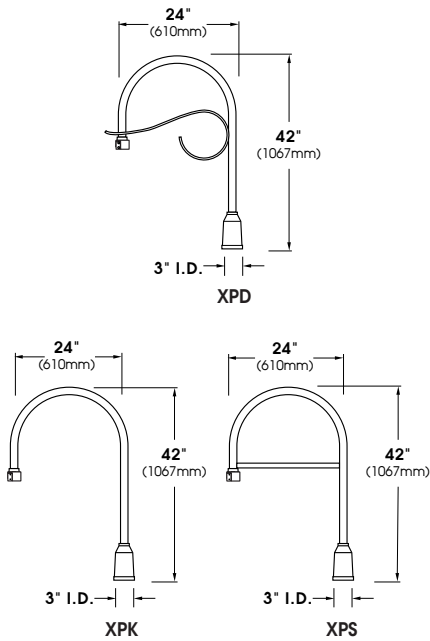
(Formerly DSS2)

Patent pending

DSS SERIES - VLED

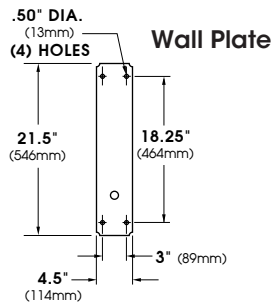
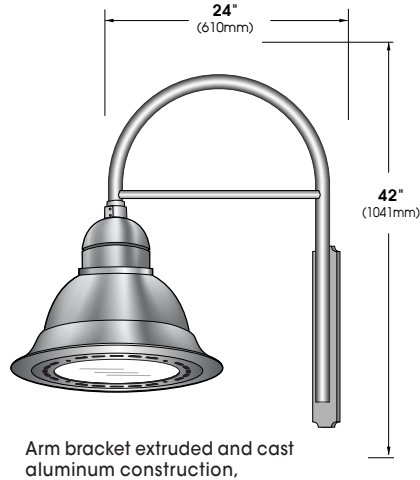
SPECIFICATIONS

Mounting Styles

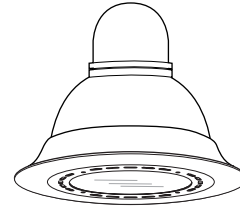


Arms are heavy wall extruded aluminum construction. For additional arm options see arm section.

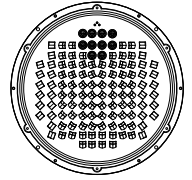
Wall Mount



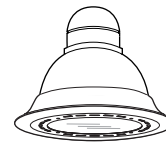
VLED® Modules



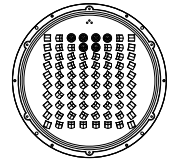
DSS30 E.P.A.= 1.72
Available in:
120 LED Module Max



120 LED Module



DSS20 E.P.A.= 0.71
Available in:
80 LED Module Max



80 LED Module

ORDERING INFORMATION

Spec/Order Example: DSS30/VLED-IV/100LED-350mA/NW/204/1/RAL-7004-T

Luminaire	Optics	LED Mode			Voltage	Mounting	Finish	Options
Luminaire	Optics	LED			Voltage	Mounting	Finish	Options
<input type="checkbox"/> DSS30-VLED (Formerly DSS1) <input type="checkbox"/> DSS20-VLED (Formerly DSS2)	VLED® IES Distribution Type <input type="checkbox"/> Type II VLED-II <input type="checkbox"/> Type III VLED-III <input type="checkbox"/> Type IV VLED-IV <input type="checkbox"/> Type V Med. VLED-V-SQ	# of LEDs DSS30 <input type="checkbox"/> 120LED ¹ <input type="checkbox"/> 100LED ¹ <input type="checkbox"/> 80LED <input type="checkbox"/> 64LED DSS20 <input type="checkbox"/> 80LED ¹ <input type="checkbox"/> 64LED <input type="checkbox"/> 48LED	Drive Current <input type="checkbox"/> 700mA <input type="checkbox"/> 525mA <input type="checkbox"/> 350mA	Color Temp - CCT <input type="checkbox"/> NW (4000K)* *Standard <input type="checkbox"/> CW (5000K) <input type="checkbox"/> WW (3000K) Other LED Colors Available Consult Factory <input type="checkbox"/> Amber ² <input type="checkbox"/> Phosphor Converted Amber PCA <input type="checkbox"/> True Amber ¹ TRA	<input type="checkbox"/> 120 <input type="checkbox"/> 208 <input type="checkbox"/> 240 <input type="checkbox"/> 277 <input type="checkbox"/> 347 <input type="checkbox"/> 480	<input type="checkbox"/> XPK <input type="checkbox"/> XPS <input type="checkbox"/> XPD <input type="checkbox"/> 1 Wallmount <input type="checkbox"/> WM	Standard Textured Finish <input type="checkbox"/> Black RAL-9005-T <input type="checkbox"/> White RAL-9003-T <input type="checkbox"/> Grey RAL-7004-T <input type="checkbox"/> Dark Bronze RAL-8019-T <input type="checkbox"/> Green RAL-6005-T For smooth finish replace suffix "T" with suffix "S" (Example: RAL-9500-S) Consult factor for custom colors	<input type="checkbox"/> Stem Mount + Length(in) (48" Max) SM+L <input type="checkbox"/> Chain Mount + Length(in) (48" Max) CM+L <input type="checkbox"/> Internal House Side Shields inc. LED Count (Example: HS-VLED/48) HS-VLED <input type="checkbox"/> Twist Lock Receptable Only TPR <input type="checkbox"/> 7-Pin Twist Lock Receptable Only TPR7 <input type="checkbox"/> High-Low Dimming for Switch by Others/Select Levels 50/100 or 25/100 (Example: HLSW/25) HLSW <input type="checkbox"/> Photo Cell + Voltage (Example: PC120V) PC+V <input type="checkbox"/> Single Fuse (120V, 277V) SF <input type="checkbox"/> Double Fuse (208V, 240V) DF <input type="checkbox"/> Programmable Photo/Motion Sensor (Factory - Motion 50/100; Photo 75c) MS-F211 <input type="checkbox"/> Remote Motion Sensor Configurator MS-FC10
		NOTES: 1 - Available in 350mA & 525mA Drive Currents only 2 - Narrow band Ambers have no definable CCT equivalent			See USALTG.COM for additional arm styles			





March 30, 2021

Jane Suggs
Gem State Planning, LLC
9839 W. Cable Car Street, Suite 101
Boise, ID 83709
208-602-6941
jane@gemstateplanning.com

Subject: Delivery Method Approval

Jane,

Thank you for contacting the Postal Service to established delivery to the Stargazer Subdivision on the east side of N Roseland Way. Per your request I am authorizing the developer to place cluster box units at point A on the attached map to provide enough CBUs for the entirety of the development in all of its phases. The location will be on Block 4 Lot 8 of the development facing Bright Light Ave.

Please keep in mind when ordering your cluster boxes from the manufacturer we request that you ask them to number the boxes consecutively. As an example we would want the boxes to be labeled 1-165 as opposed to multiple units repeatedly numbered 1-16. We also request that the Parcel Lockers on the units also be numbered consecutively, so if there are 11 CBU units needed for the development, and there were two parcel lockers per unit, then the parcel lockers would be numbered 1 through 22. If the CBUs are not numbered correctly, we may refuse to deliver until the numbering has been corrected.

Thank you for your assistance.

Mel Norton
Postmaster, Star

Mel Norton
Postmaster
10780 W State St
Star ID 83669-9998
Phone: 208-286-7304

ROSELANDS
SUBMISSION NO. 3
BK. 110 PG. 15623

MEADOW LANE ST.





