NOTICE OF STAR CITY COUNCIL MEETING

Star City Hall October 6, 2020 7:00 pm

AMENDED AGENDA

- 1. CALL TO ORDER (Welcome/Pledge of Allegiance)
- 2. ROLL CALL
- 3. APPROVAL OF AGENDA (Approval of Agenda as it stands/Amend Agenda) Action Item
- 4. CONSENT AGENDA Action Items

*All matters listed within the Consent Agenda have been distributed to each member of the Star City Council for reading and study, they are considered to be routine, and will be enacted by one motion of the Consent Agenda or placed on the Regular Agenda by request.

- A. Claims Against the City for September 2020
- B. Regular Meeting Minutes of August 4, 2020
- C. Special Meeting Minutes of August 10, 2020
- D. Findings of Fact & Conclusions of Law: Whitener Rezone/PUD (RZ-20-04/DA-20-16/PUD-20-05)
 Gary Saunders Annexation/Zoning (AZ-20-13/DA-20-15)
- E. Final Plats: Trident Ridge Subdivision Final Plat Phase 3 (FP-20-20)
 Greiner's Hope Springs Subdivision Final Plat Phase 2 (FP-20-16)
- 5. PRESENTATIONS Star Outreach Kevin Deats
- 6. OLD/NEW BUSINESS Action Items
 - A. Public Hearing: Norterra Subdivision (Sample Property) Annexation & Zoning, Development Agreement, Preliminary Plat & Private Street (AZ-20-05/DA-20-05/PP-20-07/PR-20-03) **Tabled from 8-18-20**
 - B. Public Hearing: Hordemann Annexation & Zoning, Development Agreement, Private Street (AZ-20-16/DA-20-19/PR-20-05)
 - C. Public Hearing: Haven Ranch Subdivision Annexation & Zoning, Development Agreement, Preliminary Plat, Private Street (AZ-20-12/DA-20-13/PP-20-12/PR-20/04)
 - D. Public Hearing: Openshaw Annexation & Zoning, Development Agreement (AZ-20-15/DA-20-18)
 - E. Public Hearing: Canvasback Subdivision Annexation & Zoning, Development Agreement, Preliminary Plat (AZ-20-11/DA-20-11/PP-20-11)
 - F. Ordinance No. 315 Ryken Meadows
 - G. Decision on South of the River Sub Area Plan
 - H. Approval of Docutopia Contract with COVID funds
- 7. REPORTS
- 8. ADJOURNMENT Action Item

**The public will be allowed to attend the City Council Meeting at City Hall, but six foot spacing will be strictly enforced due to COVID-19. Citizens can view the meeting via a link posted to the City of Star website at staridaho.org. If you would like to testify before the City Council, please contact Dana Partridge at dpartridge@staridaho.org and provide your name and email address. This link will be posted on Tuesday, October 6, 2020. The public is always welcome to submit comments in writing.

As of September 29, 2020

	Туре	Split	Open Balance
A & B Lock & Key	Bill	419.61 · Maintenance & Repair - Building	12.00
Total A & B Lock & Key	Dill	410.01 - Maintenance & Repair Building	12.00
Ada County Highway District			
Total Ada County Highway District	Bill	419.54 · ACHD Impact Fee	235,725.00
Ada County Prosecutors Office			
	Bill	416.00 · Legal	2,500.00
Total Ada County Prosecutors Office			2,500.00
Ada County Sheriff's Office	5		
Total Ada County Sheriff's Office	Bill	450.50 · Police	85,524.00 85,524.00
Amber Lee			
Alliber Ede	Bill	432.20 ⋅ Refunds	40.50
Total Amber Lee			40.50
Association of Idaho Cities			
	Bill	419.49 · Training	125.00
Total Association of Idaho Cities			125.00
Blue Cross of Idaho	Bill	415.25 · Health Ins	13,082.42
Total Blue Cross of Idaho	DIII	415.25 · Health IIIS	13,082.42
Brady Industries			
,	Bill	419.61 · Maintenance & Repair - Building	119.72
Total Brady Industries			119.72
BuyWyz			
Total BuyWyz	Bill	419.31 · Supplies	1,582.36 1,582.36
Century Link			
Century Link	Bill	419.51 · Telephone	185.33
Total Century Link		•	185.33
Christopher Yorgason			
	Bill	416.00 · Legal	4,860.00
Total Christopher Yorgason			4,860.00

As of September 29, 2020
Split

	Type	or September 29, 2020 Split	Open Balance
Clearfly		·	
	Bill	419.51 · Telephone	224.63
Total Clearfly			224.63
Computer Consulting			
Total Computer Consulting	Bill	419.42 · Professional Services	2,609.93 2,609.93
Dan's Pump and Filter, LLC			
	Bill	419.60 · Maintenance & Rep	70.00
Total Dan's Pump and Filter, LLC			70.00
Dana Partridge	Bill	415.17 · Pub Info-PR-Events Coordinator	2,526.25
Total Dana Partridge	DIII	413.17 · Fub into-FR-Events Coordinator	2,526.25
-			2,020.20
DMH, Enterprises	Bill	424.50 · Plumbing Inspector	8,154.00
Total DMH, Enterprises			8,154.00
ECI Contractors			
	Bill	424.40 · Electrical Inspector	10,280.41
Total ECI Contractors			10,280.41
Express Employment Professionals			
	Bill	415.14 · Hourly - Temp	3,195.00
Total Express Employment Professionals			3,195.00
First Interstate Bank	Bill	432.14 Rec Equip-419.47 Travel-419.48	2,718.97
Total First Interstate Bank		Prof. Dues-470.74 Cap419.31 Supplies	2,718.97
Gameface Athletics			
Gamerace Afficiencs	Bill	432.12 · Uniforms	8,431.75
Total Gameface Athletics			8,431.75
Gem State Paper & Supply			
	Bill	470.73 Capital	253.65
Total Gem State Paper & Supply			253.65
Hope Blooms Flowers & Things			
Total Hope Blooms Flowers & Things	Bill	418.20 · Civic Promotion & Dev-fund rais	70.00
Total Hope Blooms Howers & Hilligs			70.00

As of September 29, 2020

	Туре	Split	Open Balance
Idaho Central Credit Union.	Bill	419.60 Mtnc & Rpr-419.31 Supplies-	4,319.47
Total Idaho Central Credit Union.	DIII	470.74 Capital	4,319.47
Idaho Correctional Industries			
	Bill	419.31 · Supplies	1,804.00
Total Idaho Correctional Industries			1,804.00
Idaho Power - IDACORP	Dill	440 FQ Hillisian	2 204 05
Total Idaho Power - IDACORP	Bill	419.52 · Utilities	3,281.85 3,281.85
Idaho Secretary of State			
identification of the control of the	Bill	419.44 · Subscriptions & Fees	120.00
Total Idaho Secretary of State			120.00
Idaho Statesman			
Total Idaho Statesman	Bill	419.46 · Advertisement & Publ	1,767.78 1,767.78
Idaho Youth Soccer Association	Bill	432.16 ⋅ Referees	254.25
Total Idaho Youth Soccer Association			254.25
Intermountain Gas Company			
Total Intermountain Gas Company	Bill	419.52 · Utilities	29.57 29.57
James D. Turner	Bill	432.10 · Instructors	498.00
Total James D. Turner			498.00
Keller Associates			
Total Keller Associates	Bill	419.42 · Professional Services	12,725.57 12,725.57
Total Relief Associates			12,725.57
Machelle Siegel	Bill	432.20 ⋅ Refunds	55.00
Total Machelle Siegel			55.00
Matthew Bender			
	Bill	419.32 · Resource Material	159.10
Total Matthew Bender			159.10

Star Merc

City of Star Unpaid Bills Detail

As of September 29, 2020 Split

	As Type	of September 29, 2020 Split	Open Balance
Mountain Alarm			
	Bill	419.61 · Maintenance & Repair - Building	65.00
Total Mountain Alarm			65.00
Niki Dean	D:II	420.40 Jackwickers	204.50
Total Niki Dean	Bill	432.10 · Instructors	284.50 284.50
PortaPros			
	Bill	419.60 Mtnc-432.18 Rec Restrooms	978.89
Total PortaPros			978.89
Protect Youth Sports	Bill	432.16 · Referees	401.45
Total Protect Youth Sports	ЫIII	452.10 · Neielees	401.45
Republic Services			
·	Bill	419.52 · Utilities	432.41
Total Republic Services			432.41
RIMI Inc.			
Total RIMI Inc.	Bill	424.60 · Mechanical Inspector	9,404.40 9,404.40
Sherwin Williams			
	Bill	432.14 · Equipment	819.40
Total Sherwin Williams			819.40
Silver Creek			
T / 10" 0 1	Bill	419.60 · Maintenance & Rep	1,214.26
Total Silver Creek			1,214.26
Simplot Partners	Dill	440.00 Maintanana 8 Dan	4 200 47
Total Simplot Partners	Bill	419.60 · Maintenance & Rep	1,392.47 1,392.47
Sparklight			
. •	Bill	419.51 · Telephone	992.51
Total Sparklight			992.51
Star Fire Department			
Total Star Fire Department	Bill	419.56 · Star Fire Impact Fees	59,866.00 59,866.00
•			

As of September 29, 2020

	Type	Split	Open Balance
	Bill	419.60 · Maintenance & Rep	113.58
Total Star Merc			113.58
0. 0 PL.			
Star Sewer District	Bill	419.52 · Utilities	54.38
Total Star Sewer District	Diii	410.02 Cullido	54.38
Star Storage			
T	Bill	432.14 · Equipment	80.00
Total Star Storage			80.00
Star Vet Clinic			
	Bill	440.00 · Animal Control	1,400.00
Total Star Vet Clinic			1,400.00
Streeth Company LLC			
Stroth General, LLC	Bill	438.21 · Plans	197,350.29
Total Stroth General, LLC			197,350.29
Sunrise Enviromental			
Total Sunrise Enviromental	Bill	419.60 · Maintenance & Rep	158.54 158.54
Total Sullise Environmental			136.34
Thyssenkrupp			
	Bill	419.61 · Maintenance & Repair - Building	832.01
Total Thyssenkrupp			832.01
Treasure Valley Coffee			
ricusure valley conce	Bill	419.31 · Supplies	205.95
Total Treasure Valley Coffee			205.95
United Heritage	Bill	217.06 · Health Insurance	105 50
Total United Heritage	DIII	217.06 · Health Insurance	105.50 105.50
Valley Wide Coop			
	Bill	419.61 · Maintenance & Repair - Building	699.53
Total Valley Wide Coop			699.53
Vanguard Cleaning			
-	Bill	419.61 · Maintenance & Repair - Building	1,275.00
Total Vanguard Cleaning			1,275.00
Vorizon			
Verizon	Bill	419.51 · Telephone	510.23
		**************************************	3.3.20

As of September 29, 2020

	Type	Split	Open Balance
Total Verizon			510.23
Whitman & Assoc. Inc.			
	Bill	424.20 · Building Inspector	42,979.75
Total Whitman & Assoc. Inc.			42,979.75
Wickstrom Plumbing			
	Bill	419.61 · Maintenance & Repair - Building	5,758.15
Total Wickstrom Plumbing			5,758.15
Wienhoff Drug Testing, Inc.			
	Bill	419.69 · Miscellaneous	125.00
Total Wienhoff Drug Testing, Inc.			125.00
Winters Electric			
Willer's Electric	Bill	419.61 · Maintenance & Repair - Building	676.69
T . 1140	DIII	419.01 · Maintenance & Repair - Building	
Total Winters Electric			676.69
Xerox			
	Bill	419.31 · Supplies	88.53
Total Xerox			88.53
		TOTAL	735,569.93

CITY OF STAR BILL ADDENDUM FOR SEPTEMBER 2020

<u>Bill</u>	Account #	<u>Amount</u>
Six Mile Engineering	438.21 Plans	\$22,607.45
PortaPros	419.60 Maintenance	\$698.60
Chris Yorgason	419.00 Legal	\$280.00
A-Gem Supply	470.74 Cap - Equip	\$2,361.50
Valley Wide	419.61 Maintenance	\$1,204.88
Day Wireless	419.51 Telephone	\$304.38
Silver Creek	419.60 Maintenance	\$64.88
Idaho Statesman	419.46 Advertising	\$1,312.89
Vanguard Cleaning	419.61 Maintenance	\$375.00
Treasure Valley Coffee	419.31 Supplies	\$138.80
Simplot Partners	419.60 Maintenance	\$1,408.23
Total		\$30,756.61
		4725 560 02
Regular September Bills Statement		\$735,569.93
Total		\$766,326.54



STAR CITY COUNCIL MEETING MINUTES

August 4, 2020

1. CALL TO ORDER:

The regular meeting of the Star City Council was held on Tuesday, August 4, 2020 at Star City Hall, 10769 W. State Street in Star, Idaho. Mayor Trevor Chadwick called the meeting to order at 7:00 pm and all stood for the Pledge of Allegiance.

2. ROLL CALL:

Council Present: David Hershey, Michael Keyes, Jennifer Salmonsen.

Council Absent: Kevin Nielsen.

3. APPROVAL OF THE AGENDA:

Keyes moved to approve the agenda. Hershey seconded the motion. All ayes. Motion carried.

4. CONSENT AGENDA:

Keyes moved to approve the consent agenda. Hershey seconded the motion. All ayes. Motion carried.

5. PRESENTATIONS/PUBLIC INPUT:

A) Presentation:

Southwest Idaho Business Alliance

Mike Olsen, founding member and President, and Matt Vraspir, Vice President, presented a donation of \$1500 to be used toward the purchase of adaptive needs play equipment for Blake Park, to help make the park more inclusive for those with adaptive needs. They also raised \$1400 to be donated to injured Eagle Police Officer Brandon Austin. Funds were raised in part from a Cornhole Tournament. Hershey commended SWIBA for shining a light and bringing awareness to the Outreach-Foodbank and mentioned that donations are up due to this exposure.

B) Committee Reports:

Star Pathways and Beautification Committee

Matt Vraspir reported that the dog park is continuing to go forward. The Mayor mentioned the \$5000 grant received from the Realtors Association for the dog park and said the park is under design and they hope to get it rolled out along with the Pavilion Park. The project of creating utility box displays has been put on hold for now. The committee has adjusted the way they are doing their Quarterly Service Award recognition and are opening it up to the public for nominations. They plan to have it approved by August 18. They are still planning to do their 3rd Annual "Make Star Shine" in November. They will be starting a project to see the City of Star's pathways connected. The Mayor mentioned that our Comprehensive plan talks about having interconnected pathways so this will be a priority. They are also working on creating a Beautification Development Guideline.

Activities Committee

The Mayor mentioned that the Hometown Celebration on August 22nd was canceled.

Transportation Committee

Keyes reported that the committee has been attending the CICAC Capital Improvement Citizens Advisory Committee meetings. They have been working with Canyon Highway District 4, going through the process to implement impact fees on the Canyon County side of the city which should be implemented about the first of

the calendar year. They are also undergoing a review of the Integrated 5-year Work Plan draft document that ACHD sent for our input.

C) Public Input:

Denice VanDoren – She expressed appreciation for the efforts the City has put in to improve Star. She wanted to know the status on Heron River. The Mayor replied that it has not been deeded yet, but the goal is next summer to be deeded with a plan in place. She also complimented us on the River House project as well.

6. OLD/NEW BUSINESS:

A) Public Hearing - 2020-2021 Budget:

Mayor Chadwick gave a Power Point presentation detailing the 2020-2021 Budget, including the City's Savings, Revenue, Expenses, Property Tax, Sales & Use Tax, Franchise Revenue, General Licenses, Scholarships, Events, Grants, Court Fines, Building Revenue, Impact Fee/Proportionate Share, Land Use Revenue, Recreation, General Revenue, Miscellaneous, Unrestricted Funds, Personnel, Bank Services, Legal, General Office, Insurance, Subscription & Fees, Professional Services, Professional Dues, PR/Marketing & Committees, Utilities & Land Use-Bond Returns, Building Expenses, Parks Development, Plans, Buildings & Grounds, Animal Control, Law Enforcement, Capital, Signs, Streetlight Repair & Interfund Transfer.

Public Testimony:

Teresa Tinsley, 10459 W Achillea, Star ID 83669. She appreciates the time and effort put into breaking down the budget to be more transparent than past years. She asked if there was an inventory for the maintenance department. The Mayor replied that we will be getting new inventory tracking software that is expected to be in place by the end of the year. The Mayor said he would send her the presentation to help with a question she had about Capital. She inquired about wood surface maintenance, with the cost being the same as last year. The Mayor explained that wood surfaces need to be continually maintained. She also questioned a cost for changing bulbs. The Mayor said he would research to see if that cost was something more extensive.

Denice VanDoren, 11071 W Frost St, Star ID 83669. She echoed Tinsley's comments with appreciation for how the budget is formatted. She had questions on how we handle the money from the Quit Claim Deed and COVID funds and the Mayor explained how they fit into the budget. She asked about Republic Services' increases and The Mayor and Hershey answered with the process and our contract with them. VanDoren asked about the Code Enforcement position and The Mayor said they are going to see if the City Planner 2 position might be able to take that on before we hire additional staff. She questioned the Building Inspector cost and if we considered making that a staff position. The Mayor explained the costs and dynamics of the inspection process.

Daphne Sosa, 12596 W Kempshire Court, Star ID 83669. She expressed appreciation for the Police and for our resolution to be a Sanctuary City. She was concerned about water issues and wanted to be assured that our inspectors were doing a thorough job in their inspections. She asked if the dog park going to have a fence. The Mayor answered that it would and added that the plan was to have separate areas for small and large dogs. Sosa asked if we had funds and plans to add more trees to Star. The Mayor responded that our updated code included adding more types of trees. She also offered to volunteer her help in planting trees.

Keyes asked if The Mayor could briefly go through the new numbering system and explain why it's changed this next year. The Mayor responded that it is more aligned with accounting principles with the Association of Idaho Cities and provides more exact costs.

The Mayor closed the hearing and went into deliberations. Each of the Council expressed their appreciation for the effort and transparency that went into this budget and their support. Keyes moved to approve the budget. Hershey seconded. All ayes. Motion carried.

B) Resolution 20-03 Reserving the Foregone Amount

Keyes moved to approve the resolution. Salmonsen seconded. All ayes. Motion carried.

C) Resolution 20-05 Quit Claim Deed

Hershey moved to approve the resolution. Keyes seconded. All ayes. Motion carried.

REPORTS:

Jake Vogt, Star Chief of Police – Talked about clean up at the River Walk. They will have a crew come out next Tuesday to clean up.

Hershey – The Fire Department meeting is next week. He encouraged the public to check out the new Fire Station. The Foodbank is going well and getting more donations. The Solid Waste Committee is not meeting at this time.

Keyes - Deferred to his earlier comments.

Salmonsen - No updates but expressed support for the tough decision to cancel the Hometown Celebration.

Mayor Chadwick – 960 Main bids are Thursday, August 6th at City Hall and they will have contracts in place next week to approve.

ADJOURNMENT: The Mayor adjourned the meeti	ing at 8:21 pm.
Respectfully submitted:	Approved:
Meredith Hudson, Deputy City Clerk	Trevor A Chadwick, Mayor



STAR CITY COUNCIL SPECIAL MEETING MINUTES

August 10, 2020

1. CALL TO ORDER:

The special meeting of the Star City Council was held on Monday, August 10, 2020 at Star City Hall, 10769 W. State Street in Star, Idaho. Mayor Trevor Chadwick called the meeting to order at 7:00 pm and all stood for the Pledge of Allegiance.

2. ROLL CALL:

Council Present: Michael Keyes, Kevin Nielsen, Attending by Zoom Jennifer Salmonsen.

Council Absent: David Hershey.

3. APPROVAL OF THE AGENDA:

Keyes moved to approve the agenda. Nielsen seconded the motion. All ayes. Motion carried.

4. CONSENT AGENDA:

Nielsen moved to approve the consent agenda. Keyes seconded the motion. All ayes. Motion carried. Building/Zoning Administer, Shawn Nickel explained the allowed uses with the Rosti Farms Subdivision Mixed-Use/Neighborhood Commercial Area. There was a discussion with The Mayor, Council and applicant Deborah Nelson regarding commercial and residential development, restrictions and conditions and Deborah confirmed that however the City has the Mixed-Use written in the code, is what they want to reflect. Some follow up for clarification may be necessary.

6. OLD/NEW BUSINESS:

A) Bid Proposals/Contract for 960 Main Street Renovations Decision

Keller Associates Engineer, Ryan Morgan reported that we had four successful bidders for the 960 Main project. Stroth General, Wright Brothers, CRC Design and RRC. Stroth General was the lowest bidder and it was recommended that we award the contract to them and decide what alternates to include. The alternates are: 1) Painting the detached garage, 2) Adding a 500-gallon underground gas tank, 3) Kitchen millwork, 4) Electrical power to the entrance for a sign, 5) Paving the parking lot and driveway with gravel. There was discussion regarding budgeting for this project as well as other projects such as the dog park and Pavilion Park, impact fees, gas lines and water vein. Completion of 960 Main by November is the goal. Nielson moved to award the contract to Stroth General with all alternates. Keyes seconded. All ayes. Motion carried.

B) Star City Comprehensive Plan Map Revision Discussion

Nickel reported that there were some revisions that need to be made to the Comprehensive Plan Map. The Mayor has been negotiating impact boundaries with Middleton, Eagle and Meridian and several owners and staff have recommended some changes. These revisions will need Council approval with several Workshops and an Open House to be held in September, and a Public Hearing to be held on October 6. Nickel detailed the proposed changes and there was a discussion with The Mayor, Council and Morgan including citing examples from other cities, the South of the River project, Commercial, Residential and Mix-Use, Annexation, Density, and Zoning for several areas of the City and ideas for the Workshops and Open House.

ADJOURNMENT: The Mayor adjourned the meet	ing at 7:54 pm.
Respectfully submitted:	Approved:
Meredith Hudson, Deputy City Clerk	Trevor A Chadwick, Mayor

FINDINGS OF FACT AND CONCLUSIONS OF LAW WHITENER REZONE & PUD FILE NO. RZ-20-04/DA-20-16/PUD-20-05

The above-entitled Rezone and Development Agreement came before the Star City Council for their action on July 28, 2020, 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:

Jay Gibbons, South, Beck & Baird, the applicant, requested approval of a Rezone from Mixed Use (MU-DA) to Central Business District (CBD-DA) and a Planned Unit Development for a commercial and single-family residential development consisting of 28 townhomes and approximately 22,164 square feet of commercial/retail space. The property is located at 10206 W. State Street in Star, Idaho, and consists of 4.76 acres with a proposed residential density of 5.88 dwelling units per acre. Ada County Parcel No. S0408438600.

B. Application Submittal:

A neighborhood meeting was held on November 14, 2019 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 January 14, 2020.

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 February 07, 2020 and June 11, 2020. Notice of this public hearing was mailed to property owners within three-hundred feet (300') of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Star Unified Development Code on February 03, 2020 and June 16, 2020. Notice was sent to agencies having jurisdiction in the City of Star on February 03, 2020. The property was posted in accordance with the Star Unified Development Code on February 21, 2020 and July 8, 2020.

D. History of Previous Actions:

The property received annexation and zoning approval (AZ-07-08) on October 16, 2007 for a Mixed Use (MU-DA) designation and conceptual approval of a supermarket and retail space.

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

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Mixed Use with	Central Business District	Agricultural
	Development		Single Family Dwelling
	Agreement (MU-DA)		
Proposed	CBD-PUD	No Change	Mixed Use Commercial
			& Residential
North of site	Residential (R-4)	Central Business District	Single Family Residential
South of site	Limited Office	Central Business District	Single Family Dwelling
	Transitional (RUT)		Undeveloped
East of site	County Rural	Central Business District	Agricultural
	Transitional (RUT)		Single Family Dwelling
West of site	Commercial (C-2)	Central Business District	Commercial –
			Undeveloped Ag

F. Site Data:

Total Acreage of Site – 4.6 acres

G. Development:

The Applicant is seeking approval of a Rezone (to Central Business District CBD-DA), a Development Agreement and a Planned Unit Development.

REZONE:

The rezone request from Mixed Use (MU-DA) to Central Business District (CBD) on the applicant's property, together with the accompanying planned unit development, will allow for the development and future subdivision of the subject property with a mixture of commercial and residential uses that will be consistent with the recently adopted Comprehensive Plan. Commercial development will include uses allowed within the CBD zone. The overall density of the proposed residential portion of the development, as submitted, is 5.88 dwelling units per acre. The current Comprehensive Plan Land Use Map designates this property as Central Business District. The requested land uses of commercial and residential within the zoning and planned unit development applications meet the intent of the current zoning designation and the intent of the Comprehensive Plan.

PLANNED UNIT DEVELOPMENT:

The application has been submitted as a Planned Unit Development (PUD) in order to include the residential component of the project. And although the CBD zone discourages most non-commercial uses, "Deviations from the development standards and/or area requirements of the district" may be requested as part of the PUD process. The exception in this instance is the residential use in the northern portion of the project that would be in the CBD base zone. In reviewing the development as a whole, the application meets the intent of a PUD in that the purpose of the planned unit development (PUD) requirements is to provide an opportunity for exemplary site development that meets the PUD objectives, including the preservation of natural and scenic features, an innovative design that creates visually pleasing and cohesive pattern of development and the creation of a functionally integrated development that allows for a more efficient and cost-effective provision of public services. Finally, the proposed PUD is not being submitted solely for the purpose of deviation from the dimensional standards in the zoning district.

The site layout consists of 22,164 square feet of retail/commercial space along W. State Street and extending northward into the site. The commercial element includes up to four building pads with accompanying parking and landscaping. Table 8-3C-2(a) Schedule of Uses In The Central Business District (CBD) lists the uses allowed within the commercial portion of the development (New Zoning Ordinance). A new, east-west, public street, meeting the intent of the previous, as well as newly adopted Economic Corridor Access Management Plan (ECAMP), splits and transitions the development into the residential component of the design. The northern half includes 28 townhomes with a public street and shared, private drives. Eight (8) of the units, located immediately north of "First Street" are intended to be a live/work concept, which would increase the total overall commercial area in the development. The shared drives would need to be approved for use by the Star Fire District, or a redesign for access may be required. All streets are proposed to be public, ACHD maintained roadways, with final access onto W. State Street being approved by ITD.

Of the total residential portion of the project (2.43 acres), the site plan indicates that the development will contain a total of 1.03 acres (42.36%) total open space, including a third of an acre (16,193 s.f.) landscape buffer/open space along the northern boundary between the development and the existing residential neighborhood (Rockbridge Subdivision). The applicant has not indicated what type of amenities will be provided to the residential portion of the development other than the open area. Staff recommends one additional amenity be provided within the proposed open areas in the northern common area.

Parking indicated on the concept plan meets the off-street parking requirements of the old and new Zoning Code. All parking will be reevaluated as specific uses are requested.

As proposed by the applicant, the residential portion of the development would include the following dimensional standards:

Proposed Setbacks and Dimensional Standards:

- Minimum Residential Lot Frontage: 30 feet
- Front Setbacks (Measured from the back of sidewalk or property line): 20 feet for garage; 10' Living Area
- Rear Setbacks: 20 feet or 5' maximum for alley loaded garages;
- Interior Setbacks: 0' feet (for zero-lot lines) or 3' per story for detached
- Local Street Side Setbacks: 20 feet
- Maximum Building Height: 35 feet

ADDITIONAL DEVELOPMENT FEATURES:

The applicant has been working with ITD and ACHD regarding traffic impact studies, access points and street standards, in addition to working with the City on the adopted Economic Corridor Access Management Plan (ECAMP) with a collector roadway running east-west through the property, and a potential major access onto W. State Street. As negotiations with ITD and ACHD continue, the applicant will be required to work with the City and the transportation agencies on the final layout of the street system.

Locations and styles for decorative streetlights are not reflected on the concept plan at this time. Locations shall be addressed along with design and description of said lights during the Certificate of Zoning Compliance/Preliminary Platting process. Dark sky lighting shall apply.

No sign locations have been designated for this development. A sign permit application shall be submitted prior to any sign installation.

All internal public roads shall be 36' from back of curb to back of curb. The collector roadway running east-west, and south to W. State Street may need to be redesigned in the future with a 54' of right-of-way and a 40' road width if determined in the future by ITD and ACHD depending on the future configuration of the road system between N. Seneca Springs Way and N. Taurus Way.

The applicant has not indicated where mailbox clusters will be located for the development. The applicant shall work with the Star Postmaster on locations for mail service.

Specific landscaping has not been proposed within the concept plan. If approved, staff will include a condition of approval requiring a landscape plan meeting the standards of the Unified Development Code, including the required street tree placement.

 The applicant shall provide one additional amenity within the proposed development, to be located within the open space area at the northern end of the development.

UPDATED APPLICATION INFORMATION 7-28-20

This application was originally heard by City Council on March 3, 2020. It was subsequently tabled to April 7, 2020 to allow the applicant time to revise the development per the Council's recommendations for the amount of residential and commercial uses proposed. The application was scheduled for a workshop with Council on May 19, 2020. Upon completion of the workshop, staff rescheduled the application, sent out new letters to neighbors and published a new legal notice for the July 21st Council date. The applicant reposted a public hearing sign for the new meeting.

The applicant has submitted a revised site plan with revisions from what was discussed at the Council workshop.

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 Slight elevation changes to the north.
- Stream/Creek None.
- O 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.

I. Agencies Responding:

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

Central District Health February 12, 2020
Dept of Army Corp of Engineers February 14, 2020
Keller and Associates February 20, 2020
Star Fire District December 26, 2020
ITD March 3, 2020
ACHD March 16, 2020

- J. Staff did not receive any letters from the public in opposition.
- K. Comprehensive Plan and Unified Development Code Provisions:

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Central Business District

The Central Business District is planned to be a vibrant downtown center for the community. Uses encouraged are commercial, retail, civic, private offices, and entertainment. High density housing is encouraged on the upper floors of mixed-use buildings and at the fringes of the land use designation. Developments in this district are to place an emphasis on pedestrian and bicycle access and compatibility.

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.

8.5.5 Policies Related Mostly to the Central Business District Planning Areas:

A. The CBD zoning district should allow for a mix of commercial, office, institutional, and civic type uses with specific provisions for residential use in appropriate locations with compatible densities.

B. High density residential is suitable within the CBD in mixed use buildings with commercial or office type uses on the first floor and high density residential on upper floors.

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.

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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: (OLD CODE IN EFFECT AT THE TIME OF SUBMITTAL)

Definitions (Section 8-2 B-1):

Dwelling or Dwelling Unit: Any structure, or portion thereof, providing independent living facilities for one "family" as herein defined, including provisions for living, sleeping, eating, cooking, and sanitation.

USE	CBD	C-1	C-2	L-O
Dwelling:				
Multi-family ¹	С	N	N	N
Secondary ¹	N	N	N	N
Single-family attached	С	N	N	N
Single-family detached ¹	N	N	N	N
Townhouse	N	N	N	N
Two-family duplex	N	N	N	N

8-7-1: PURPOSE PLANNED UNIT DEVELOPMENTS:

A. The purpose of the planned unit development (PUD) requirements is to provide an opportunity for exemplary site development that meets the following objectives:

- 1. Preserves natural, scenic and historic features of major importance;
- 2. Allows for innovative design that creates visually pleasing and cohesive patterns of development; and
- 3. Creates functionally integrated development that allows for a more efficient and cost-effective provision of public services.
- B. It is not the intent that the PUD process be used solely for the purposes of deviation from the dimensional standards in the district. (Ord. 215, 11-2-2011)

8-7-4: STANDARDS:

The council may approve planned unit developments, in accord with the following standards:

A. General Use Standards:

1. Deviations From Underlying District Requirements: Deviations from the development standards and/or area requirements of the district in accord with <u>chapter 3</u>, "District Regulations", of this title may be approved. The exception is that along the periphery of the planned development, the applicable setbacks as established by the district shall not be reduced.

2. Allowed Uses: Applicant may request that specific conditional use(s) be allowed in the district as principal permitted use(s).

- 3. Private Streets And Service Drives: The uses within the planned unit development are interconnected through a system of roadways and/or pathways as appropriate. Private streets and service drives may be permitted, if designed and constructed to the transportation authority standards and in accord with <u>chapter 4</u>, <u>article E</u>, "Private Street Requirements", of this title.
- 4. Buildings Clustered: Buildings shall be clustered to preserve scenic or environmentally sensitive areas in the natural state, or to consolidate small open spaces into larger, more usable areas for common use and enjoyment.
- B. Private Open Space: In addition to the common open space and site amenity requirements as set forth in <u>chapter 4</u>, "Regulations Applicable To All Districts", of this title, a minimum of eighty (80) square feet of private, usable open space shall be provided for each residential unit. This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement.

C. Residential Use Standards:

- 1. Multi-Family: Notwithstanding the provisions of <u>chapter 3</u>, "District Regulations", of this title, multi-family dwellings may be an allowed use when approved through a planned unit development.
- 2. Housing Types: A variety of housing types shall be included within a single planned development, including attached units (townhouses, duplexes), detached units (patio homes), single-family and multi-family units, regardless of the district classification of the site, provided that the overall density limit of the district is maintained.

8-4F-3: STANDARDS FOR COMMON OPEN SPACE AND SITE AMENITY REQUIREMENTS:

A. Open Space And Site Amenity Requirement:

1. Open Space: Open space shall be designated as a total of 15% per application with 10% being useable space. (amd. Ord. 290, 2019)

- 2. One additional site amenity shall be required for each additional twenty (20) acres of development area.
- 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 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. Community garden;
- c. Ponds or water features; or
- d. Plaza.
- 2. Additions to a public park or other public open space area.
- 3. The buffer area along collector streets may be included in required common open space for residential subdivisions.
- 4. A street buffer with a minimum of ten feet (10') in width and street trees planted in accord with section <u>8-4B-7</u>, "Landscape Buffers Along Streets", of this chapter may count up to fifty percent (50%) of the requirement.
- 5. Parkways along local residential streets 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.
- b. The parkway is planted with street trees in accord with section 8-4B-7, "Landscape Buffers Along Streets", of this chapter.
- c. 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.
- 6. Parkways along collector and arterials that are a minimum of ten feet (10') in width from street curb to sidewalk can be counted toward the open space requirement.
- 7. Stormwater detention facilities when designed in accord with section 8-4B-11, "Stormwater Integration", of this chapter.

following: 1. Quality of life amenities; 2. Clubhouse; 3. Fitness facilities; 4. Enclosed bike storage; 5. Public art: 6. Picnic area: or 7. Additional five percent (5%) open space; 8. Recreation amenities: a. Swimming pool. b. Children's play structures. c. Sports courts. d. 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; 9. Provision of transit stops, park and ride facilities or other multimodal facilities to encourage alternative automobile transportation. D. Location: 1. The common open space and site amenities shall be located on a common lot or an area with a common maintenance agreement.

2. Common open space shall be grouped contiguously with open space from adjacent

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

developments whenever feasible.

- E. Required Improvements And Landscaping:
- 1. Common open space shall be suitably improved for its intended use, except that natural features such as wetlands, rock outcroppings, ponds, creeks, etc., may be left unimproved.
- 2. Common open space areas shall include (at a minimum) one deciduous shade tree per eight thousand (8,000) square feet and lawn, either seed or sod.

F. 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; or
- 2. Land designated as common open space may be conveyed to the city, where the city council agrees to accept conveyance. (Ord. 215, 11-2-2011)

Table 8-3C-2(a) Schedule of Uses In The Central Business District (CBD): (Principal Permitted (P), Conditional (C), or Prohibited (N) uses)

Use	CBD	
Accessory structure	C ⁴	
Adult business/adult entertainment ¹	N	
Agriculture, forestry, fishing	N	
Airport	N	
Alley	Р	
Animal care facility ¹	С	
Artist studio ¹	Р	
Arts, entertainment, recreation facility ¹	С	
Asphalt plant ¹	N	
Auction facility	N	
Automated teller machine ^{1,2}	Р	
Automotive hobby ¹	N	
Automotive mechanical/electrical repair and maintenance	С	
Bakery	Р	

Г		
Bar/tavern/lounge/drinking establishment ¹	Р	
Barbershop/styling salon	Р	
Bed and breakfast	Р	
Beverage bottling plant	N	
Boarding house	N	
Brewery	N	
Brewpub	С	
Building material, garden equipment and supplies ¹	N	
Campground/RV park ¹	С	
Cement or clay products manufacturing	N	
Cemetery ¹	N	
Chemical manufacturing plant	N	
Church or place of religious worship ¹	N	
Civic, social or fraternal organizations ¹	Р	
Concrete batch plant	N	
Condominium	С	
Conference/convention center	Р	
Contractor's yard ¹	N	
Convenience store	Р	
Dairy farm	N	
Daycare center ¹ (more than 12)	Р	
Daycare, family ¹ (6 or fewer)	Р	
Daycare, group ¹ (7 - 12)	Р	
Drive-through establishment/drive-up service window ¹	Р	
Drugstore	Р	
Dwelling:		
Multi-family ¹	С	

Secondary ¹	N
Single-family attached	С
Single-family detached ¹	N
Townhouse	N
Two-family duplex	N
Educational institution, private ¹	С
Educational institution, public ¹	С
Equipment rental, sales, and services ¹	С
Fabrication shop	N
Farm	N
Farmers' or Saturday market	Р
Feedlot	N
Financial institution ¹	Р
Fireworks stand ³	С
Flammable substance storage	N
Food products processing ¹	N
Food stand ³	Р
Gasoline station ^{1,2}	Р
Gasoline station with convenience store ^{1,2}	Р
Golf course ¹	N
Government office	Р
Greenhouse	N
Greenhouse, commercial ¹	Р
Guesthouse/granny flat1	N
Healthcare and social services	Р
Heliport	N
Home occupation ¹	Р

Hospital ¹	С
Hotel/motel ¹	Р
Ice manufacturing plant	N
Industry, information ¹	Р
Institution	С
Junkyard ¹	N
Kennel	N
Laboratory	С
Laboratory, medical	С
Lagoon	N
Laundromat ^{1,2}	Р
Laundry and dry clean	Р
Library	Р
Manufactured home ¹	N
Manufactured home park ¹	N
Manufacturing plant	N
Meatpacking plant	N
Medical clinic	Р
Mining (except accessory pit1)	N
Mortuary	N
Museum	Р
Nursery, garden center and farm supply ¹	С
Nursing or residential care facility ¹	N
Office security facility	Р
Parking lot/parking garage ²	Р
Parks, public and private ²	Р
Pawnshop	Р

Personal and professional services	Р
Photographic studio	Р
Portable classroom/modular building	С
Power plant	N
Processing plant	N
Professional offices	Р
Public infrastructure	С
Public or quasi-public use	Р
Public utility, major ¹	N
Public utility, minor ¹	Р
Public utility yard ¹	N
Recreational vehicle dump station ¹	Р
Recycling center ¹	N
Research activities	С
Restaurant	Р
Retail store/retail services	Р
Retirement home	С
Salvage yard	N
Sand and gravel yard	N
Service building	Р
Shooting range ²	N
Shopping center	Р
Solid waste transfer station	N
Stable	N
Storage facility, outdoor ¹	С
Storage facility, self-service ^{1,2}	N
Swimming pool, commercial/public	Р

Swimming pool, private	N
Television station	С
Temporary living quarters ¹	N
Temporary use ³	Р
Terminal, freight or truck ¹	N
Tower	N
Truck stop	N
Turf farm	N
Vehicle emission testing ³	Р
Vehicle impound yard ¹	N
Vehicle repair, major ¹	N
Vehicle repair, minor ¹	С
Vehicle sales or rental ¹	С
Vehicle washing facility ^{1,2}	С
Vehicle wrecking yard ¹	N
Veterinarian office	Р
Vineyard	N
Warehouse and storage ¹	N
Wholesale sales	N
Winery ¹	N
Wireless communication facility ¹	С
Yard sale	Р

Notes:

- 1. Indicates uses that are subject to chapter 5, "Specific Use Standards", of this title.
- 2. Indicates uses that are subject to section <u>8-4A-23</u>, "Self-Service Uses", of this title.
- 3. Indicates uses that are subject to <u>chapter 4</u>, <u>article D</u>, "Temporary Use Requirements", of this title.
- 4. See subsection <u>8-4A-3</u>J of this title.