West Ada

SCHOOL DISTRICT

June 7, 2021

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

RE: Stargazer Subdivision, PP-21-07

Dear Planners:

Joint School District No. 2 (dba West Ada School District) has experienced significant and sustained growth in student enrollment during the last ten years. Applying our Student Generation Rate (.7 per SF dwelling unit, .1 per MF dwelling unit), to the **Stargazer Subdivision** we predict these homes, when completed, could house **88 school aged children**. Approval of this development could affect enrollments at the following schools in West Ada District:

	<u>Enrolled for 21-22</u>	<u>Capacity</u>	<u>Approved prelim plat parcels per attendance area</u>	<u>Approved MF units per attendance area</u>
Star Elementary	602	650	2845	37
Star Middle School	783	1000	8339	278
Eagle High School	1814	1800	5177	577
Galileo STEM Academy (K-8 school of choice)	757	775	N/A	N/A

West Ada School District supports economic growth. To meet the need for additional school capacity, West Ada School District will accept the donation of land appropriate for a school site. Passage of a bond issue will be required prior to the commencement of new school construction.

Residents cannot be assured of attending the neighborhood school(s) as it may be necessary to bus students to available classrooms across the district. The safety of our students is our first and foremost priority. With this in mind, we ask that you encourage the developer to provide safe walkways, bike paths and pedestrian access for our students. School capacity and transportation is addressed in Idaho Code 67-6508 - future development will continue to have an impact on the district's capacity.

Sincerely,

Marci Horner
Planning and Development Administrator



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
Jess Byrne, Director

April 30, 2021

By e-mail: Snickel@staridaho.org

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

Subject: Stargazer Subdivision, AZ-21-04/DA-21-06/PP-21-07

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: deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts.

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: deq.idaho.gov/water-quality/drinking-water.aspx). 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 a National Pollution Discharge Elimination System (NPDES) Permit. A Construction General Permit from EPA 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.
- 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 Albert Crawshaw, 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 deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx for assistance.
- 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



Ada County Transmittal
Division of Community and Environmental Health

Return to:

- ACZ
- Boise
- Eagle
- Garden City
- Meridian
- Kuna
- Star

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat PP-21-07

Stargazer

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water waste flow characteristics
 - bedrock from original grade other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
 - central sewage community sewage system community water well
 - interim sewage central water
 - individual sewage individual water
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage community sewage system community water
 - sewage dry lines central water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment swimming pools or spas child care center
 - beverage establishment grocery store
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.
- 14. _____

Reviewed By: [Signature]
 Date: 4/20/2021

Communities in Motion 2040 2.0 Development Review

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040 2.0* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 2.0 goals.

Development Name: Stargazer






Agency: Star

CIM Vision Category: Future Neighborhoods

New households: 125

New jobs: 0

Exceeds CIM forecast: No

	<p>CIM Corridor: None Pedestrian level of stress: N/A Bicycle level of stress: N/A</p>	<p>Level of Stress considers facility type, number of vehicle lanes, and speed. Roads with G or PG ratings better support bicyclists and pedestrians of all ages and comfort levels.</p>
	<p>Housing within 1 mile: 910 Jobs within 1 mile: 70 Jobs/Housing Ratio: 0.1</p>	<p>A good jobs/housing balance – a ratio between 1 and 1.5 – reduces traffic congestion. Higher numbers indicate the need for more housing and lower numbers indicate an employment need.</p>
	<p>Nearest police station: 2.3 miles Nearest fire station: 2.4 miles</p>	<p>Developments within 1.5 miles of police and fire stations ensure that emergency services are more efficient and reduce the cost of these important public services.</p>
	<p>Farmland consumed: Yes Farmland within 1 mile: 475 acres</p>	<p>Farmland contributes to the local economy, creates additional jobs, and provides food security to the region. Development in farm areas decreases the productivity and sustainability of farmland.</p>
	<p>Nearest bus stop: >4 miles Nearest public school: 1.6 miles Nearest public park: 2.9 miles Nearest grocery store: >4 miles</p>	<p>Residents who live or work less than ½ mile from critical services have more transportation choices. Walking and biking reduces congestion by taking cars off the road, while supporting a healthy and active lifestyle.</p>

Recommendations

The proposal is on the fringe of urban development in an area removed from employment centers and existing public transportation. The closest transit services are located more than four miles away. The proposal utilizes existing stub roads to promote automobile and non-motorized connectivity.

More information about COMPASS and *Communities in Motion 2040 2.0*:

Web: www.compassidaho.org

Email info@compassidaho.org

More information about the development review process:

<http://www.compassidaho.org/dashboard/devreview.htm>





June 2, 2021

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

Re: Stargazer Subdivision Preliminary Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Stargazer Subdivision dated May 21, 2021. We reviewed the applicant's package to check conformance with the City's Subdivision Ordinance and coordinated our review with Shawn L. Nickel. We have the following comments based on our review.

1. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
3. Landscape plans including fencing, buffer areas, and street trees will have to conform to the City subdivision ordinance.

We recommend that the preliminary plat be **APPROVED with the conditions listed above**. Any variance or waivers to the City of Star standards, ordinances, or policies must be specifically approved in writing by the City. Approval of the above referenced preliminary plat 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,

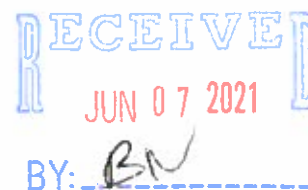
KELLER ASSOCIATES, INC.

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

Ryan V. Morgan, P.E.
City Engineer

cc: File

Jerry A. Kiser
Attorney at Law
P.O. Box 8389
Boise, Idaho 83707
(208) 861-4657



June 3, 2021

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

Re: Stargazer Subdivision Files #'s AZ-21-04 Annexation-Zoning;
DA-21-06 Development Agreement; and, PP-21-07 Preliminary Plat

Dear Mr. Nickel:

I write as attorney for Farmers Union Ditch Company, Inc., (Farmers Union) regarding the above referenced proposed development. This letter is in response to the notice of public hearing sent to Farmers Union on April 20, 2021 regarding the proposed project. Regarding the proposed development and subdivision, Farmers Union has certain requirements which include, but are not limited to, the following:

1. The property owner must enter into a written agreement with Farmers Union which will address various aspects and requirements involved in the subdivision. Farmers Union has adopted an approval process for all subdivision proposals submitted to Farmers Union for review.
2. The developer/property owner must recognize Farmers Union's right-of-way for cleaning, maintenance and repair of its canal, which is generally 25 feet on each side of the canal measured from the top of the ditch bank but may be more than 25 feet depending on topography, soils and other factors. Further, as provided by Idaho law, no improvements including but not limited to, fences, structures, roads, pipelines or other construction is to be placed in the right-of-way without Farmers Union's written permission. Farmers Union strongly recommends its right-of-way be platted as common area lots to prevent encroachment or unauthorized improvements in the right-of-way by lot owners.
3. No change in the point of diversion or place of use of the water is allowed unless approved by Farmers Union.
4. Farmers Union will not assume responsibility for private ditches or the delivery of water once water is turned out of the company's main canals or laterals. However, Farmers Union recommends approval of any private

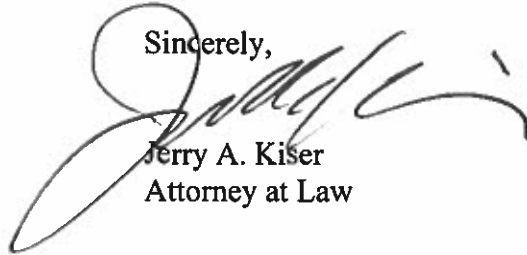
distribution lateral which delivers water to the proposed subdivision be obtained.

5. Any construction activities, including road or other construction must be completed at times and in a manner so as not to interfere in any way with Farmers Union's delivery of water or cleaning, maintenance, and repairs to its canal.
6. In most circumstances, Farmers Union requires subdivisions install a pressurized irrigation system. Any such system must be pre-approved by Farmers Union and be capable of measuring water used by the subdivision.
7. Pursuant to Idaho law, the written permission of Farmers Union or any of its laterals must be obtained before any of its ditches, canals, or laterals are buried in irrigation pipe or moved by any land owner. Additionally, rights-of-way for any private ditches, pipes or laterals which may be located within the proposed subdivision must not be interfered with and must be protected.
8. Water shares in Farmers Union must be transferred to a Homeowners Association for payment of assessments and for continuity of communication.

Please note Farmers Union reserves the right to submit further input prior to final approval of any subdivision or other project.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry A. Kiser", written over the typed name and title.

Jerry A. Kiser
Attorney at Law

cc: Farmers Union Ditch Company, Ltd.
Gem State Planning



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

March 4, 2021

Shawn Brownlee
Trilogy Development
9839 W. Cable Car St, Suite 101
Boise, ID 83709

VIA EMAIL

RE: Stargazer Subdivision – ITD Development Condition Memo

Dear Mr. Brownlee,

The Idaho Transportation Department (ITD) appreciates the continual work you are doing to improve living opportunities through all of the Treasure Valley. Particularly for those living in this beautiful area of Star, ID.

The department has completed our review of the Stargazer Subdivision Traffic Impact Study (TIS) provided by CR Engineering. Site trips generated by your development adds congestion to both the SH-44 and SH-16 corridors. ITD entered into an agreement with the city of Star to collect a proportionate share contribution from each new development for impacts to the State highway system. As two agencies we are working together to accelerate highway construction within Star’s area of impact to accommodate new development growth.

ITD determined Stargazer Subdivision’s total proportionate share contribution to be \$109,361. Three State highway intersections were included in the TIS analysis and the breakdown of proportionate share by intersection is as follows.

Intersection	Proportionate Share Contribution
SH-16 / Beacon Light Road	\$50,916
SH-44 / Star Road	\$58,445
SH-16 / SH-44	NA
TOTAL	\$109,361
<i>Per household unit</i>	<i>Approx. \$875</i>

Proportionate share calculations are based off the subdivision’s anticipated site trips through an intersection versus total traffic volumes. Please review the *ITD Staff Technical Report* for specific details on the calculations.



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028

(208) 334-8300 • itd.idaho.gov

ITD values your contribution to the transportation system so we can help keep goods, services and the public moving at an efficient pace. If you have any questions or would like to discuss ITD's TIS review and determination in more detail, please do not hesitate to email me at Erika.Bowen@itd.idaho.gov or give me a call at 208-256-4312 ext. #7.

Sincerely,

A handwritten signature in blue ink that reads "Erika R. Bowen".

Erika R. Bowen
ITD District 3
(Acting) Development Services Manager)

Cc:

Shawn Nickel – City of Star

Paige Bankhead – ACHD

Chhang Ream – CR Engineering

ORDINANCE NO. 337
(RIVER PARK SUBDIVISION ANNEXATION)

AN ORDINANCE ANNEXING TO THE CITY OF STAR CERTAIN REAL PROPERTY LOCATED IN THE UNINCORPORATED AREA OF CANYON COUNTY, IDAHO; MORE SPECIFICALLY LOCATED AT 21817 & 21835 BLESSINGER ROAD, CANYON COUNTY PARCELS R3404000000 & R3404500000, IN STAR, IDAHO AND CONTIGUOUS TO THE CITY OF STAR; THE PROPERTIES ARE OWNED BY FOR OUR FOUR PARTNERS, LP AND KERRY J & LISA A LAWSON; ESTABLISHING THE ZONING CLASSIFICATION OF THE ANNEXED PROPERTY AS RESIDENTIAL WITH A DEVELOPMENT AGREEMENT (R-2-DA) OF APPROXIMATELY 150.47 ACRES; DIRECTING THAT CERTIFIED COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; PROVIDING FOR RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Star, Ada and Canyon County, Idaho (“the City”), is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex and to incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, pursuant to Section 67-6524, Idaho Code, the City of Star has adopted the Unified Development Code Ordinance, the same being Ordinance No. 303, adopted on March 3, 2020 and subsequently amended; and

WHEREAS, the owner(s) of the real property situated in the unincorporated areas of Canyon County and particularly described in Section 2 of this Ordinance have requested, in writing, annexation of said real property to the City of Star; and

WHEREAS, the Mayor and Council, held a public hearing on April 20, 2021, on the proposed annexation and zoning of the property described in Section 2 below, as required by Section 67-6525, Idaho Code, and determined that the requested annexation should be granted and that the annexed property should be zoned Residential with a Development Agreement (R-2-DA) pursuant to the Unified Development Code of the City of Star.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF STAR, IDAHO, as follows:

Section 1: The Mayor and Council of the City of Star, Idaho, hereby find and declare that the real property described in Section 2 of this Ordinance is contiguous to the City, that said property can be reasonably assumed to be used for orderly development of the City, that the owner(s) of said property have requested, in writing, annexation of said property by the City, and that the requirements of Section 50-222, Idaho Code, for annexation of said property, have been satisfied.

Section 2: The real property, described in the attached “Exhibit A”, situated in Canyon County, Idaho, is hereby annexed into the City of Star. From and after the effective date of this Ordinance, the residents and other occupants and property owners within such area shall enjoy all

the rights and responsibilities and shall be subject to all ordinances, resolutions, police regulations, taxation and other powers of the City of Star as their fellow residents, occupants, and owners within the City of Star.

Section 3: The zoning land use classification of the land described in Section 2 above, is hereby established as Residential with a Development Agreement (R-2-DA), as provided by the Unified Development Code of the City of Star. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the Residential with a Development Agreement (R-2-DA) land use classification.

Section 4: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Canyon County, Idaho, and with the State Tax Commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 5: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire Ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code maybe be published.

DATED this ____ day of _____, 2021.

CITY OF STAR
Ada and Canyon County, Idaho

BY: _____
Trevor A. Chadwick, Mayor

ATTEST:

Jacob M. Qualls, City Clerk

EXHIBIT A



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

RIVER PARK ESTATES SUBDIVISION CITY OF STAR ANNEXATION LEGAL DESCRIPTION

Those portions of the Southeast Quarter of the Southeast Quarter of Section 11, and of the Southwest Quarter of the Southwest Quarter of Section 12, and of the West Half of the Northwest Quarter and Government Lot 4 of Section 13, and of the East Half of the Northeast Quarter and of Government Lot 1 of Section 14, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, particularly described as follows:

BEGINNING at the northwest corner of Section 13, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, from which the north quarter corner of said Section 13 bears
S 89°58'37" E, 2,698.98 feet;

Thence along the west line of said Section 13, S 00°32'02" W, 66.69 feet;

Thence S 89°58'37" E, 55.18 feet departing from said west line;

Thence N 30°33'44" E, 55.38 feet;

Thence N 01°39'40" E, 56.54 feet;

Thence N 48°46'53" W, 56.99 feet;

Thence N 88°44'47" W, 97.56 feet;

Thence N 00°37'41" E, 60.00 feet;

Thence S 88°44'47" E, 120.03 feet;

Thence S 48°46'53" E, 107.07 feet;

Thence S 01°39'40" W, 64.09 feet to the north line of the West Half of the Northwest Quarter of said Section 13;

Thence S 89°58'37" E, 1,206.20 feet along said north line to the northeast corner of the West Half of the Northwest Quarter (west sixteenth corner) of said Section 13;

Thence S 00°42'16" W, 2,636.44 feet along the east line of said West Half of the Northwest Quarter to the northeast corner of Government Lot 4 (center-west sixteenth corner) of said Section 13;

Thence S 00°53'56" W, 430.26 feet along the east line of said Government Lot 4 to the North Mean High Water line of the Boise River;

Thence along said North Mean High Water line the following nine (9) courses:

1) N 89°02'32" W, 263.18 feet;

2) N 09°51'37" W, 62.93 feet;

3) N 82°02'19" W, 430.82 feet;

4) S 88°36'56" W, 361.82 feet;

5) N 84°27'10" W, 196.13 feet;

6) N 78°58'20" W, 83.43 feet;

7) N 83°00'01" W, 462.79 feet;

8) S 87°51'40" W, 362.68 feet;

9) S 87°51'40" W, 59.80 feet;

RIVER PARK ESTATES SUBDIVISION / CITY OF STAR ANNEXATION LEGAL DESCRIPTION

Page 1 of 2



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

Thence N 00°56'23" E, 246.99 feet departing from said North Mean High Water line to the south line of the East Half of the Northeast Quarter of said Section 14;
 Thence N 00°32'03" E, 2,639.56 feet departing from said south line to the north line of said East Half of the Northeast Quarter;
 Thence S 89°12'02" E, 882.02 feet along said north line to the **POINT OF BEGINNING**.