(Ord. 215, 11-2-2011; amd. Ord. 223, 2-21-2012; Ord. 236, 7-15-2014; Ord. 252, 11-2-2015; Ord.

Required Findings for Rezoning (UDC §8-1B-1E):

- 1. The map amendment complies with the applicable provisions of the Comprehensive Plan.

 The Council finds that the purpose of the Star Comprehensive Plan is to promote the health, safety, and general welfare of the people of the City of Star and its Impact Area.

 Some of the prime objectives of the Comprehensive Plan include:
 - ✓ Protection of property rights.
 - ✓ Adequate public facilities and services are provided to the people at reasonable cost.
 - ✓ Ensure the local economy is protected.
 - ✓ Encourage urban and urban-type development and overcrowding of land.
 - ✓ Ensure development is commensurate with the physical characteristics of the land.

The goal of the Comprehensive Plan for the Central Business District is to encourage 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. The Council finds that this annexation and rezone is in compliance with the Comprehensive Plan.

2. The map amendment complies with the regulations outlined for the proposed district, specifically, the purposes statement.

The Council finds that the Central Business District purpose statement states that uses in the district should include small scale retail, public, quasi-public and adaptive reuse of residential structures. Although the CBD does not permit detached single family residential, through the PUD application, the Council finds that the purpose of the planned unit development (PUD) is to provide an opportunity for exemplary site development that meets the objective of innovative design that creates visually pleasing and cohesive patterns of development Deviations from the development standards and/or area requirements of the district" may be requested as part of the PUD process. This request is consistent with the statement.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and

The Council finds that there is no indication from the material and testimony submitted 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 Council finds that the City 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 Council finds this annexation is reasonably necessary for the orderly development of the City.

Required Findings for Planned Unit Developments (UDC §8-7-5):

A. The planned unit development demonstrates exceptional high quality in site design through the provision of cohesive, continuous, visually related and functionally linked patterns of development, street and pathway layout, and building design.

The Council finds that the planned unit development includes a site design, street and pathway layout, and building design that is cohesive, continuous and visually and functionally appropriate for the area.

B. The planned unit development preserves the significant natural, scenic and/or historic features.

The Council finds that the planned unit development preserves significant natural, scenic and historic features found on the property.

C. The arrangement of uses and/or structures in the development does not cause damage, hazard, or nuisance to persons or property in the vicinity.

The Council finds that the planned unit development is arranged so that the uses and structures will not cause damage, hazard or nuisance to persons or property in the vicinity.

D. The internal street, bike and pedestrian circulation system is designed for the efficient and safe flow of vehicles, bicyclists and pedestrians without having a disruptive influence upon the activities and functions contained within the development, nor place an undue burden upon existing transportation and other public services in the surrounding area.

The Council finds that the planned unit development has been designed to take into consideration internal street, bike and pedestrian circulation. ACHD and ITD have reviewed and commented on the application with requirements incorporated into the approval of the development.

E. Community facilities, such as a park, recreational, and dedicated open space areas are functionally related and accessible to all dwelling units via pedestrian and/or bicycle pathways.

The Council finds that the planned unit development includes park, recreational and open space that will be functionally related and accessible to all dwelling units through the pedestrian and bicycle pathway system.

F. The proposal complies with the density and use standards requirements in accord with <u>chapter 3</u>, "District Regulations", of this title.

The Council finds that the planned unit development complies with the density and use standards requirement of the UDC.

G. The amenities provided are appropriate in number and scale to the proposed development.

The Council finds that the planned unit development includes the appropriate number and scale of amenities to the proposed development.

H. The planned unit development is in conformance with the comprehensive plan.

The Council finds that the planned unit development is in conformance to the comprehensive plan and the Central Business District designation.

Public Hearing of the Council:

- a. A public hearing on the application was held before the City Council on March 3, 2020, at which time testimony was heard and the Council tabled the application to April 7, 2020 to allow the applicant time to revise the development per the Council's recommendations for the amount of residential and commercial uses proposed. A workshop was held by Council and the applicant on May 19, 2020. A new public hearing was scheduled for July 21, 2020. The public hearing was rescheduled for July 28, 2020 at which time testimony was heard and the public hearing was closed. The City Council made their decision at that time.
- b. Oral testimony in favor of the application was presented to the City Council by: Jay Gibbons, South, Beck & Baird, 2002 S. Vista Ave, Boise, ID, the applicant
- c. Oral testimony to the application was further presented to the Council by:

Steven Zinzer, 289 N. Baldy Place, Star, ID 83669

Doug Kramer, Rockbridge HOA, 10343 W. Adirondack Court, Star, ID 83669

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

Doug Kramer, Rockbridge HOA

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this proposed rezone application in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in discussions on proposed rezone and concept plan. Discussion included open space, irrigation ditches, pathways to the school, future platting of the out parcel, fencing, setbacks, and the proper zoning of the property.

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 Council placed several conditions within the development agreement to include the following:

- 1. CBD zoning designation approved with a maximum of 20 residential lots;
- 2. One additional amenity;
- 3. Preliminary Plat to have substantial buffering on north boundary;
- 4. Development ratio of 50% residential until two front commercial buildings are constructed along W. State Street;
- 5. Include ITD Proportionate Share agreement.

Conditions of Approval (PUD):

- 1. The development shall follow the specific details of the approved PUD site/development plan approved through this application. The approved PUD site/development plan shall further comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
- 2. The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. These fees will be collected by the City of Star, by residential phase prior to final plat signature, and as commercial uses are reviewed and approved by the City.
- 3. Prior to development of the first phase, a revised site/development plan and landscape plan shall be submitted to the administrator including the ACHD/ITD approved street sections and access points, landscaping and amenities, street trees, mailboxes, streetlights that meet the standards of the current Unified Development Code. The plan shall indicate two (2) additional amenity for the residential portion of the development.
- 4. The residential portion of the development shall be limited to 50% until such time as the two (2) commercial buildings are constructed along W. State Street.
- 5. The property with the approved development plan shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.

- 6. All private streets shall have a minimum street width of 26' with no parking and shall be constructed to ACHD standards. Common drives/alleyways shall meet the design requirements of the Star Fire District.
- 7. The east-west public road shall be built as a collector street and shall meet the requirements of ACHD.
- 8. Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees.
- 9. The approved development plan shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages, including street trees.
- 10. Applicant/Owner/Developer shall submit a streetlight and parking lot lighting plan/design prior to Certificate of Zoning Compliance. All lighting shall comply with the Star City Code and the Dark Sky standards adopted by the City.
- 11. All new structures shall comply with the effective building and zoning requirements at time of building permit issuance, unless otherwise amended in the PUD or Development Agreement.
- 12. Any requirements from the Star Sewer & Water District shall be the responsibility of the applicant.
- 13. All State, Federal and Local rules and regulations regarding development in the Special Hazard Areas (Floodplain/Floodway) shall be adhered to, if applicable.
- 14. The applicant shall meet all requirements of the Star Fire District regarding emergency access to the property and fire flow.
- 15. All new structures and tenant improvements shall require a building permit.
- 16. A separate sign permit shall be approved for any signage for the proposed uses.
- 17. Prior to issuance of a Certificate of Zoning Compliance, a stormwater narrative, drainage calculations, and drainage section details shall be submitted and approved by the City Engineer. The development shall further meet all specific requirements of the City Engineer.
- 18. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of any construction.**
- 19. A sign application is required for any subdivision or commercial signage.

Council Decision:

The Council voted 4-0 to approve the Rezone to Central Business District (CBD-DA) with a Development Agreement and a Planned Unit Development for Philip D. Whitener on July 28, 2020.	
Dated this day of	, 2020.
Star, Idaho	
	Ву:

ATTEST:	Trevor A. Chadwick, Mayor
Cathy Ward, City Clerk	

WHITENER REZONE- PLANNED UNIT DEVELOPMENT

DEVELOPMENT AGREEMENT

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 Philip D. Whitener, and Mary Jo Prather, husband and wife, hereinafter referred to as "Owner" and "Developer".

WHEREAS, Owner owns a parcel of land of approximately 4.76 acres in size, currently located within the City of Star, zoned M-U and more particularly described in **Exhibit A** of Ordinance _____, which is attached hereto and incorporated by reference herein (the "Property");

WHEREAS, Owner has requested that the Property be rezoned in 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 at Title 8, Chapter 10, 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 annexed in accordance with this Agreement;

WHEREAS, Developer filed with the City of Star, a Request to Rezone the Property and to <u>CBD-PUD-DA</u>, as File No. <u>RZ-20-04/PUD-20-05</u>, so that the City can review all of 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 and Developer'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, Owner, and Developer, 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 Number of Residential Dwelling Units Permitted. As part of the Planned Unit Development Site Plan shown as **Exhibit B**, Owner is allowed to develop 4.76 acres as follows:
 - Zoning Classification: The zoning classification shall be a CBD-PUD-DA.
 - A maximum of 20 residential dwelling units is approved under this Agreement.
 - The Developer shall comply with all city ordinances relating to the Whitener property and Planned Unit Development, except as otherwise provided herein.
- **2.2** Site Design. The conceptual plan, as set forth in Exhibit B, is hereby approved. The development shall include a total of two (2) amenities within the residential portion of the project. The future preliminary plat shall include a substantial open space buffer of at least 12,700 square feet.
- **2.3** Residential Uses. The development is hereby approved for up to 20 single-family attached or detached units.
- **2.4** Public Collector Roadway. The Developer shall construct a public east-west collector roadway built to ACHD standards. The roadway meets the intent of the City of Star adopted ECAMP transportation corridor map.
- **2.5** <u>Development Ratio</u>. The development shall be allowed to construct no more than 50% of the residential portion of the project until the two (2) commercial buildings are constructed along W. State Street as indicated on the conceptual plan.
- **2.6** <u>Setbacks and Dimensional Standards</u>. The development shall comply with the following approved setbacks and dimensional standards:
 - Commercial Uses Current CBD Zoning Standards
 - Minimum Residential Lot Frontage: 30 feet
 - Front Setbacks (Measured from the back of sidewalk or property line): 20 feet for garage; 10' Living Area
 - Rear Setbacks: 20 feet or 5' maximum for alley loaded garages;
 - Interior Setbacks: 0' feet (for zero-lot lines) or 3' per story for detached
 - Local Street Side Setbacks: 20 feet
 - Maximum Building Height: 35 feet
- 2.8 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 traffic mitigation fee determined by the Idaho Transportation Department as uses are proposed and development applications are reviewed. 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.

- **2.9** <u>Changes and Modifications</u>. 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 uses permitted by this Agreement or fails 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.
- **Section 3.** Conditions, Bonding for Completion. All of the conditions set forth herein shall be complied with or shall be bonded for completion 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. Owner or Developer 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.
- **2.10** <u>Final Design Review.</u> The developer shall receive design review and/or preliminary plat approval from the City for each phase of the Development Plan.
- **2.11** Commencement of Construction and/or Subdivision. The Developer shall commence construction of the Commercial and/or Residential development and Subdivision of the property within 5 years of the effective date of this Agreement. In the event the Developer fails to commence construction within the time periods herein stated, the Developer shall be in default of this Agreement.
- 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. <u>Unenforceable Provisions.</u> 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/Developer: Philip D. Whitener

Mary Jo Prather 198 Rooster Drive Eagle, Idaho 83616

- **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.

[end of text; signatures and exhibits follow]

IN WITNESS WHEREOF , the partie executed on the day and year set forth below.	s have hereunto caused this Agreement to be
Dated this day	, 2020.
	CITY OF STAR
	By: Trevor A. Chadwick, Mayor
	Trevor A. Chadwick, Mayor
ATTEST:	
Cathy Ward, City Clerk	
STATE OF IDAHO)) ss. County of Ada)	
Public in and for said state, personally appeare	, 2020, before me the undersigned, a Notary of Trevor A. Chadwick and Cathy Ward, known to ly, of the City of Star who subscribed their names d to me that they executed the same.
IN WITNESS WHEREOF, I have here certificate first above written.	eunto set my hand and seal, the day and year in this
	Notary Public for Idaho
	Residing at:

	OWNERS:
	Philip D. Whitener
	Mary Jo Prather
STATE OF IDAHO)) ss. County of Ada)	
Public in and for said state, personally a	, 2020, before me the undersigned, a Notary ppeared Philip D. Whitener and Mary Jo Prather, o me to be the persons who subscribed their names to the d to me that they executed the same.
IN WITNESS WHEREOF, I have certificate first above written.	we hereunto set my hand and seal, the day and year in this
	Mataur Dublic for Idaha
	Notary Public for Idaho Residing at:

EXHIBIT B PUD CONCEPTUAL SITE PLAN

FINDINGS OF FACT AND CONCLUSIONS OF LAW Gary Saunders ANNEXATON & ZONING FILE NO. AZ-20-13

The above-entitled Annexation & Zoning land use application came before the Star City Council for their action on September 15, 2020, 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:

Gary Saunders, 3245 N Wing Road, Star, ID 83669, owner, requested approval of an Annexation with Zoning to Residential (R-2-DA). The 5.36 -acre site is generally located on the west side of N. wing Road, north of Beacon Light Road in Star, Idaho. Ada County Parcel # S0332343710.

B. Application Submittal:

A neighborhood meeting was held on July 11, 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 August 13, 2020.

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 September 4, 2020. 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 August 13, 2020. Notice was sent to agencies having jurisdiction in the City of Star on August 13, 2020. The property was posted in accordance with the Star Unified Development Code on September 4, 2020.

D. History of Previous Actions:

There have been no previous Land Use Actions on this property.

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

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
Existing	Neighborhood Residential	RUT	Single Family Residential
Proposed	Neighborhood Residential	R-2-DA	Single Family Residential
North of site	Neighborhood Residential	RUT	Agriculture
South of site	Neighborhood Residential	R-3	Greendale Subdivision
East of site	Neighborhood Residential	R-3	Greendale Grove Subdivision
West of site	Neighborhood Residential	R-3	Collina Vista Preliminary Plat

F. Site Data:

Total Acreage of Site – 5.36 acres

G. Development:

The applicant is requesting approval of an annexation and rezone application to change the zoning designation on 5.36 acres from Rural Urban Transitional Residential (RUT) to low density Neighborhood Residential (R-2). This zoning district would allow for a maximum residential density of 2 dwelling units per acre. The property is currently serviceable with central sewer and water provided by Star Sewer and Water District. Two stub streets are provided to the property (N. Cherry Grove Way & N. Greengate Way) and the property has access onto N. Wing Road with approximately 174 feet of frontage. The rezone request includes a development agreement that will address future density and development standards for any future subdivision plat that is submitted by the applicant.

The applicant has submitted a conceptual site plan that shows a layout of 5 residential lots, or a density of 1.02 dwelling units per acre.

It appears that the existing single-family dwelling will be retained along N. Wing Road and may be requested to be split from the remaining subdivision property as part of a future Lot Line Adjustment. Staff will recommend that the remaining parcel with the existing house be required to be part of the future preliminary plat or be required to provide sidewalk and landscaping through the one-time division depending on ACHD requirements along N. Wing Road.

A future preliminary plat will need to provide details regarding the following:

ACHD approval of N Wing Road Access and stub street/turn around requirements.

- Landscape Plan Street Trees, Buffer Landscaping
- Streetlights
- Fire District Approval.

A future preliminary plat will need to provide details regarding the following:

- Open Space 15% (10 % usable)
- 1 Amenity
- Canyon Hwy Dist. approval of Can-Ada Road Access and internal street improvements
- Pressurized Irrigation
- Landscape Plan Street Trees, Buffer Landscaping
- Other concerns of Staff and Council as necessary

DEVELOPMENT AGREEMENT

Through the Development Agreement process, the applicant is proposing to work with the City to provide further insurances that the development will be built as presented and/or modified by the Council through the review process. Items that can be considered by the applicant and Council include the following:

- Density
- Future Property Division and Required Improvements
- ITD Proportionate Share Fees
- Existing Home Parcel

H. On-Site Features:

- ◆ Areas of Critical Environmental Concern No known areas.
- ♠ Evidence of Erosion No evidence.
- **☼** Fish Habitat No known areas.
- Floodplain Property is not in a Special Flood Hazard area.
- Mature Trees Several existing mature trees.
- Riparian Vegetation None.
- Steep Slopes None.
- Stream/Creek None.
- O Unique Animal Life No unique animal life has been identified.
- O 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.

I. Agencies Responding:

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

<u>Date</u> <u>Agency</u>

August 31, 2020 Star Fire District September 4, 2020 HRM Pipeline

J. Letters from the Public: None received.

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:

- 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:

 The Neighborhood Residential Land Use is to encourage urban style development densities to limit urban sprawl.

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.

<u>Unified Development Code:</u>

Residential District Purpose Statement 8-3B-1 – The purpose of the residential districts is to provide for a range of housing opportunities consistent with the Star Comprehensive Plan. Connection to the Star Sewer and Water District is a requirement for all residential districts. Residential districts are distinguished by the allowable density of dwelling units per acre and corresponding housing types that can be accommodated within the density range.

Low Density Residential (R2) – Up to two units per acre.

The standards for rezoning a piece of property are as follows:

- The subject property shall meet the minimum dimensional standards of the proper district.
- The City may require a development agreement in conjunction with the rezone, pursuant to Idaho Code Section 67-6511A.
- 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 the 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 RT.
- Any action by the City Council to amend or terminate a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.

TABLE 8-3B-6(a)
DIMENSIONAL STANDARDS FOR DEVELOPMENT IN THE LOW-DENSITY NEIGHBORHOOD RESIDENTIAL DISTRICT R-2

R-2 Standard(s)	Requirement
Minimum street frontage	35 feet
Front setback ¹	20 feet
Rear setback	20 feet
Interior side setback	10 feet
Street side setback ¹ :	
Local	20 feet
Arterial and collector	20 feet
Street landscape buffer:	
Arterial and collector	35 feet
Entryway corridor	40 feet
Maximum building height	35 feet

Note:

1. Measured from back of sidewalk or property line where there is no adjacent sidewalk

Required Findings for Annexation and Rezoning (UDC §8-1B-1E):

- 1. The map amendment complies with the applicable provisions of the Comprehensive Plan.

 The Council finds that 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 Residential Districts 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.

2. The map amendment complies with the regulations outlined for the proposed district, specifically, the purposes statement.

The Council finds that the residential purpose statement states that the purpose of the residential districts is to provide for a range of housing opportunities consistent with the Star Comprehensive Plan. Connection to the Star sewer and water district is a requirement for all residential districts, when available. Residential districts are distinguished by the allowable density of dwelling units per acre and corresponding housing types that can be accommodated within the density range. This request is consistent with the statement.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and

The Council finds 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 Council finds that the City 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 Council finds this annexation is reasonably necessary for the orderly development of the City.

Public Hearing of the Council:

a. A public hearing on the application was held before the City Council on September 15, 2020, at which time testimony was heard and the public hearing was closed. The City Council made their decision at that time.

- b. Oral testimony in favor of the application was presented to the City Council by: Gary Saunders – 3245 N. Wing Rd., Star, ID 83669
- c. Oral testimony in opposition to the application was presented to the Council by: None
- d. Oral testimony uncommitted to the application was presented to the Council by: None
- e. Written testimony in favor of or opposing the application was presented to the City Council by:

No written testimony was presented in favor or opposing the application.

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 annexation and platting of the development. Discussion included future development with a preliminary plat and compliance with Comp Plan.

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 Owner requested the annexation and rezone from Rural Urban Transition (RUT) to Residential (R-2) which fits within the neighboring properties

Council Decision:

The Council voted unanimously to approve Development Agreement for Gary Saunders	the Annexation and Zoning to Residential (R-2) and on September 15, 2020.
Dated this day of	., 2020.
	Star, Idaho
ATTEST:	By: Trevor A. Chadwick, Mayor
Cathy Ward, City Clerk	



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel, City Planner Shar 1. Mah

MEETING DATE: October 6, 2020

FILE #: FP-20-15 Trident Ridge Subdivision Phase 3

REQUEST

The Applicant is seeking approval of a Final Plat for Trident Ridge Subdivision Phase 3. The phase is located on the western side of the approved preliminary plat and contains 46 residential and 1 common lots.

The subject property is generally located near the north end of Wing Road. Ada County Parcel Number is R4830410615.

APPLICANT/OWNER/REPRESENTATIVE

Applicant:

Tim Mokwa Hayden Homes Idaho LLC 1406 N. Main Street, Ste. 109 Meridian, Idaho 83642

Owner:

Brookfield Holdings (Hayden II) LLC 250 Vesey Street Floor 15 New York, New York 10281

1

Representative:

John Carpenter T-O Engineers 332 N. Broadmore Way Nampa, Idaho 83687

PROPERTY INFORMATION

Land Use Designation: Residential (R-3)

Acres (Phase 3): 11 Acres
Residential Lots: 46
Common Lots: 1

Commercial: N/A
Total Residential Units 46 Units

HISTORY

June 4, 2019 Council approved the Final Plat for Phases 1 & 2 consisting of 65

residential lots and 8 common lots on 19.12 acres.

December 19, 2017 Applications for Rezone and Preliminary Plat (PP-17-04) came before the

Council for approval.

September 4, 2007 The property was annexed and zoned Residential (R1 and R3) on

September 4, 2007.

GENERAL DISCUSSION

The Applicant is requesting approval of the Final Plat for phase 3 of Trident Ridge Subdivision consisting of 46 residential lots and 1 common lot.

The Final Plat is in general compliance with the approved Preliminary Plat approved by Council.

Site Specific Condition #1 for the preliminary plat approval stated that a new permanent bridge at the north end of Wing Road should be required across the Farmers Union Ditch large enough to allow for an emergency vehicle to cross. The applicant has provided the following statement regarding this condition as part of approval of Phases 1 & 2:

"Our intent, as is noted on the preliminary plat, was to install the vehicular bridge and pedestrian bridge in conjunction with the development of Trident Ridge Phase 4 (originally noted as Phase 3 on the PPLAT, but the originally labeled Phase 1 was split into two phases) . To be as clear as possible on timing, I request that the condition for the Phase 1 and 2 final plats state that the vehicular and pedestrian bridges over the Farmers Union Canal, and the dedication of the 50-acre natural park area shall be complete prior to the issuance of the first Trident Ridge Phase 4 building permit.

For the eight parking stalls we request that the condition state: the eight-stall parking lot shall be constructed in conjunction with the site development of Trident Ridge Phase 9. The reason to do this construction later, is that the grading in this area will be better done in conjunction with the overall grading of this phase."

It appears from the updated phasing plan submitted with this Phase 3 that construction of Phase 5 will be adjacent to the 50-acre park. Staff is supportive of waiting until Phase 5 for the dedication of the park and construction of the vehicular bridge and pedestrian bridge. Regarding the construction of the parking area, staff will review this again as part of Phase 5 and make a recommendation to Council on the timing of the parking area at that time.

Original Preliminary Plat Review:

Site Data:

Total Acreage of Site – 143.6 acres

Total Number of Lots – 347 lots

Total Number of Residential Lots – 324 lots

Total Number of Common Lots – 23 lots

Total Number of Commercial Lots – None

Type of Units – Single Family Units

Dwelling Units Per Gross Acre – 2.26 Units per acre

Total Acreage of Common Lots – 64.4 acres

Percent of Site as Common Area – 45.6%

General Site Design Features:

Landscaping

The landscape plan submitted was approved as far as the locations. However, the UDC, Chapter 4, Section B-7 C-3 Street Trees, states that a minimum density of one (1) tree per thirty-five (35) linear feet is required. This can be accomplished with the requirement of having trees installed in the front yards of each lot.

Open Space

Open space for the subdivision comes in the form of passive green space, active play areas, exercise trails, picnic area, and a large natural park area with trails.

Street Design:

Public Streets

All streets are required to meet Ada County Highway District regulations.

Block Lengths not to exceed 500'

This Applicant requested and was granted a waiver of block lengths exceeding 500'.

<u>Sidewalks</u>

The Applicant will be required to provide sidewalks throughout the development.

Lighting

Streetlights shall be of the same design throughout the entire development and shall be required to follow the "dark skies" regulations.

Street Names

Street names will be approved by the Ada County Street Naming Committee prior to submittal of a final plat application.

Public Uses Proposed:

The Applicant intends to develop only the Residential (R3) portion of the subdivision. The Applicant offered to give to the City the 50 plus acre property above the Farmers Union Canal; in exchange the City will provide up to \$60,000 for construction of a new bridge at the end of Wing Road for emergency vehicle use only.

Council Decision:

On November 21, 2017, the Council voted to table the discussion to the December 19th meeting for Council to do a site visit the next day at 9 am. On December 19, 2017 the Council voted 3 to 0 to approve the Preliminary Plat (File #PP-17-04). The motion was clarified at the Council meeting on January 2, 2018 which stated: Hershey moved to approve File PP-17-04 Preliminary Plat for Trident Ridge Subdivision with the stated conditions in the Staff Report, and the addition of a pedestrian foot bridge to be built, eight parking spaces, and not to exceed a \$60,000.00 cap coming out of park impact fees for construction of the vehicular bridge to be built to the code stated in the letter dated December 19, 2017 from our Fire Chief, and the City to assume ownership of the 50 plus acre park, Nielsen seconded the motion. All ayes: motion carried.

Staff analysis of Final Plat Submittal:

<u>Lot Layout</u> – The gross density of Phase 3 phase is 4.22 du/acre. The application submitted does not give a range in lot sizes or an average lot size.

<u>Common/Open Space and Amenities</u> – This phase will include .05 acres of common area. Open space for the overall development is provided in other phases of the subdivision. Landscaping as required by the Unified Development Code, Street Trees; the minimum density of one (1) tree per thirty-five (35) linear feet is required. **The landscaping plan does not meet this requirement as submitted. A condition will be placed requiring submittal of a revised landscape plan be submitted for review prior to final plat signature**. (Please see "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code.)

Streetlights – Streetlight plan/design specifications was previously submitted with the final plat application for Phases 1 & 2. The streetlight design meets the dark sky standards consistent with the intent of the City. Streetlights shall be consistent throughout the remaining phases of the subdivision.

SITE SPECIFIC DISCUSSION

In review of the application, staff finds that per the Unified Development Code, the Trident Ridge Subdivision Final Plat, Phase 3, is in substantial compliance.

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

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

AGENCY NOTIFICATIONS

Notification of this application was sent to agencies having jurisdiction. The following agencies responded:

September 22, 2020	Keller and Associates	Approval Letter
September 25, 2020	DEQ	Standard Letter
September 28, 2020	Central District Health	Standard Letter

FINDINGS

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

- A. The Plat is in conformance with the Comprehensive Plan.
 - Staff finds that this subdivision upon Preliminary Plat approval was in conformance with the Comprehensive Plan; no changes have been made to change this status.
- B. Public services are available or can be made available and are adequate to accommodate the proposed development.
 - Staff finds that all public services are available and able to accommodate this development.
- C. There is public financial capability of supporting services for the proposed development.

 Staff has not received information from agencies having jurisdiction reflecting any financial hardships that would prevent services from being provided.
- D. The development will not be detrimental to the public health, safety or general welfare; and,

Staff has not received facts to support that this subdivision phase will be detrimental to the public health, safety or general welfare.

E. The development preserves significant natural, scenic or historic features.

Staff finds that existing conditions have not changed from the approved Preliminary Plat of this subdivision.

CONDITIONS OF APPROVAL

- A new permanent bridge at the north end of Wing Road shall be required across the
 Farmers Union Ditch large enough to allow for an emergency vehicle to cross. <u>The vehicular</u>
 and pedestrian bridges over the Farmers Union Canal, and the dedication of the 50acre natural park area shall be complete prior to the issuance of the first Trident Ridge
 Phase 5 building permit.
- 2. The CC&R's shall indicate the irrigation rotation schedule for all lots within the development.
- 3. The Applicant/Owner shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements.) A revised landscape plan shall be submitted to the City prior to signature of the final plat showing one (1) tree per thirty-five (35) linear feet to be installed in the front yards of each residential lot.
- 4. 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).
- 5. The applicant shall provide the City with a written Certificate of Completion that all landscaping and amenities have been installed in substantial compliance with the City approved landscape plan. The certification shall be prepared by the licensed landscape architect responsible for the landscape plan. This certification shall be submitted prior to issuance of first certificate of occupancy.
- 6. Applicant/Owner/Developer shall comply with all statutory requirements of all applicable agencies and Districts having jurisdiction in the City of Star, including comments from the City Engineer prior to signature of the plat by the City.
- 7. The property shall be satisfactorily weed abated at all times, including future phases and the future park area, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
- 8. Mylar's/final plats must include the statement supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45.
- 9. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, unless otherwise approved.

- 10. The Mylar of this final plat shall be signed by the owner, Surveyor, Central District Health, ACHD and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
- 11. All common area lots shall be owned and maintained by the Homeowner's Association.
- 12. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Home-Owners Association. Streetlights shall be installed prior to any building occupancy.
- 13. A letter from the US Postal Service shall be provided to the City prior to final Mylar signature stating the subdivision is in compliance with the Postal Service.
- 14. All improvements and approvals from the Star Sewer & Water District be met prior to final mylar signature.
- 15. A sign application shall be submitted to the City for any internal or subdivision signs.
- 16. Applicant shall provide the City with one (1) full size copy, one (1) 11"x17" copy and an electronic pdf copy of the as-built irrigation plans, **prior to any building permits being issued.**
- 17. Applicant shall provide the City with two (2) full size copies, one (1) 11"x17" copy and an electronic pdf copy of the <u>signed recorded final plat</u> with all signatures, **prior to any building permits being issued.**
- 18. Applicant shall provide the City with one (1) copy and an electronic pdf copy of the recorded CC&R's, **prior to any building permits being issued**.
- 19. Applicant shall provide the City with one (1) full size copy and an electronic pdf copy of the final, approved construction drawings, **prior to any building permits being issued**.

COUNCIL DECISION				
The Star City Council		File #FP-20-15 Trident Ridge Subdivision, Final Plat		
Phase 3 on	, 2020.	g		

T-O ENGINEERS

August 20, 2020

City of Star, Planning and Zoning P.O. Box 130 Star, Idaho 83669

RE: Trident Ridge Subdivision No. 3 - Final Plat Narrative

City of Star,

Hayden Homes is submitting the Trident Ridge Subdivision No. 3 Final Plat for review and approval. The proposed Trident Ridge Subdivision No. 3 is located northwest of the intersection of W Beacon Light and N Wing Roads in Star, Idaho. The property is zoned as "Residential R-3" and is the third phase of the subdivision.

Trident Ridge Subdivision No. 3 consists of 46 buildable single-family lots and one common lot. The lot sizes and orientation generally conform to the approved Preliminary Plat. The gross project density is 4.22 DU/acre. The project contains approximately a 0.05 acres common lot which includes a landscape area. Open space for this development is provided in other phases.

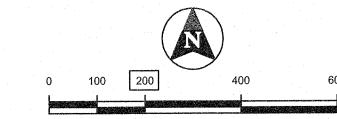
We appreciate your consideration for approval of the Final Plat. Please contact me or the applicant at any time should you have any questions or require additional information.