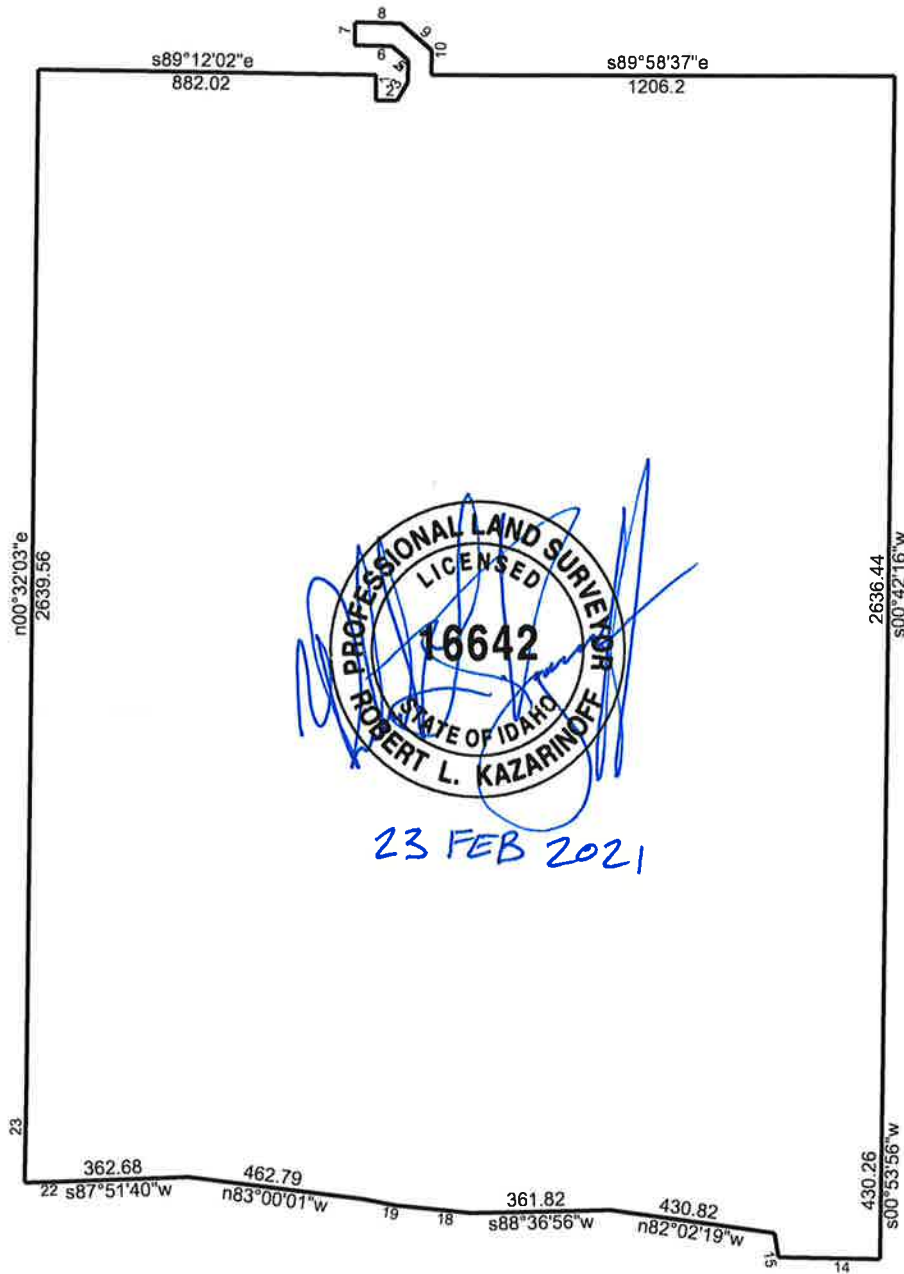
The above-described parcel of land contains 150.47 acres, more or less.

END DESCRIPTION

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

Robert L. Kazarinoff, PLS 16642





2/22/2021

Scale: 1 inch= 500 feet

File: River Park Estates Subdivision BOUNDARY.ndp

Tract 1: 150.4740 Acres, Closure: n18.1850e 0.03 ft. (1/420277), Perimeter=11065 ft.

- | | |
|----------------------|----------------------|
| 01 s00.3202w 66.69 | 17 s88.3656w 361.82 |
| 02 s89.5837e 55.18 | 18 n84.2710w 196.13 |
| 03 n30.3344e 55.38 | 19 n78.5820w 83.43 |
| 04 n01.3940e 56.54 | 20 n83.0001w 462.79 |
| 05 n48.4653w 56.99 | 21 s87.5140w 362.68 |
| 06 n88.4447w 97.56 | 22 s87.5140w 59.8 |
| 07 n00.3741e 60 | 23 n00.5623e 246.99 |
| 08 s88.4447e 120.03 | 24 n00.3203e 2639.56 |
| 09 s48.4653e 107.07 | 25 s89.1202e 882.02 |
| 10 s01.3940w 64.09 | |
| 11 s89.5837e 1206.2 | |
| 12 s00.4216w 2636.44 | |
| 13 s00.5356w 430.26 | |
| 14 n89.0232w 263.18 | |
| 15 n09.5137w 62.93 | |
| 16 n82.0219w 430.82 | |

**DEVELOPMENT AGREEMENT
RIVER PARK SUBDIVISION**

This Development Agreement ("Agreement") is entered into by and between the City of Star, a municipal corporation in the State of Idaho, hereinafter referred to as "City", and For Our Four Partners, LP and Kerry J Lawson & Lisa A Lawson, hereinafter referred to as "Owner".

WHEREAS, Owner owns a parcel of land of approximately 150.47 acres in size, currently located within Canyon County, zoned AG and more particularly described in **Exhibit A** of Ordinance 337, which is attached hereto and incorporated by reference herein (the "Property");

WHEREAS, Owner has requested that the Property be annexed into the City and developed in accordance with the applicable ordinances and regulations of the City and this Agreement;

WHEREAS, the City, pursuant to Section 67-6511A, Idaho Code, and Star City Code Title 8, Chapter 1, has the authority to enter into a development agreement for the purpose of allowing, by agreement, a specific development to proceed in a specific area and for a specific purpose or use which is appropriate in the area, but for which all allowed uses for the requested zoning may not be appropriate;

WHEREAS, the City has authority to enter into development agreements to condition annexations and re-zones;

WHEREAS, Owner desires to be assured that it may proceed with allowing its Property to be rezoned in accordance with this Agreement;

WHEREAS, the parties agree to the zoning designations for various parcels within the Property to be rezoned in accordance with this Agreement;

WHEREAS, Owner filed with the City of Star, a Request for Annexation and Rezone of the Property and Zoning of R-2-DA, as File No. AZ-21-01, so that the City can review all the applications affecting the use and development of the Property in an integrated manner consistent with the City's Comprehensive Plan and land use ordinances;

WHEREAS, the intent of this Agreement is to protect the rights of Owner's use and enjoyment of the Property while at the same time mitigating any adverse impacts of the development upon neighboring properties and the existing community and ensuring the Property is developed in a manner consistent with City Ordinances;

THEREFORE, the City and Owner, for and in consideration of the mutual covenants, duties and obligations herein set forth, hereby agree as follows:

Section 1. Legal Authority. This Agreement is made pursuant to and in accordance with the provisions of Idaho Code Section 67-6511A and Star City Code, Title 8, Chapter 1.

Section 2. Development/Uses/Standards.

2.1 Development Acreage and Uses Permitted. As to the Parcel shown on **Exhibit A**, Owner is allowed to develop 150.47 acres as follows:

- Zoning Classification: The zoning classification shall be a R-2-DA.
- The Owner shall comply with all city ordinances relating to the property except as otherwise provided herein.

2.2 Site Design. The Preliminary Plat/Concept Plan, as set forth in **Exhibit B**, is hereby approved.

2.3 Uses. The development is hereby approved for a maximum of 301 single-family residential lots.

2.4 Setbacks. The development shall follow the setbacks required in the R-3 zoning district for the Residential Uses (approved by Council). Council also approved 5-foot side yard setbacks for one and two-story homes.

2.5 Additional Requirements:

- Provide a berm with landscaping along the south side of the east-west collector street (Landruff Lane), and a privacy fence along the north side and along the northern boundary of the development;
- Work with the Boise Flood Control District and Star Fire District on a potential River access through the southern open space area;
- Provide a public access easement dedication along the southern greenbelt and also along the Canyon County Ditch;

2.6 Proportionate Share Agreement for ITD Improvements. Developer has agreed to participate in the costs of construction or improvements to the portions of the State Highway System within the City of Star and/or City of Star Area of City Impact. The Developer will pay the \$210,787.00 traffic mitigation fee determined, or revised, by the Idaho Transportation Department as follows: the Developer will pay the City \$659.00 per buildable lot within each phase prior to signature on the final plat for the applicable phase. The City will allocate the funds to roadway improvements in the vicinity of the project. The Developer shall pay this amount (unless otherwise revised by ITD) directly to the City of Star. The City will maintain this contribution in a specific Development Contributions account, to be distributed to ITD when requested for use with a specific Idaho Transportation Improvement Plan (ITIP) project within the City of Star Area of City Impact or City Limits in accordance with the terms of the Intergovernmental Agreement between the Idaho Transportation Department and the City of Star dated April 22, 2020.

2.7 Changes and Modifications. No change in the use or restrictions specified in this Agreement shall be allowed or changed without modification of this Agreement pursuant

to the requirements of the Star City Ordinances. In the event Owner changes or expands the use permitted by this Agreement or fail to comply with the restrictions without formal modification of this Agreement as allowed by the Star City Ordinances, Owner shall be in default of this Agreement.

2.8 Conditions, Bonding for Completion. All of the conditions set forth herein shall be complied with or shall be bonded for completion by Owner before an Occupancy permit will be granted. Failure to comply with the Star City Ordinances or the terms of this Agreement shall result in a default of this Agreement by Owner. Owner may be allowed to bond for certain conditions at one hundred and fifty percent (150%) of the estimated cost of completion pursuant to Star City Ordinances.

Section 3. Affidavit of Property Owner. Owner shall provide an affidavit agreeing to submit the Property to this Development Agreement and to the provisions set forth in Idaho Code section 67-6511A and Star Zoning Ordinance and such affidavit is incorporated herein by reference.

Section 4. Default. The failure of Owner, its heirs or assigns or subsequent owners of the Property or any other person acquiring an interest in the Property, to faithfully comply with any of the terms and conditions of this Agreement shall be deemed a default herein. This Agreement may be modified or terminated by the Star City Council as set forth in the Star City Ordinances. In the event this Agreement is modified, Owner shall comply with the amended terms. Failure to comply with the amended terms shall result in default. In the event the City Council, after compliance with the requirements of the Star City Ordinances, determines that this Agreement shall be terminated, the zoning of the Property or portion thereof that has not been developed in accordance with this Agreement shall revert its prior zoning designation. All uses of such property, which are not consistent with the prior zoning designation, shall cease. A waiver by the City of Star for any default by Owner of any one or more of the covenants or conditions hereof shall apply solely to the breach and breaches waived and shall not bar any other rights or remedies of the City or apply to any subsequent breach of any such or other covenants and conditions. Owner, by entering into this Agreement, do hereby consent to a reversion of the subject property to its prior zoning designation in the event there is a default in the terms and/or conditions of this Agreement.

Section 5. Unenforceable Provisions. If any term, provision, commitment or restriction of this Agreement or the application thereof to any party or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of the instrument shall remain in full force and effect.

Section 6. Assignment and Transfer. After its execution, this Agreement shall be recorded in the office of the County Recorder at the expense of the Applicant. Each commitment and restriction on the development subject to this Agreement, shall be a burden on the Property, shall be appurtenant to and for the benefit of the Property and shall run with the land. This Agreement shall be binding on the City and Owner, and their respective heirs, administrators, executors, agents, legal representatives, successors and assigns: provided, however, that if all or any portion of the Property is divided, each owner of a legal lot shall only be responsible for duties

and obligations associated with an owner's parcel and shall not be responsible for duties and obligations or defaults as to other parcels of lots within the Property. The new owner of the Property or any portion thereof (including, without limitation, any owner who acquires its interest by foreclosure, trustee's sale or otherwise) shall be liable for all commitments and other obligations arising under this Agreement with respect only to such owner's lot or parcel.

Section 7. General Matters.

7.1 Amendments. Any alteration or change to this Agreement shall be made only after complying with the notice and hearing provisions of Idaho Code Section 67- 6509, as required by Star City Code.

7.2 Paragraph Headings. This Agreement shall be construed according to its fair meaning and as if prepared by both parties hereto. Titles and captions are for convenience only and shall not constitute a portion of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

7.3 Choice of Law. This Agreement shall be construed in accordance with the laws of the State of Idaho in effect at the time of the execution of this Agreement. Any action brought in connection with this Agreement shall be brought in a court of competent jurisdiction located in Ada County, Idaho.

7.4 Notices. Any notice which a party may desire to give to another party must be in writing and may be given by personal delivery, by mailing the same by registered or certified mail, return receipt requested postage prepaid, or by Federal Express or other reputable overnight delivery service, to the party to whom the notice is directed at the address of such party set forth below.

Star: City of Star
Attn: City Clerk
P.O. Box 130
Star, ID 83669

Owner: For Our Four Partners, LP
6111 W. Thunderbird Road
Glendale, AZ 85306

Owner: Kerry J Lawson & Lisa A Lawson
21817 Blessinger Road
Star, Idaho 83669

7.5 Effective Date. This Agreement shall be effective after delivery to each of the parties hereto of a fully executed copy of this Agreement.

7.6 **Attorney Fees.** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney fees as determined by a court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed on the day and year set forth below.

Dated this _____ day _____, 2021.