Respectfully,

John Carpenter P.E. Project Manager

L:\190343\40_Final Design\Reports & Calcs\SD Report\190343 - SD Vicinity Map.dwg, 12/17/2019 12:42:31 PM, Joshua Fry, DWG To PDF.pc3

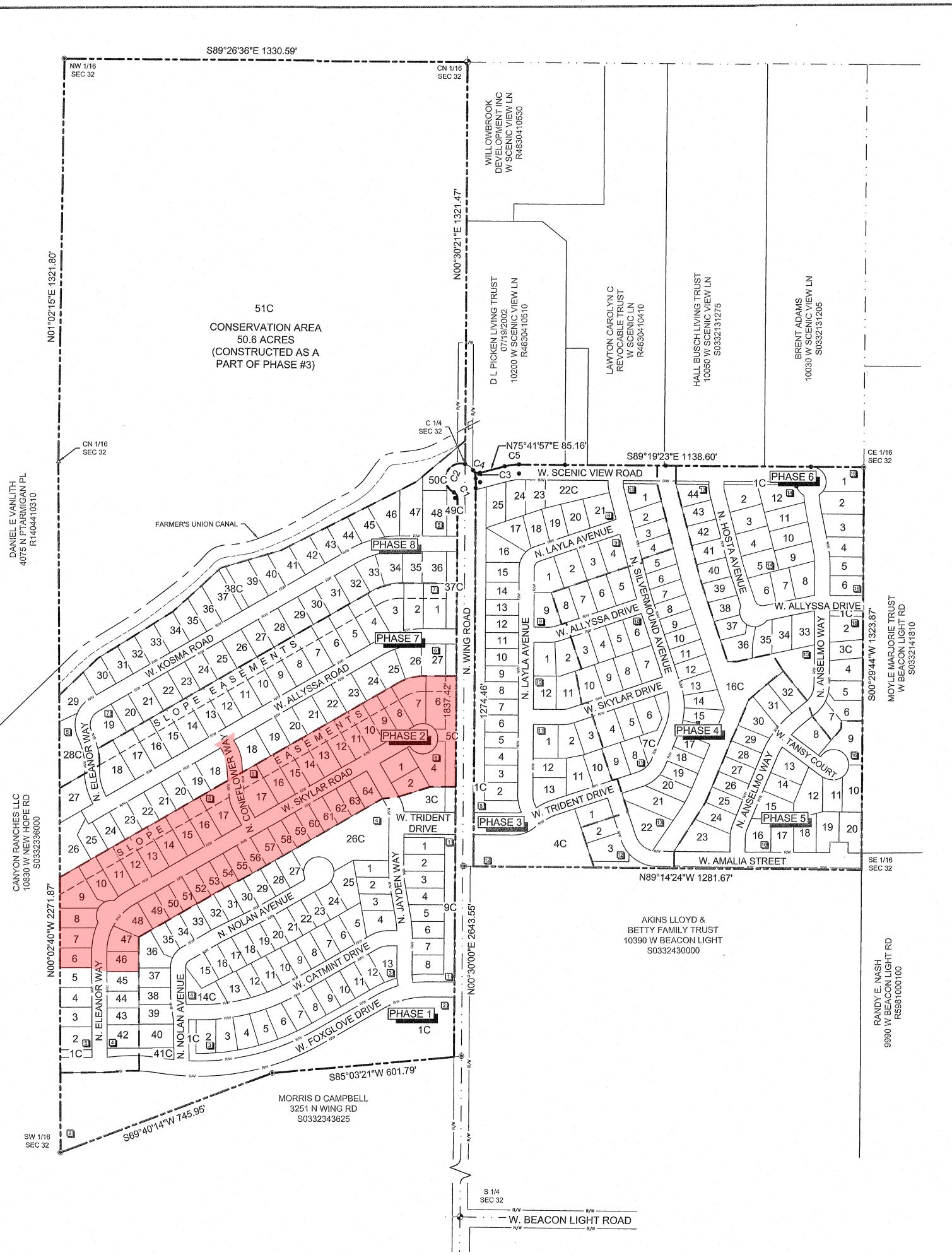
A PORTION OF THE E 1/2 OF THE W 1/2 OF SECTION 32 TOWNSHIP 5 NORTH, RANGE 1 WEST, BOISE MERIDIAN ADA COUNTY, IDAHO 2017

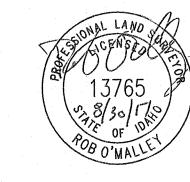


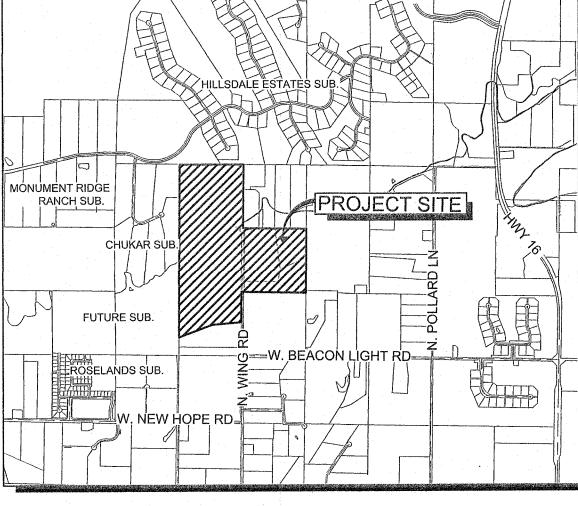
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	SS(8")>	PROPOSED SEWER LINE
	W(8")	PROPOSED WATER LINE
	SD	PROPOSED STORM DRAIN LINE
.		PROPOSED PRESSURE IRRIGATION LINE
	R	EXISTING GRAVITY IRRIGATION LINE
		PROPOSED DRAINAGE FLOW PATH
	©	PROPOSED SEWER MANHOLE
	©	PROPOSED STORM DRAIN MANHOLE
		PROPOSED CATCH BASIN/AREA INLET
		PROPOSED GRAVITY IRRIGATION BOX
		PROPOSED BLOCK NUMBER
	<u>1</u>	PROPOSED RESIDENTIAL LOT NUMBER
	1C	PROPOSED COMMON LOT NUMBER
	2550	PROPOSED MAJOR CONTOUR
	2548	PROPOSED MINOR CONTOUR
	2550	EXISTING MAJOR CONTOUR
	2548	EXISTING MINOR CONTOUR
- 1	Name was there are a	

- 1. ALL COMMON LOTS ARE TO BE OWNED AND MAINTAINED BY THE TRIDENT RIDGE HOMES OWNER ASSOCIATION.
- 2. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A PUBLISHED FLOOD ZONE.
- 3. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF IDAHO CODE, 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 OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
- 4. THIS PROPERTY IS PROVIDED IRRIGATION SERVICES BY FARMER'S UNION DITCH CO LTD, AND THE OWNER HAS COMPLIED WITH THE IDAHO CODE, SECTION 31-3805 AS IT PERTAINS TO IRRIGATION WATER. THE IRRIGATION SYSTEM SHALL BE OWNED AND OPERATED BY THE HOA.
- 5. STREET DRAINAGE WILL BE ROUTED IN CURB AND GUTTER TO THE STORM SYSTEM. STORM DRAINAGE WILL BE DESIGNED IN ACCORDANCE WITH THE CATALOG OF STORM WATER BEST MANAGEMENT PRACTICES FOR IDAHO CITIES AND COUNTIES AND THE ADA COUNTY HIGHWAY DISTRICT.
- 6. DIRECT LOT ACCESS TO N. WING ROAD IS PROHIBITED FOR RESIDENTIAL LOTS.
- ALL ROADWAYS ARE PROPOSED TO BE PUBLIC AND DEDICATED TO ACHD. N. WING ROAD SHALL TERMINATE AT W. SCENIC VIEW ROAD AND NOT CONTINUE TO THE

		CUR	VE TABLE		
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	20.00'	22.56'	64°37'23"	S31°48'41"E	21.38'
C2	50.00'	116.33'	133°17'56"	S41°18'29"W	91,81'
C3	50.00'	29.03'	33°15'58"	N16°18'40"W	28.62'
C4	20.00'	24.91'	71°21'25"	S68°37'21"E	23.33'
C5	180.00'	47.66'	15°10'10"	S82°55'29"W	47.52'







VICINITY MAP SCALE 1" = 2000'

SITE DATA

DEVELOPER/PLANNER

HAYDEN HOMES TIM MOKWA 2464 SW GLACIER PL, SUITE 110 REDMOND, OR 97756 (800)923-6607

FIRST SECURITY CORPORATION 401 W. FRONT STREET BOISE, ID 83702

ENGINEER T-O ENGINEERS

SURVEYOR

PHASE

6

8

TOTAL

JOHN CARPENTER, PE 332 N. BROADMORE WAY SUITE 101 (208) 442-6300

T-O ENGINEERS ROB O'MALLEY, PLS 332 N. BROADMORE WAY SUITE 101 NAMPA, ID 83687 (208) 442-6300

ACREAGE SUMMARY TOTAL = 141.36 AC (EXCLUDE WING ROAD) ZONE R-1 = 50.60 AC ZONE R-3 = 90.76 AC

TOTAL = 143.6 AC (INCLUDE N WING ROAD) WING ROAD = 2.24 AC

EXISTING R-1 (CONSERVATION LOT 51C): LOW DENSITY RESIDENTIAL DISTRICT EXISTING R-3 (PROPOSED RESIDENTIAL LOTS):

R-3: FRONT LIVING = 15' FRONT GARAGE = 20' REAR = 15' INTERIOR = 5' PLUS 5' FOR EACH STORY STREET SIDE - LOCAL = 20' LANDSCAPE BUFFER COLLECTOR STREET= 35' ENTRY WAY = 40'

ROADWAY JURISDICTION ADA COUNTY HIGHWAY DISTRICT

SEWER AND WATER PROVIDER STAR SEWER AND WATER

FIRE DISTRICT

IRRIGATION DISTRICT FAMERS UNION DITCH CO LTD

STAR FIRE PROTECTION DISTRICT

OPEN SPACE PROVIDED = 64.40 AC (45.56%)

- 36

23

34

38

37

324

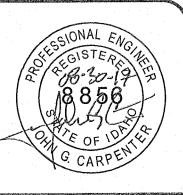
PHASE SUMMARY SHEETINDEX NUMBER OF

TITLE SHEET LOTS 2. LOT DIMENSION (WEST SIDE) 58 3. LOT DIMENSION (EAST SIDE) 4. UTILITY OVERVIEW 54 5. GRADING PLAN (CONSERVATION LOT)

6. UTILITY/GRADING/DRAINAGE PLAN (WEST SIDE) 7. UTILITY/GRADING/DRAINAGE PLAN (EAST SIDE) 8. STREET/SEWER PROFILES (WEST SIDE)

9. STREET/SEWER PROFILES (WEST SIDE) 10. STREET/SEWER PROFILES (EAST SIDE) 11. STREET/SEWER PROFILES (EAST SIDE)

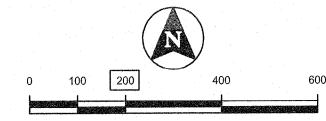
	AREA AND	LOT SUM	//ARY	
LOT TYPE	NUMBER OF LOTS	DWELLING UNITS	AREA (AC)	% OF TOTAL
RESIDENTIAL	324	324	56.92	39.64%
COMMON	23	N/A	64.40	44.85%
PUBLIC ROADWAYS	N/A	N/A	20.04	13.96%
N. WING ROAD	N/A	N/A	2.24	1.55%
TOTAL	347	324	143.60	100%
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PROPOSED DENSITY	2.26			



PROPERTY NAMED IN		-	NAME OF STREET	ALC: NO.	distance.	Name and Address of the Owner, where	MATERIAL PROPERTY.		
E-FILE NAME	160245-C-BM	DESIGNED	K. KEITH	DRAWN	K. KEITH	CHECKED	J. CARPENTER	APPROVED	CARPENTER
	DATE								
REVISIONS									
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	U		ERS	-		C	26 26 27 26 27	Q¥ S¥	

1" ON 22x34 SHEET or 1/2" ON 11x17 SHEET, THEN DRAWING IS NOT TO SCALE AUGUST 30, 2017

A PORTION OF THE E 1/2 OF THE W 1/2 OF SECTION 32 TOWNSHIP 5 NORTH, RANGE 1 WEST, BOISE MERIDIAN ADA COUNTY, IDAHO 2017

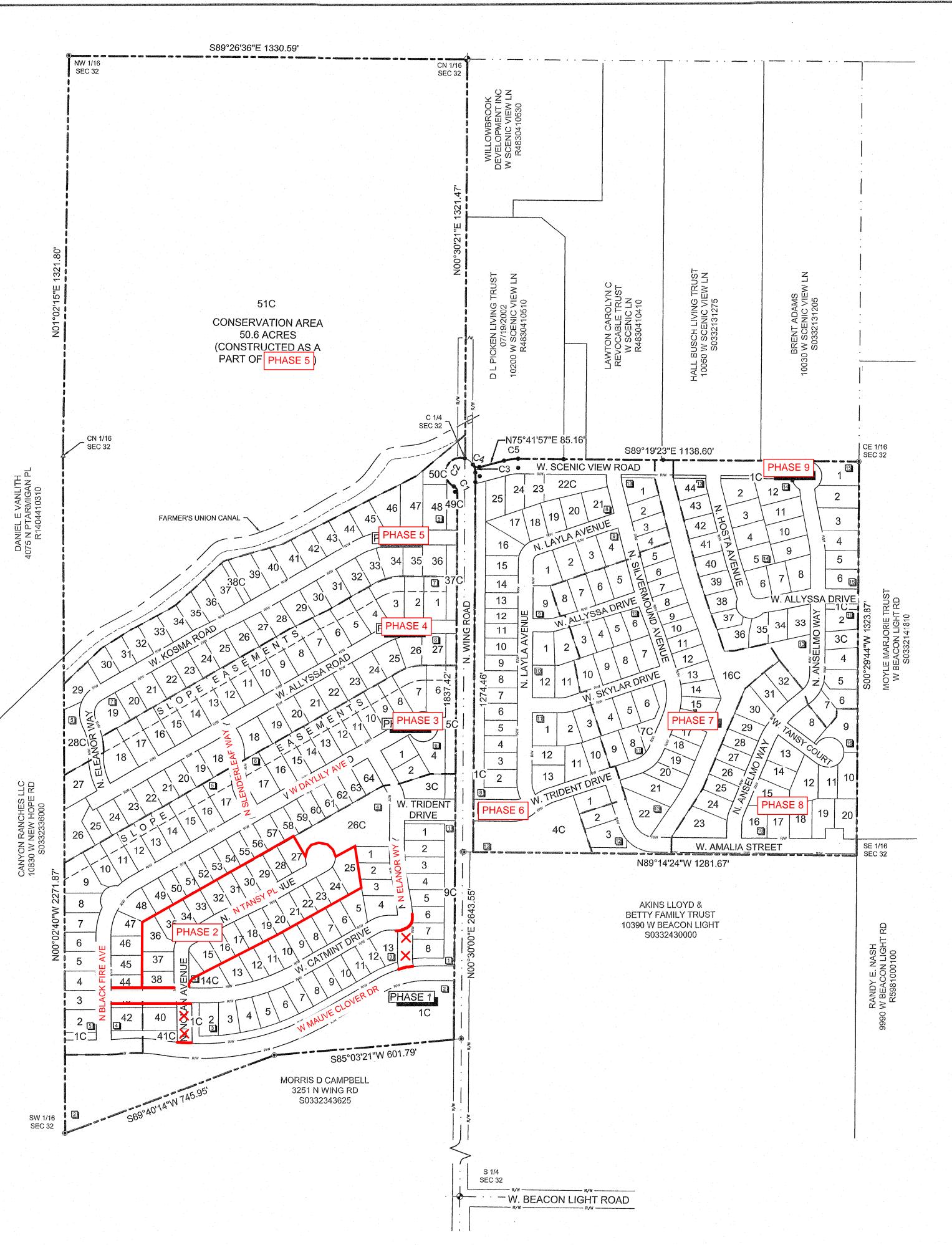


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SS(8")>	PROPOSED SEWER LINE
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⑤	PROPOSED SEWER MANHOLE
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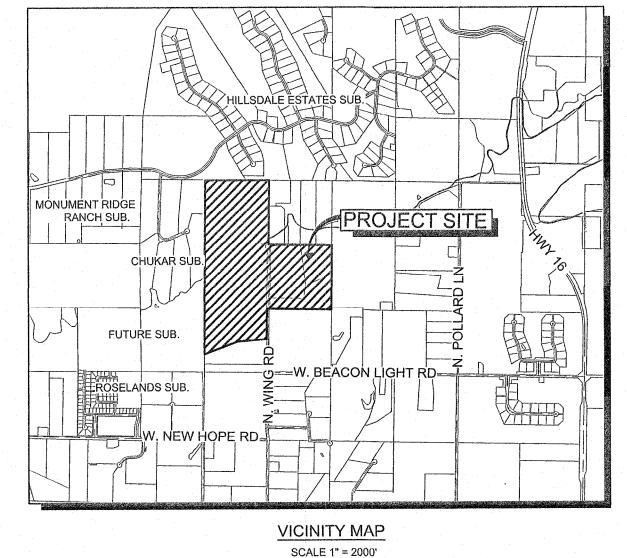
NOTES

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SITE DATA

DEVELOPER/PLANNER

HAYDEN HOMES
TIM MOKWA
2464 SW GLACIER PL, SUITE 110
REDMOND, OR 97756

OWNER
FIRST SECURITY CORPORATION
401 W. FRONT STREET
BOISE, ID 83702

ENGINEER

T-O ENGINEERS
JOHN CARPENTER, PE
332 N. BROADMORE WAY SUITE 101

SURVEYOR
T-O ENGINEERS
ROB O'MALLEY, PLS

(208) 442-6300

332 N. BROADMORE WAY SUITE 101 NAMPA, ID 83687 (208) 442-6300 ACREAGE SUMMARY

PHASE SUMMARY

PHASE

4

6

7

TOTAL

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ZONE R-3 = 90.76 AC

TOTAL = 143.6 AC (INCLUDE N WING ROAD) WING ROAD = 2.24 AC

OPEN SPACE PROVIDED = 64.40 AC (45.56%)

54

44

36

23

34

38

324

ZONING

EXISTING R-1 (CONSERVATION LOT 51C):
LOW DENSITY RESIDENTIAL DISTRICT
EXISTING R-3 (PROPOSED RESIDENTIAL LOTS):
MEDIUM LOW DENSITY RESIDENTIAL DISTRIC

SETBACKS
R-3: FRONT

R-3: FRONT LIVING = 15'
FRONT GARAGE = 20'
REAR = 15'
INTERIOR = 5' PLUS 5' FOR EACH STORY
STREET SIDE - LOCAL = 20'
LANDSCAPE BUFFER
COLLECTOR STREET= 35'
ENTRY WAY = 40'

ROADWAY JURISDICTION

SEWER AND WATER PROVIDER

STAR SEWER AND WATER
FIRE DISTRICT

IRRIGATION DISTRICT

STAR FIRE PROTECTION DISTRICT

FAMERS UNION DITCH CO LTD

SHEETINDEX

NUMBER OF LOTS 1. TITLE SHEET 2. LOT DIMENSION (WEST SIDE) 3. LOT DIMENSION (EAST SIDE)

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10. STREET/SEWER PROFILES (EAST SIDE)11. STREET/SEWER PROFILES (EAST SIDE)

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PROPOSED DENSITY	2.26			



		REVISIONS		E-FILE NAME
	NO.		DATE	160245-C-BM
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				DRAWN
				к. кеттн
				CHECKED
				J. CARPENTER
_				APPROVED
_				

SULTING ENGINEERS, SURVEYORS & PLANN 2471 S. TITANIUM PLACE
MERIDIAN, IDAHO 83642-6703

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ATTENTION:

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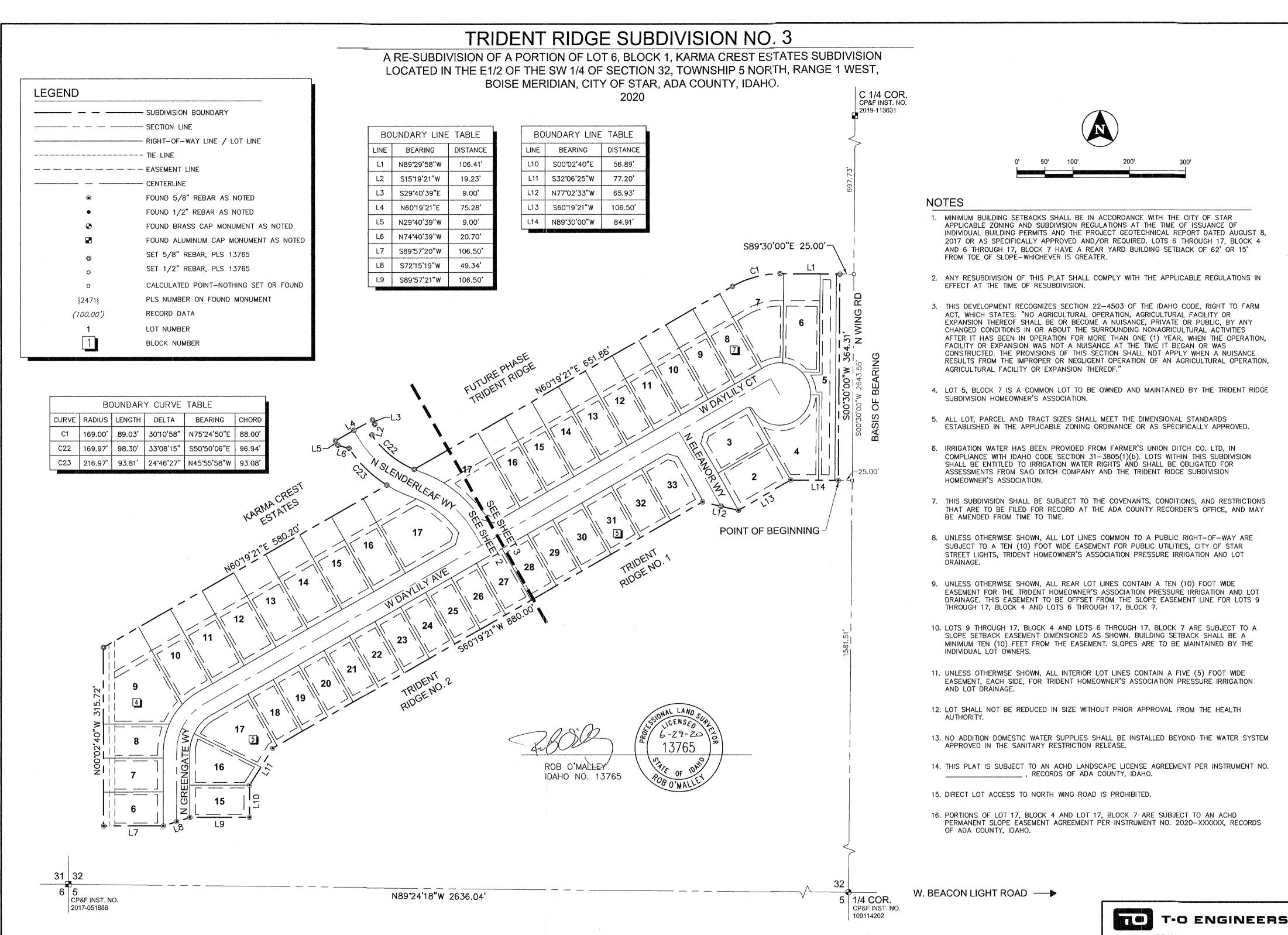
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1" ON 22x34 SHEET or 1/2" ON
11x17 SHEET, THEN DRAWING IS
NOT TO SCALE

DATE: AUGUST 30, 2017

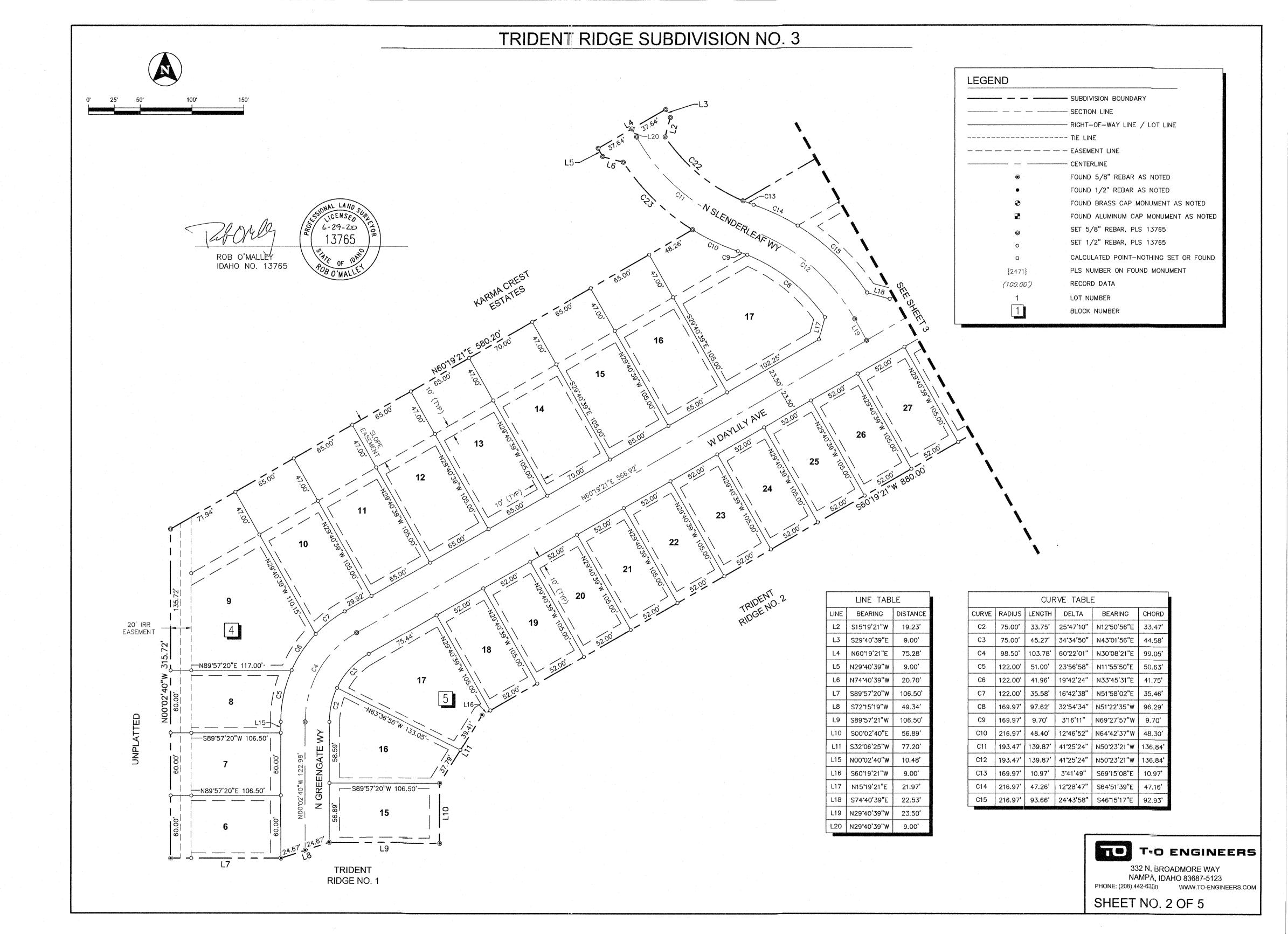
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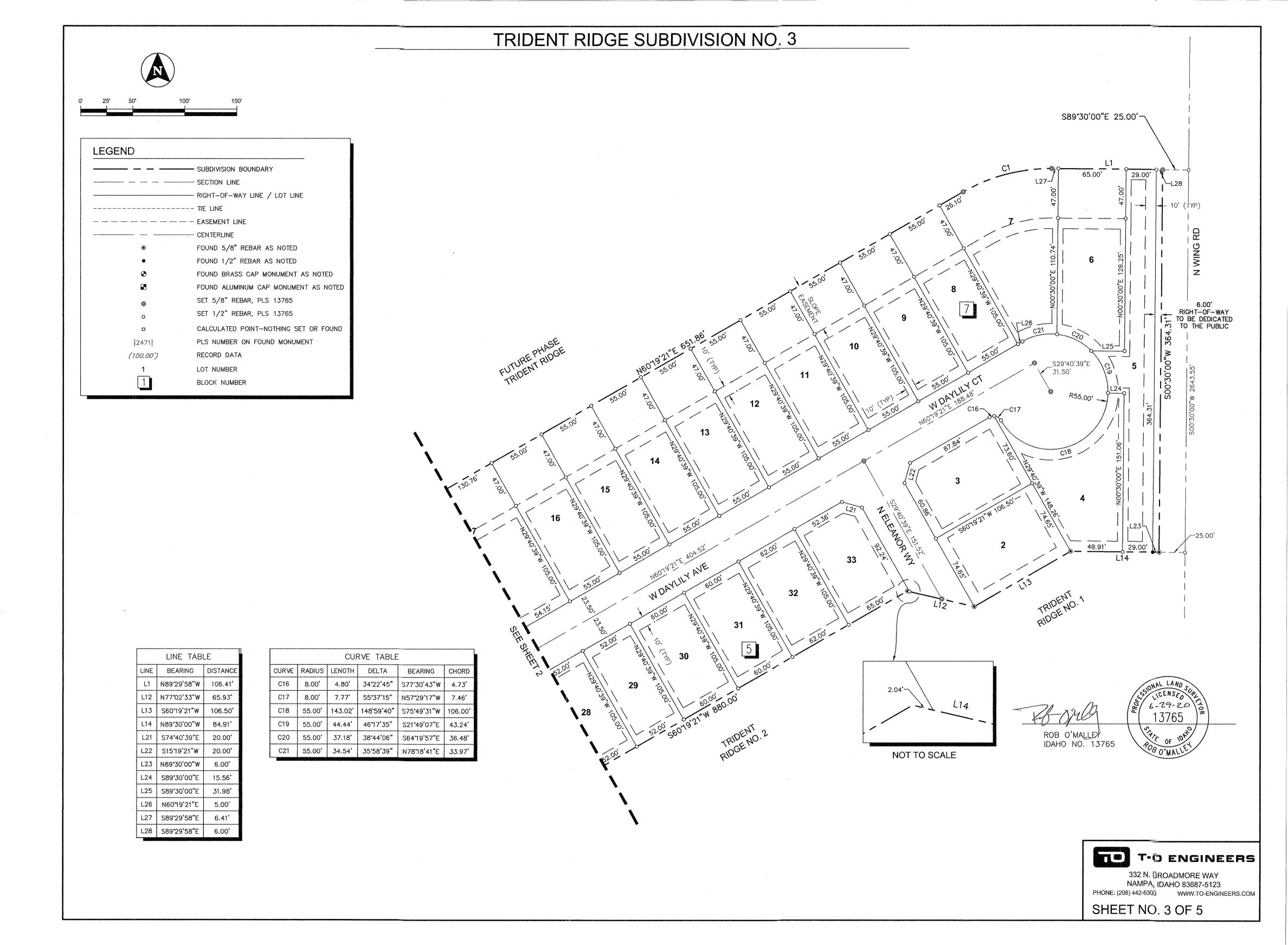
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CT: 160245



332 N. BROADMORE WAY
NAMPA, IDAHO 83687-5123
PHONE: (208) 442-6300 www.to-engineers.com





TRIDENT RIDGE SUBDIVISION NO. 3

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 A RE-SUBDIVISION OF A PORTION OF LOT 6 OF BLOCK 1, AS SHOWN ON THE PLAT OF KARMA CREST ESTATES SUBDIVISION, RECORDED IN BOOK 60 OF PLATS, AT PAGE 6037-6039, RECORDS OF ADA COUNTY, IDAHO, LOCATED IN THE E1/2 OF THE SW1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF STAR, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SECTION 32; THENCE, ALONG THE EAST BOUNDARY OF SAID SW1/4,

- A) N.00'30'00"E., 1581.51; THENCE,
- B) N.89'30'00"W., 25.00 FEET TO THE NORTHEAST CORNER OF TRIDENT RIDGE SUBDIVISION NO.1, RECORDED IN BOOK 117 OF PLATS, AT PAGE 17876-17881, RECORDS OF ADA COUNTY, IDAHO AND THE POINT OF BEGINNING; THENCE, ALONG THE EXTERIOR BOUNDARY OF SAID TRIDENT RIDGE SUBDIVISION NO.1 THE FOLLOWING COURSES:
- 1) N.89°30'00"W., 84.91 FEET; THENCE,
- 2) S.60°19'21"W., 106.50 FEET; THENCE,
- 3) N.77°02'33"W., 65.93 FEET; THENCE CONTINUING ALONG SAID EXTERIOR BOUNDARY AND THE EXTERIOR BOUNDARY OF TRIDENT RIDGE SUBDIVISION NO.2, RECORDED IN BOOK 118 OF PLATS, AT PAGE 18138—18140, RECORDS OF ADA COUNTY, IDAHO THE FOLLOWING COURSES:
- 4) S.60'19'21"W., 880.00 FEET; THENCE,
- 5) S.32'06'25"W., 77.20 FEET; THENCE,
- 6) S.00°02'40"E., 56.89 FEET; THENCE, LEAVING THE EXTERIOR BOUNDARY OF SAID TRIDENT RIDGE SUBDIVISION NO.2, CONTINUING ALONG THE EXTERIOR BOUNDARY OF SAID TRIDENT RIDGE NO.1 THE FOLLOWING COURSES:
- 7) S.89°57'21"W., 106.50 FEET
- 8) S.72°15'19"W., 49.34 FEET; THENCE,
- 9) S.89°57'20"W., 106.50 FEET TO THE WEST BOUNDARY OF SAID LOT 6 BLOCK 1 KARMA CREST ESTATES SUBDIVISION; THENCE ALONG SAID BOUNDARY,
- 10) N.00°02'40"W., 315.72 FEET; THENCE,
- 11) N.60'19'21"E., 580.20 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; THENCE,
- 12) NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 216.97 FEET, AN ARC LENGTH OF 93.81 FEET, THROUGH A CENTRAL ANGLE OF 24°46'27" AND A LONG CHORD WHICH BEARS N.45°55'58"W., 93.08 FEET; THENCE, NON-TANGENT FROM SAID CURVE,
- 13) N.74'40'39"W., 20.70 FEET; THENCE,
- 14) N.60°19'21"E., 75.28 FEET; THENCE,
- 15) S.15"19'21"W., 19.23 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; THENCE,
- 16) SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 169.97 FEET, AN ARC LENGTH OF 98.30 FEET, THROUGH A CENTRAL ANGLE OF 33'08'15" AND A LONG CHORD WHICH BEARS S.50'50'06"E., 96.94 FEET; THENCE, NON-TANGENT FROM SAID CURVE.
- 17) N.60°19'21"E., 651.86 FEET TO THE BEGINNING OF A TANGENT CURVE; THENCE,
- 18) NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 169.00 FEET, AN ARC LENGTH OF 89.03 FEET, THROUGH A CENTRAL ANGLE OF 30'10'58" AND A LONG CHORD WHICH BEARS N.75°24'50"E., 88.00 FEET; THENCE, TANGENT FROM SAID CURVE,
- 19) S.89°29'58"E., 106.41 FEET TO THE WEST RIGHT-OF-WAY OF N. WING ROAD AS SHOWN ON SAID KARMA CREST ESTATES SUBDIVISION; THENCE, ALONG SAID RIGHT-OF-WAY
- 20) S.00°30'00"W., 364.31 FEET TO THE POINT OF BEGINNING.

CONTAINING: 10.995 ACRES.

CERTIFICATE OF OWNERS (CONT')

IT IS THE INTENTION OF THE UNDERSIGNED TO AND THEY HEREBY INCLUDE SAID LAND IN THIS PLAT. THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. THE EASEMENTS AS SHOWN ON THIS 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. ALL LOTS IN THIS SUBDIVISION WILL BE ELIGIBLE TO RECEIVE DOMESTIC WATER SERVICE FROM THE CITY OF STAR, IDAHO, AND SAID CITY HAS AGREED IN WRITING TO SERVE ALL THE LOTS IN THIS SUBDIVISION.

By:

ANDREW BRAUSA: MANAGER, BROOKFIELD HOLDINGS (HAYDEN II), LLC.

ACKNOWLEDGMENT

STATE OF NEW YORK S.S. NEW YORK COUNTY

ON THIS Leth DAY OF July , 2020, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED ANDREW BRAUSA, KNOWN OR IDENTIFIED TO ME TO BE A MANAGER OF BROOKFIELD HOLDINGS (HAYDEN II), LLC., WHO EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

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

BRIAN B KO
Notary Public-State of New YORK

NOTARY PUBLIC FOR THE STATE OF NEW YORK

BRIAN B KO
Notary Public-State of New York Out
Qualified in New York Cout
Commission Expires 03/05/2

CERTIFICATE OF SURVEYOR

I, ROB O'MALLEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE 55–1601 THROUGH 55–1612.

T-O ENGINEERS

2471 S. TITANIUM PLACE
MERIDIAN, IDAHO 83642-6703
PHONE: (208) 323-2288 www.to-engineers.com

SHEET NO. 4 OF 5

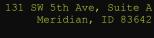
TRIDENT RIDGE SUBDIVISION NO. 3

HEALTH CERTIFICATE	CERTIFICATE OF COUNTY SURVEYOR
SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50 CHAPTER 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITION OF APPROVAL. SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50–1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.	I, THE UNDERSIGNED, A LICENSED PROFESSIONAL LAND SURVEYOR FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.
NOW Post - CEHS : TO 15. 2020	andra de la companya de la companya La companya de la co La companya de la co
R.E.H.S. CENTRAL DISTRICT HEALTH COUNTY TO DATE	ADA COUNTY SURVEYOR DATE
THE THE PARTY OF T	
ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ACCEPTANCE	CERTIFICATE OF THE COUNTY TREASURER
THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE DAY OF	I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50–1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.
PRESIDENT - ADA COUNTY HIGHWAY DISTRICT	
	COUNTY TREASURER DATE
APPROVAL OF THE CITY ENGINEER	
I, THE UNDERSIGNED CITY ENGINEER IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO, HEREBY APPROVE THE FOREGOING PLAT.	CERTIFICATE OF COUNTY RECORDER
	STATE OF IDAHO S.S.
	I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF
CITY ENGINEER ~ STAR, IDAHO DATE	PASTO'CLOCKM. ON THISDAY OF, 20 IN BOOKOF PLATS, AT PAGESTHROUGHAS INSTRUMENT NO
	DEPUTY EX OFFICIO RECORDER
	EX OFFICIO REGORDER
APPROVAL OF THE CITY COUNCIL	
I, THE UNDERSIGNED CITY CLERK IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO, HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THEDAY OF, 20, THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED.	13765 13765 13765 13765
	OF O'MALLEY
CITY CLERK ~ STAR, IDAHO	

T-O ENGINEERS

332 N. BROADMORE WAY
NAMPA, IDAHO 83687-5123
PHONE: (208) 442-6300 WWW.TO-ENGINEERS.COM

SHEET NO. 5 OF 5







September 22, 2020

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

Re: Trident Ridge Subdivision Phase 4 – Final Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Final Plat and Construction Drawings for the Trident Ridge Subdivision Phase 4 dated August 26, 2020. We reviewed this package to check conformance with the City Subdivision Ordinance and coordinated our review with Cathy Ward. There are a few outstanding items that need to be addressed prior to the City Engineer signing the final plat as indicated on the attached Final Plat and Construction Drawing Review Checklist.

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

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

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

Sincerely,

KELLER ASSOCIATES, INC.

7

Ryan V. Morgan, P.E.

City Engineer

Enclosure(s)

cc: File



Subdivision: Tride	ent Ridge No. 4	Phase: _	4	Date:	09/18/2020
Developable Lots: _	40 Review No: 2				
Developer: <u>Hayde</u>	n Homes, Eric Scheck				
Tel: 208.948.7012	Fax:	_ Email: _			
Engineer: T-O E	ngineers, John Carpenter				
Tel: 208.442.630	0_ Fax:	_ Email: _			
Property Address:	N Wing Rd and W Beacon	Light Rd.			
Reviewed By:	Kelsie Styrlund, E.I., Keller	Associate	s		
Review Check By:	Ryan Morgan, P.E., Keller	Associates	;		

FINAL PLAT REVIEW

ITEM	OK	NEED	N/A	FINAL PLAT APPLICATION REQUIREMENTS
1	x			Submit two (2) copies of final engineering construction drawings showing streets, sidewalk, water, sewer, pressure irrigation, street lighting, landscaping, and other public improvements.
2			X	Submit one (1) 8½ x 11 map showing property in relation to floodplain and/or floodway. Provide Floodplain Development Permit Application as required.
3	X			Provide (1) copy of the "Preliminary Plat Findings of Fact and Conclusions of Law".
4	X			Landscape plan provided. Confirm consistent with approved preliminary plat. None provided, submitted with prelim plat.
5		X		Verified written legal description. Provide all sheets of final plat.
6		X		Letter of credit for outstanding pressure irrigation and landscaping improvements only when weather conditions precludes construction of improvements prior to signature of mylar.
ITEM	OK	NEED	N/A	FINAL PLAT REVIEW
7	x			Public and private easements are shown on plat for open spaces, access drives, drainage facilities, floodway maintenance boundaries, offsite storage areas and connecting piping for detached flood water storage impoundments, existing irrigation ditches, new irrigation ditches or pipelines, bicycle / pedestrian pathways (connectivity to adjacent developments), and irrigation

Revised 5/29/08 9/21/2020 Page 1 of 6

				piping.
8	X			Right to Farm Act Note on face of plat.
9			x	Note on face of plat: "This subdivision is located within zone AE as shown on the firm panel 125 of 875, Ada County, Idaho and Incorporated Areas. A building permit shall not be issued for any lot that is located within the mapped floodplain until a Flood Plain Development Permit is obtained for the individual lot. Each lot within the mapped floodplain shall require an individual Flood Plain Development Permit."
10	X			10-foot utility and irrigation easements are shown, or noted, along the front lot lines, rear lot lines, and side lot lines as required.
11	x			Note is shown on the final plat: "Minimum building setbacks shall be in accordance with the City of Star applicable zoning and subdivision regulations at the time of issuance of individual building permits or as specifically approved and / or required, or as shown on the this plat."
12		X		Seal of Professional Land Surveyor is displayed, dated, and signed on face of plat.
13		X		Water and sewer easements shown on face of plat. (Note to Plan Reviewer: Provide plat to Justin Walker for easement water and sewer easement verification.) Please provide reference to sewer system.
14		X		On the signature page of the plat please include the following "I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO, ON THIS DAY,
15	X			"Change of Ownership" document filed with the IDWR to the HOA for all conveyable water rights.

CONSTRUCTION DRAWING REVIEW

ITEM	OK	NEED	N/A	GENERAL
16	X			Construction drawings are stamped, signed, & dated by a professional engineer licensed in the State of Idaho.
17	X			Natural features map showing all existing site features and 1-foot contour elevations is provided in accordance with the City's code.
18	Х			Each sheet has north arrow, graphic scale, date, title block and sheet number.