Trevor A. Chadwick, Mayor

ATTEST:

Jacob M. Qualls, City Clerk

PRELIMINARY PLAT FOR RIVER PARK ESTATES SUBDIVISION EXHIBIT B

SITUATE IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12, THE WEST HALF OF THE NORTHWEST QUARTER AND GOVERNMENT LOT 4 OF SECTION 13, THE EAST HALF OF THE NORTHEAST QUARTER AND GOVERNMENT LOT 1 OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 2 WEST, BOISE MERIDIAN,

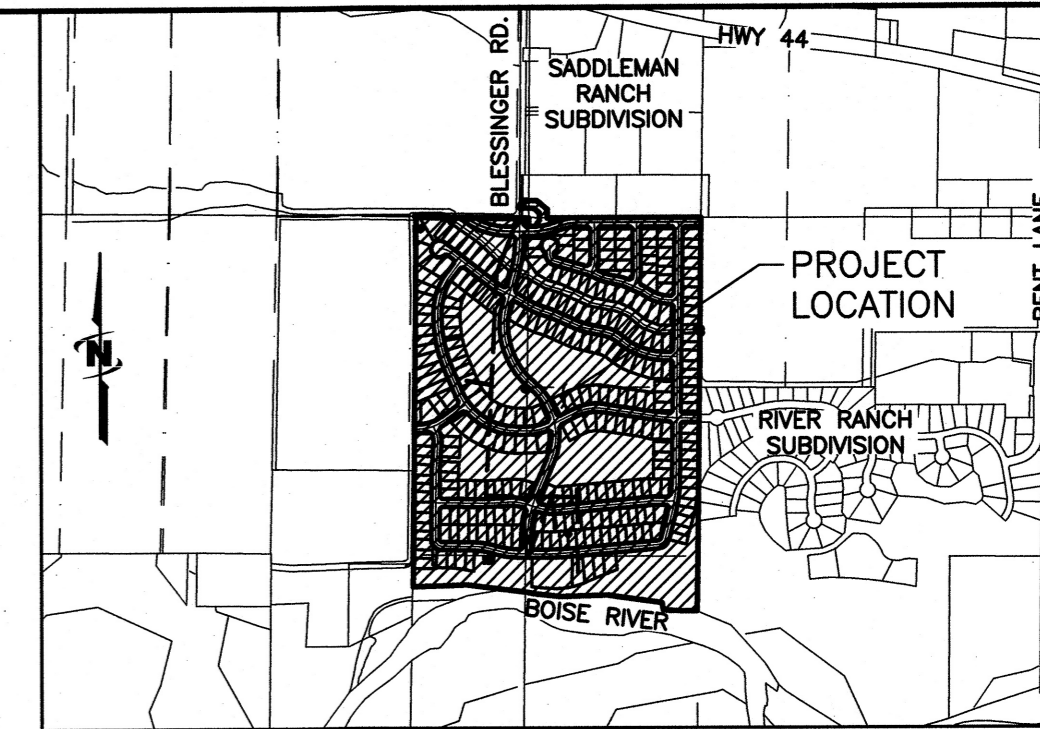
STAR, IDAHO

2021

BASIS OF BEARINGS

BOUNDARY LEGEND

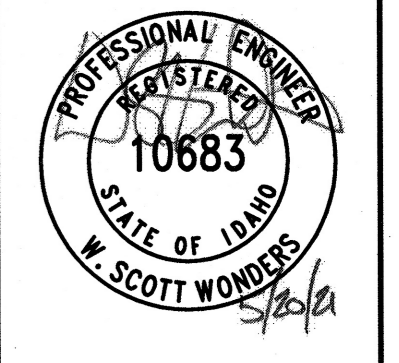
- Subdivision Boundary Line
- Section Line
- Center Line
- Right-of-way Line
- Existing Parcel Line
- Section Corner
- Quarter-Section Corner
- Property Corner
- Calculated Point



JUB
J-U-B ENGINEERS, INC.
2760 W. Excursion Lane
Suite 400
Meridian, ID 83642
Phone: 208.376.7330
www.jub.com

NOTES:

1. CONTOUR AND SPOT ELEVATION DATA IS REFERENCED TO NAVD '88 DATUM.
2. ALL STREETS PROPOSED IN THIS DEVELOPMENT ARE PUBLIC STREETS AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH CANYON HIGHWAY DISTRICT NO. 4 STANDARDS FOR PUBLIC STREETS WITH A MINIMUM GRADIENT OF 0.40%.
3. ALL LOTS ARE RESIDENTIAL BUILDING LOTS, EXCEPT LOTS 1, 21, BLOCK 1, LOT 1, BLOCK 2, LOTS 1, 6, BLOCK 3, LOT 1, BLOCK 4, LOTS 1, 31, BLOCK 5, LOT 1, BLOCK 6, LOTS 1, 23, BLOCK 7, LOTS 1, 15, 40, BLOCK 8, LOTS 1, 17, BLOCK 9, LOT 1, BLOCK 10, LOT 10, BLOCK 11, LOTS 1, 21, BLOCK 12, LOT 1, BLOCK 13, LOT 1, BLOCK 14, WHICH ARE COMMON AREA DRAINAGE STORAGE LOTS. LOT 23, BLOCK 8 IS A SHARED DRIVEWAY LOT, AND ARE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
4. STORMWATER RUN-OFF GENERATED ON THIS SITE SHALL HAVE A QUALITY CONTROL TREATMENT PRIOR TO BEING CONVEYED TO ONSITE PONDS.
5. PUBLIC UTILITIES SHALL INCLUDE WATER, SEWER, ELECTRIC POWER, NATURAL GAS, TELEPHONE, AND CABLE TELEVISION.
6. THIS SUBDIVISION WILL RECEIVE PRESSURIZED IRRIGATION FROM A PRESSURE IRRIGATION SYSTEM OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.
7. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF 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."
8. DOMESTIC AND FIRE PROTECTION WATER SHALL BE PROVIDED BY THE STAR SEWER AND WATER DISTRICT.
9. SANITARY SEWER COLLECTION SHALL BE PROVIDED BY THE STAR SEWER AND WATER DISTRICT.
10. BUILDING SETBACKS AND DIMENSIONAL STANDARDS SHALL BE IN ACCORDANCE WITH THE CITY OF STAR STANDARDS IN EFFECT AT THE TIME OF DEVELOPMENT OR WITH THE APPROVED DEVELOPMENT AGREEMENT.
11. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
12. THE OWNER SHALL COMPLY WITH IDAHO CODE, SECTION 31-3805 OR ITS PROVISIONS THAT MAY APPLY TO IRRIGATION RIGHTS.
13. THE HOMEOWNER'S ASSOCIATION, UNDERLYING PROPERTY OWNER, OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES LOCATED OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL RUTLINE AND HEAVY MAINTENANCE.
14. THIS PROPERTY IS LOCATED IN ZONE X OF THE FLOOD INSURANCE RATE MAPS NO. 16001C0125 J, AND NO. 16001C120 J COMMUNITY PANEL NO. 0125 J, AND 120 J, WHICH BEARS AN EFFECTIVE DATE OF JUNE 19, 2020 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.
15. ALL LOTS SHALL HAVE PERMANENT 5' WIDE SIDE LOT EASEMENTS, 10' WIDE FRONT LOT EASEMENTS AND A 10' WIDE REAR LOT EASEMENTS FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE.
16. STORM DRAINAGE SHALL BE TREATED AND RELEASED INTO THE POND SYSTEM.



NO.	REVISION	DESCRIPTION	BY	DATE

HIGHWAY DISTRICT
CANYON HIGHWAY DISTRICT NO. 4
15435 HWY 44
CALDWELL, ID 83607

IRRIGATION DISTRICT
CANYON COUNTY WATER CO. LTD
PO BOX 11
STAR, ID 83669

LAND SURVEYOR
ROBERT KAZARINOFF, P.L.S.
J-U-B ENGINEERS
2760 W. EXCURSION LN. STE. 400
MERIDIAN, ID 83642
208-376-7330

CIVIL ENGINEER
W. SCOTT WONDERS, P.E.
J-U-B ENGINEERS
2760 W. EXCURSION LN. STE. 400
MERIDIAN, ID 83642
208-376-7330

OWNER
KERRY J. LAWSON
21817 BLESSINGER RD
STAR, ID 83669

OWNER
FOR OUR FOUR PARTNERS, LP
6111 W. THUNDERBIRD RD
GLENDALE, AZ 85306

DEVELOPER
HHS CONSTRUCTION, LLC
729 BRIDGEWAY PL.
EAGLE, ID 83616
208-577-5501

LAND USE SUMMARY

TOTAL AREA:	150.47 AC.
TOTAL LOTS:	325 LOTS
RESIDENTIAL LOTS:	301 LOTS
COMMON AREA LOTS:	23 LOTS
COMMON DRIVEWAY LOT:	1 LOT
RESIDENTIAL DENSITY:	2.00 DU/AC
TOTAL OPEN SPACE:	44.41 AC. (29.5%)
BUFFER OPEN SPACE:	1.41 AC. (0.9%)
QUALIFIED OPEN SPACE:	43.00 AC. (28.6%)
AVERAGE LOT SIZE:	11,279 S.F.
SMALLEST LOT:	8,248 S.F.
EXISTING ZONE:	AG
PROPOSED ZONE:	R-3