19	X			All profiles are drawn to the same horizontal scale as plan views.
20	x			Street lighting plans are provided showing pole locations and luminary types. All street lighting shall be in accordance with the current edition of the ISPWC and the City of Star Supplemental Specifications.
ITEM	OK	NEED	N/A	FLOODPLAIN DEVELOPMENT PERMIT
21			X	Floodplain and floodway boundaries and elevations are shown on the grading plans.
22			X	Building finished floor elevations are greater than or equal to 2-feet above the base flood elevation, or verification is provided of flood proofing.
23			X	Roadway centerline elevations and manhole and other minor structure rim elevations are 0.5-feet above the base flood elevation.
24			x	All buildings are set back a minimum of 50-feet from the floodway boundary line except that when the area of special flood hazard boundary is 50-feet or less from the flood way line, the boundary line shall be the setback line.
25			X	Easements and conveyance provisions have been made for connection between the floodway and any detached floodwater storage impoundment.
26			X	Calculations are provided and show 48-hour max time period for 100% utilization of detached storage impoundment.
ITEM	OK	NEED	N/A	GRADING PLAN
27	X			Grading plans are provided and are stamped, dated, and signed by a professional engineer licensed in the State of Idaho.
28	X			Grading plans show finished, existing, and base flood 1-foot contour elevations.
29	Х			Drainage facilities and easements are shown.
				ŭ .
30	X			Plan and profile sheets show proposed and existing utilities (rim elevations, pipe invert elevations, etc.), finished centerline roadway grades, existing grade, and base flood elevations.
30	x			Plan and profile sheets show proposed and existing utilities (rim elevations, pipe invert elevations, etc.), finished centerline roadway grades, existing grade, and
				Plan and profile sheets show proposed and existing utilities (rim elevations, pipe invert elevations, etc.), finished centerline roadway grades, existing grade, and base flood elevations. Existing irrigation ditches, canals, and easements are
31	X			Plan and profile sheets show proposed and existing utilities (rim elevations, pipe invert elevations, etc.), finished centerline roadway grades, existing grade, and base flood elevations. Existing irrigation ditches, canals, and easements are shown. Cut and fill slopes are no steeper that 2H:1V. (Spot

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				Engineer)
35			x	Provisions have been made for erosion control at pipe outfalls, along steep earth slopes, and within drainage ditches.
36			X	The vertical datum used for elevations shown on grading and drainage plans is NAVD 88 for all developments that are fully or partially within the floodplain.
37	X			Existing and proposed elevations match at property boundaries.
ITEM	OK	NEED	N/A	DRAINAGE PLAN
38	x			Drainage plans are provided and stamped, dated, and signed by a professional engineer licensed in the State of Idaho.
39	X			Drainage calculations are provided and stamped, dated, and signed by a professional engineer licensed in the State of Idaho.
40	X			Narrative is provided that describes the proposed method of stormwater retention.
41	X			Drainage calculations contain no arithmetic errors. (Spot checked by City Engineer)
42	X			The design storm, percolation rate, or other design criteria are within accepted limits. (ITD Zone A—IDF Curve; Storage designed for 100 year storm; Primary conveyance designed for 25-year storm)
43	X			Peak discharge rate and velocity through sand and grease traps calculated and are less than 0.5 ft/sec.
44			Х	Section view of drainage facility provided. Connecting to existing system.
45	X			Able to determine drainage directions from information given.
46	X			Drainage facilities do not conflict with other utilities. (Spot check by City Engineer)
47			X	Provision for conveyance or disposal of roof drainage provided for commercial developments.
48			X	Building finished floor elevation shown is above possible max water surface elevation and 2-feet above base flood elevation.
49	X			Storm water pretreatment provided. BMP facilities are designed in conformance with the "State of Idaho Catalog of Stormwater Best Management Practices".
50	X			5-foot setback from property line maintained for drainage facilities.
51			Х	Drainage basin / pond dimensions listed or noted. Connecting to existing storm system
52			X	Drainage facilities drawn to scale on grading and

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				drainage plan.
				Drain rock, ASTM C33 sand, or pond liner specified.
53			X	brain rock, Ao TW 000 Sand, or pond liner specified.
				3-foot separation from bottom of drainage facility to
54			X	maximum seasonal high groundwater elevation shown
				on detail.
				Vegetative cover shown over biofiltration facilities.
55			X	
				Appropriate license agreements have been executed
56			X	and are provided for offsite discharge of storm water.
ITEM	OK	NEED	N/A	GRAVITY IRRIGATION
57			X	Plan approval letter is provided from the appropriate
				irrigation district.
ITEM	OK	NEED	N/A	PRESSURE IRRIGATION
50				Plans for a pressure irrigation system are provided
58	X			(Required only if development contains more than four
				lots). The pressure irrigation system is <i>not</i> connected to the
59	X			potable water system.
				Design provides a minimum of 15 gpm @ 45 PSI to each
60	X			destination point. Provided in earlier Phases
				Easements are provided for all pressure irrigation piping.
61	X			(Note on face of plat).
60	v			Main line distribution piping is 3-inches in diameter or
62	X			greater.
				Provisions are made for diversion and flow measurement
63			X	from a gravity irrigation source ditch. Connecting to
				existing PI.
				Applicant provided verification with a signed contract
64	Х			indicating written assurance that provisions have been
				made for ownership, operation, and maintenance of the
				irrigation system. Provide written verification and plan approval from Star
65			X	Sewer and Water District if potable water is planned to
				be used as a secondary irrigation source.
20	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \			Provided verification that water rights will be transferred
66	X			to the association managing entity.
				If pressure irrigation will not be available to each lot at all
67	X			times, provide rotation schedule for irrigation system
07	_ ^			usage identifying times and days that pressure irrigation
				will be available to each lot.
ITEM	OK	NEED	N/A	RE-SUBMITTAL REQUIREMENTS*
				Return (1) one revised plan set in pdf format with the
68		X		redlined set for review and/or approval to Keller
				Associates. Unbound or un-collated plan sets will not be accepted.
69		X		Provide a response letter, referencing the City of Star ,
		_ ^	l	i Torido a Tosponso icitor, referencing the Oity of Star,

with the revised plan set that highlights what actions
were taken to correct any outstanding items.

^{*}All re-submittals should be returned to the City of Star for re-review.

Notes:

Additional Final Plat Comments:

• Please check notes referring to final plat common lots and easements, some appear to not be on the plat.

Additional Construction Drawing Comments:

ullet

Revised 5/29/08 9/21/2020 Page 6 of 6



1445 North Orchard Street • Boise, ID 83706 • (208) 373-0550 www.deq.idaho.gov

Brad Little, Governor Jess Byrne, Director

September 25, 2020

By e-mail: snickel@staridaho.org

Shawn L. Nickel, City Planner and Zoning Administrator City of Star P.O. Box 130 Star, Idaho 83669

Subject: Trident Ridge Subdivision Final Plat Phase 3, FP-20-20

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).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

• IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

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. WASTEWATER AND RECYCLED 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 DEO 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

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering 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. HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- Hazardous Waste. The types and number of requirements that must be complied with under the federal Resource Conservations 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.
- 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, Rules and Regulations for Hazardous Waste, and Rules
 and Regulations for the Prevention of Air Pollution.

- 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

Jaion Schill

ec: EDMS#2020AEK227

(Con	CENTRAL DISTRICT Division of Community and Environmental Health one # ditional Use # iminary / Final / Short Plat FP-20-20 Trickent Ridge 3	Return to: ACZ Boise Eagle Garden City Meridian Kuna Star
	1.	We have No Objections to this Proposal.	
П	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 Pro	posal.
	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 of: high seasonal ground water waste flow characteristics other other	
	6.	This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters.	vaters and surface
	7.	This project shall be reviewed by the Idaho Department of Water Resources concerning well construct availability.	ction and water
A	8.	After written approvals from appropriate entities are submitted, we can approve this proposal for: central sewage interim sewage individual sewage individual sewage individual water	vater well
A	9.	The following plan(s) must be submitted to and approved by the Idaho Department of Environmenta Central sewage Sewage dry lines Central water	
	10.	This Department would recommend deferral until high seasonal ground water can be determined if o considerations indicate approval.	ther

beverage establishment grocery store

13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted

11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage

to CDH.

swimming pools or spas

Reviewed

Reviewed By: The Dodg

child care center

14.

Regulations.

12. We will require plans be submitted for a plan review for any:

food establishment



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel, City Planner Shar J. Mah.

MEETING DATE: October 6, 2020

FILE #: FP-20-16 Greiner's Hope Springs Subdivision Phase 2

REQUEST

The Applicant is seeking approval of a Final Plat for Greiner's Hope Springs Subdivision Phase 2. The phase is located on the western side of the approved preliminary plat and contains 44 residential and 3 common lots.

The subject property is generally located on the south side of W. New Hope Road, approximately 1,600 feet east of N. Munger Road in Star, Idaho. Ada County Parcel Number is R76268000015.

APPLICANT/OWNER/REPRESENTATIVE

Owner/Applicant:

Green Village 2 Development Tucker Johnson 372 S. Eagle Road Suite 328 Eagle, Idaho, 83616

PROPERTY INFORMATION

1

Land Use Designation: Residential (R-4)

Acres: 9.79 Acres

Residential Lots: 44
Common Lots: 3
Commercial: N/A
Total Residential Units 44 Units

HISTORY

- On April 18, 2006, the City Council approved an annexation and zoning (AZ-06-06) for parcel no. R7626790405 containing 11.17-acres with a zoning designation of R-3.
- On August 20, 2019, the City Council approved annexation and zoning, development agreement and preliminary plat for Greiner's Hope Springs Subdivision (AZ-19-05/DA-19-06/PP-19-03).
- On June 2, 2020, the Council approved the Final Plat for Phase I of Greiner's New Hope Subdivision with 38 residential lots and 8 common lots on 11.41 acres.

GENERAL DISCUSSION

The Applicant is requesting approval of the Final Plat for phase 2 of Greiner's Hope Springs Subdivision consisting of 44 residential lots and 3 common lots.

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

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

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

The applicant submitted a Development Agreement with the annexation and rezone application. The purpose of this agreement is to establish certain development standards (setbacks, density, phasing) that the applicant is seeking while conditioning specific aspects of the development, such as amenities, that the applicant agrees to provide. The Development Agreement was not signed and recorded as part of Ordinance 298 for the annexation and zoning. As a condition of approval for Phase 1 of the Final Plat, staff is requiring an executed document prior to occupancy of the first dwelling in the subdivision.

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

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

The development received Specific Setbacks as Requested:

Greiner Hope Springs

Front Setbacks - 15' for living area, 26' to garage door (measured from property line)
Interior Side Setback – 5 feet (for one and two story)
Street Side Setback – 15 feet for dwelling
26 feet for garage

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

No sign locations have been designated for this development. A sign permit application shall be submitted prior to any sign installation.

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

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

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

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

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

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

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

Staff analysis of Final Plat Submittal:

<u>Lot Layout</u> – The gross density of Phase 3 phase is 3.26 du/acre, with lots ranging in size from 6,780 square feet to 13,528 square feet.

<u>Common/Open Space and Amenities</u> – This phase will include amenities including play structure, 2 park benches, lawn area and pathways. The submitted landscape plan meets the standards of the current zoning ordinance, including street trees. The applicant shall use "Tree Selection Guide for Streets and Landscapes throughout Idaho", as adopted by the Unified Development Code.

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

SITE SPECIFIC DISCUSSION

In review of the application, staff finds that per the Unified Development Code, the Greiner's Hope Springs Subdivision Final Plat, Phase 2, is in substantial compliance.

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

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

AGENCY NOTIFICATIONS

Notification of this application was sent to agencies having jurisdiction. The following agencies responded:

August 6, 2020 Keller and Associates Approval Letter September 25, 2020 DEQ Standard Letter

FINDINGS

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

- A. The Plat is in conformance with the Comprehensive Plan.

 Staff finds that this subdivision upon Preliminary Plat approval was in conformance with the Comprehensive Plan; no changes have been made to change this status.
- B. Public services are available or can be made available and are adequate to accommodate the proposed development.
 - Staff finds that all public services are available and able to accommodate this development.
- C. There is public financial capability of supporting services for the proposed development.

 Staff has not received information from agencies having jurisdiction reflecting any financial hardships that would prevent services from being provided.
- D. The development will not be detrimental to the public health, safety or general welfare; and, Staff has not received facts to support that this subdivision phase will be detrimental to the public health, safety or general welfare.
- E. The development preserves significant natural, scenic or historic features.

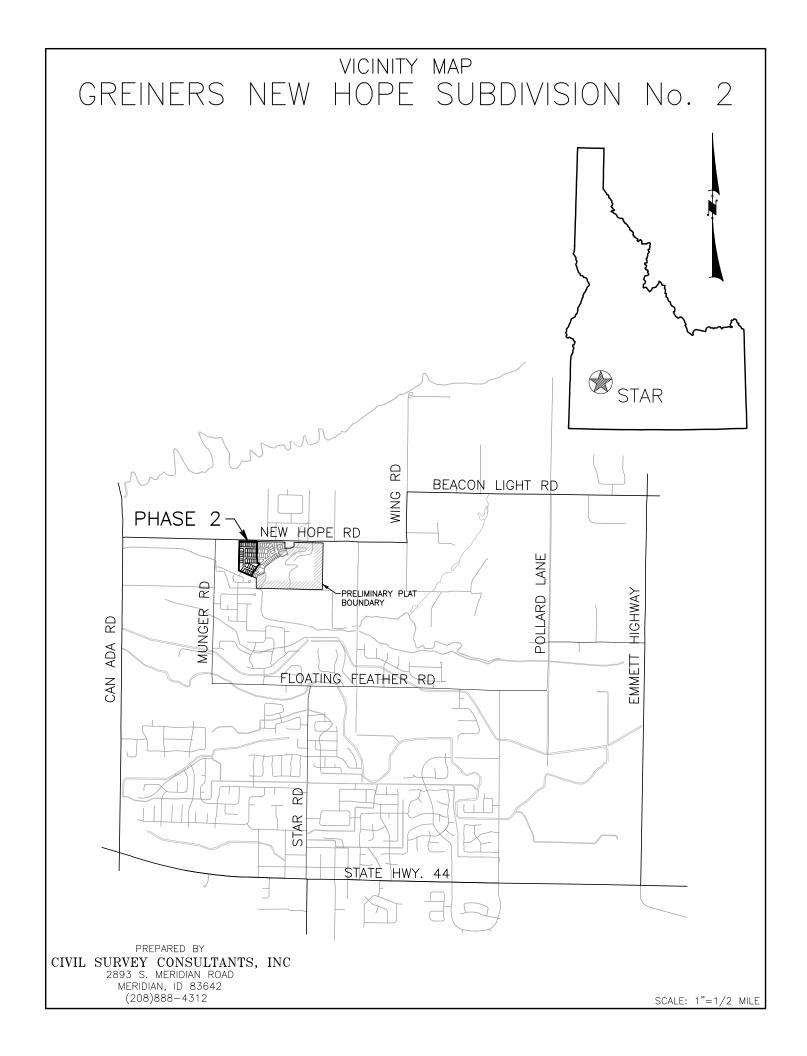
 Staff finds that existing conditions have not changed from the approved Preliminary Plat of this subdivision.

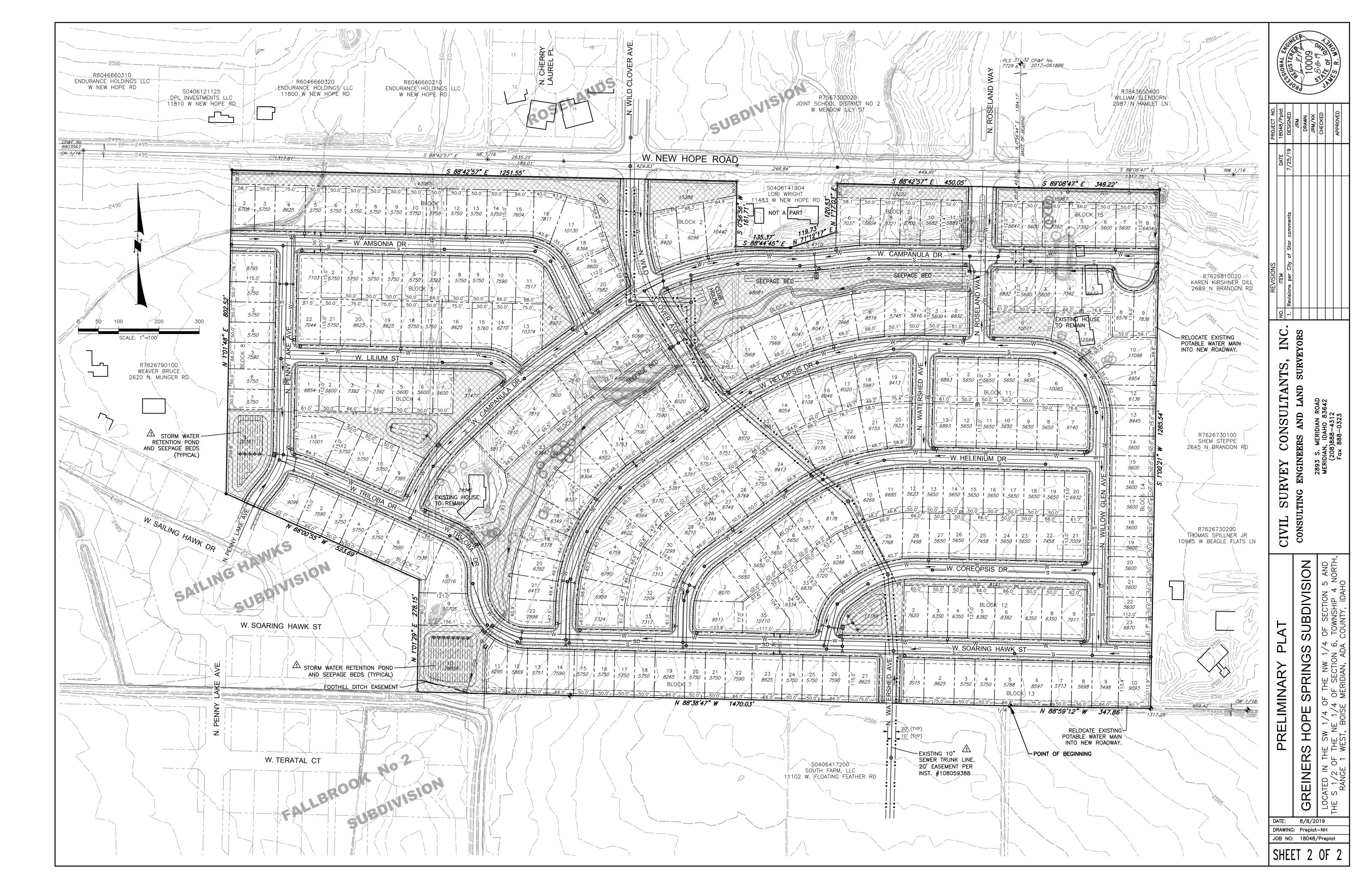
CONDITIONS OF APPROVAL

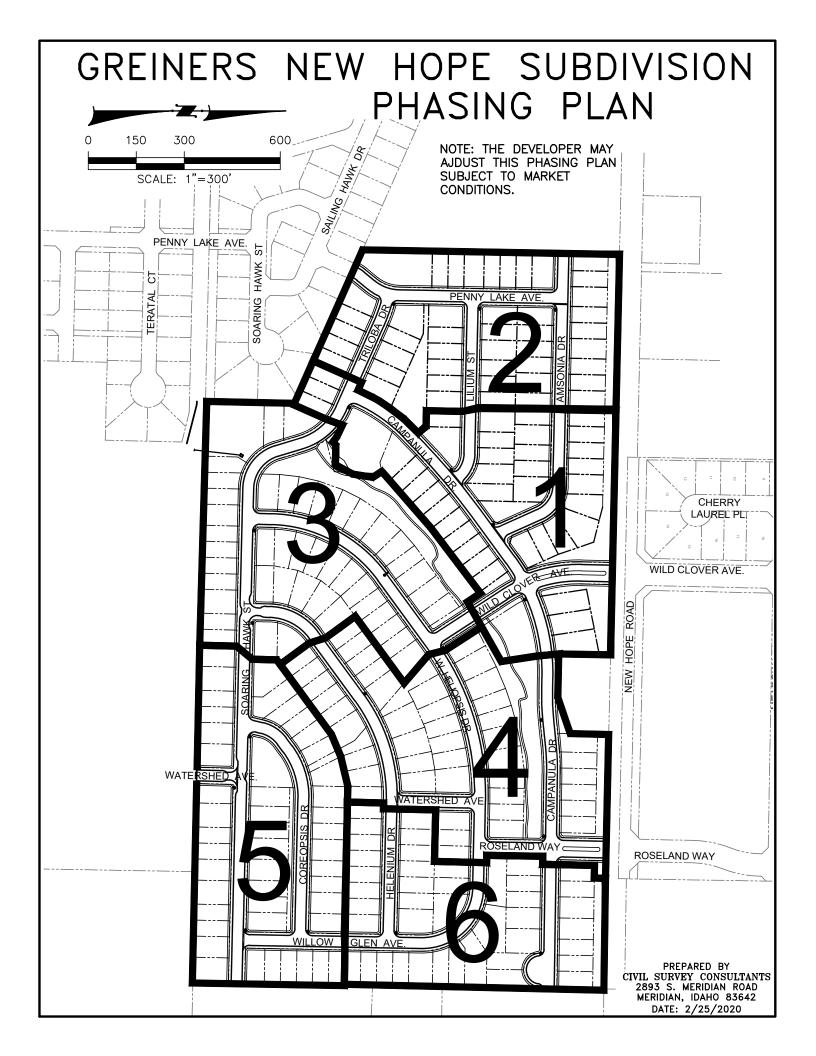
- 1. Applicant/Owner/Developer shall comply with all statutory requirements of all applicable agencies and Districts having jurisdiction in the City of Star, including the City Engineer.
- 2. The Final Plat shall comply with all received comments from the City Engineer prior to signature of the plat by the City.
- 3. The property shall be satisfactorily weed abated at all times, including future phases, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.

- 4. Mylar's/final plats must include the statement supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45.
- 5. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, unless otherwise approved.
- 6. The Mylar of this final plat shall be signed by the owner, Surveyor, Central District Health, ACHD and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
- 7. All common area lots shall be owned and maintained by the Homeowner's Association.
- 8. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Home-Owners Association. Streetlights shall be installed prior to any building occupancy.
- 9. The Applicant/Owner shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages (See Section 8-4 B Landscaping Requirements).
- 10. The applicant shall provide the City with a written Certificate of Completion that all landscaping and amenities have been installed in substantial compliance with the City approved landscape plan. The certification shall be prepared by the licensed landscape architect responsible for the landscape plan. This certification shall be submitted prior to issuance of first certificate of occupancy.
- 11. A letter from the US Postal Service shall be given to the City prior to final Mylar signature stating the subdivision is in compliance with the Postal Service.
- 12. A form signed by the Star Sewer & Water District shall be submitted to the City prior to final mylar signature stating that all conditions have been met.
- 13. A sign application shall be submitted to the City for any internal or subdivision signs.
- 14. The applicant shall maintain, during all construction (including home construction), the installed construction sign, located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time).
- 15. Applicant shall provide the City with one (1) full size copy, one (1) 11"x17" copy and an electronic pdf copy of the as-built irrigation plans, **prior to any building permits being issued.**
- 16. Applicant shall provide the City with two (2) full size copies, one (1) 11"x17" copy and an electronic pdf copy of the <u>signed recorded final plat</u> with all signatures, **prior to any building permits being issued.**
- 17. Applicant shall provide the City with one (1) copy and an electronic pdf copy of the recorded CC&R's, **prior to any building permits being issued**.
- 18. Applicant shall provide the City with one (1) full size copy and an electronic pdf copy of the final, approved construction drawings, **prior to any building permits being issued**.

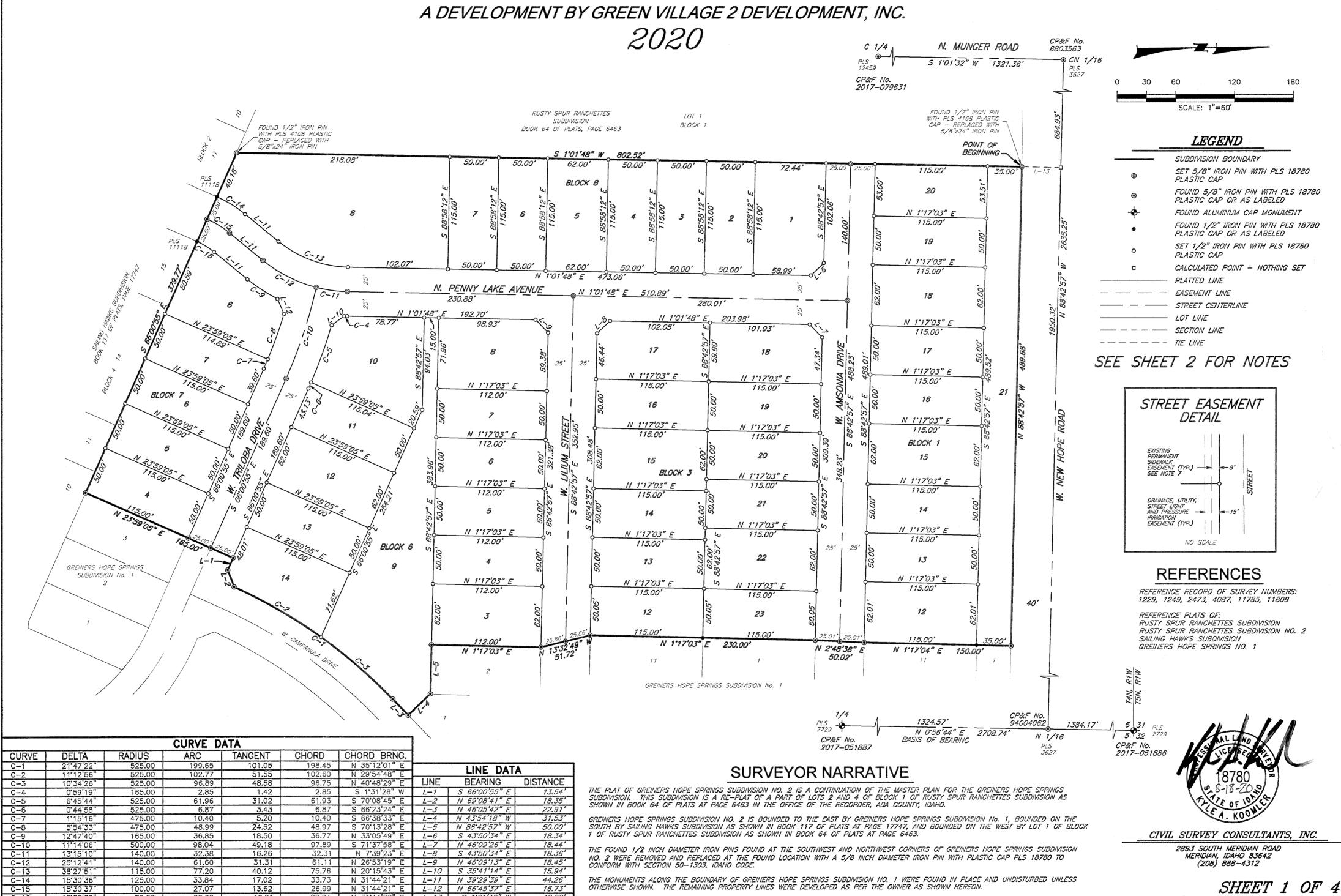
	COUNCIL DECISION
The Star City Council Final Plat-Phase 2 on	File #FP-20-16 Greiner's Hope Springs Subdivision,







LOCATED IN THE S 1/2 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF STAR, ADA COUNTY, IDAHO AND BEING A REPLAT OF A PART OF LOTS 2 AND 4 OF RUSTY SPUR RANCHETTES SUBDIVISION



16.73

20.24 N 31'44'20" E L-13 S 1'01'48" W

27.07

C-16 15'30'38"

13.62

10.21

OTHERWISE SHOWN. THE REMAINING PROPERTY LINES WERE DEVELOPED AS PER THE OWNER AS SHOWN HEREON.

NOTES

- 1. THE DEVELOPMENT OF THIS PROPERTY SHALL BE IN COMPLIANCE WITH THE ZONING ORDINANCE OR AS SPECIFICALLY APPROVED BY FILE NO. AZ-19-05/DA-19-06/PP-19-03.
- 2. ALL LOTS HAVE A 15 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, LOT DRAINAGE, PRESSURE IRRIGATION AND STREET LIGHT PURPOSES CONTIGUOUS TO ALL PUBLIC STREETS. ALL SIDE LOT LINES HAVE A 5 FOOT WIDE EASEMENT ON EACH SIDE FOR PUBLIC UTILITIES, LOT DRAINAGE AND PRESSURE IRRIGATION PURPOSES. THE PRESSURE IRRIGATION EASEMENT IS RESERVED FOR THE HOPE SPRINGS OWNERS ASSOCIATION. ALL OTHER EASEMENTS ARE AS SHOWN.
- 3. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF STAR APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
- 4. BUILDING AND OCCUPANCY SHALL CONFORM TO THE STANDARDS ESTABLISHED BY THE RESTRICTIVE COVENANTS TO BE FILED IN THE OFFICE OF THE RECORDER, ADA COUNTY, IDAHO.
- 5. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- 6. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
- 7. LOTS ABUTTING PUBLIC RIGHT-OF-WAY ARE SUBJECT TO AN EXISTING PERMANENT EASEMENT CONTIGUOUS TO ALL STREETS AS DESCRIBED IN INST. NO. 2020-054703.
- 8. LOT 21 OF BLOCK 1, LOT 9 OF BLOCK 6 AND LOT 8 OF BLOCK 8 ARE COMMON LOTS WHICH SHALL BE OWNED AND MAINTAINED BY THE HOPE SPRINGS OWNERS ASSOCIATION. SAID LOTS ARE SUBJECT TO A BLANKET EASEMENT FOR PUBLIC UTILITIES, DRAINAGE AND PRESSURIZED IRRIGATION PURPOSES. THE PRESSURE IRRIGATION EASEMENT IS RESERVED FOR THE HOPE SPRINGS OWNERS ASSOCIATION.
- 9. GREINERS HOPE SPRINGS SUBDIVISION NO. 2 IS SUBJECT TO A LICENSE AGREEMENT WITH ACHD FOR LANDSCAPING AS DESCRIBED IN INSTRUMENT NO. 2020-087019.
- 10. DIRECT LOT ACCESS TO W. NEW HOPE ROAD IS PROHIBITED.
- 11. LOT 9 OF BLOCK 6 AND LOT 8 OF BLOCK 8 ARE SERVIENT TO AND CONTAINS THE ACHD STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THE MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED AS INSTRUMENT NO. _______, OFFICIAL RECORDS OF ADA COUNTY AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM IS DEDICATED TO ACHD PURSUANT TO SECTION 40—2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM. SAID LOTS ARE COMMON LOTS AND WILL BE OWNED AND MAINTAINED BY THE HOPE SPRINGS OWNERS ASSOCIATION.

18780 \$ -18-20 \$ -17. E OF 101. LA. KOOM. LA.

CIVIL SURVEY CONSULTANTS, INC.

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

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, are the Owners of the real property described below in City of Star, Ada County, Idaho, and that we intend to include the following described property in this GREINERS HOPE SPRINGS SUBDIVISION NO. 2:

A parcel located in the S 1/2 of the NE 1/4 of Section 6, Township 4 North, Range 1 West, Boise Meridian, City of Star, and being a re-plat of a part of Lots 2 and 4 of Block 1 of RUSTY SPUR RANCHETTES SUBDIVISION as shown in Book 64 of Plats at Page 6463 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the southeasterly corner of said S 1/2 of the NE 1/4, from which an aluminum cap monument marking the northeasterly corner of said Section 6 bears N 0°56′44″E a distance of 2708.74 feet;

Thence N 0°56'44" E along the easterly boundary of said S 1/2 of the NE 1/4 a distance of 1324.57 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said S 1/2 of the NE 1/4;

Thence N 88'42'57" W along the northerly boundary of said S 1/2 of the NE 1/4 a distance of 1950.32 feet to a point;

Thence leaving said northerly boundary \$ 1°01'48" W a distance of 40.00 feet to a 5/8 inch diameter iron pin marking the northwesterly corner of said Lot 2 and the POINT OF BEGINNING;

Thence continuing S 1°01'48" W along the westerly boundary of said Lot 2 a distance of 802.52 feet to a 5/8 inch diameter iron pin marking the southwesterly corner of said Lot 2, said corner also being on the northeasterly boundary of SAILING HAWKS SUBDIVISION as shown in Book 117 at Page 17747 in the office of the Recorder, Ada County, Idaho;

Thence S 66°00'55" E along the southwesterly boundary of said Lot 2 and the northeasterly boundary of said SAILING HAWKS SUBDIVISION a distance of 379.77 feet to a 5/8 inch diameter iron pin marking the southwesterly corner of GREINERS HOPE SPRINGS SUBDIVISION No. 1 as shown in Book ?? of Plats at Page ?? in said office of the Recorder;

Thence along the westerly boundary of said GREINERS HOPE SPRINGS SUBDIVISION No. 1 the following described courses:

Thence leaving said boundaries N 23*59'05" E a distance of 165.00 feet to a 5/8 inch diameter iron pin;

Thence S 66°00'55" E a distance of 13.54 feet to a 5/8 inch diameter iron pin;

Thence N 69°08'41" E a distance of 18.35 feet to a 5/8 inch diameter iron pin;

Thence a distance of 199.65 feet along the arc of a 525.00 foot radius non-tangent curve right, said curve having a radius point bearing of S 65°41'40" E, a central angle of 21°47'22" and a long chord bearing N 35°12'01" E a distance of 198.45 feet to a 5/8 inch diameter iron pin;

Thence N 46°05'42" E a distance of 22.91 feet to a 5/8 inch diameter iron pin;

Thence N 43'54'18" W a distance of 31.53 feet to a 5/8 inch diameter iron pin;

Thence N 88°42'57" W a distance of 50.00 feet to a 5/8 inch diameter iron pin;

Thence N 1°17'03" E a distance of 112.00 feet to a 5/8 inch diameter iron pin;

Thence N 13°32'49" W a distance of 51.72 feet to a 5/8 inch diameter iron pin;

Thence N 1°17'03" E a distance of 230.00 feet to a 5/8 inch diameter iron pin;

Thence N 2°48'38" E a distance of 50.02 feet to a 5/8 inch diameter iron pin:

Thence N 1°17'04" E a distance of 150.00 feet to a 5/8 inch diameter iron pin on the southerly right-of-way of W New Hope Road, said corner also being the northwesterly corner of said GREINERS HOPE SPRINGS SUBDIVISION No. 1;

Thence leaving said westerly boundary N 88*42'57" W along said southerly right-of-way a distance of 489.68 feet to the POINT OF BEGINNING.

This parcel contains 9.79 acres and is subject to any easements existing or in use.

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

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

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

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS 27 DAY OF JULY , 2020

GREEN VILLAGE 2 DEVELOPMENT, INC.

By Tucker M. Johnson, President

ACKNOWLEDGMENT

STATE OF IDAHO S.S.

ON THIS 27 DAY OF JUY , 2020, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED TUCKER M. JOHNSON, KNOWN TO ME TO BE THE PRESIDENT OF GREEN VILLAGE 2 DEVELOPMENT, INC. THE PERSON WHO EXECUTED THE INSTRUMENT AND ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

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

FROM NO. CONTROL OF THE PARTY O

RESIDING AT BOISC

NOTARY PUBLIC FOR THE STATE OF IDAHO

18780 187-24-20 SP

CIVIL SURVEY CONSULTANTS, INC.

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

CERTIFICATE OF SURVEYOR							
I, KYLE A. KOOMLER DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.							
KYLE A. KOOMLER, PLS 18780 7							
THE OF IDELET							
APPROVAL OF THE CITY ENGINEER							
I, THE UNDERSIGNED CITY ENGINEER IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO, ON THIS DAY,, HEREBY APPROVE THIS PLAT OF GREINERS HOPE SPRINGS SUBDIVISION No. 2.							
CITY ENGINEER ~ STAR, IDAHO							
CERTIFICATE OF THE COUNTY SURVEYOR I, THE UNDERSIGNED, COUNTY SURVEYOR IN AND FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.							
ADA COUNTY SURVEYOR							
CERTIFICATE OF COUNTY RECORDER							
STATE OF IDAHO S.S.							
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF							

_____, AT _____ MINUTES PAST ___ O'CLOCK ___ .M. ON

EX-OFFICIO RECORDER

INSTRUMENT NO. _____

BOOK _____ PAGES _____

DEPUTY

APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MAY BE RE-IMPOSED IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE DISTRICT HEALTH DEPARTMENT, EHS DATE ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ACCEPTANCE THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE _____ DAY OF ______,_____ ADA COUNTY HIGHWAY DISTRICT APPROVAL OF CITY COUNCIL I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON ______THIS FINAL PLAT WAS APPROVED AND ACCEPTED. CHAIRMAN CERTIFICATE OF THE COUNTY TREASURER I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

COUNTY TREASURER

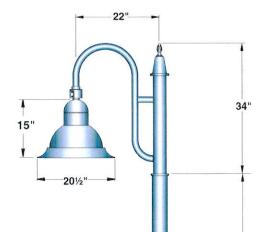
15'-0"



CUSTOMER APPROVAL:

X _____ DATE: ____
A signed approval will be required with the released order

PROPRIETARY SUBMITTAL, DO NOT MODIFY.



SPECIFICATIONS:

FITURE: HOUSING - HEAVY WALL ALUMINUM CONSTRUCTION. WITH REMOVABLE BALLAST TRAY FOR BALLAST ACCESS

REFLECTOR - HEAVY WALL ALUMINUM CONSTRUCTION.

OPTICS: PRECISE, COMPUTER DESIGNED SEGMENTED HORIZONTAL

REFLECTOR COMBINES WITH CLEAR FLAT TEMPERED GLASS LENS TO PRODUCE AN EFFICIENT, CUTOFF LUMINAIRE WITH TYPE III (ASYMMETRIC) LIGHT

DISTRIBUTION.

LAMP HOLDER: MEDIUM BASE PORCELAIN.

LAMP: 100 W. PSMH. (BY OTHERS)

BALLAST: H.P.F./C.W.A. AUTOTRANSFORMER, -20° STARTING

TEMPERATURE. (4 TAP MULTI-TAP VOLTAGE.)

ARM: DURABLE CORROSION RESISTANT, CAST AND EXTRUDED

ALUMINUM CONSTRUCTION.

SHAFT: 4" DIA. EXTRUDED FROM 6063 ALLOY ALUMINUM. SHAFT IS

HEAT TREATED TO PRODUCE A T6 TEMPER. SHAFT IS

CIRCUMFERENTIALLY WELDED TO BASE.

BASE: ONE PIECE CORROSION RESISTANT, DURABLE CAST

ALUMINUM CONSTRUCTION, MINIMUM .225 WALL THICKNESS. BASE CONSISTS OF A 19" DIA. SMOOTH TAPERED BOTTOM SECTION WITH A CONTOURED FLUSH HAND HOLE AND A DECORATIVE TAPERED FLUTED SECTION.

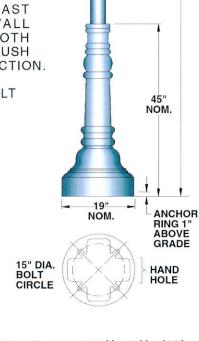
ANCHORAGE: (4) 3/4"X18" FULLY GALVANIZED ANCHOR BOLTS. EACH BOLT

SUPPLIED WITH TWO NUTS AND TWO WASHERS.

FINISH: POLYESTER POWDER COAT

(COLOR: BLACK TEXTURED, RAL-9005-T.)

SCALE: 1/2" = 1'-0"





Greiners Hope Springs Statement of Compliance for Phase 2

CONDITIONS OF APPROVAL

- 1. The approved Preliminary Plat for Greiner Hope Springs Subdivision shall comply with all statuary requirements of applicable agencies and districts having jurisdiction in the City of Star.
 - a. The final plat must be signed by various agencies having jurisdiction before the mylar is recorded.
- 2. The property with the approved Preliminary Plat shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
 - a. We shall maintain the property accordingly. We continue to mow weeds as needed.
- 3. The Applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7 a.m. start time). Sign shall be approved by zoning administrator prior to start of construction.
 - a. This sign was installed 2-29-2020 before construction began.
- 4. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
 - a. See enclosed License Agreement (see also item #23 on thumb drive)



- 5. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigations systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
 - a. Construction drawings including the PI system have been reviewed and approved by Ryan Morgan. See attached approval letter. (see also item #19 on thumb drive)
- 6. The approved Preliminary Plat shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements)
 - a. The approved Preliminary Plat complies.
- 7. Applicant/Owner/Developer shall submit a streetlight plan/design with each subsequent Final Plat application. Streetlights shall comply with the Star City Code, to include the "Dark Sky" initiative, and shall be of the same design throughout the entire subdivision.
 - a. See page 15 of approved construction drawings (see also Item #21 on thumb drive)

- 8. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
 - a. See Note #6 on the Final Plat.
- 9. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
 - a. See Notes #1, #2, #3, #5, on the Final Plat
- 10. The subsequent Final Plats shall comply with and be in accordance with the current City of Star Code, with the exception of any waivers granted by the council.
 - a. This plat is in compliance with current Code.
- 11. Requested Surety will be required at 150% of the total installed cost, as approved by the City Engineer or Administrator. The term of approval shall not exceed 180 days. (See Section 8-1 C-1 of the Unified Development Code for a list of eligible items.) Bonding shall only apply to landscaping during winter months.
 - a. Net area to landscape with phase 2 is 61,474 SF. We will provide bid for bonding prior to Clerk signing the mylar.
- 12. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
 - a. See enclosed copy. (see also item #24 on thumb drive)
- 13. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
 - a. See attached approval letter all boxes in one location
- 14. A form signed by the Star Sewer & Water shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met.
 - a. See file
- 15. All State, Federal and local rules and regulations regarding development in the Special Hazard Areas (Floodplain/Floodway) shall be adhered to, if applicable.
 - a. N/A
- 16. The applicant shall provide a domestic water stub to the properties to the east. This stub shall be coordinated with the City and the Star Sewer & Water District regarding location of said stub.
 - a. N/A to this phase
- 17. All existing irrigation and drainage ditches located along the boundary of the subdivision shall be provided with fire-roof fencing to protect against burning by Irrigation Districts or farmers.
 - a. N/A to this phase

- 18. The applicant shall coordinate with the property owner to the west regarding irrigation water delivery to their adjacent properties.
 - a. See approved construction drawings which include water delivery to Bruce Weaver's lot.
- 19. The applicant shall include language in the CC&R's that recognizes and references surrounding active agricultural activities in the general vicinity and the sights, sounds and smells that are associated with these activities.
 - a. See Section 5.26 of the enclosed Master CCR's. see also item #19 on thumb drive)
- 20. The applicant shall advise all contractors of the City preferred transportation routes to and from the subdivision. This includes a route that avoids New Hope Road from the east as a primary travel pattern.
 - a. See note on file per phone call between Tucker Johnson and Shawn Nickel on March 17, 2020. Discussed with contractors at the preconstruction meeting.

I certify that the above items are accurate.

Tucker Johnson

Green Village 2 Development, Inc.

(208) 288-1992



August 6, 2020

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

Re: Greiners Hope Springs Subdivision Phase 2 – Final Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Final Plat and Construction Drawings for the Greiners Hope Springs Subdivision Phase 2 dated July 22, 2020. We reviewed this package to check conformance with the City Subdivision Ordinance and coordinated our review with Cathy Ward. There are a few outstanding items that need to be addressed prior to the City Engineer signing the final plat as indicated on the attached Final Plat and Construction Drawing Review Checklist.

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

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

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

Sincerely,

KELLER ASSOCIATES, INC.

1 2

Ryan V. Morgan, P.E.

City Engineer

Enclosure(s)

cc: File



Subdivision: <u>Grei</u>	ner Hope Springs No. 2	Phase: _	2	Date:	08/05/2020
Developable Lots: _	44 Review No: 3				
Developer: Green	Village 2 Development, Inc.				
Tel: 208.377.4104	Fax:	Email: _			
Engineer: Civil S	Survey Consultants, Inc				
Tel: 208.888.431	2_ Fax:	Email: _			
Property Address:	New Hope and Munger Ro	ad			
Reviewed By:	Kelsie Styrlund, E.I., Keller	Associates	3		
Review Check Bv:	Ryan Morgan, P.E., Keller	Associates			

FINAL PLAT REVIEW

ITEM	OK	NEED	N/A	FINAL PLAT APPLICATION REQUIREMENTS
1	x			Submit two (2) copies of final engineering construction drawings showing streets, sidewalk, water, sewer, pressure irrigation, street lighting, landscaping, and other public improvements.
2			X	Submit one (1) 8½ x 11 map showing property in relation to floodplain and/or floodway. Provide Floodplain Development Permit Application as required.
3	Х			Provide (1) copy of the "Preliminary Plat Findings of Fact and Conclusions of Law".
4	X			Landscape plan provided.
5		X		Verified written legal description. Update Book and page numbers for Greiner Hope Springs No.1
6		X		Letter of credit for outstanding pressure irrigation and landscaping improvements only when weather conditions precludes construction of improvements prior to signature of mylar.
ITEM	OK	NEED	N/A	FINAL PLAT REVIEW
7	x			Public and private easements are shown on plat for open spaces, access drives, drainage facilities, floodway maintenance boundaries, offsite storage areas and connecting piping for detached flood water storage impoundments, existing irrigation ditches, new irrigation ditches or pipelines, bicycle / pedestrian pathways (connectivity to adjacent developments), and irrigation piping.
8	Х			Right to Farm Act Note on face of plat.

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9		x	Note on face of plat: "This subdivision is located within zone AE as shown on the firm panel 125 of 875, Ada County, Idaho and Incorporated Areas. A building permit shall not be issued for any lot that is located within the mapped floodplain until a Flood Plain Development Permit is obtained for the individual lot. Each lot within the mapped floodplain shall require an individual Flood Plain Development Permit."
10	X		10-foot utility and irrigation easements are shown, or noted, along the front lot lines, rear lot lines, and side lot lines as required.
11	x		Note is shown on the final plat: "Minimum building setbacks shall be in accordance with the City of Star applicable zoning and subdivision regulations at the time of issuance of individual building permits or as specifically approved and / or required, or as shown on the this plat."
12	Х		Seal of Professional Land Surveyor is displayed, dated, and signed on face of plat.
13	X		Water and sewer easements shown on face of plat. (Note to Plan Reviewer: Provide plat to Justin Walker for easement water and sewer easement verification.)
14	x		On the signature page of the plat please include the following "I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO, ON THIS DAY,
15	X		"Change of Ownership" document filed with the IDWR to the HOA for all conveyable water rights.

CONSTRUCTION DRAWING REVIEW

ITEM	OK	NEED	N/A	GENERAL
16	X			Construction drawings are stamped, signed, & dated by a professional engineer licensed in the State of Idaho.
17	x			Natural features map showing all existing site features and 1-foot contour elevations is provided in accordance with the City's code.
18	X			Each sheet has north arrow, graphic scale, date, title block and sheet number.
19	Х			All profiles are drawn to the same horizontal scale as plan views.
20	Х			Street lighting plans are provided showing pole locations and luminary types. All street lighting shall be in

				accordance with the current edition of the ISPWC and
	_			the City of Star Supplemental Specifications.
ITEM	OK	NEED	N/A	FLOODPLAIN DEVELOPMENT PERMIT
21			X	Floodplain and floodway boundaries and elevations are shown on the grading plans.
				Building finished floor elevations are greater than or
22			X	
22			^	equal to 2-feet above the base flood elevation, or
				verification is provided of flood proofing.
00				Roadway centerline elevations and manhole and other
23			X	minor structure rim elevations are 0.5-feet above the
				base flood elevation.
				All buildings are set back a minimum of 50-feet from the
0.4				floodway boundary line except that when the area of
24			X	special flood hazard boundary is 50-feet or less from the
				flood way line, the boundary line shall be the setback
				line.
				Easements and conveyance provisions have been made
25			X	for connection between the floodway and any detached
				floodwater storage impoundment.
				Calculations are provided and show 48-hour max time
26			X	period for 100% utilization of detached storage
				impoundment.
ITEM	OK	NEED	N/A	GRADING PLAN
				Grading plans are provided and are stamped, dated, and
27	X			ligianed by a professional angineer ligeneed in the State
41	_ ^			signed by a professional engineer licensed in the State
	^			of Idaho.
				of Idaho. Grading plans show finished, existing, and base flood 1-
28	x			of Idaho. Grading plans show finished, existing, and base flood 1- foot contour elevations.
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Revised 5/29/08 8/5/2020 Page 3 of 6

				ditches.
				The vertical datum used for elevations shown on grading
36			X	and drainage plans is NAVD 88 for all developments that
				are fully or partially within the floodplain.
37	Х			Existing and proposed elevations match at property
	OV	NEED	NI/A	boundaries.
ITEM	OK	NEED	N/A	Drainage plans are provided and stamped, dated, and
38	X			Drainage plans are provided and stamped, dated, and signed by a professional engineer licensed in the State of Idaho.
39	X			Drainage calculations are provided and stamped, dated, and signed by a professional engineer licensed in the State of Idaho. Approved with previous phase.
40	X			Narrative is provided that describes the proposed method of stormwater retention.
41	X			Drainage calculations contain no arithmetic errors. (Spot checked by City Engineer)
42	x			The design storm, percolation rate, or other design criteria are within accepted limits. (ITD Zone A—IDF Curve; Storage designed for 100 year storm; Primary conveyance designed for 25-year storm)
43	X			Peak discharge rate and velocity through sand and grease traps calculated and are less than 0.5 ft/sec.
44	Х			Section view of drainage facility provided.
45	Х			Able to determine drainage directions from information
45	^			given. See item 17.
46	X			Drainage facilities do not conflict with other utilities.
				(Spot check by City Engineer) Provision for conveyance or disposal of roof drainage
47			X	provided for commercial developments.
				Building finished floor elevation shown is above possible
48			X	max water surface elevation and 2-feet above base flood elevation.
49	x			Storm water pretreatment provided. BMP facilities are designed in conformance with the "State of Idaho Catalog of Stormwater Best Management Practices".
50	X			5-foot setback from property line maintained for drainage facilities.
51	Χ			Drainage basin / pond dimensions listed or noted.
52	X			Drainage facilities drawn to scale on grading and drainage plan.
53	Х			Drain rock, ASTM C33 sand, or pond liner specified.
54	X			3-foot separation from bottom of drainage facility to maximum seasonal high groundwater elevation shown on detail.

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55			X	Vegetative cover shown over biofiltration facilities.
56			X	Appropriate license agreements have been executed and are provided for offsite discharge of storm water.
ITEM	OK	NEED	N/A	GRAVITY IRRIGATION
57			Х	Plan approval letter is provided from the appropriate irrigation district. Appears to connect to existing Pl.
ITEM	OK	NEED	N/A	PRESSURE IRRIGATION
58	x			Plans for a pressure irrigation system are provided (Required only if development contains more than four lots).
59	X			The pressure irrigation system is <i>not</i> connected to the potable water system.
60	x			Design provides a minimum of 15 gpm @ 45 PSI to each destination point.
61	X			Easements are provided for all pressure irrigation piping. (Note on face of plat).
62	Х			Main line distribution piping is 3-inches in diameter or greater.
63			X	Provisions are made for diversion and flow measurement from a gravity irrigation source ditch.
64	x			Applicant provided verification with a signed contract indicating written assurance that provisions have been made for ownership, operation, and maintenance of the irrigation system.
65			х	Provide written verification and plan approval from Star Sewer and Water District if potable water is planned to be used as a secondary irrigation source.
66	X			Provided verification that water rights will be transferred to the association managing entity.
67	X			If pressure irrigation will not be available to each lot at all times, provide rotation schedule for irrigation system usage identifying times and days that pressure irrigation will be available to each lot.
ITEM	OK	NEED	N/A	RE-SUBMITTAL REQUIREMENTS*
68	X			Return (1) one revised plan set in pdf format with the redlined set for review and/or approval to Keller Associates. Unbound or un-collated plan sets will not be accepted.
69	X			Provide a response letter, referencing the City of Star, with the revised plan set that highlights what actions were taken to correct any outstanding items.

^{*}All re-submittals should be returned to the City of Star for re-review.

Notes:

Additional Final Plat Comments:

Revised 5/29/08 8/5/2020 Page 5 of 6

Additional Construction Drawing Comments:

•



1445 North Orchard Street • Boise, ID 83706 • (208) 373-0550 www.deq.idaho.gov

Brad Little, Governor Jess Byrne, Director

September 25, 2020

By e-mail: snickel@staridaho.org

Shawn L. Nickel, City Planner and Zoning Administrator City of Star P.O. Box 130 Star, Idaho 83669

Subject: Greiner's Hope Springs Subdivision Final Plat Phase 2, FP-20-16

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).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

• IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

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. WASTEWATER AND RECYCLED 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 DEO 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

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering 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. HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- Hazardous Waste. The types and number of requirements that must be complied with under the federal Resource Conservations 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.
- 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, Rules and Regulations for Hazardous Waste, and Rules
 and Regulations for the Prevention of Air Pollution.

- 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

Jaion Schill

ec: EDMS#2020AEK228



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel, City Planner Shar 1. Mach

MEETING DATE: October 6, 2020 – PUBLIC HEARING (tabled from July 21, 2020)

FILE(S) #: AZ-20-05 Annexation and Zoning

DA-20-05 Development Agreement

PP-20-07 Preliminary Plat for Norterra Subdivision

PR-20-03 Private Street

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Dan Sample 12080 W. State Street Star, Idaho 83669

Representative: Applicant:

Tamara Thompson, The Land Group, Inc.

462 E. Shore Drive #100

F.O. Box 910188

Eagle, ID 83669

St. George, UT 84791

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (to Residential- R-7 and Central Business District-CBD), a Development Agreement, a Preliminary Plat for a proposed residential and commercial subdivision consisting of 118 residential lots, 23 commercial lots and 8 common lots and private streets (alleyways). The property is located at 12080 W State Street and consists of 48.43 acres.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the north side of W. State

Street, at the northeast corner of Can Ada Road and State Street in Star, Idaho. Ada County Parcel Numbers S0407336010 & S0407347000.

Existing Site Characteristics: The property is currently in agricultural production with a single-family dwelling and ag structures.

Irrigation/Drainage District(s): - Middleton Mill Irrigation District and Drainage District #2

Flood Zone: The development is located outside a special flood hazard zone per FEMA FIRM panel #16001C0125H. Zone 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 No.
- Riparian Vegetation No known areas.
- Steep Slopes No.
- Stream/Creek None.
- Unique Animal Life No unique animal life has been identified.
- O 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	July 24, 2019 & November 8, 2019
Neighborhood Meeting Held	November 2, 2019
Application Submitted & Fees Paid	May 8, 2020
Application Accepted	June 8, 2020
Residents within 300' Notified	June 9, 2020
Agencies Notified	June 9, 2020
Legal Notice Published	June 11, 2020
Property Posted	July 9, 2020

HISTORY

This property has always been in agricultural production.

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS

	Zoning Designation	Comp Plan Designation	Land Use
Existing	County Rural	Compact Residential/	Agricultural/ Single-
	Transitional (RUT)	Central Business District	Family Dwelling
Proposed	Residential R-7-DA/ CBD-DA	No Change	Residential/Commercial

North of site	Residential R-3	Neighborhood Residential	Residential-Saddlebrook
			Sub./Silkwood Sub.
South of site	County (RUT); CBD-	Neighborhood	Vacant;
	PUD; Commercial C-1;	Residential/Central Business	Commercial/Residential-
	R-8-DA	District	Stonecrest Sub,
			Pinewood Lakes Sub;
			ICCU
East of site	Residential R-7;	Compact Residential/	Residential/Commercial-
	Commercial C-2	Central Business District	Endsley Court Sub.
			Albertson's Marketplace
West of site	Canyon Co.	Commercial	Agricultural, Single-
	Agricultural A-G		Family Residential

ZONING ORDINANCE STANDARDS / COMPREHENSIVE PLAN

UNIFIED DEVELOPMENT CODE:

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

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

<u>DA DEVELOPMENT AGREEMENT</u>: 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.

<u>CBD CENTRAL BUSINESS DISTRICT</u>: To provide for commercial, retail, civic, office, and entertainment uses. High density housing is encouraged on the upper floors of mixed-use buildings and may also be allowed at the fringes of the land use designation shown on the comprehensive plan. Live/work designed development is also encouraged in this district. Developments in this district are to place an emphasis on pedestrian and bicycle access and compatibility. Special emphasis shall be placed on development in the central downtown area to

encourage and create a vibrant, walkable downtown community that incorporates the Boise River as an active amenity.

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	Α	A	A
Dwelling:			
Multi-family 1	N	N	С
Secondary 1	А	А	Α
Single-family attached	N	N	P
Single-family detached	Р	Р	P
Two-family duplex	N	N	Р

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

	Maximum Height	Minimum Yard Setbacks Note Conditions			
Zoning District	Note Conditions	Front (1)	Rear	Interior Side	Street Side
R-6 to R-11 detached housing	35'	20' to garage 10' if alley load	15' 4' if alley load	3'	20'

R-6 to R-11 35' attached housing	15' to living area 20' to garage 10' if alley load	15' 4' if alley load	0' for common walls 5' at end of building	20'
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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.

8-3C-2: ADDITIONAL CENTRAL BUSINESS DISTRICT STANDARDS:

- A. Comply with Section 8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED.
- B. High density residential may be permitted within the CBD in mixed use buildings with commercial or office type uses on the first floor and high density residential on upper floors.
- C. New development on Main Street and Star Road, generally south of State Street, shall include transition consisting of a compatible mix of lower intensity commercial, retail and office type uses mixed with live/work type residential. Existing Single-Family uses are encouraged to convert to or redevelop as non-residential uses.
- D. Big Box commercial, generally a single-story single use building over 50,000 square feet, shall not be permitted and any single-story single use building which is large in scale, such as approaching the 50,000 square foot size, shall be located to front on Highway 44 or Star Road.
- E. The Council may place requirements on a mixed-use development, including a ratio of uses and/or timing of phases, to ensure that the overall development maintains its commercial intent.

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.
- 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 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.
- 5. For multi-family developments, see Section 8-5-20 for additional standards.
- B. Qualified Open Space: The following may qualify to meet the common open space requirements:
- 1. Any open space that is active or passive in its intended use, and accessible or visible by all residents of the development, including, but not limited to:
- a. Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;
- b. Qualified natural areas;
- c. Ponds or water features where active fishing, paddle boarding or other activities are provided (50% qualifies towards total required open space, must be accessible by all residents to qualify.) ponds must be aerated;
- d. A plaza.
- 2. Additions to a public park or other public open space area.
- 3. The buffer area along collector and arterial streets may be included in required overall common open space for residential subdivisions.
- 4. Parkways along local residential streets with detached sidewalks that meet all the following standards may count toward the common open space requirement:
- a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk and includes street trees as specified otherwise herein.
- b. Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.
- c. Stormwater detention facilities do not qualify to meet the common area open space requirements, unless all of the following is met:
 - 1. Must be at least fifty feet by one hundred feet (50' x 100') in area;
 - 2. Specifically designed as a dual use facility, as determined by the administrator, to include minimal slopes, grass throughout, and guarantee of water percolation within 24 hours of storm event.
 - 3. Is located in a development that has a second usable open space area that contains a qualified site amenity as herein defined.

- 5. Visual natural space, including open ditches, wetlands, slopes or other areas that may not be readily accessible to residents, and is provided with open style fencing, may qualify for up to 20% of the required open space total.
- C. Qualified Site Amenities: Qualified site amenities shall include, but not be limited to, the following:
- 1. Clubhouse;
- 2. Fitness facilities, indoors or outdoors;
- 3. Public art;
- 4. Picnic area: or
- 5. Recreation amenities:
- a. Swimming pool.
- b. Children's play structures.
- c. Sports courts.
- d. Additional open space in excess of 5% usable space.
- e. RV parking for the use of the residents within the development.
- f. School and/or Fire station sites if accepted by the district.
- g. Pedestrian or bicycle circulation system amenities meeting the following requirements:
- (1) The system is not required for sidewalks adjacent to public right of way;
- (2) The system connects to existing or planned pedestrian or bicycle routes outside the development; and
- (3) The system is designed and constructed in accord with standards set forth by the city of Star;
- D. Location: The common open space and site amenities shall be located on a common lot or an area with a common maintenance agreement.
- 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.

8-6B-2: IMPROVEMENT STANDARDS:

- B. Streets:
- 1. Dedication: Within a proposed subdivision, arterial and collector streets as shown on the comprehensive plan shall be dedicated to the public in all cases; in general, all other streets shall

also be dedicated to public use.

- 2. Street Specifications: The design, location, and widths of all street and street intersections shall comply with the requirements of the transportation authority and Fire District, unless alternative standards are adopted by the city of Star. Public street widths shall be a minimum of thirty-six feet (36') unless specifically approved by Council.
- 3. Street Names: The naming of streets shall conform to the requirements of the county street naming committee, with the following exceptions:
- a. The street name shall generally comply with this subsection.
- b. Street names shall not duplicate any existing street name within the county, except where a new street is a continuation of an existing street.
- c. Street names that may be spelled differently but sound the same as existing streets shall not be used.
- d. All new streets shall be named as follows: streets having predominantly north-south direction shall be named "Avenue" or "Road"; streets having a predominantly east-west direction shall be named "Street" or "Way"; meandering streets shall be named "Drive", "Terrace", "Path", or "Trail"; and cul-de-sacs shall be named "Circle", "Court", and "Place". Private streets shall be named "Lane".
- e. For streets that provide primary access to a subdivision or neighborhood and that align with an existing or planned street across an intersection that is not part of the same subdivision or neighborhood, the street name shall not duplicate the name of the subdivision or neighborhood.
- f. Proposed streets which are a continuation of an existing street shall be given the same name as the existing street.
- g. Street name signs shall be installed in the appropriate locations at each street intersection.
- 4. Cul-De-Sacs: No street that ends in a cul-de-sac or a dead end shall be longer than seven hundred fifty feet (750').
- 5. Alleys: All alleys shall be approved by the Fire District and shall have a minimum of twenty-foot (20') right of way and shall be paved, unless otherwise required.
- 6. Coving: Coving, or meandering design of roadways shall be encouraged, where reasonable, to provide a unique feel to a neighborhood versus a standard grid roadway system. The grid system may also be utilized where appropriate to provide for a variety of street designs within the overall project.

D. Common Driveways:

- 1. Maximum Dwelling Units Served: Common driveways shall serve a maximum of two (2) dwelling units and shall be approved by the Fire District.
- 2. <u>For commercial or other non-residential uses, common driveways serving multiple structures and/or properties shall meet the requirements of the Fire District.</u>
- 3. Width Standards: Common driveways shall be a minimum of twenty-eight feet (28') in width.
- 4. Maximum Length: Common driveways shall be a maximum of one hundred fifty feet (150') in length or less, unless otherwise approved by the fire district.
- 5. Improvement Standards: Common driveways shall be paved with a surface capable of supporting emergency services vehicles and equipment.
- 6. Abutting Properties: Unless limited by significant geographical features, all properties that abut a common driveway shall take access from the driveway.
- 7. Turning Radius: Common driveways shall be straight or provide a twenty-eight foot (28') inside and fifty foot (50') outside turning radius.
- 8. Depictions: For any plats using a common driveway, the setbacks, building envelope, and orientation of the lots and structures shall be shown on the preliminary and/or final plat.
- 9. Easement: A perpetual ingress/egress easement shall be filed with the county recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Compact Residential

Suitable primarily for residential use allowing a mix of housing types such as single family, two family, and multi-family. Densities range from 6 units per acre to 10 units per acre.

Central Business District

The Central Business District is planned to be a vibrant downtown center for the community. Uses encouraged are commercial, retail, civic, private offices, and entertainment. High density housing is encouraged on the upper floors of mixed-use buildings and at the fringes of the land use designation. Developments in this district are to place an emphasis on pedestrian and bicycle access and compatibility.

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

8.5.5 Policies Related Mostly to the Central Business District Planning Areas:

A. The CBD zoning district should allow for a mix of commercial, office, institutional, and civic type uses with specific provisions for residential use in appropriate locations with compatible densities.

B. High density residential is suitable within the CBD in mixed use buildings with commercial or office type uses on the first floor and high density residential on upper floors.

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 zoning request from County Rural Urban Transition (RUT) to Residential (R-7-DA) and Central Business District (CBD), together with a development agreement, will allow for the development and accompanying subdivision of the subject property into residential and commercial uses consistent with the current Comprehensive Plan and the current and approved surrounding land uses adjacent to the subject property. The overall density of the proposed residential portion of the development as submitted is 6.04 dwelling units per acre (on 19.53 acres). The Comprehensive Plan Land Use Map designates this property as Compact Residential on the north side of the property and Central Business District in the middle and to the south. Residential uses are allowed within the Mixed-Use designation.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 118 single family residential lots (20 detached, 98 attached), 23 commercial lots and 8 common area lots (open space lots, private road lots & road frontage buffers). The existing single-family dwelling located to the southeast of the proposed development will be removed during development. The detached residential lots (Lots 2-13, Block 1 & Lots 1-8, Block 2) along the northern boundary of the development will have frontage and access from a public street, while the remaining attached lots will have access from private alleyways and will front on either public roads or common areas. The residential lots range in size from 7,800 square feet to 10,314 square feet for the detached and an average of approximately 3,050 square feet for the attached lots. All public and private streets and alleyways will be built to ACHD, City of Star and Star Fire District standards. The submitted preliminary plat indicates public street widths meet the City requirement of 36 feet. The private street and alleyway shall have a width approved by the Star Fire District. The plat is showing 30' widths within a 30' easement. The commercial lots will have common drives with cross access throughout the area and will have access from N. Quincannon Lane, N. Highbrook Way and State Highway 44.

The preliminary plat notes indicate that the residential portion of the development will contain a total of 4.17 acres (21.4%) total open space, including 3.99 acres (17.4%) usable space within the common lots. The development meets the minimum of 15% open space, 10% usable space required by Code. Proposed amenities include a park with picnic structure, and pedestrian pathways throughout the residential development and additional usable open space. The amenities provided are in compliance with the UDC.

COMMERCIAL USES:

The applicant has indicated several intended uses within the commercial portions of the development. These uses include Senior Housing (Assisted, Independent, Nursing), Car Wash, Fuel Station, Office, Retail, Restaurants and a Hotel. These uses, including details such as parking, lighting, landscaping, sidewalks, access and cross access will be reviewed in detail by the City as the uses are proposed. The Hotel, Car Wash, Fuel Station and Senior Nursing/Residential Care Facility uses, which are all allowed through conditional use permits, may be approved by Council at this time as part of the development agreement. Independent Senior Housing may be permitted only as part of an overall facility that also includes assisted and nursing components, as a stand-alone independent facility would be considered multifamily, which is not proposed within this application. Per the applicant's request, any Senior Housing approved as part of the development agreement will be limited to the specific area highlighted in the application, unless a new conditional use permit is approved.

ADDITIONAL DEVELOPMENT FEATURES:

Sidewalks

Sidewalks are proposed at five-foot (5') widths and will be attached throughout the residential portion of the subdivision, along Highbrook Way, and along the entirety of N. Can Ada Road. W. State Street has a proposed sidewalk along the frontage of the commercial development. Section 8-4A-17 of the UDC requires sidewalks along State Street in the CBD to be a minimum of 8 feet.

Lighting

Streetlights and parking lot lighting shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire portions of the residential and commercial developments.

Street Names

Street names will be approved by the Ada Street Naming Committee prior to signature of final plat.

• <u>Setbacks/Design/Dimensional Standards</u> – Special setbacks and design standards have been requested by the applicant through the Development Agreement. The dimensional standards for the residential portion of the development requested include the following:

Minimum Street Frontage 24 Feet
Front Setbacks 15 Feet
Rear Setbacks 10 Feet**
Interior Side Setbacks 5 Feet

Street Side Setbacks 10 Feet (Local Streets)

Street Landscape Buffer 35 Feet (Collector Roadway)

Minimum Building Height 35 Feet

** Staff recommends that Lots 2-13, Block 1 and 1-8, Block 2 maintain the required 15 Foot rear setback to be consistent and compatible with the adjacent residential lots to the north within the Saddlebrook Subdivision.

Updated Information:

The application was tabled several times (7-21-20, 7-28-20, 8-18-20, 9/15/20) from the original hearing date, with the most recent tabling needed to receive ACHD and ITD comments on the access and internal roadway issues that needed to be resolved prior to the Council moving forward with a decision. These issues included access on Can Ada Road, right turn improvements from west bound State Street to north bound Can Ada Road, and an internal roadway connection from Can Ada Road to the future signal light on N. Highbrook Way that would meet the intent of the current, approved Economic Corridors Access and Roadway Connection Management Plan (ECAMP).

The applicant has been working with both ACHD and ITD to come up with alternative street layouts, external street improvements and Proportionate Share fee amounts and off-sets. A new layout has been submitted and reviewed by both agencies and by City Staff. The new plan shows a "collector" style private roadway between Can Ada and Highbrook that will be built to public street standards 28' street width with two 10' travel lanes, 4' bike lanes on both sides and sidewalk/pathway on one side as the roadway travels through the commercial portion of the development. The Fire District requests "no parking" along this street. The residential streets will all be private and built to City and Star Fire District standards with private gates at the northwest and southern access points. Per ACHD, the public stub street north from Saddlebrook will be converted to an emergency access/pedestrian pathway. ACHD and the Star Fire District have approved this plan for the private streets and gates in the residential area. Staff is also supportive of this concept, as the private gates will prevent vehicular cut-through from Can Ada Road east and through the residential portion of the development rather than using the southern collector, as designed, to get in and through the development and out onto Highbrook Way and the future signal light. It also maintains pedestrian circulation with the proposed pathways east-west and north south. ACHD has approved both access points onto Can Ada, with the northern access being a full access and the southern access being a right in, right out, left in access.

Roadway improvements to W. State Street, including a right turn lane to Can Ada Road have been reviewed by ITD and agreed to by the applicant.

A private street maintenance plan, including proposed funding, shall also be required by Staff prior to final plat signature. Street name must be obtained by the Ada County Street Naming Committee prior to signature of the final plat.

An updated Fire District, ITD and ACHD report has been included at the end of the Council packet.

AGENCY RESPONSES

Star Fire District July 13, 2020, September 30, 2020 Updated

Keller and Associates

Ada County Development Services

COMPASS

July 1, 2020

June 16, 2020

Central District Health Dept

DEQ

June 17, 2020

June 19, 2020

ITD July 20, 2020, September 11, 2020 Updated

ACHD September 30, 2020

PUBLIC RESPONSES

Cheryl and Sof Calaycay (with attached petition) 12293 W. Gambrell Street, Star, ID

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of the <u>updated</u> design, layout and density of the residential and commercial components of this 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, 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. The purpose of the central business district is to provide for commercial, retail, civic, office, and entertainment uses.

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.

PRIVATE STREET FINDINGS:

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

The City must find that the proposed private streets meets the design standards in the Code.

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

The City must find that it has not been presented with any facts stating this private road will cause damage, hazard or nuisance, or other detriment to persons, property or uses in the vicinity.

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

The City must find that the use is not in conflict with the comprehensive plan and/or regional transportation plan.

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 applicant shall submit a revised preliminary plat with the updated roadway system and street sections to staff for review and acceptance prior to submittal of the first phase of the final plat and/or first building permit. The approved Preliminary Plat for Norterra Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
- 2. The Applicant/Owner shall submit a private street maintenance plan, including future funding, in compliance with Section 8-4D-3C of the UDC.
- 3. 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 residential phase prior to final plat signature, and as commercial uses are reviewed and approved by the City.
- 4. All private streets shall have a minimum street width of 30' and shall be constructed to ACHD standards. Common drives shall meet the requirements of the Star Fire District.
- 5. The property with the approved Preliminary Plat shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code.
- 6. Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees.
- 7. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
- 8. 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.
- 9. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.

- 10. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
- 11. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
- 12. 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.
- 13. 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.
- 14. 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.
- 15. All common areas shall be maintained by the Homeowners Association.
- 16. 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.
- 17. A sign application is required for any subdivision signs.
- 18. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION			
The Star City Council	File #AZ-20-05/ DA-20-05/PP-20-07 for Norterra , 2020.		



Vicinity Map

Sample Mixed Use

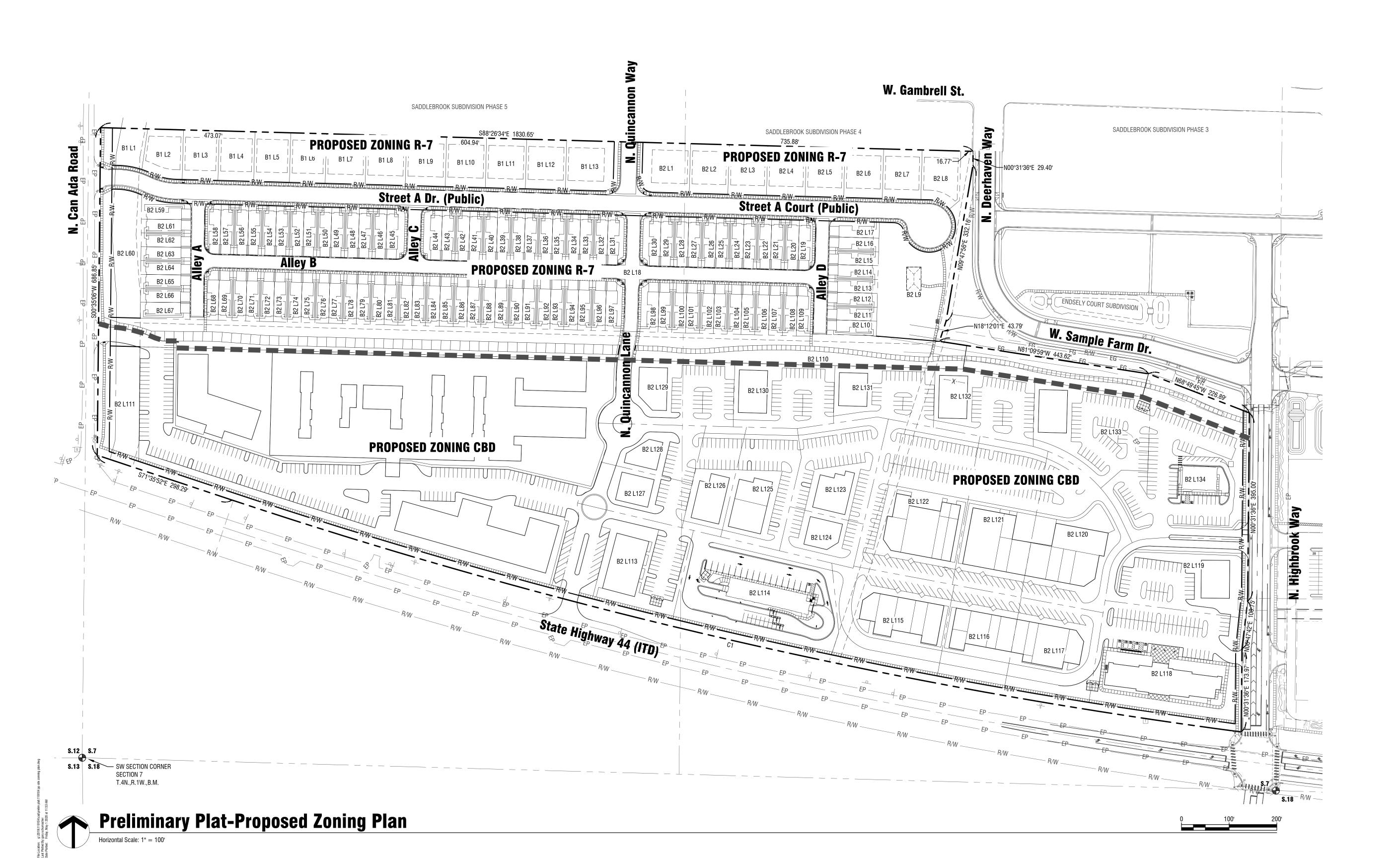


Dec 10, 2019 - landproDATA.com Scale: 1 inch approx 600 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

ORIGINAL PLAN





13437

OF OF JOHN OS/01/2020

Date of Issuance: 05.01.