EXISTING	LEGEND	PROPOSED
---	SANITARY SEWER LINE	---
---	WATER LINE	---
---	GRAVITY IRRIGATION PIPE	---
---	PRESSURE IRRIGATION LINE	---
---	STORM DRAIN LINE	---
---	CENTERLINE	---
---	LOT LINE	---
---	6" VERTICAL CURB & GUTTER	---
---	ROLLED CURB & GUTTER	---
---	5' SIDEWALK	---
○	SEWER MANHOLE	○
○	DITCH FLOW LINE	○
○	IRRIGATION MANHOLE	○
○	STREET LIGHT	○
○	TREE DECIDUOUS	○
○	TREE CONIFER	○
---	EDGE OF PAVEMENT	---
---	GAS LINE	---
---	FENCE LINE	---
○	FIRE HYDRANT	○
---	5' CONTOUR LINE	---
---	1' CONTOUR LINE	---
---	DRAINAGE FACILITY	---

Line Table

Line #	Direction	Length
L1	S00°32'02"W	66.69'
L2	S89°58'37"E	55.18'
L3	N30°33'44"E	55.38'
L4	N01°39'40"E	56.54'
L5	N48°46'53"W	56.99'
L6	N88°44'47"W	97.56'
L7	N00°37'41"E	60.00'
L8	S88°44'47"E	120.03'
L9	S48°46'53"E	107.07'
L10	S01°39'40"W	64.09'
L11	N09°51'37"W	62.93'
L12	N84°27'10"W	196.13'
L13	N78°58'20"W	83.43'
L14	S87°51'40"W	59.80'



BOUNDARY CERTIFICATION
20 MAY 2021

RIVER PARK ESTATES SUBDIVISION
STAR, IDAHO

BOUNDARY AND PROJECT INFORMATION

FILE: 10-20-132-PP-PLAT
JUB PROJ. #: 10-20-132
DRAWN BY: ---
DESIGN BY: ---
CHECKED BY: ---
SCALE: ONE INCH = 1" AT FULL SIZE, IF NOT ONE INCH SCALE ACCORDINGLY
LAST UPDATED: 5/20/2021
SHEET NUMBER: **PP-01**

Plot Date: 5/20/2021 2:26 PM, Plotted By: Everett Elmer, Date Created: 5/20/2021, J:\JUB\COM\CENTRAL\CLIENTS\BOISE\HUNTER\HOMES\PROJECTS\10-20-132-PP-PLAT.DWG

BORTON-LAKEY

LAW & POLICY

Attorney-Client Engagement Agreement

Client: City of Star, Idaho

Re: Litigation matters, and on-call backup city attorney services as needed.

Date: May 30, 2021

Attorney: Joe Borton

1. Legal fees (hourly rate): For any legal services provided to/for the Client by an attorney at Borton-Lakey, whether in court or outside of court or of any nature, Borton-Lakey shall receive Two Hundred Fifty Dollars **(\$250.00) per hour** for all hours worked by the attorney. This hourly rate is billed in tenths of an hour (.1) on a monthly basis to the Client in writing. Borton Lakey adheres to the *Idaho Rules of Professional Conduct* in all aspects of its delivery of legal services to Client, including Section 1.5 concerning legal fees.
2. Retainer: N/A
3. Client Responsible for Costs: As required by Idaho's attorney ethics rules, the Client is responsible for payment of costs and expenses. Examples of out-of-pocket expenses include, but are not limited to, costs of court filing, Sheriff's service of process service fees, deposition transcripts, expert witness fees, and travel and investigation expenses. These costs may be paid direct by the law firm on client's behalf and will be included on the client's bill without mark up for prompt reimbursement.
4. Payment of Fees and Costs: All legal fees and costs incurred in the performance of services pursuant to this agreement will be billed to client monthly. Payment for each invoice shall be due within thirty (30) days.
5. Client Terminating Relationship: The Client may discharge the Attorney from any further services anytime by giving written notice. Any and all fees and costs incurred as of the date of termination shall be due and payable immediately.
6. Attorney Terminating Relationship: The Attorney may end representation of the Client if, among other reasons, the Client breaches any term of this agreement or the Attorney-Client

relationship deteriorates because of the non-cooperation of the Client to a point where the Attorney determines he can no longer adequately represent the Client.

7. Co-counsel: The Attorney may from time to time seek the assistance of co-counsel in the investigation, negotiation, or prosecution of the Client's claims. Such co-counsel will be bound by all terms of this agreement as if subscribed hereunder.

8. Disclaimer of Guarantee. Nothing in this agreement and nothing in Attorney's statements to Client should be construed as a promise or guarantee about the outcome of work to be performed for Client. Attorney makes no promises or guarantees. Client recognizes that Attorney can only use its best efforts and diligence and that Attorney does not guarantee the results of any representation or the time and/or resources that it will take to complete any project.

9. Savings Clause: If any part of this Representation Agreement shall be invalid or inoperative for any reason, it is the intention of the Client and the Attorney that the remaining parts, so far as possible and reasonable, shall be effective and fully operative. This Representation Agreement represents the entire agreement for the payment of legal fees, costs and expenses between Attorney and Client.

10. Fee Disputes/Arbitration Provision: Should any dispute arise between Client and Firm regarding attorney fees or costs incurred on a matter, the two parties agree to make best efforts to resolve the dispute informally. If an informal resolution is not reached, Client agrees that sole forum and resolution process for any dispute between Client and Firm regarding Firm's attorney fees or costs shall be by arbitration pursuant to the Idaho State Bar Commission rules and procedures. All disputes arising under this agreement regarding fees or costs may be submitted to the Committee of the Idaho State Bar designated to arbitrate such disputes in accordance with the Idaho Bar Commission rules. All other disputes arising under this agreement shall be submitted to Arbitration in accordance with the Uniform Arbitration Act. Arbitration of disputes not involving Fees and Costs shall be conducted under the rules of the American Arbitration Association. You agree and we agree to be bound by the results of any such arbitration.

11. By executing this Representation Agreement, the Client acknowledges that he or she has read it, understands its contents and understand that the Client has the right to consult with

another lawyer concerning any of the terms, and agrees to be bound by all of its terms and conditions and further, that Borton & Lakey Law Offices has made no representations to the Client as to the likelihood of the outcome of the Client's case and that the Client believes that this Representation Agreement to be fair and reasonable. Before signing this agreement, the Client should read it thoroughly and if the Client has any questions, he or she may feel free to ask for a complete explanation. This Representation Agreement shall be governed by and construed in accordance with the laws of the State of Idaho.

CLIENT

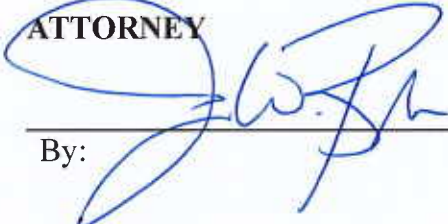
By: *(signature)*

By: *(print)*

Address: _____

Phone _____

E-mail _____

ATTORNEY

By: _____

**INTERAGENCY GOVERNMENTAL AGREEMENT
FOR WAIVER OF COSTS AND FEES**

THIS INTERAGENCY GOVERNMENTAL AGREEMENT FOR WAIVER OF COSTS AND FEES ("Agreement") is made and entered into this ____day of _____, 2021, by and between Joint School District No. 2, doing business as the West Ada School District, an Idaho school district and body politic and corporate of the State of Idaho ("District") and the City of Star, an Idaho municipal corporation ("City").