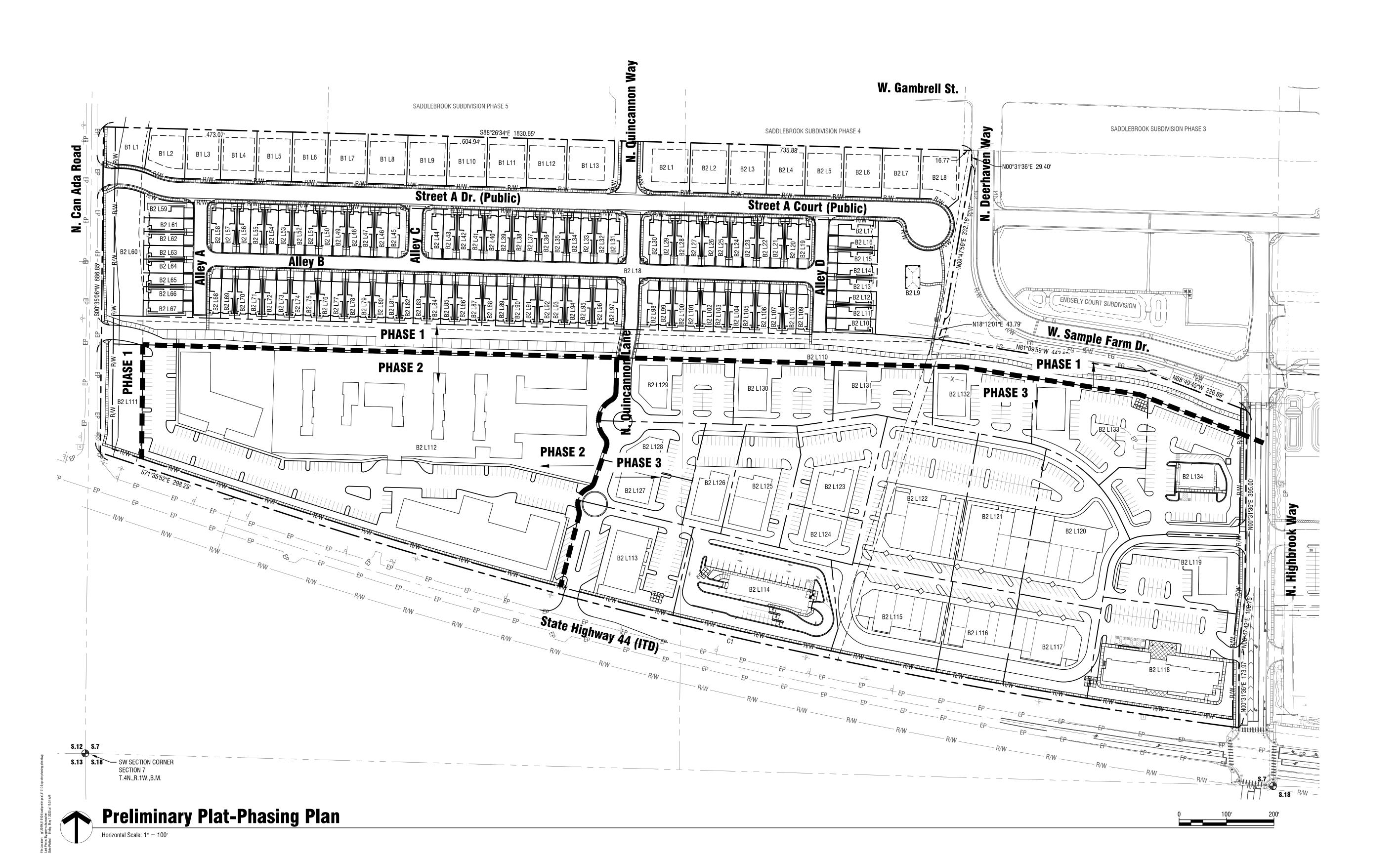
Project Milestone: Pr

Preliminary Plat

Proposed Zoning Plan

ORIGINAL PLAN

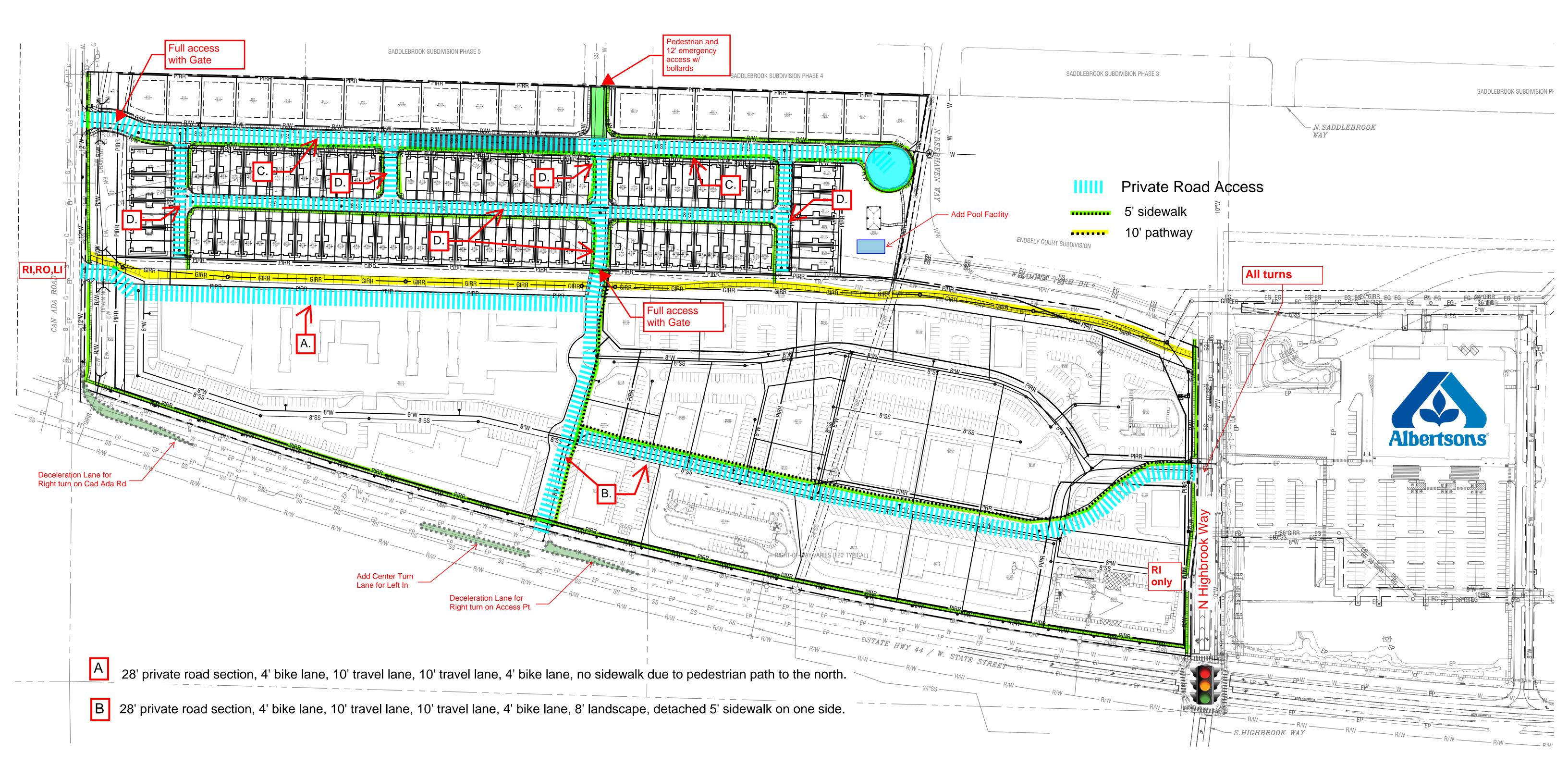




PP-01B

Preliminary Plat Phasing Plan

REVISED PLAN (10-6-20)







May 4, 2020

Shawn Nickel
Planning & Zoning Department
City of Star
10769 W. State Street
Star, ID 83669

RE:

Norterra Mixed Use | NEC Highway 44 and Can Ada Road Annexation, Rezone, and Preliminary Plat Applications

Dear Shawn,

Attached to this letter are applications for Annexation and Zoning (with Development Agreement), and preliminary plat for the Norterra Mixed Use development. This application includes parcels \$0407336010 (46.43 acres) and \$0407347000 (2 acres) for a total of 48.43 acres.

The 48.39-acre site (grey area below) is generally located on the northeast corner of Highway 44 and Can Ada Road. The overall annexation area to the centerline of the adjacent roadways is 52.26 acres.

The properties are currently zoned RUT in Ada County and are utilized for agriculture and a single-family residence with associated out buildings. The properties are within the City of Star Impact Area and contiguous to Star's City Limits. Development within the Star Impact Area requires annexation to the City of Star.

The site is bound on the south by Highway 44 (W. State Street); right-of-way will be dedicated, by others, to ACHD for a future public road extension on the east (N. Highbrook Way). To the north are existing single-family homes, zoned R-3, in the Saddlebrook Subdivision; and N. Can Ada Road to the west.

Current zoning and annexation area (site in grey):

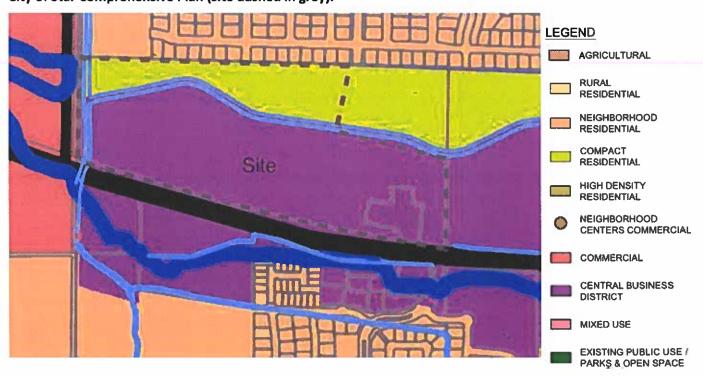


Annexation Area Aerial (site in grey):



The Star Comprehensive plan designates the southern portion of the properties along the Highway 44 frontage as Commercial Business District (CBD), and the northern portion adjacent to the existing residential as Compact Residential.

City of Star Comprehensive Plan (site dashed in grey):





The development applications propose to annex the property to the City of Star and rezone the northern 19.53 acres to R-7 and the southern 28.9 acres as CBD. The proposed zoning is consistent with Star's Comprehensive Plan.

A concept site plan, phasing, landscape plan, and elevations are included.

The residential lots on the north property line are proposed to be single-family and aligned 1:1 to the properties to the north as a matched transition.

The residential density along the north property line is less than 4 per acre; the density is planned to increase moving north to south with a blended density of approximately 6.04 units per acre. The residential units, not on the north property line, are attached and detached single-family townhouses.

The proposed R-7 building setbacks are:

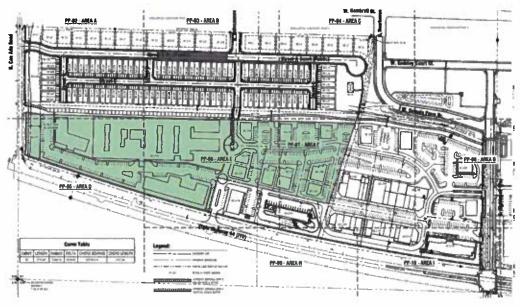
DIMENSIONAL STANDARDS:

	PROPOSED:
35-FT	24-FT
15-FT	15-FT
15-FT	10-FT
5-FT	5-FT
20-FT (LOCAL)	10-FT
	35-FT
35-FT	35-FT
	15-FT 15-FT 5-FT 20-FT (LOCAL) 35-FT (COLLECTOR)

The CBD zoned properties are planned with approximately 338,300 SF. The uses are planned to be consistent with the use matrix in the City's development code. However, a development agreement is proposed to allow some uses that may be listed as conditional. Drive-thru uses for a bank, fast food, convenience store, and a pharmacy are included with this application. Drive thru uses will not require future City approval regardless of their distance to a residential use or another drive-thru.

Other commercial uses anticipated include: Senior Housing (Assisted, Independent, Nursing), car wash, hotel, fuel station, office and retail. These uses will be principally permitted and not require future City approval regardless of their distance to a residential use.

Senior Housing is proposed as a permitted use in the areas highlighted in green. Should senior housing be proposed on other areas of the site, not highlighted in green, conditional use permit approval is required.





The property is in the Middleton Mill Irrigation District and Drainage District #2 (DD2). The drain that bisects the property is proposed to be piped. Piping the DD2 easement creates a large landscape / open space buffer located between the commercial properties and the townhouses.

Contact information for the irrigation district and DD2 are:

Middleton Mill Irrigation District: mm_mi@juno.com

Drainage District #2: c/o S. Bryce Farris, P.O. Box 7985, Boise, ID 83707, bryce@sawtoothlaw.com

Preliminary Plat:

In total, the preliminary plat includes 149 lots.

Project Site: 48.43 total acres

New Public R/W: 3.73 acres

Commercial uses: 28.9 acres, up to 338,300 building SF, 23 lots

Residential: 19.53 acres, 118 units, 6.04 units/acre

Single Family homes (north property line): 20 units

Townhouse: 98 units

Common Lots: 8

The project amenities include a park with picnic structure in the northeast portion of the site and pedestrian paths throughout as shown on the landscape plans. The overall open space is 21.4%; usable open space is 17.4%. The open space and site amenities are located in common lots and will be maintained by the homeowner's association.

Buildings will be designed in a traditional modern theme and will be constructed using a variety of high-quality materials including cementitious siding and cultured stone. Buildings shall be designed with elevations that create interest through the use of broken planes, windows, cornices and fenestrations that produce a rhythm of materials and patterns.

A 50' setback is included on the CanAda Road frontage; 20' setback along Hwy 44; 20' along Highbrook Way; and 10' along the new local street.

The mixed-use project is proposed with one direct access to Hwy 44. The location is coordinated to align with a new development south of Highway 44.

A stub road from the north, N. Quincannon Way, will be extended south and east-west (Street A) through the property. This extension is the only proposed public road. All other drives are proposed to be private.

Two accesses to CanAda Road and the future Highbrook Way are proposed to the west and east respectively.

A traffic impact study (TIS) is underway and will be submitted to ACHD and ITD. Comments from ACHD and ITD have not been received but are anticipated prior to the City's staff report being finalized.

Storm water will be retained on site. The property within Flood Zone X will be filled.



Thank you in advance for your consideration and support. We look forward to working with the City to plan a quality project of which we can all be proud.

Sincerely,

Tamara Thompson

Director of Client Services

The Land Group, Inc.



Townhouse Concept Elevations











FYD

STAR FIRE PROTECTION DISTRICT

Office of the Fire Chief

Greg Timinsky 11665 W State St Suite B Star, ID 83669

July 13, 2020

To: City of Star

File#: AZ-20-05/DA-20-05/PP-20-07

Development Norterra Subdivision

From Chief Greg Timinsky

The Star Fire Protection District has reviewed and approved with conditions listed below the above referenced Annexation zoning Preliminary Plat and Development Agreement located at the HWY 44 and between Can-Ada and Highbrook

Access roads shall be provided and maintained in accordance with Appendix D section 503 of the 2015 IFC. This shall include adequate roadway widths, signage, turnarounds and min. turning radius for fire apparatus.

An emergency access lane must be put on the proposed walking path between the commercial and residential units. All private roads such as Alley-A and Alley-D must connect to the access road that is now labeled as a walking path. All Alley roads must be posted parking on one side and no parking on the other.

The Min, inside turning radius for our fire apparatus is 28' with the outside radius of 48'. Insure that all radiuses for the street curves and intersections meet this requirement.

Cul-de-sac must be unobstructed 961 min

The min. fire flow and flow duration for one- and two-family dwellings shall be as specified in Appendix B of the 2015 IFC.

The fire hydrant spacing shall be no less than 400° and shall be approved and witnessed by Star Fire Protection District prior to any building permits being issued.

Any commercial fire flow will be determined when we know what will be going in, will be reviewed when proposed due to potential water flow and access requirements.

All street signage shall be installed and approved prior to the issuance of any building permit.

NOTE: All fire department access roadways in the development shall remain clear and unobstructed during construction of homes in the development. Additional parking restrictions may be required as to maintain access for emergency vehicles at all times.

Any questions please feel free to contact me, 208-229-9447

Sincerely,

Greg Timinsky, Fire District Chief

Original to Requester/ Copy retained by Chief



June 9, 2020

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

Re: Norterra Subdivision Preliminary Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Norterra Subdivision dated January 6, 2020. We reviewed the applicant's package to check conformance with the City's Subdivision Ordinance and coordinated our review with Cathy Ward. We have the following comments and question based on our review:

- 1. The name of the subdivision on the submitted 8.5" x 11" documents does not match the plans, Noterra vs Norterra, please update so all documents match.
- 2. Easements described in the letter provided with the Preliminary Plat application are not displayed on the drawings. All applicable easements and setbacks need called out on the drawings with the purpose of given easements or setbacks.
- 3. Provide a preliminary stormwater drainage plan.
- 4. Provide streetlight at N Can Ada Rd and Street A Dr and along Highway 44. Street lighting shall be in accordance with ISPWC and the City of Star Supplementals. Cut sheet for lights and light poles shall be approved in writing by the City prior to installation. Provide proposed streetlight locations on Preliminary Plat. Please note there are additional streetlighting requirements along Highway 44 (State Street).
- 5. A preliminary pressure irrigation system will be required for approval of the Preliminary Plat. Construction plans for a subdivision-wide pressure irrigation system will be required for each final plat. Plan approvals and license agreements from the affected irrigation and/or canal companies will be required.
- Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company. Show any existing irrigation ditches and canals on Preliminary Plat.
- 7. It is unclear if the project is proposing offsite stormwater disposal to drain ditches. If so, plan approvals and license agreements from the affected irrigation ditch companies will be required.
- 8. Potable water cannot be used for irrigation purposes. A separate pressure irrigation system will be required.

- 9. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
- 10. 10-foot easements for pressure irrigation lines will need to be shown once the applicant determines the alignment location(s) for the facilities. Show all ditch and drainage easements.

We recommend that the **conditions 1 through 7 listed above be addressed prior to approval of the Preliminary Plat.** 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.

Docusigned by

Ryan V. Morgan, P.E.

City Engineer

cc: File



Richard Beck Interim Director

Ada County Courthouse 200 West Front Street Boise ID 83702 208.287.7900 Fax 208.287.7909 www.adacounty.id.gov

Department Divisions
Building
Community Planning
Engineering & Surveying
Permitting

Ada County Commissioners Diana Lachiondo, First District Patrick Malloy, Second District Kendra Kenyon, Third District

ADA COUNTY Development Services Department

July 1, 2020

Via Email: snickel@staridaho.org

Shawn Nickel City of Star Planning & Zoning Department 10769 W. State Street Star, ID 83669

RE: Annexation / 10040 W State Street

Shawn,

The City of Star has requested feedback regarding the proposed annexation of 0.93 acres of land located at 10040 W. State Street, with an accompanying rezone from Rural Urban Transition (RUT) to Central Business District (CBD).

Ada County is in support of the proposed annexation as the property is located within the Star Area of City Impact and is surrounded on all sides by properties which have already been annexed into the City of Star. As such, the site will be more easily served by the City of Star than by the County. The County is also supportive of the proposed rezone to *Central Business District*, as this will be in compliance with the Star comprehensive plan, as adopted by the County, which designates the site as *Multiple Use 1*, which is intended to include a mixture of residential, office and commercial uses.

The proposed commercial use of the property is supported by Goal 2.2 of the Ada County Comprehensive Plan, which calls for urban development to be directed to Areas of City Impact where investments in urban services have already been made. The proposal is also compatible with the Star Comprehensive Plan, as adopted by Ada County. As the property is located along an arterial roadway within close proximity to other commercial uses, it is supported by Commercial Policy 2, which encourages commercial facilities at locations which complement existing transportation facilities and adjacent land uses, and the proposal to allow cross-access through the site to the properties to the north and west is supported by Transportation Policy 2 as it promotes minimal access points associated with arterial roadways when approving regulated land uses.

Thank you for this opportunity to provide feedback.

Sincerely,

Brent Moore, MCMP, AICP Community & Regional Planner

Ada County Development Services

F	Reze	CENTRAL DISTRICT HEALTH DEPARTMENT Environmental Health Division CENTRAL DISTRICT HEALTH DEPARTMENT Environmental Health Division ACZ Boise Eagle	
0	on	ditional Use # Garden Cit	1
F	rel	minary / Final / Short Plat PP-20-077	
1	100	Norterra Star	
	1.	We have No Objections to this Proposal.	15
	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 other 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	
[]	9.	The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality: Community sewage system	
	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 grocery store	
42	13.	Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.	
	14.		

Reviewed By: Date: 6/17/2020

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: Norterra Agency: Star

CIM Vision Category: Future Neighborhoods

New households: 118 New jobs: ±380 Exceeds CIM forecast: No

CIM Corridor: Highway 44 Level of Stress considers facility type, number of vehicle lanes, and speed. Roads with G or PG ratings better Pedestrian level of stress: R support bicyclists and pedestrians of all ages and comfort Bicycle level of stress: PG-13 levels. Housing within 1 mile: 1,320 A good jobs/housing balance - a ratio between 1 and Jobs within 1 mile: 300 1.5 - reduces traffic congestion. Higher numbers indicate the need for more housing and lower numbers Jobs/Housing Ratio: 0.2 indicate an employment need. Developments within 1.5 miles of police and fire Nearest police station: 1.0 mile stations ensure that emergency services are more Nearest fire station: 1.0 mile efficient and reduce the cost of these important public services. Farmland consumed: Yes Farmland contributes to the local economy, creates Farmland within 1 mile: 833 acres additional jobs, and provides food security to the region. Development in farm areas decreases the productivity and sustainability of farmland. Nearest bus stop: 0.8 miles Residents who live or work less than 1/2 mile from Nearest public school: 0.8 miles critical services have more transportation choices. Nearest public park: 1.3 miles Walking and biking reduces congestion by taking cars off Nearest grocery store: 0.7 miles the road, while supporting a healthy and active lifestyle.

Recommendations

The proposal provides an opportunity for infill and a mix of land uses in an already developed area in the City of Star. Infill sites with nearby services and multimodal infrastructure can mitigate the impact of increased traffic. The site is approximately ½ mile west of the Star Park and Ride lot. ValleyConnect 2.0 proposes two bus routes on Highway 44, which would connect downtown Star to the Boise Towne Square Mall, the City of Eagle, and Canyon County. COMPASS has identified the widening of State Highway 44, from Star Road to Highway 16, in the Transportation Improvement Program. An additional lane in both directions will alleviate congestion issues and improve safety and scheduled for 2024 (Key #20574). See attachment. Consider revising the parking location for Building B2 L113 so that queuing vehicles do not extend onto Highway 44 blocking traffic and consider reducing the vehicular access locations to Can Ada Road to improve efficiency and eliminate conflict points.

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



SH-44 (State Street), SH-16 to Linder Road, Ada County

Regionally Significant: 🗸

Key #: 20266

Requesting Agency: ITD Project Year: 2023

Total Previous Expenditures: \$413
Total Programmed Cost: \$8,600
Total Cost (Prev. + Prog.): \$9,013

COMPASS PM:

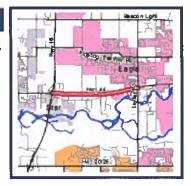
Congestion Reduction/System Reliability Freight Movement and Economic Vitality

Transportation Safety
Community Infrastructure

Federal PM:







Project Description: Add an additional westbound and eastboud lane to improve congestion

and reduce crashes along SH-44 (State Street) from SH-16 to Linder

Road near the City of Eagle.

unding S	ource TECM		Progr	am State	Hwy - Safety 8	& Capacity (Safet	y)	Local Mat	ch 100.00%
Cost Year*	Preliminary Engineering	Preliminary Engineering Consulting	Right-of-Way	Utilities	Construction Engineering	Construction	Total	Federal Share	Local Share
2020	0	50	50	0	0	0	100	0	100
2023	0	0	0	0	750	7,750	8,500	0	8,500
Fund Totals:	\$0	\$50	\$50	\$0	\$750	\$7,750	\$8,600	\$0	\$8,600

SH-44 (State Street), Star Road to SH-16, Ada County

Regionally Significant: 🗸

Key #: 20574

Requesting Agency: ITD Project Year: 2024

Total Previous Expenditures: \$200
Total Programmed Cost: \$8,700

Total Cost (Prev. + Prog.): \$8,900

COMPASS PM:

Congestion Reduction/System Reliability Freight Movement and Economic Vitality

Transportation Safety
Community Infrastructure

Federal PM:







Project Description: Widen SH-44 (State Street) from Star Road to SH-16 in Ada County.

An additional lane in both directions will alleviate congestion issues and

improve safety.

unding S	ource TECM		Progr	am State	Hwy - Safety &	& Capacity (Capa	acity)	Local Mat	ch 100.00%
Cost Year*	Preliminary Engineering	Preliminary Engineering Consulting	Right-of-Way	Utilities	Construction Engineering	Construction	Total	Federal Share	Local Share
2020	100	1,100	0	0	0	0	1,200	0	1,200
2021	0	0	1,000	0	0	0	1,000	0	1,000
2024	0	0	0	0	500	6,000	6,500	0	6,500
Fund Totals:	\$100	\$1,100	\$1,000	\$0	\$500	\$6,000	\$8,700	\$0	\$8,700



1445 North Orchard • Boise, ID 83706 • (208) 373-0550

Brad Little, Governor John H. Tippets, Director

June 19, 2020

Shawn L. Nickel, City Planner City of Star P.O. Box 130 Star, Idaho 83669

RE: Norterra Subdivision, AZ-20-05, DA-20-05, and PP-20-07

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 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 will be referred to the city or county to address under their ordinances.

Information on fugitive dust control plans can be found at: http://www.deq.idaho.gov/media/61833-dust control plan.pdf

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

- A DEQ short-term activity exemption (STAE) from this office is required if the project will
 involve de-watering of ground water during excavation and discharge back into surface water,
 including a description of the water treatment from this process to prevent excessive sediment
 and turbidity from entering 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:
 http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm
- 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. Hazardous Waste And Ground Water Contamination

- Hazardous Waste. The types and number of requirements that must be complied with under
 the federal Resource Conservations 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.
- 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, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.

• 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 Boise Regional Office

Jaion Schilb

ec: CM#2020AEK151

RECEIVED

DATE: July 10, 2020

JUL 1 3 2020

TO: Star City Council

CITY OF STAR

SUBJECT: Development of Norterra Subdivision

As property owners located within three hundred feet of the future development of the Norterra Subdivision, we strongly object to the changes from the original proposed plan by The Land Group that was presented to us on November 26, 2019.

The changes we are concerned about are:

- * Removal of the green space of 75 feet with walking paths along the Saddlebrook southern boundary. We are hoping for up scale development in this area which include some open spaces. Please look at original plans which we supported.
- * Increased density of the townhomes for the area planned. The proposed townhomes do not look like those in front of Pinewood Lakes which we were told by the developer, The Land Group. Too many units for the area, which will cause traffic and congestion. This proposal looks like apartments, NOT home owned upscale townhouses.

PLEASE compare the original plans with the new proposal by TG Development, LLC, that is being applied for and go back to the drawing table for the housing portion of this application.

The original housing area proposal was more in line with acceptable upscale new development for the City of Star.

Thank you for your consideration of our feelings here on the southern border of Saddlebrook subdivision off Gambrell Street. This development will have a direct effect upon our property and lifestyle.

Sincerely the Residences of Saddlebrook on Gambrell Street,

Cheryl and Sof Calaycay 12293 W Gambrell St

Name Cl Rout
Name GL Rout Address 12463 W. Gambrell St., Star, 1D 83669
Name Ca In Ja det Address 12361 W. Gumbrell St. Solar, ID 83669
Name Ryllis Beck Address 12497 W Gambrell St Star 10 83669
Address 12497 W Gambrell St Star 10 83669
Name Name T Beek Address 12497 W GAMbell 5T 5Tan, Id. 83/de9
Name Joseph O'Dell
Address 12327 W. CAMPRELL STAR, ID 83669
Name dan Soyce Address 12259 W Gambrell SPAR SD 8369
Name For Lorny 10 Address 473 N. Paddington Pl Star, ID 83169
Address 473 N. Paddington Pl. Star, ID 8369

Name Thomas Kormylo
Name Thomas Kormylo Address 473 N. Paddinstan Pl. 83669
Name Hatu Elle
Address 12429 w Canbard 83(dog)
Name Jerety Styw
Address 12509 W. G-AMBNe/L 83669
e e e e e e e e e e e e e e e e e e e
Name Holly Shaw (208) 703-0432
Name 10 My Shaw (208) 703-0432 Address 12500 W. Gambrel 83669
Name Zach Hasse
Address 12575 W. Gambrell St. 83669
Name Findres Lunz
Address 12623 W Gan bell 37
Name Josh Biggs
Name Josh Biggs Address 12553 w Gambrell st 83669

Name Euis 5 Sacobsen
Address 474 N. Paddington Place
Name MATT WILDER Address 474 N. Paddington Place
Name Brian Bilhemer
Address 12395 W Gambrell St
Name Jacob Marshall Address 12591 W Clambrell
Name Ruth Lange & Joseph Lange
Address 48/ N Pringle wood Pl.
Name St Oaleyry Address 12293 W. Gambrell St.
Name Cheryl L. Calayeay
Address 12493 W. Sambrell St.

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Project/File: Norterra/ SPP20-0006/ PP-20-07/ AZ-20-05/ DA-20-05

This is an annexation with rezone, a development agreement with the City of Star and a preliminary plat application to allow for the development of 118 residential lots, 23 commercial lots and 8 common lots on 48-acres. The site is located at the northeast

corner of Can Ada Road and State Street.

Lead Agency: City of Star

Site address: 12080 W. State Street
Staff Approval: September 30, 2020

Applicant: TG Development

PO Box 910188 St. George, UT 84791

Representative: Tamara Thompson

The Land Group, Inc. 462 E. Shore Drive, #100

Eagle, ID 83616

Staff Contact: Dawn Battles, Planner

Phone: 387-6218

E-mail: dbattles@achdidaho.org



A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval for annexation with a rezone from RUT (Rural-Urban Transition) to R-7 (19.5-acres) and CBD (28.9-acres), a development agreement with the City of Star and a preliminary plat consisting of 118 residential lots (20 single family lots and 98 townhome Units), 23 commercial lots and 8 common lots on 48 acres.

The applicant's proposal is consistent with the City of Star's comprehensive plan which calls for commercial along State Highway 44 and compact residential to the north.

2. Description of Adjacent Surrounding Area:

Direction	Land Use	Zoning
North	Medium Low Density/Medium Density Residential	R-3/R-7
South	Central Business District/Rural-Urban Transition (Ada County)	CBD/RUT
East	Medium Low Density/Medium Density Residential/General Business District	R-3/R-7/C-2
West	Canyon County District	N/A

3. Site History: ACHD has not previously reviewed this site for a development application.

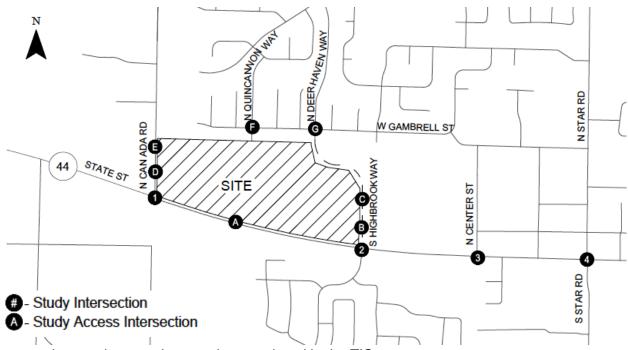
- **4. Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
 - Stonecrest, a mixed-use development consisting of 45 residential lots and 3 commercial lots located south of the site was approved by ACHD in October 2019.
 - Sample Commercial, a mixed-use development (Albertsons) located east of the site was approved by ACHD September 2017.
- **5. Transit:** Transit services are available to serve this site, via route 3.
- New Center Lane Miles: The proposed development includes 0 centerline miles of new public road.
- 7. Impact Fees: There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
- 8. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):
 - Star Road is listed in the 2020 CIP to be widened to 5-lanes from SH-20/26/ Chinden Boulevard to SH-44/ State Street between 2031 and 2035.
 - The intersection of SH-44/ State Street and Star Road is listed in the 2020 CIP to be widened to 4-lanes on the north leg, 5-lanes on the south, 5-lanes east, and 5-lanes on the west leg, and signalized between 2026 and 2030.
- 9. Roadways to Bikeways Master Plan: ACHD's Roadways to Bikeways Master Plan (BMP) was adopted by the ACHD Commission in May of 2009 and was update in 2018. The plan seeks to implement the Planned Bicycle Network to support bicycling as a viable transportation option for Ada County residents with a wide range of ages and abilities, maintain bicycle routes in a state of good repair in order to ensure they are consistently available for use, promote awareness of existing bicycle routes and features and support encouragement programs and to facilitate coordination and cooperation among local jurisdictions in implementing the Roadways to Bikeways Plan recommendations.

The BMP identifies Highbroook Way, a future collector roadway abutting the site's east property line as a Level 1 facility. The new collector roadway will be constructed consistent with the MSM and the Roadways to Bikeways Master plan with the adjacent development (Albertsons).

B. <u>Traffic Findings for Consideration</u>

- **1. Trip Generation:** This development is estimated to generate 6,764 vehicle trips per day; 642 vehicle trips per hour in the PM peak hour, based on the traffic impact study.
- 2. Traffic Impact Study

Kittelson & Associates prepared a traffic impact study for the proposed Norterra Mixed Use Development. An executive summary of the findings as presented by Kittelson & Associates can be found as Attachment 3. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices and may have additional requirements beyond what is noted in the summary. ACHD Staff comments on the submitted traffic impact study can be found below under staff comments.



Intersections and access intersections analyzed in the TIS.

a. Policy

Mitigation Proposals: Mitigation recommendations shall be provided within the report. At a minimum, for each roadway segment and intersection that does not meet the minimum acceptable level of service planning threshold or v/c ratio, the report must discuss feasible measures to avoid or reduce the impact to the system. To be considered adequate, measures should be specific and feasible. Mitigation may also include:

- Revision to the Phasing Plan to coincide with the District's planning Capital Projects.
- Reducing the scope and/or scale of the project.

Alternative Mitigation Measures: 7106.7.3 states that if traditional mitigation measures such as roadway widening and intersection improvements are infeasible as determined by ACHD, the TIS may recommend alternative mitigation measures. Alternative mitigation measures shall demonstrate that impacts from the project will be offset.

- If the impacted roadway segments and/or intersections are programmed as funded in the Integrated Five Year Work Plan (IFYWP) or the Capital Improvements Plan (CIP); no alternative mitigation is required.
- If the impacted roadway segments and/or intersections are not programmed in either the IFYWP or the CIP; the applicant may (i) analyze the shoulder hour and (ii) provide a safety analysis to determine alternative mitigation requirements.
 - If the impacted roadway segments and intersections meet the minimum acceptable level of service planning thresholds in the shoulder hour the applicant may suggest feasible alternative mitigation such as: sidewalks, bike facilities,

- connectivity, safety improvements, etc. within 1.5 miles of the proposed development.
- If the shoulder hour planning thresholds are exceeded the applicant may request to enter into a Development Agreement and pay into the Priority Corridor Fund an amount determined by the ACHD to offset impacts from the project.
- Alternative Mitigation may also include:
 - Revision to the Phasing Plan to coincide with the District's future Capital Projects.
 - Reducing the scope and/or scale of the project.

Level of Service Planning Thresholds: District Policy 7206.4.1 states that, Level of Service Planning Thresholds have been established for principal arterials and minor arterials within ACHD's Capital Improvement Plan and are also listed in section 7106. Unless otherwise required to provide a Traffic Impact Study under section 7106, a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds the minimum acceptable level of service planning threshold or V/C ratio.

Staff Comments/Recommendations: The TIS notes that all study intersections and the roadway segments of SH-44 from Highbrook Way to Star Road meet ACHD's minimum operational thresholds for the existing traffic conditions. The TIS also notes that the segment of Highbrook Way, north of SH 44 is projected to meet ACHD's operating thresholds under 2030 background conditions and 2030 total traffic conditions if direct access to SH-44 is permitted.

The TIS notes that the proposed local street, A Street, and the proposed extension of Quincannon way into the site as a local street are anticipated to be below the 2,000 average daily trips threshold. However, the applicant has modified their site plan to construct private streets within the site and has removed the extension of Quincannon Way into the site.

The TIS indicates that the AM and PM peak hour trips for the segment of SH-44 between Can Ada Road and Highbrook Way exceeds the acceptable level of service planning thresholds for a 2-lane principal arterial roadway under existing traffic conditions. However, this roadway segment is under the jurisdiction of ITD and ACHD does not set level of service planning thresholds for state highways.

The TIS notes that the following intersections do not operate at acceptable operating standards during the AM and PM peak hours for 2030 background traffic and 2030 total traffic:

- SH-44/ Can Ada Road—The TIS notes that the critical southbound shared left-throughright movement is forecast to exceed ACHD's acceptable level of service planning
 threshold during the PM peak hour. The TIS recommends extending the center turn lane
 along SH-44 from the east and providing separate southbound right and left turn lanes on
 Can Ada Road to mitigate the impacts of the development allowing the critical southbound
 left turn movement to operate under capacity. Even with the construction of the turn lanes,
 as recommended in the TIS, the intersection is anticipated to operate at LOS E due to a
 high delay in gaps in traffic on SH-44. ITD's draft SH-44 Corridor Plan calls for converting
 SH 44/ Can Ada Road intersection to an RCUT configuration. See Findings for
 Consideration 2 for ITD's comments on this intersection.
- SH-44/ Highbrook Way—The TIS notes the intersection is anticipated to exceed ACHD's acceptable level of service planning threshold for the southbound left-turn lane during the PM peak hour. The eastbound through right-lane in the AM peak hours and the westbound through lane in the PM peaks hours, are expected to operate above ITD's v/c standard.

The TIS recommends the widening of SH-44 to include two lanes in each direction to meet agency operating standards.

- SH-44/ Center Street (Off-Site)—The TIS notes the northbound and southbound minor street approaches to the SH 44/ Center Street intersection are anticipated to exceed ACHD's acceptable level of service planning thresholds due to delay gaps on SH-44 and the northbound movement is forecast to be overcapacity during the PM peak hour. A traffic signal is warranted; however, the intersection is within 1,300 feet of the Highbrook Way and Star Road signalized intersections, so this intersection would not meet the required half-mile signalized intersection spacing. The connection of Center Street to W. 1st Avenue and W 3rd provides alternate routes for those minor street movements to Star Road and the signalized SH 44/ Star Road intersection. The TIS also notes that the proposed Norterra Mixed Use development is not anticipated to add any trips to the critical northbound or southbound left-turn movements. Therefore, no improvements are required at this intersection, as the site generated traffic does not contribute to the failing movements.
- SH-44/ Star Road (Off-Site)—The TIS indicates this intersection is anticipated to exceed ACHD's acceptable level of service planning threshold during the AM and PM peak hour. The TIS recommends the widening of SH-44 to include two lanes in each direction, as well as right and left turn lanes for the eastbound and westbound approaches, separate southbound left-turn, through and right-turn lanes along with signal timing optimization reflecting the additional lanes to improve operations, though the northbound left-turn movement would still operate above the ITD lane group standard.
 - SH-44 is a funded project to be improved to 5 lanes from just east of Highbrook Way to SH-16 and is scheduled for construction in 2024 in the Idaho Transportation Investment Program (ITIP), Project No. 20574.
 - The ITD SH-44 Corridor Plan has identified the northbound left-turn movement as the reason to plan a quarter CFI intersection in the future.
 - □ This intersection is listed in the ACHD 2020 CIP, as an unfunded project, to be widened to 4-lanes on the north leg, 5-lanes on the south, 6-lanes east, and 6-lanes on the west leg, and signalized between 2026 and 2030.

The site traffic is 8.2% for the SH-44/ Star Road intersection. Therefore, no improvements are required consistent with District Level of Service Planning Threshold policy that states a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds minimum acceptable level of service planning threshold or V/C ratio.

The TIS notes turn lanes are warranted at the following locations:

- SH-44/ Site Access A
 - Westbound right turn lane
 - Eastbound left turn lane
- SH-44/ Can Ada Road Intersection
 - Westbound right turn lane
 - o Eastbound left turn lane

Site Access Evaluation

- Site Access B, on Can Ada Road, a 30-foot wide driveway/private road proposed to be located 300-feet north of SH-44. The TIS states this driveway can operate acceptable as a left-in/right-in/right-out commercial driveway and is needed to serve the site and to provide access to the commercial portion of the development, separate from the residential portion of the site. Although the location of the driveway does not meet District policy which requires right-in/right-out driveways on minor arterial roadways to be located a minimum of 330-feet from an intersection; staff recommends approval of the proposed driveway location, as the need for the driveway was demonstrated through the TIS and the site is constrained due to a drain and irrigation ditch directly north of the proposed driveway. Consistent with the findings and recommendations of the TIS, staff recommends the driveway be constructed as a left-in/right-in/right-out commercial driveway as the left-in movement will help commercial traffic access the site, with fewer impacts to the residential portion of the development. The applicant should be required to restrict the driveway to left-in/right-in/right-out with the installation of a 6" raised median on Can Ada Road at Access B.
- Site Access C, on Can Ada Road, a 30-foot wide full access driveway/private road proposed to be located 330-feet north of Site Access B and 630-feet north of SH-44. The TIS states this driveway is needed for site access and circulation and will provide an access for the residential portion of the development. Although the location does not meet District policy which requires full access driveways on minor arterial roadways to be located a minimum of 660-feet from an intersection; staff recommends approval of the location of the driveway, as the need for a driveway in this location was demonstrated in the TIS; to separate the residential and commercial traffic, and the site does not have enough frontage on Can-Ada Road to construct a driveway 660-feet north of SH-44.
- Site Access D on Highbrook Way, a 40-foot wide full access commercial driveway proposed to be located 460-feet north of SH-44. This driveway is proposed to align with a driveway that was previously approved, as part of the Sample Commercial development located directly east of the site. The TIS notes this access is needed to provide multiple circulation routes for the traffic along Highbrook Way. Additionally, if a separate through-right and left-turn lanes are provided at both the eastbound and westbound approaches to the stop-controlled intersection, the critical westbound left-turn movement improves under 2030 total traffic conditions. Staff recommends approval of the location of the full access commercial driveway as it meets District policy. This driveway is restricted to a maximum width of 36-feet.
- Site Access E on Highbrook Way, a 20-foot wide right-in only commercial driveway is proposed to be located 220-feet north of the future signalized SH-44/ Highbrook Way is located within the influence of the SH-44/ Highbrook Way intersection. The TIS notes this driveway is needed to maximize operations at the site accesses along Highbrook Way and will provide multiple circulation routes for the traffic along Highbrook Way. Staff recommends approval of the location as a right-in only. The applicant should be required to install a sign at the entrance stating, "Enter Only", construct the driveway as a curb return type driveway and construct the driveway approach on Highbrook Way so that left-in and right-out turns are prohibited.

Highbrook Way

The TIS notes that Highbrook Way is not located on the site; therefore, the applicant does not have access to or control of the right-of-way necessary to construct the Highbrook Way extension or the connection to the SH 44/ Highbrook Way intersection.

If Highbrook Way is not constructed prior to Norterra project moving forward, then the TIS recommends an addition of a center turn lane on SH-44, a westbound right turn lane on SH-44 at Can Ada Road, and the construction of dedicated southbound right and left turn lanes on Can Ada Road. With the construction of the turn lanes as recommended in the TIS site access points and

intersection are anticipated to operate acceptably until the site generates 400 PM peak hour trips. At that point the applicant will need to stop developing and wait for Highbrook Way to be constructed or work with the adjacent property owner to dedicate the right-of-way necessary to allow for Highbrook Way to be constructed as ½ of a 46-foot street section with vertical curb, gutter and 7-foot wide attached or 5-foot wide detached concrete sidewalk abutting the site.

The approximate 400 PM peak hour trips equate to the development of:

- All the residential land use, all the assisted living land use and approximately 33,000 square feet of commercial land use; OR
- All the residential land use and approximately 40,000 square feet of the commercial land use.

3. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH).

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
**State Highway 44 Can Ada Road to Highbrook Way	2,555-feet	Principal Arterial	780	N/A
**State Highway 44 Highbrook Way to Star Road	None	Principal Arterial	862	N/A
Can Ada Road	692-feet	Minor Arterial	128	Better than "E"
Deerhaven Way	30-feet	Collector	15	Better than "D"

^{*} Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

4. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for SH-44 east of Star Road was 9,924 on August 8, 2018.
- The average daily traffic count for Can Ada Road north of SH-44 was 2,348 on March 7, 2018.
- The average daily traffic count for Deerhaven Way south of Havencrest Drive was 271 on August 14, 2018.

C. Findings for Consideration

1. Private Streets vs Public Streets

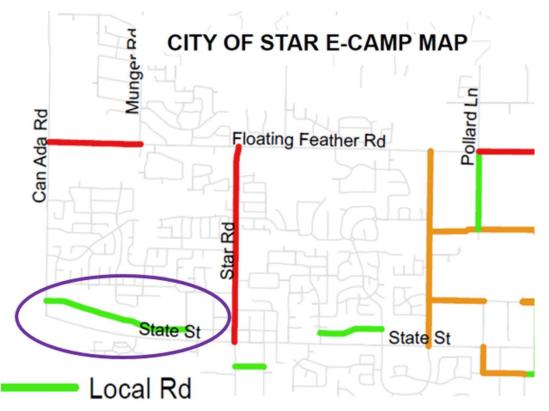
The applicant originally proposed to construct public streets within the site. However, after meeting with ACHD and City of Star staff, the applicant submitted a revised site plan which proposes the construction of private roadways within the site. ACHD is supportive of this proposal as it eliminates concerns regarding the mixing of local residential and commercial traffic.

The City of Star's E-COMP Map does show a public local street being constructed through this site between Can Ada Road and Highbrook Way, as depicted below. If the City of Star requires a public street to be constructed through the site consistent with their E-COMP Map depicted below, then it

^{*} Acceptable level of service for a two-lane collector is "D" (425 VPH).

^{**} ACHD does not set level of service thresholds for State Highways.

should be constructed as a 36-foot wide local commercial street with vertical curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way.



2. State Highway 44/State Street

SH-44 is under the jurisdiction of the Idaho Transportation Department (ITD). The applicant, City of Star, and ITD should work together to determine if additional right-of-way or improvements are necessary on SH-44.

Staff Comments/Recommendations: On September 11, 2020 ITD issued a revised comment letter on the traffic impact study prepared for the Norterra Mixed Use Development, see attachment 4. The letter notes that while an RCUT is still their preferred mitigation at the Can-Ada/SH-44 intersection that they would also accept following as mitigation:

- Construction of a center left turn lane on SH-44 through the Can Ada Road intersection.
- Construction of separate southbound right and left turn lanes on Can Ada Road.
- Construction of a westbound right turn lane on SH-44 at Can Ada Road.
- As part of their letter ITD approved a right-in/right-out/ left-in driveway onto SH-44 located 1,050-feet east of Can Ada Road and in alignment with the access approved with the Stonecrest Subdivision on the south side of SH-44 across from the site.

Additionally, ITD has recommended that a proportionate share of \$748,061 be provided to the City of Star for future improvements on the SH-44 corridor.

Staff is supportive of the construction of the RCUT at the SH 44/ Can Ada Road intersection. However, if the RCUT is not constructed, then staff recommends that the additional turn lanes be constructed at the intersection, as recommended above or that an interim 3x3 traffic signal be installed at the intersection. To ensure that ITD's requirements are met and improvements are constructed when necessary to serve the site, staff recommends the City of Star include all ITD's requirements as part of their conditions of approval. If the improvements to SH-44 are not

completed, it will negatively impact ACHD's system. The required improvements should be completed prior to signature of the 1st final plat. If the improvements cannot be completed and ITD will not allow the installation of an interim signal then the applicant should be required to submit a revised traffic impact study which includes a safety analysis to mitigate the high v/c ratio at the SH-44/ Can Ada Road intersection for review and action by ACHD.

If an interim signal is allowed to be installed by ITD, then the applicant should be required to enter into a signal agreement with ACHD. The signal agreement should include requirements that the intersection be designed as a 3 X 3 intersection with three 12-foot wide travel lanes: one receiving lane, one dedicated left turn lane, and one thru/right lane on each approach. The applicant is responsible for all costs associated with the design, hardware and installation of the interim signal.

In order to ensure the SH-44/ Can Ada Road intersection will be improved when warranted, the following items must be in place prior to plans acceptance for the first final plat which necessitates the improvements based on the findings of the traffic impact study:

- Signal Agreement
- Full design and approved plans for the intersection
- Approved plans and permits from ITD

3. Can Ada Road

a. Existing Conditions: Can Ada Road is improved with 2-travel lanes, 24-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 23-feet of right-of-way from centerline of Can Ada Road abutting the site.

b. Policy:

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

c. Applicant Proposal: The applicant is proposing to dedicate an additional 27-feet of right-of-way from centerline of Can Ada Road abutting the site.

The applicant is proposing to construct 5-foot wide sidewalk on Can Ada Road abutting the site.

d. Staff Comments/Recommendations: The applicant should be required to dedicate additional right-of-way to total 35 feet from centerline of Can Ada Road. The applicant will not be compensated for any right-of-way dedication, as this roadway is not listed in ACHD's CIP.

The applicant should be required to improve Can Ada Road with 17-feet of pavement, a 3-foot wide gravel shoulder and 5-foot wide detached concrete sidewalk within 70-feet of right-of-way (35-feet from centerline). Locate the sidewalk a minimum of 28-feet from centerline of Can Ada Road.

The applicant should be required to provide a permanent right-of-way easement for any sidewalk placed outside of the dedicated right-of-way to 2-feet behind back of sidewalk.

Consistent with ITD's comment letter, provide additional turn lanes; dedicated southbound right and left turn lanes should be constructed on Can Ada Road. The construction of the turn lanes may require additional right-of-way dedication and the design of the turn lanes should be coordinated with ACHD's Development Review staff.

4. Highbrook Way

a. Existing Conditions: There are no collector roadways within the site.

b. Policy:

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Residential Collector. The new collector roadway should align with Highbrook Way on the south side of SH-44 and continue through the property stubbing to the north. The Residential Collector typology as depicted in the Livable Street Design Guide recommends a 2-lane roadway with bike lanes, and on street parking, a 46-foot street section within 69-feet of right-of-way.

- **c. Applicant Proposal:** The applicant is proposing to construct 5-foot wide detached concrete sidewalk on Highbrook Way abutting the site.
- d. Staff Comments/Recommendations: Typically, the applicant should be required to construct Highbrook Way as ½ of a 46-foot street section with vertical curb, gutter and 7-foot wide attached or 5-foot wide detached concrete sidewalk abutting the site. However, the Sample Commercial Subdivision, located east of the site was approved by ACHD in September 2017 was required to construct Highbrook Way as a 4-lane, 57-foot street section from State Street north 300-feet transitioning to a 3-lane, 46-foot street section. The roadway was to be constructed curb to curb with an 8-foot wide parkway strip with detached 5-foot wide sidewalk on the east side of the roadway as part of Phase 1 which is proposed to consist of an Albertsons grocery store, a convenience store with a fuel center with 12 fueling stations and up to 2 additional commercial buildings with drive-through's. Additionally, with Phase 1 of Sample Commercial Subdivision, the applicant was required to install a traffic signal at the SH/44 Highbrook Way intersection with a westbound right-turn deceleration lane.

At this time the Sample Commercial Subdivision has not moved forward and there is no rightof-way for Highbrook Way and no improvements have been constructed.

The applicant's proposal to construct 5-foot wide detached concrete sidewalk on Highbrook Way abutting the site meets District policy and should be approved.

The applicant should be required to provide a permanent right-of-way easement to 2-feet behind the back of sidewalk for any sidewalk located outside of the dedicated right-of-way.

If Highbrook Way is not constructed prior to Norterra project moving forward, then the applicant should provide a center turn lane on SH-44, a westbound right turn lane on SH-44 at Can Ada Road, and the construction of a dedicated southbound right and left turn lanes on Can Ada Road, consistent with the TIS recommendation. With the construction of the turn lanes as recommended in the TIS site access points and intersection are anticipated to operate acceptably until the site generates 400 PM peak hour trips. At that point the applicant will need to stop developing and wait for Highbrook Way to be constructed or work with the adjacent property owner to dedicate the right-of-way necessary to allow for Highbrook Way to be

constructed as ½ of a 46-foot street section with vertical curb, gutter and 7-foot wide attached or 5-foot wide detached concrete sidewalk abutting the site.

The approximate 400 PM peak hour trips equate to the development of:

- All the residential land use, all the assisted living land use and approximately 33,000 square feet of commercial land use; OR
- All the residential land use and approximately 40,000 square feet of the commercial land use.

5. Internal Streets

a. Existing Conditions: There are no local streets within the site. Quincannon Way stubs to the site's north property line.

b. Policy:

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system.
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

c. Applicant's Proposal: The applicant is proposing private street within the site.

The applicant has proposed not to extend Quincannon Way into the site. The applicant has proposed to leave the terminus of Quincannon Way as is and to make this a pedestrian and emergency access only to be restricted with bollards.

d. Staff Comments/Recommendations: If the City does not approve the private streets, the applicant should be required to construct the internal northern street and extend Quincannon Way into the site as a 36-foot street section with curb, gutter and 5-foot wide concrete sidewalk within 50-feet of right-of-way for the residential portion of the site.

If the City of Star requires a public street to be constructed through the site consistent with their E-COMP Map depicted above in Findings for Consideration 1, then it should be constructed as a 36-foot wide local commercial street with vertical curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way to serve the commercial portion of the site.

The applicant should be required to submit a revised preliminary plat showing the proposed local roadways for review and approval prior to plan submittal for the first final plat.

The applicant's proposal not to extend Quincannon Way into the site does not meet District policy and should not be approved as proposed. ACHD's Continuation of Streets policy requires that roadways be extended into a site or terminated with the construction of a cul-de-sac. The applicant should be required to extend Quincannon Way into the site with the construction of a cul-de-sac with curb, gutter and 5-foot wide sidewalk with a minimum 45-foot radius. If the fire department requires fire access in this location, the emergency access should be restricted with a gate or bollards, located outside of the right-of-way, as determined by the appropriate fire department.

6. Private Roads

- a. **Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:
 - Designed to discourage through traffic between two public streets,
 - · Graded to drain away from the public street intersection, and
 - If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.
- b. Applicant Proposal: The applicant is proposing to construct a series of private roads to serve the site.
- c. Staff Comments/Recommendations: The applicant's proposal to construct a series of private roads to serve the site meets District policy and should be approved as proposed. If the City of Star approves the private roads, the applicant shall be required to pave the private roadways their full width and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Star, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

7. Driveways

7.1 Can Ada Road

a. Existing Conditions: There are no driveways from the site onto Can Ada Road.

b. Policy:

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 35 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

Cross Access Easements/Shared Access Policy: District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

- **c. Applicant's Proposal:** The applicant is proposing to construct 2, 30-foot wide curb return type driveways/private roads on Can Ada Road as follows:
 - Site Access B is located 300-feet north of SH-44; and is proposed as a left-in/right-in/right-out.
 - Site Access C is located 330-feet north of Site Access B and 630-feet north of SH-44; and is proposed as a full access.
- d. Staff Comments/Recommendations: The applicant's proposal to construct Site Access B on Can Ada Road as a 30-foot wide left-in/right-in/right-out type driveway/private road, located 300-feet north of SH-44 does not meet District Driveway Location policy which requires right-in/right-out driveways on minor arterial roadways to be located a minimum of 330-feet from an intersection. Although the location of the driveway does not meet District policy; staff recommends approval of the proposed driveway location, as the need for the driveway was demonstrated through the TIS and the site is constrained due to a drain and irrigation ditch directly north of the proposed driveway. Consistent with the findings and recommendations of the TIS, staff recommends the driveway be constructed as a left-in/right-in/right-out commercial driveway as the left-in movement will help commercial traffic access the site, with fewer impacts to the residential portion of the development. The applicant should be required to restrict the driveway to left-in/right-in/right-out with the installation of a 6" raised median on Can Ada Road at Access B.

The applicant's proposal to construct Site Access C on Can Ada Road as a full access 30-foot wide curb return type driveway/private road located 330-feet north of Site Access B and 630-feet north of SH-44 does not meet District Driveway Location policy which requires full access driveways on minor arterial roadways to be located a minimum of 660-feet from an intersection. Although the location does not meet District policy; staff recommends approval of the location of the driveway, as the need for a driveway in this location was demonstrated in the TIS; to separate the residential and commercial traffic, and the site does not have enough frontage on Can-Ada Road to construct a driveway 660-feet north of SH-44.

7.2 Highbrook Way

a. Existing Conditions: There are no driveways onto Highbrook Way from the site.

b. Policy:

Access Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

Driveway Location Policy (Signalized Intersection): District policy 7206.4.3 requires driveways located on collector roadways near a signalized intersection to be located outside the area of influence; OR a minimum of 440-feet from the signalized intersection for a full-access driveway and a minimum of 220-feet from the signalized intersection for a right-in/right-out only driveway. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

Successive Driveways: District policy 7206.4.5 Table 1, requires driveways located on collector roadways with a speed limit of 25 MPH and daily traffic volumes greater than 100 VTD to align or offset a minimum of 245-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7206.4.6 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7206.4.6, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7206.4.6.

- **c. Applicant's Proposal:** The applicant is proposing to construct 2 commercial driveways from the site onto Highbrook Way as follows:
 - Site Access D is located 465-feet north of SH-44 and in alignment with a proposed driveway on the east side of Highbrook Way across from the site, and is proposed as full access curb return type driveway with two 15-foot wide travel lanes and a 10-foot wide center landscape island.
 - Site Access E is located 220-feet north of SH-44 and in alignment with a proposed driveway on the east side of Highbrook Way across from the site and is proposed as a 20-foot wide curb return, right-in only driveway.
- d. Staff Comments/Recommendations: The applicant's proposal to construct Site Access D as a full access curb return driveway with two 15-foot wide travel lanes and a 10-foot wide center landscape island from the site onto Highbrook Way located 465-feet east of SH-44 and in alignment with the proposed driveway on the east side of Highbrook Way across from the site meets District policy and should be approved as proposed. This driveway will be restricted to a maximum width of 36-feet within the right-of-way. The center landscape island should be located outside of the right-of-way.

The applicant's proposal to construct Site Access E as a 20-foot wide, right-in only curb return driveway from the site onto Highbrook Way located 220-feet north of SH-44 and in alignment with a proposed driveway on the east side of Highbrook Way across from the site should be approved, as proposed as the driveway will be restricted to right-in only and the need for the driveway was demonstrated through the TIS. The applicant should be required to install a sign at the entrance stating, "Enter Only", construct the driveway approach on Highbrook Way so that left-in and right-out turns are prohibited.

8. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

9. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

10. Other Access

Can Ada Road is classified as a minor arterial roadway. Highbrook Way is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

- 1. If improvements to SH-44 as outlined in Findings for Consideration 2 are not completed, it will negatively impact ACHD's system. The required improvements should be completed prior to signature of the 1st final plat. If the improvements cannot be completed and ITD will not allow the installation of an interim signal then submit a revised traffic impact study which includes a safety analysis to mitigate the high v/c ratio at the SH-44/ Can Ada Road intersection for review and action by ACHD.
- 2. Additional improvements may be required at any time due to the findings and recommendations of traffic impact study updates.
- 3. If an interim signal is allowed to be installed by ITD, then the applicant should be required to enter into a signal agreement with ACHD. The signal agreement should include requirements that the intersection be designed as a 3 X 3 intersection with three 12-foot wide travel lanes: one receiving lane, one dedicated left turn lane, and one thru/right lane on each approach. The applicant is responsible for all costs associated with the design, hardware and installation of the interim signal.

To ensure the SH-44/ Can Ada Road intersection will be improved when warranted, the following items must be in place prior to plans acceptance for the first final plat which necessitates the improvements based on the findings of the traffic impact study:

- Signal Agreement
- Full design and approved plans for the intersection
- Approved plans and permits from ITD

- **4.** Dedicate additional right-of-way to total 35 feet from centerline of Can Ada Road. Compensation for any right-of-way dedication, as this roadway is not listed in ACHD's CIP.
- 5. Improve Can Ada Road with 17-feet of pavement, a 3-foot wide gravel shoulder and 5-foot wide detached concrete sidewalk within 70-feet of right-of-way (35-feet from centerline). Locate the sidewalk a minimum of 28-feet from centerline of Can Ada Road.
- **6.** Provide a permanent right-of-way easement for any sidewalk placed outside of the dedicated right-of-way to 2-feet behind back of sidewalk.
- 7. Consistent with ITD's comment letter, construct additional turn lanes; dedicated southbound right and left turn lanes should be constructed on Can Ada Road. The construction of the turn lanes may require additional right-of-way dedication and the design of the turn lanes should be coordinated with ACHD's Development Review staff.
- 8. If Highbrook Way is constructed abutting the site construct 5-foot wide detached concrete sidewalk on Highbrook Way abutting the site. Provide a permanent right-of-way easement to 2-feet behind the back of sidewalk for any sidewalk located outside of the dedicated right-of-way.
- **9.** If Highbrook Way is not constructed prior to Norterra project moving forward, then construct a center turn lane on SH-44 at Can-Ada, a westbound right turn lane on SH-44 at Can Ada Road, and the construction of a dedicated southbound right and left-turn lanes on Can Ada Road at SH-44, when the site generates 400 PM peak hour trips.
- 10. If Highbrook isn't constructed, then the site is anticipated to generate more than 400 PM Peak hour trips. When the site generates 400 trips the applicant will need to stop developing and wait for Highbrook Way to be constructed or work with the adjacent property owner to dedicate the right-of-way necessary to allow for Highbrook Way to be constructed as ½ of a 46-foot street section with vertical curb, gutter and 7-foot wide attached or 5-foot wide detached concrete sidewalk abutting the site. Building permits should not be issued for development that will generate more than 400 PM peak hour trips prior to the construction of Highbrook.
- **11.** If the City of Star approves the private roads, then pave the private roadways their full width and at least 30-feet into the site beyond the edge of pavement of all public streets.
- **12.** Install street name and stop signs for the private roads.
- 13. If the City does not approve the private streets, then construct the internal northern street and extend Quincannon Way into the site as a 36-foot street section with curb, gutter and 5-foot wide concrete sidewalk within 50-feet of right-of-way for the residential portion of the site.
- 14. If the City of Star requires a public street to be constructed through the site consistent with their E-COMP Map depicted above in Findings for Consideration 1, then construct a 36-foot wide local commercial street with vertical curb, gutter, and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way to serve the commercial portion of the site.
- **15.** Submit a revised preliminary plat showing the proposed local roadways for review and approval prior to plan submittal for the first final plat.
- **16.** Extend Quincannon Way into the site with the construction of a cul-de-sac with curb, gutter and 5-foot wide sidewalk with a minimum 45-foot radius. If the fire department requires fire access in this location, the emergency access should be restricted with a gate or bollards, located outside of the right-of-way, as determined by the appropriate fire department.
- 17. Construct 2, 30-foot wide curb return type driveways/private roads on Can Ada Road as follows:
 - Site Access B located 300-feet north of SH-44; as a left-in/right-in/right-out.

- Site Access C located 330-feet north of Site Access B and 630-feet north of SH-44; as a full access.
- **18.** Restrict the driveway to left-in/right-in/right-out with the installation of a 6" raised median on Can Ada Road at Access B.
- **19.** Construct 2 curb return type driveways from the site onto Highbrook Way as follows:
 - Site Access D located 465-feet north of SH-44; as a full access driveway with two 15-foot wide travel lanes and a 10-foot wide center landscape island. This driveway will be restricted to a maximum width of 36-feet within the right-of-way. The center landscape island should be located outside of the right-of-way.
 - Site Access E located 220-feet north of SH-44; as a 20-foot wide, right-in only driveway.
- **20.** Install a sign at the entrance of Site Access E stating, "Enter Only", construct the driveway approach on Highbrook Way so that left-in and right-out turns are prohibited.
- 21. Other than the access specifically approved with this application, direct lot access is prohibited to Can Ada Road and Highbrook Way and should be noted on the final plat.
- **22.** Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
- 23. Payment of impact fees is due prior to issuance of a building permit.
- 24. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

- 1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
- 2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
- 3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
- **4.** Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
- **5.** A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
- **6.** All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
- 7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
- **8.** Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.

- **9.** All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
- **10.** Construction use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
- 11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
- 12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

- 1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
- 2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

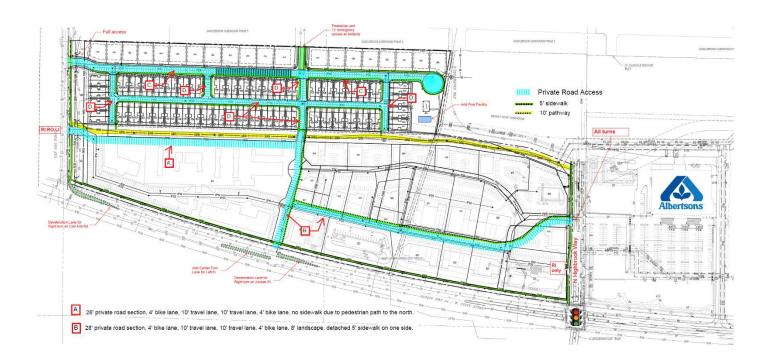
G. Attachments

- 1. Vicinity Map
- 2. Site Plan
- 3. TIS Executive Summary
- 4. ITD Comment Letter
- **5.** Utility Coordinating Council
- 6. Development Process Checklist
- **7.** Appeal Guidelines

VICINITY MAP



SITE PLAN



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) Plan Review: The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) Final Notification: The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Compl	eted to Date:
⊠Submit a deve	elopment application to a City or to Ada County
⊠The City or the	e County will transmit the development application to ACHD
⊠The ACHD PI	anning Review Section will receive the development application to review
⊠The Planning	Review Section will do one of the following:
	☐Send a "No Review" letter to the applicant stating that there are no site specific conditions of approval at this time.
	⊠Write a Staff Level report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
	⊠Write a Commission Level report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
Items to be o	completed by Applicant:
☐For ALL deve	elopment applications, including those receiving a "No Review" letter:
•	The applicant should submit one set of engineered plans directly to ACHD for review by the Development Review Section for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
•	The applicant is required to get a permit from Construction Services (ACHD) for <u>ANY</u> work in the right-of-way including, but not limited to, driveway approaches, street improvements and utility cuts.
☐Pay Impact Fe	ees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.
 Submit a 	
 Four bu Applicat 	he ACHD Right-of-Way siness days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit ion" to ACHD Construction – Permits along with: Traffic Control Plan An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt.
At least by a Ce	ubdivisions) Erosion Submittal one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done urtified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD ater Section.

Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being

☐ Final Approval from Development Services is required prior to scheduling a Pre-Con.

☐ Idaho Power Company

scheduled.

Request for Appeal of Staff Decision

- 1. Appeal of Staff Decision: The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.



IDAHO TRANSPORTATION DEPARTMENT

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

September 11, 2020

Tamara Thompson
The Land Group
462 E. Shore Drive, Suite #100
Eagle, ID 83616
tamara@thelandgroupinc.com

Phone: 208-939-4041

VIA EMAIL

RE: Noterra Mixed Use Development – Development Condition Memo REVISED

Dear Ms. Thompson

The Idaho Transportation Department (ITD) appreciates the responses Kittelson & Associates provided for our and ACHD's questions.

ITD's preference for mitigation improvements at the intersection of Can Ada Road and SH-44 is for the development to construct an interim RCUT with the existing two-lane configuration on SH-44. However, we find the proposed mitigation improvements in Kittelson's Sept 2, 2020 letter to be acceptable.

- Addition of a center turn lane on SH 44 through the Can Ada Road intersection.
- Addition of separate southbound right and left turn lanes on Can Ada Road.
- Addition of a westbound right turn lane on SH 44.

The difference between ITD's previously requested proportionate share amount of \$748,061 and the cost of design/construction of the aforementioned improvements needs to be provided to the city of Star.

As stated in ITD's 7/20/2020 letter, ITD finds the proposed direct access to SH-44, MP 9.77 (directly across from the Stonecrest Development access) to be acceptable as it provides some relief to congestion at both Can Ada Road and Highbrook Way. The approach shall be limited to right-in, right-out, left-in and constructed with a westbound right turn lane. ITD also requires a two way left center turn lane be constructed from Can Ada Road to the proposed approach.

The roadway improvements on SH-44 need to be constructed to ITD standards. Along the entire length of your parcel, ITD's SH-44 corridor plan requires 70ft of right-of-way from centerline. The department is requiring you to dedicate the



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difference between the existing right-of-way line and the future right-of-way width. In addition, you shall dedicate and additional 12ft of right-of-way along the length of both westbound right turn lanes so that ITD can reconstruct them in the future.

Please proceed with submitting engineered drawings including a traffic control plan for the construction of the aforementioned improvments on SH-44. Final approval of the permit application is determined once all required documentation has been provided and the permit is signed.

Thank you again for your partnership. If there are any questions or concerns please don't hesitate to email me at Justin.Price@itd.idaho.gov or give me a call at 208-334-8340.

Sincerely,

Justin Price

Justin Price ITD District 3 Traffic Engineer

CC.

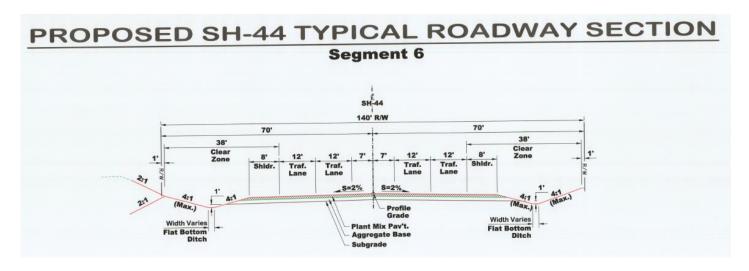
Shawn Nickel – City of Star Mindy Wallace – ACHD



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From the Office of Deputy Chief Victor Islas

September 30, 2020

City of Star City Planner/Zoning Administrator P.O. Box 130 Star, Idaho 83669

RE: Norterra Development

To Whom It May Concern:

The Star Fire Protection District has reviewed the submitted Concept Site Master Private Street Plan for Norterra Development in Star, Idaho on September 30, 2020. Our Comments are as follows:

The Fire District approves the submitted plans with the following conditions:

IFC 2015 D103.5 Fire apparatus access road gates. Gates securing the fire apparatus reloads shall comply with all of the following criteria:

- Where a single gate is provided, the gate width shall be no less than 20ft.
- Gates shall be of a singing or sliding type.
- Construction of gate shall be of materials that allow for manual operation by one person.
- Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
- Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
 - The Fire District will allow KNOX Gate & Key Switch Model: 3501. The developer can purchase the devices from knoxbox.com
- Method of locking shall be submitted for approval by the fire code official.
- Electric gate operators, where provided, shall be listed in accordance with UL325.
- Gates intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

Private road section deemed to have no parking will display "No Parking" signs per IFC 2015 D103.5



From the Office of Deputy Chief Victor Islas

Continued Comments Norterra Development:

Pedestrian and 12' emergency access shall be protected from illegal entry by a gate or collapsible bollards as set forth in IFC 2015 503.5. An example would be the MaxiForce Collapsible bollards that is hydrant wrench activated or an approved equal.

If you have any questions or would like to discuss this letter in detail, please feel free to contact my office at (208) 585-6650.

Sincerely,

Victor Islas

Deputy Chief



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

Shawn L. Nickel, Planning Director and Zoning Administrator Management FROM:

MEETING DATE: October 06, 2020 - PUBLIC HEARING AZ-20-16 Annexation and Zoning FILE(S) #:

DA-20-19 Development Agreement

PR-20-05 Private Street

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Hordemann Family Trust 12576 W. New Hope Road Star, ID 83669

Applicant/ Representative:

Greg Hordemann 12576 W. New Hope Road Star, ID 83669

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (from RUT to Residential R-2-DA) a Development Agreement and a private street for 10.02 acres of property located at 12576 W. New Hope Road, Star, Idaho.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the north side of W. New

Hope Road, east of N. Can Ada Road in Star, ID. Ada County Parcel No.

R7284770600.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use	
Existing RUT		Neighborhood Residential	Residential/Agricultural	
ProposedR-2-DANeighborhood Resider		Neighborhood Residential	Residential/Agricultural	
North of site	RUT (Ada County)	Neighborhood Residential	Vacant	
South of site R-3 Neighborhood Residential S		Single Family Residential		
East of site RUT (Ada County) Neighborhood Res		Neighborhood Residential	Residential/Agricultural	
West of site RUT (Ada County) Neighborhood Resident		Neighborhood Residential	Residential/Agricultural	

Existing Site Characteristics: The property currently contains a single-family residential dwelling with several out-buildings and farming and grazing land.

Irrigation/Drainage District(s): Drainage District #2 **Flood Zone:** This property is outside of the flood zone.

Special On-Site Features:

- Areas of Critical Environmental Concern None
- **②** Evidence of Erosion No evidence.
- Fish Habitat No known areas.
- Floodplain Property is not in a Special Flood Hazard area.
- Mature Trees Several existing mature trees.
- Riparian Vegetation None.
- Steep Slopes None.
- Stream/Creek None
- O Unique Animal Life No unique animal life has been identified.
- O Unique Plant Life No unique plant life has been identified.
- Unstable Soils No known issues.
- Historical Assets No historical assets have been observed.
- Wildlife Habitat No wildlife habitat has been developed or will be destroyed.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held

Neighborhood Meeting Held

August 31, 2020

Application Submitted & Fees Paid

Application Accepted

Residents within 300' Notified

August 27, 2020

September 1, 2020

September 1, 2020

September 16, 2020

September 16, 2020

HISTORY

This property does not have any history of land use actions or requests in the City.

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.

8-3B-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.

<u>DA DEVELOPMENT AGREEMENT</u>: 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	А	А	А
Dwelling:			
Multi-family 1	N	N	С
Secondary 1	Α	А	A
Single-family attached	N	N	С
Single-family detached	Р	Р	P
Two-family duplex	N	N	Р

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

	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
Zoning District		Front (1)	Rear	Interior Side	Street Side
R-2	35'	20'	20'	10'	20'

Notes:

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

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

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

A. Design Standards:

- 1. Easement: The private street shall be constructed on a perpetual ingress/egress easement or a single platted lot (with access easement) that provides access to all applicable properties.
- 2. Connection Point: Where the point of connection of the private street is to a public street, the private street shall be approved by the transportation authority.
- 3. Emergency Vehicle: The private street shall provide sufficient maneuvering area for emergency vehicles as determined and approved by the Star Fire District.
- 4. Gates: Gates or other obstacles shall not be allowed, unless approved by Council 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.

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:

- 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

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.

PROJECT OVERVIEW

The applicant is requesting approval of an annexation and zoning application to change the zoning designation on 10.02 acres from Rural Urban Transitional Residential (RUT) to low density Neighborhood Residential (R-2). A development agreement will be included with the annexation. Upon annexation. the applicant intends to split the property into two, 5-acre parcels. A private street will provide access to the newly created parcels.

The applicant has submitted a conceptual site plan that shows a layout of 2 residential parcels and the private street, with an overall density of 1 dwelling unit per 5-acres.