RECITALS:

- A. District is a Joint School District organized and operating pursuant to Idaho Code Title 33.
- B. City is a public entity organized and operating pursuant to Idaho Code Title 50.
- C. District and City serve largely the same constituencies, comprised of the same taxpayers.
- D. District and City each charge various fees for certain services that they provide.
- E. In furtherance of mutual partnerships, District and City desire to enter into a mutual fee waiver agreement whereby neither party may be obligated to pay certain specified fees or charges to the other.
- F. Idaho Code § 67-2332 provides that one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform, provided that such contract is authorized by the governing body of each party and that such contract shall set forth fully the purposes, powers, rights, objectives and responsibilities of the contracting parties.
- G. District and City are both "taxing districts," as defined by Idaho Code §63-201.
- H. In consideration of the above, the purpose of this Agreement is to set forth in writing the parties' agreement that neither party shall be obligated to provide any fees or charges to the other during the term of this Agreement as further set forth below.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties do mutually undertake, promise, and agree as follows:

SECTION 1.
PURPOSES AND POWERS/INCORPORATION OF RECITALS

In accordance with Idaho Code § 67-2332, the purposes, powers, rights, and objectives of each of the parties are as set forth in the Recitals above. Each of the Recitals above are incorporated into the body of this Agreement.

SECTION 2.
NO PAYMENT OF CERTAIN FEES

2.1 Certain Fees Waived. During the Term (defined below) of this Agreement, except as otherwise agreed in writing and signed by both parties, neither party shall be obligated to pay to the other the specified fees, impact fees, charges, or any other types of expenditures (each of the foregoing defined herein as a "Fee") for the services specified herein.

2.2 City Fees Waived.

2.2.1 No Impact Fees are charged by the City for commercial development.

2.2.2 Planning Administrative Review Application Fees waived:

- Accessory Use
- Alternative Compliance
- Certificate of Zoning Compliance
- Certificate of Zoning Compliance Verification
- Conditional Use Permit Minor Modification
- Design Review
- Private Street
- Property Boundary Adjustment
- Time Extension (Director)
- Vacation (non-Council)

2.2.3 Planning Fees for Commission & Council Review Applications waived:

- Alternative Compliance
- Annexation and Zoning
- Comprehensive Plan Map Amendment
- Comprehensive Plan Text Amendment
- Conditional Use Permit
- Conditional Use Permit Modification
- Design Review
- Development Agreement Modification
- Final Plat
- Final Plat Modification

Planned Unit Development Preliminary Plat
Private Street
Rezone
Short plat
Time Extension (Commission or Council)
UDC Text Amendment
Vacation (Council)
Variance

2.2.4 Certain percentages of Building and Trade Permit Fees waived.

The percentage of the fees specified below shall be waived under this agreement. The portion of the fees that must be paid (not waived) represent hard cost amounts paid by the City to its independent contractors for plan review and inspectors.

50% of Building Permit Fees - (Inspection) are waived.
35% of Underground Tank Installations permit fees are waived.
35% of Hazardous Material Storage Review & Inspection permit fees are waived.
35% of High Pile Combustible Storage Review & Inspection permit fees are waived.
35% of Mechanical Permit Fees - (Plan Review & Inspection) are waived.
35% of Electrical Permit Fees - (Plan Review & Inspection) are waived.
35% of Plumbing Permit Fees - (Plan Review & Inspection) are waived.

Other City "hard costs" for services are **not waived** under this Agreement. These costs include engineer review fees, all land use publication fees and attorney fees for land use review.

2.3 District Fees Waived.

2.3.1 Gymnasium use fees at Star Middle School and Star Elementary School.

2.3.2 Other facility-use fees as agreed upon in writing by the Parties.

2.4 District to Provide City Certain Priority Uses. The City shall receive priority use at the school gymnasium facilities where fees are waived pursuant to the terms of the "Memorandum of Agreement for Joint Use of Sports Facilities" (hereinafter the "Joint Use Agreement") executed by the parties contemporaneously herewith.

2.5 District to be Held Harmless for Damage Caused by City Use. Pursuant to the Hold Harmless and Indemnity Agreement executed by the parties on <DATE>, City shall be responsible for any damage caused by City's use of District facilities under this Agreement. A copy of the Hold Harmless and Indemnity Agreement is attached hereto as Exhibit "A".

SECTION 3.
EFFECTIVE DATE/TERM AND TERMINATION

3.1 Effective Date. This Agreement shall become effective upon the date upon which both parties' governing boards have authorized it (the "Effective Date") pursuant to Idaho Code § 67-2332.

3.2 Term and Termination. This Agreement shall become effective as of the Effective Date upon execution by both parties, and shall expire on **September 30, 2031**, unless earlier extended or terminated as follows: Either party may terminate this Agreement upon sixty (60) days'

written notice to the other, provided, however, that any Fees that would have been due and payable by the terminating party eighteen (18) months prior to the date of termination that were not owed due to the existence of this Agreement shall become immediately due and payable and paid on the date of termination of this Agreement. Subject to the foregoing, upon termination of this Agreement, neither party shall have further recourse hereunder except with respect to the payment of Fees as set forth in this Section 3.2. The term of this Agreement may be extended by written mutual agreement of District and City. If the parties fail to mutually extend this Agreement, and neither has terminated the Agreement, the term of this Agreement shall be renewed automatically for one-year periods thereafter unless terminated by either party in the manner as provided in this Agreement. No other items may be added to this Agreement once the Agreement has been signed by both parties.

SECTION 4. **GENERAL PROVISIONS**

- 4.1 Constitutional Debt Limitation. Nothing in this Agreement shall be construed to be an indebtedness or liability in violation of Article VIII, Section 3 of the Idaho Constitution.
- 4.2 Attorney Fees. In the event of any controversy, claim, suit, proceeding or action being filed or instituted between the parties to enforce the terms and conditions of this Agreement, or arising from the breach of any provision hereof, the prevailing party will be entitled to receive from the other Party all costs, damages, and expenses, including reasonable attorneys' fees including fees on appeal, incurred by the prevailing party. The prevailing party will be that party who was awarded judgment as a result of trial or arbitration.

Choice of Law. The validity, meaning, and effect of this Agreement shall be determined in accordance with the laws of the State of Idaho.

- 4.3 Entire Agreement. This Agreement constitutes the full and entire understanding and agreement between the parties with regard to the transaction contemplated herein, and no party shall be liable or bound to the other in any manner by any representations, warranties, covenants and agreements except as specifically set forth herein.
- 4.4 Binding Agreement. The promises, covenants, conditions, and agreements herein contained shall be binding on each of the parties hereto and on all parties and all persons claiming under them or any of them; and the rights and obligations hereof shall inure to the benefit of each of the parties hereto and their respective successors and assigns.
- 4.5 Severability. If any part of this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.
- 4.6 Waiver, Acknowledgments and Modifications. The failure of a party to insist on the strict performance of any provision of this Agreement or to exercise any right or remedy upon a breach hereof shall not constitute a waiver of any provision of this Agreement or limit such party's right to enforce any provision or exercise any right. No acknowledgments required hereunder, and no modification or waiver of any provision of this Agreement or consent to departure therefrom, shall be effective unless in writing and signed by District and City.
- 4.8 Headings. The headings used in this Agreement are used for convenience only and are not to be considered in construing or interpreting this Agreement.
- 4.9 Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but both of which together shall constitute one and the same.

4.10 Limitations on Liability. The parties hereto agree that nothing herein contained shall be construed to create a joint venture, partnership, or other similar relationship which might subject any party to liability for the debts and/or obligations of the others, except as otherwise expressly agreed in this Agreement.

4.11 Time is of the Essence. Time shall be of the essence for all events and obligations to be performed under this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

WEST ADA SCHOOL DISTRICT:

Dr. Mary Ann Ranells, Superintendent

CITY OF STAR:

Trevor Chadwick, Mayor

Attest: _____
Jacob Qualls, City Clerk