The existing single-family dwelling located in the northern portion of the property will be retained. An additional single-family dwelling will be allowed on the newly created parcel once the split is approved and the private street completed. Because the intent of the applicant is to create two 5-acre parcels, staff is in agreement with the proposed 26' width for the private street. Star Fire District has inspected and approved the roadway. Staff will place a condition on the private street stating that any future redevelopment will require the private street standards, including width, paving, and sidewalks be re-evaluated prior to any new development.

AGENCY RESPONSES

Star Fire District

July 13, 2020

PUBLIC RESPONSES

No public responses received.

STAFF RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed annexation and zoning and private street request meets the requirements, standards and intent for development as they relate to the Comprehensive Plan and Unified Development Code. The maximum allowed density of 2 dwelling units per acre is within the range of 1-2 dwelling units per acre allowed in the Neighborhood Residential Comprehensive Plan designation and the (R-2) zoning designation.

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 or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date. A development agreement will also be brought back to the Council for review of proposed Conditions of Approval for the rezone.

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 Council 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 Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the Neighborhood Residential District is to provide for development suitable primarily for residential use allowing single-family detached dwelling units. Densities range from 3 units per acre to 5 units per acre.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and

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

PRIVATE STREET FINDINGS:

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

The City must find that the proposed private street meets the design standards in the Code.

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

The City must find that it has not been presented with any facts stating this private road will cause damage, hazard or nuisance, or other detriment to persons, property or uses in the vicinity.

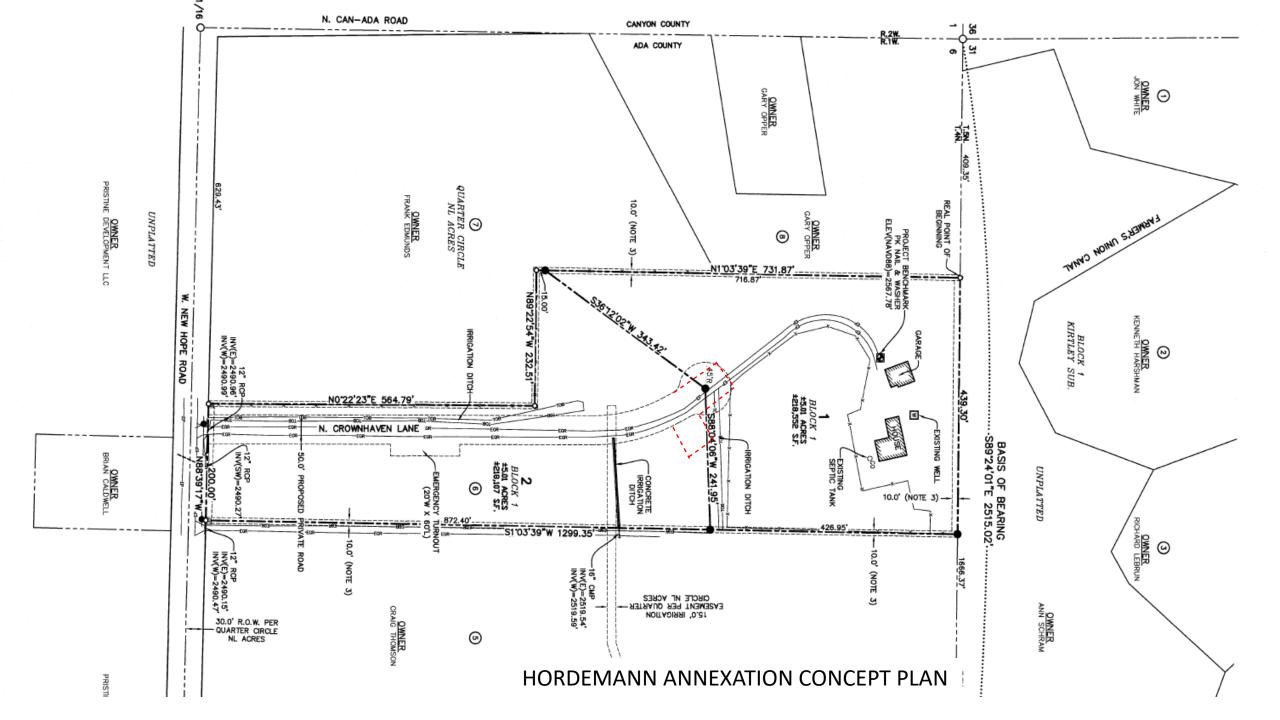
C. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

The City must find that the use is not in conflict with the comprehensive plan and/or regional transportation plan.

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 Fi Annexation/Zoning/Private Street	ile #AZ-20-16/DA-20-19/PR-20-05 – 12576 New Hope, Star, ID on, 2020.			





Star/Middleton Fire Districts

Date: July 13, 2020

To whom it may concern:

Subject property:

The property that is located at 12576 W New Hope Rd Star Idaho 83669 has completed a road widening and a turn around that meets the requirements for the Fire District.

If you have any further questions, please feel free to contact me.

Greg Timinsky

Star/Middleton Fire Chief

Jerry A. Kiser

Attorney at Law

4708 W. Fairview Ave., Suite 203 P.O. Box 8389

jkiser@cableone.net

Boise, Idaho 83707

(208) 861-4657

September 29, 2020

City of Star Attn. Shawn Nickel P.O. Box 130 Star, ID 83669

Re: Greg Hordemann Annexation/Files AZ-20-16 Annexation and Zoning/ DA-20-19 Development Agreement/PR-20-05 Private Street

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 dated September 16, 2020 regarding the proposed project. Regarding the proposed development Farmers Union has the following comments and notifies the City of certain requirements which include, but may not be limited to, the following:

- 1. No change in the point of diversion or place of use of the water is allowed unless approved by Farmers Union.
- 2. Farmers Union is not responsible for private ditches or the delivery of water once water is turned out of the company's main canal. However, approval of any private distribution lateral which delivers water to the proposed Development must be obtained.
- 3. 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 canals.
- 4. In most circumstances, Farmers Union requires a pressurized irrigation system. Any such system should be pre-approved by Farmers Union. The proposed Development has 5.104 inches of water right to irrigate the 10.02 acres. Generally, one inch to the acre of irrigation water is needed to properly irrigate ground. Therefore, the property has insufficient water to be properly irrigated, particularly if the water right is spilt between the 2 proposed 5 acre parcels.

5. Pursuant to Idaho law, the written permission of Farmers Union or any of its laterals must be obtained before any ditch, canal, or lateral is buried in irrigation pipe by any land owner or moved.

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,

Jerry A. Kiser

Attorney at Law

cc: Farmers Union Ditch Company, Inc.



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Ryan B. Field, Assistant City Planner Shu 1. Muli

MEETING DATE: October 06, 2020 – PUBLIC HEARING
FILE(S) #: AZ-20-12 Annexation and Zoning
DA-20-13 Development Agreement

PP-20-12 Preliminary Plat for Haven Ranch Subdivision

PR-20-04 Private Street

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

CHJL, LLC. c/o Landon J. Cooley 6267 Joplin Road Nampa, ID 83687

Applicant/ Representative:

Chris Todd Green Mountain Resources & Planning 53 N Plummer Road Star, Idaho 83669

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (from RUT to Residential R-1-DA) and a Development Agreement and a Preliminary Plat and a Private Road Street for a proposed residential subdivision consisting of 5 residential lots and 2 common lots. The property is located at 2645 N. Brandon Road in Star, Idaho and consists of 5.1 acres.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the east side of N.

Brandon Road, south of New Hope Road in Star, Idaho. Ada County

Parcel No. R7626730100.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use	
Existing	RUT	Neighborhood Residential	Rural Residential	
Proposed	R-1-DA	Neighborhood Residential	Vacant/Agriculture	
North of site	RUT	RUT Neighborhood Residential Rural Resident		
South of site	f site RUT Neighborhood Resi		Rural Residential	
East of site	RUT	Neighborhood Residential	sidential Rural Residential	
West of site	R-4	Neighborhood Residential Rusty Spur Ranch		
			No. 2	

Existing Site Characteristics: The property currently is vacant and corrugated for irrigation and farming or row crops.

Irrigation/Drainage District(s): HRM Pipeline

Flood Zone: This property is outside of the flood zone.

Special On-Site Features:

- Areas of Critical Environmental Concern No known areas.
- Evidence of Erosion No evidence.
- **❖** Fish Habitat No known areas.
- Floodplain Property is not in a Special Flood Hazard area.
- Mature Trees Several existing mature trees.
- Riparian Vegetation None.
- Steep Slopes None.
- Stream/Creek None.
- O Unique Animal Life No unique animal life has been identified.
- O Unique Plant Life No unique plant life has been identified.
- Unstable Soils No known issues.
- Historical Assets No historical assets have been observed.
- Wildlife Habitat No wildlife habitat has been developed or will be destroyed.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	March 12, 2020
Neighborhood Meeting Held	May 28, 2020
Application Submitted & Fees Paid	August 03, 2020
Application Accepted	August 20, 2020
Residents within 300' Notified	August 24, 2020
Agencies Notified	August 20, 2020
Legal Notice Published	August 27, 2020
Property Posted	September 25, 2020

HISTORY

This property does not have any history of land use applications within the City of Star. The property is a Lot of record in the approved Ada County subdivision (Rustic Ridge 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.

<u>DA DEVELOPMENT AGREEMENT</u>: 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	А	А	А
Dwelling:			
Multi-family 1	N	N	С
Secondary 1	А	А	А
Single-family attached	N	N	С
Single-family detached	Р	Р	P
Two-family duplex	N	N	Р

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
A	50'	30'	30'	30'	20'
R-R	35'	30'	30'	20'	20'
R-1	35'	30'	30'	10'	20'
R-2	35'	20'	20'	10'	20'

Notes:

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

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

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

A. Design Standards:

- 1. Easement: The private street shall be constructed on a perpetual ingress/egress easement or a single platted lot (with access easement) that provides access to all applicable properties.
- 2. Connection Point: Where the point of connection of the private street is to a public street, the private street shall be approved by the transportation authority.

- 3. Emergency Vehicle: The private street shall provide sufficient maneuvering area for emergency vehicles as determined and approved by the Star Fire District.
- 4. Gates: Gates or other obstacles shall not be allowed, unless approved by Council through a Planned Unit Development or Development Agreement.
- B. Construction Standards:
- 1. Obtain approval from the county street naming committee for a private street name(s);
- 2. Contact the transportation authority to install an approved street name sign that complies with the regulations of the county street naming ordinance;
- 3. Roadway and Storm Drainage: The private street shall be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the city of Star based on plans submitted by a certified engineer.
- 4. Street Width: The private street shall be constructed within the easement and shall have a travel lane that meets ACHD width standards for the City of Star, or as determined by the Council and Star Fire District.
- 5. Sidewalks: A five foot (5') attached or detached sidewalk shall be provided on one side of the street in commercial districts. This requirement may be waived if the applicant can demonstrate that an alternative pedestrian path exists.
- 6. Fire Lanes: All drive aisles as determined by the Star Fire District to be fire lanes, shall be posted as fire lanes with no parking allowed. In addition, if a curb exists next to the drive aisle, it shall be painted red.
- 7. No building permit shall be issued for any structure using a private street for access to a public street until the private street has been approved.
- C. The applicant or owner shall establish an on-going maintenance fund through the Owner's association with annual maintenance dues to ensure that funds are available for future repair and maintenance of all private streets. This shall be a requirement in a development agreement and/or as part of a planned unit development. A reserve account condition shall be included in the recorded CC&R's and shall be provided to the City for review. The condition of approval shall include the following:
 - 1. Private Road Reserve Study Requirements.
 - a. At least once every three years, the board shall cause to be conducted a reasonably competent and diligent visual inspection of the private road components that the association is obligated to repair, replace, restore, or maintain as part of a study of the reserve account requirements of the common interest development, if the current replacement value of the major components is equal to or greater than one-half of the gross budget of the

association, excluding the association's reserve account for that period. The board shall review this study, or cause it to be reviewed, annually and shall consider and implement necessary adjustments to the board's analysis of the reserve account requirements as a result of that review.

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

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

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

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

8-4E-2: 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 units per acre may request a reduction in total required open space and amenities to the Council. Developments with a density of less than 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.

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

A. Open Space and Site Amenity Requirement (see also Chapter 8 "Architectural Review"):

- 1. The total land area of all common open space shall equal or exceed fifteen percent (15%) of the gross land area of the development. Ten percent (10%) of that area shall be usable open space.
- 2. Each development is required to have at least one site amenity.
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- 4. Developments with a density of less than 1 dwelling units per acre may request a reduction in total required open space and amenities to the Council. Developments with a density of less than 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.

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:

- 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

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.

PROJECT OVERVIEW

ANNEXATION & REZONE:

The applicant is requesting approval of an annexation and rezone application to change the zoning designation on 5.01 acres from Rural Urban Transitional Residential (RUT) to low density Neighborhood Residential (R-1). This zoning district would allow for a maximum residential density of 1 dwelling unit per acre. The property is currently serviceable with central sewer and water provided by Star Sewer and Water District. The property will be serviced by a private road and has access onto N. Brandon Road with approximately 250 feet of frontage. The rezone

request includes a development agreement that will address future density and development standards along with private road requirements. The applicant has submitted a preliminary plat that shows a layout of 5 residential lots, or a density of 1 dwelling unit per acre.

PRELIMINARY PLAT & PRIVATE STREET:

The Preliminary Plat submitted contains 5 single family residential lots and 1 common area lot (road frontage buffer). The lots will have access and frontage from a private street. The residential lots range in size from 29,194 square feet to 74,117 square feet. The private street will be built to ACHD, City of Star and Star Fire District standards. The submitted preliminary plat is showing a 30 ft width within a 30 ft easement with no sidewalks. The Fire District shall approve this width as it is below the standards in the UDC. Due to the rural nature of the development and because a maximum of 5 lots will be accessing the private street, Staff is supportive of the reduced width and elimination of sidewalks, but will recommend that ribbon curb be required at the edges of the street to prevent continued destruction from vehicles. A private street maintenance plan, including proposed funding, shall also be required by Staff prior to final plat signature. Street name must be obtained by the Ada County Street Naming Committee prior to signature of the final plat. The applicant is also requesting, through the submitted preliminary plat, to waive the requirement for 15% open space. Because of the low density proposed, staff is supportive of this request, as is allowed for by Code.

DEVELOPMENT AGREEMENT

Through the Development Agreement process, the applicant is proposing to work with the City to provide further insurances that the development will be built as presented and/or modified by the Council through the review process. Items that can be considered by the applicant and Council include the following:

- Density;
- ITD Proportionate Share Fees;
- Private Road Maintenance;
- Private Road Study Every Three (3) Years;
- Study Findings Submitted to City for Review & Storage; ????

AGENCY RESPONSES

ITD September 9, 2020
Star Fire District August 31, 2020
Central District Health August 25, 2020
HRM Pipeline May 28, 2020
DEQ August 27, 2020
Ada County Development Services August 26, 2020

ACHD Pending

PUBLIC RESPONSES

No public responses received.

STAFF RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed annexation and zoning request meets the requirements, standards and intent for development as they relate to the Comprehensive Plan and Unified Development Code. The proposed maximum allowed density of 1 dwelling unit per 5 acres is well below the range of 3-5 dwelling units per acre allowed in the Neighborhood Residential Comprehensive Plan Land Use Map. Staff is supportive of diversity in lot sizes and housing sizes that the (R-1) zoning designation will provide.

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 or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date. A development agreement will also be brought back to the Council for review of proposed Conditions of Approval for the rezone.

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 Council 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 Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the Neighborhood Residential District is to provide for development suitable primarily for residential use allowing single-family detached dwelling units. Densities range from 3 units per acre to 5 units per acre.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare: and

The Council 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 Council 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 Council 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.

PRIVATE STREET FINDINGS:

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

 The City must find that the proposed private streets meets the design standards in the Code.
- B. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity:

The City must find that it has not been presented with any facts stating this private road will cause damage, hazard or nuisance, or other detriment to persons, property or uses in the vicinity.

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

The City must find that the use is not in conflict with the comprehensive plan and/or regional transportation plan.

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

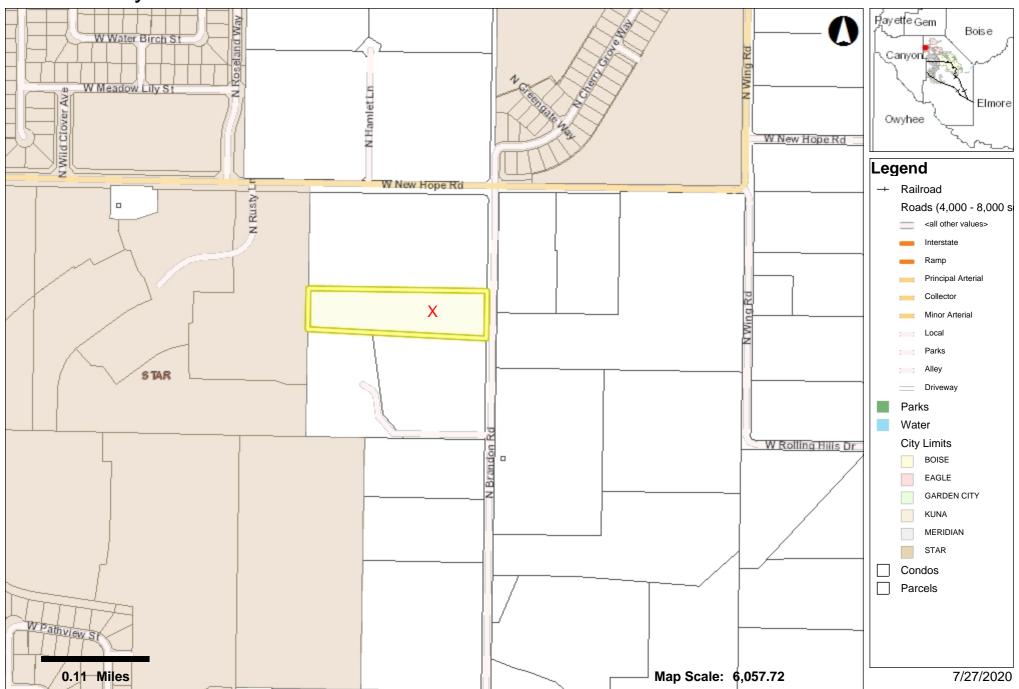
- 1. The approved Preliminary Plat for the Haven Ranch Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
- 2. The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. 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.
- 3. The private street shall have a minimum street width of 30' and shall otherwise be constructed to ACHD standards. The private street shall meet all requirements of the Star Fire District.
- 4. The Applicant/Owner shall submit a private street maintenance plan, including future funding, in compliance with Section 8-4D-3C of the UDC.
- 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/design prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative.
- 6. Street trees along the private street and landscaping along Brandon Road shall be installed per Chapter 8, including Section 8-8C-2-M(2) Street Trees. The applicant shall submit a landscape plan to the City prior to submittal of the final plat showing one (1) tree per thirty-five (35) linear feet and landscaping along Brandon Road.
- 7. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
- 8. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
- 9. 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.
- 10. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
- 11. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
- 12. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
- 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.

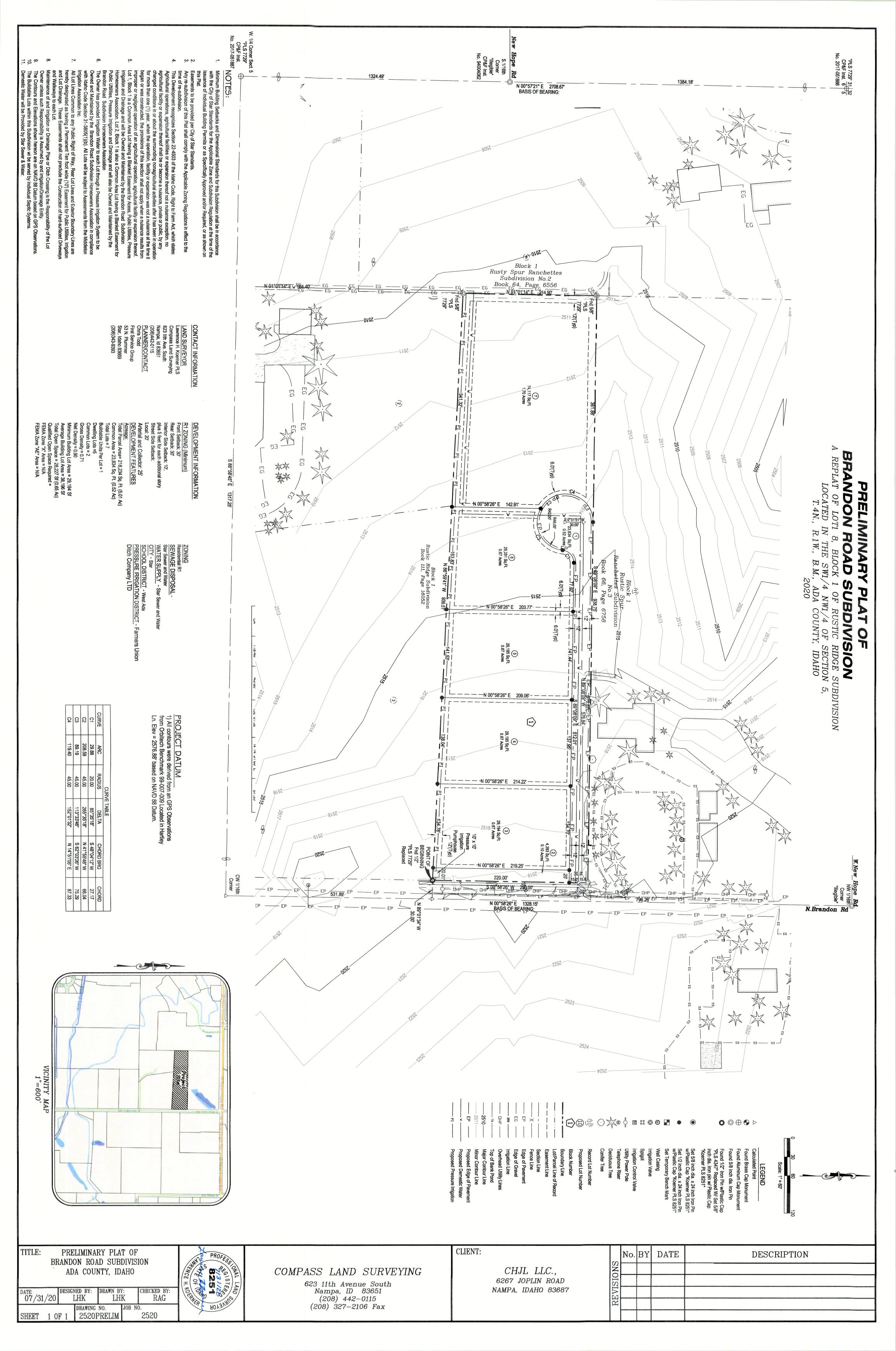
- 14. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
- 15. Development standards for single family residential 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 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. Any additional Condition of Approval as required by Staff and City Council.

	COUNCIL DECISION
The Star City Council	_ File #AZ-20-12/DA-20-13/PP-20-12/PR-20-04 – 2645 N.
Brandon Road, Star, ID Annexation/2	Zoning/Preliminary Plat/Private Street on, 2020.

Ada County Assessor

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.





7/15/2020

Mayor Trevor Chadwick Star City Council Members c/o Shawn Nickel 10769 West State Street Star, Idaho 83669

Subject Property- 2645 N Brandon Rd Star ID 83669

Narrative for Annexation, Rezone, Preliminary Plat(5 Residential Lots): R1

Dear Mayor, Council Members and Mr. Nickel

On behalf of the owner we are excited to bring this application to the City of Star.

Property/Site Details:

The subject property is in a current high growth area for the City of Star with multiple large approved projects in close proximity. The site consists of approx. 5.01 Acres and is located within the Star City area of impact and adjacent to City Limits. The property currently is not being used and is vacant. The site has approximately 235' of frontage along Brandon Rd. Irrigation water is supplied via a lateral that flows along the east of the property. The property is fairly flat, not a hillside subdivision and is not located in a flood plain.

Access

The proposed small 5 Lot subdivision is proposed to have a private driveway/street taking direct access from Brandon Rd. This variance request for the proposed private driveway that will service the 5 lots and the width of the driveway will be 30' wide, terminating in a dead end cul de sac. We have proposed no internal sidewalks with a rural road design, a gravel shoulder with storm drainage along the road ways between driveways. This is similar to rural roadway sections and fits the layout and size of the project. With only 5 large homes proposed there is not a need for sidewalks. The development will have sidewalks within the right of way of Brandon Rd for future connection north and south. The proposed private street/driveway will be placed in a common lot and will be maintained by the Homeowners Association.

Sewer/Water

Water and Sewer utilities are available to site via SSWD

Zoning

The current zoning of the five acre property is RUT. The Star Comprehensive Plan designates this property as Neighborhood Residential. In the comprehensive plan "1-2 units per acre shall be encouraged in areas where new residential lots are proposed adjacent to existing residential lots of one acre and larger.." We are requesting a zoning designation of R1 to allow up 5 Residential lots on the

approximately 5 acres of developable ground. Due to the location of city services, transportation, proximity to city center and current city limits this site is located within an area of future growth. The owners of this property intend to build their personal homes on the property. The project is currently located within very close proximity to recent approved project in the City of Star. The majority of zoning for these projects is R4. Our zoning request, size of developable lot and preliminary plat is consistent with the current and past comprehensive plans indicating this parcel has long been seen by the city for future growth. The proposed lot sizes are a good transition for the lots to the north and south. We designed the project to have the homes further away from the home to the north. With approval the R1 zoning district will help the City with diversifying the size of available lots. Currently there is a lack of home sites available for those looking for a little extra room. These lots will blend in well but also bring a larger product to the housing market while blending in well with the current residents and current growth.

Preliminary Plat

The application in front of the City takes into account the size of the parcel of land, proximity to services, access, lot sizes, irrigation location and neighboring property uses. The design is simple but planned for the future home sites and blends in well with surrounding uses (RUT and R4). The owners of the property desire these larger lots to have the ability to have larger homes with ample yard space and entertainment/recreation spaces within the confines of their own lots. We are asking for a variance to the common space requirement due to the amount of lots (5) and their associated size. Four of the 5 lots will be approx. .67 Ac and the remaining lot will be approx. 1.5 acres. The only common lots shown in the plat is a strip of ground along Brandon Rd and the private driveway that meets Fire requirements. Each future owner in the subdivision will have more than enough room for personal/private space on their own property. The homes will be positioned on each lot to have rear yards and patios facing south in order to have less impact on the neighbor to the north and take advantage of the solar power potential along with views of the valley.

The internal driveway meets spacing standards in regard to block length and the plan would be to have a highly visible cul de sac and dead end street sign to deter traffic. With 5 homes taking access to this driveway the impact to existing and future traffic is minimal at best. Overall, we feel this plan is a great fit to the future land use goals and objectives stated in Star's Comprehensive Plan along with the current zoning codes. The project is consistent with the City's goal of a diversified housing stock, Private Property Rights, housing and design.

Thank you for your time and we humbly ask for the City's approval,

Chris Todd Owner Green Mountain Resources and Planning LLC, dba First Service Group 53 N. Plummer Rd. Star, ID 83669





IDAHO TRANSPORTATION DEPARTMENT

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

September 9, 2020

Shawn Nickel City Planner P.O. Box 130 Star, Idaho 83669

VIA EMAIL

Development Application	AZ-20-12, DA-20-13, PP-20-12, PR-20-04
Project Name HAVEN RANCH SUBDIVISION	
Project Location	2645 North Brandon Road, west of SH-16 milepost 101.62
Project Description	Annexation and zoning of R-1, Development Agreement, private road, and a preliminary plat for proposed subdivision consisting of 5 residential lots and 2 common lots.
Applicant	Chris Todd

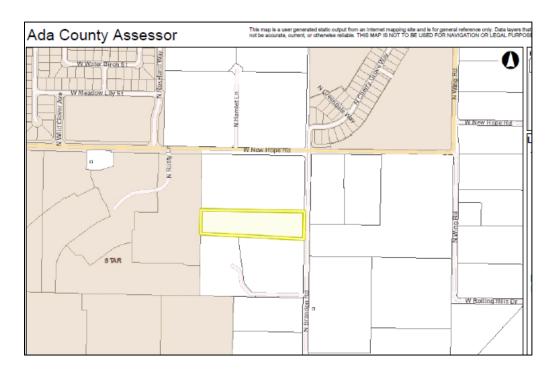
The Idaho Transportation Department (ITD) reviewed the referenced annexation, zoning, preliminary plat, private road, and development agreement applications and has the following comments:

- 1. This project does not abut the State Highway system.
- 2. ITD and the City of Star have entered into an interagency agreement to collect proportionate share from new developments to mitigate traffic impacts from incoming developments. Proportionate share for each development is calculated based off of number of trips added to State Highway system. The number of trips generated can be determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual. ITD requires trip distribution information to determine where trips generated by developments access the State Highway system.
- 3. No trip distribution information was provided; without trip distribution information ITD must assume the worst case scenario that all 5 trips will utilize the Beacon Light Road/SH-16 intersection at PM peak hour. According to a recent Traffic Impact Study, the southbound SH-16 thru movement fails during AM peak starting in 2028. In 2028 total traffic utilizing the intersection in the AM peak hour is projected to be 2,044 cars. The proposed subdivision is adding 5 trips to SH-16/Beacon Light Road intersection in the AM Peak at buildout, which is approximately 0.20% percent of the traffic utilizing the intersection in 2028. The construction of the cost of design, construction, and right-of-way for the

Haven Ranch Subdivision Proportionate Share Contribution 9/1/2020

5 Units Single Family Homes ITE Code (210) Single Family

AM Trip Rate = 0.74 PM Trip Rate = 0.99



A trip distribution diagram was not provided to the department. ITD must assume a worst case scenario that all 5 residential units will head east on Beacon Light Road to the SH-16 / Beacon Light Road Intersection. Analysis from the Hormachea Development shows the southbound thru movement on SH-16 fails during the AM Peak starting in 2028. The recommended mitigation is adding a southbound auxiliary lane thru the signalized intersection.

Proportionate share is based on the total AM site trips through the intersection of Beacon Light Road / SH-16 compared to total number of AM trips in 2028.

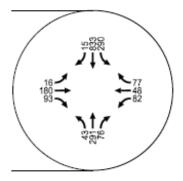
Site Traffic

AM Peak

5 units x 0.74 x 45% = 4 trips

Total Traffic 2028 @ SH-16 / Beacon Light Road

AM 2028 Total Trips



Total 2028 intersection trips = 2044

4 site trips / 2044 Total Trips = 0.20%

ITD estimates the cost of design, construction and R/W for the southbound auxiliary lane on SH-16 through the Beacon Light intersection to be approximately \$1,385,000.

Proportionate share contribution of 0.20% is \$2,770.



From the Office of Deputy Chief Victor Islas

August 31, 2020

City of Star City Planner/Zoning Administrator P.O. Box 130 Star, Idaho 83669

RE: Haven Ranch Subdivision
File # AZ-20-12 Annexation-Zoning
File # PP-20-12 Preliminary Plat
File # PR-20-04 Private Street

To Whom It May Concern:

The Star Fire Protection District has reviewed submitted plans for the Haven Ranch Subdivision located in Star, Idaho. Our Comments are as follows:

This project shall comply with the 2015 International Fire Code (IFC) and any codes set forth by the City of Star Idaho.

This project can be serviced by the Star Fire Protection District. The response station to this development will be Fire Station 51 located at 11665 W. State Street, Suite B, Star, Idaho 83669. The response time under normal driving conditions will be 7 minutes utilizing google maps.

Access roads shall be provided and maintained following Appendix D and Section 503 of the 2015 IFC. Access shall include adequate roadway widths, signage, turnarounds, and turning radius for fire apparatus.

Addition turnaround may be required if a building is built more than 150ft off the main road.

Access road design shall be designed and constructed to allow for evacuation simultaneously with emergency response operations.



From the Office of Deputy Chief Victor Islas

Continued Comments for: Haven Ranch Subdivision

All fire department access roads in the development shall remain clear and unobstructed during construction of the development. Additional parking restrictions may be required as to maintain access for emergency vehicles at all times. Hydrants shall remain unobstructed during construction as per City code.

The Fire hydrant spacing shall be no more than 400' apart and will be equipped with Storz LDH connection in place of the 4 182" outlet. Hydrants shall be approved and witnessed by the Fire Code Official.

Final inspection by Fire District of above list including hydrant flow must be verified before building permits are issued.

If you have questions or would like to discuss this letter in detail, please feel free to contact my office at (208) 585-6650.

Sincerely,

Notes Entitles

Victor E. Islas Deputy Chief



IDAHO TRANSPORTATION DEPARTMENT

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

southbound axillary lane on SH-16 through Beacon Light Road is estimated to cost \$1,385,000 (see attached). The applicant will only be responsible for contributing their proportionate share of \$2,770 (0.20%).

- 4. In order to provide a more accurate and potentially lower estimate, the applicant could provide ITD specific trip distribution numbers. ITD suggests the applicant contact COMPASS to have a model run conducted to determine trip distribution. ITD would be willing to accept trip distribution numbers provided by COMPASS or a licensed civil engineer.
- 5. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
- 6. The Idaho Administrative Procedure Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
- 7. ITD objects to this development. ITD will remove the objection if the governing board requires, and the applicant agrees to, the execution of a Development Agreement with the City of Star binding the contribution of the proportionate share amount of \$2,770.

If you have any questions, you may contact me at (208) 334-8338 or Erika Bowen (208) 265-4312 ext 7.

Sincerely,

Sarah Arjona

Development Services Coordinator

Sarah.Arjona@itd.idaho.gov

	Con	CENTRAL DISTRICT Division of Community and Environmental Health one # ditional Use # iminary / Final / Short Plat PP-20-12 Haven Ranch	Retu	urn to: ACZ Boise Eagle Garden City Meridian Kuna Star
	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 Pro-	oposal.	
	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 of: high seasonal ground water waste flow characteristics bedrock from original grade other		epth
	6.	This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters.	waters a	and surface
	7.	This project shall be reviewed by the Idaho Department of Water Resources concerning well construavailability.	ction an	d water
M	8.	After written approvals from appropriate entities are submitted, we can approve this proposal for: central sewage interim sewage individual sewage individual sewage individual water	water w	ell
囟	9.	The following plan(s) must be submitted to and approved by the Idaho Department of Environments community sewage system community sewage dry lines central water		y:
	10.	This Department would recommend deferral until high seasonal ground water can be determined if considerations indicate approval.	ther	
	11.	If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Regulations.	Sewag	е
	12.	We will require plans be submitted for a plan review for any:		

swimming pools or spas

grocery store

13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.

Dat

child care center

14.

food establishment beverage establishment



1445 North Orchard • Boise, ID 83706 • (208) 373-0550

Brad Little, Governor John H. Tippets, Director

August 27, 2020

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

RE: Ranch Subdivision, AZ-20-12, DA-20-13, PP-20-12, PR-20-04 Private Street

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 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. Information on fugitive dust control plans can be found at: http://www.deq.idaho.gov/media/61833-dust_control_plan.pdf

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



Richard Beck Interim Director

Ada County Courthouse 200 West Front Street Boise ID 83702 208.287.7900 Fax 208.287.7909 www.adacounty.id.gov

Department DivisionsBuilding
Community Planning
Engineering & Surveying
Permitting

Ada County Commissioners Diana Lachiondo, First District Patrick Malloy, Second District Kendra Kenyon, Third District

ADA COUNTY Development Services Department

August 26, 2020

Shawn Nickel City of Star Planning & Zoning Department 10769 W. State Street Star, ID 83669

RE: Annexation / AZ-20-12 / 2645 N Brandon Road

Shawn,

The City of Star has requested feedback regarding the proposed annexation and preliminary plat for the Brandon Road Subdivision, which will include five detached single-family homes on 5.1 acres of land located at 2645 N. Brandon Road. The proposed density is compatible with the Star Comprehensive Plan, as adopted by Ada County, as it designates the site as *Medium Density Residential*, which is intended for single-family residential development at densities of four dwelling units per acre or less.

The proposed subdivision of the land into five lots is supported by *Goal 2.2* of the Ada County Comprehensive Plan which calls for urban development to be directed to Areas of City Impact where investments in urban services have already been made. To improve future connectivity, it is recommended that a public road be considered rather than a private road in order to allow adjacent properties to access it as they develop, in conformance with *Goals 4.3b and 4.3c* of the Ada County Comprehensive Plan which promote connectivity through well-connected local street systems and pathways, and discourage cul-de-sacs and private roads within Areas of City Impact.

It is also recommended that sidewalk be considered along the roadway in order to improve pedestrian comfort and safety, and allow for a potential pedestrian connection to adjacent properties in the future, as supported by *Transportation Policy 9* of the Star Comprehensive Plan, as adopted by the County, which encourages non-motorized pathways between residential areas to reduce short trips and improve access for non-drivers.

Thank you for this opportunity to provide feedback.

Sincerely,

Brent Moore, MCMP, AICP Community & Regional Planner Ada County Development Services 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

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering 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:
 http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm
- 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. Hazardous Waste And Ground Water Contamination

- Hazardous Waste. The types and number of requirements that must be complied with under the federal Resource Conservations 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.
- 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, Rules and Regulations for Hazardous Waste, and Rules

and Regulations for the Prevention of Air Pollution.

• 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 Boise Regional Office

Jaion Schiff

ec: CM#2019AEK216



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Ryan B. Field, Assistant City Planner Shu 1. Mach

MEETING DATE: October 06, 2020 – PUBLIC HEARING **FILE(S) #:** AZ-20-15 Annexation and Zoning

DA-20-18 Development Agreement

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Philip Openshaw 1665 N. Brandon Road Star, ID 83669

Applicant/ Representative:

Micki Openshaw 1665 N. Brandon Road Star, Idaho 83669

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (from RUT to Residential R-2-DA) and a Development Agreement for 10.62 acres of property located at 1665 N. Brandon Road, Star, Idaho. The property is located at the northwest corner of W. Floating Feather Road and N. Brandon Road.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the northwest corner of W.

Floating Feather Road and N. Brandon Road in Star, ID. Ada County Parcel

No. S0405336110.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	RUT	Neighborhood Residential	Residential/Farmland
Proposed	R-2-DA	Neighborhood Residential	Single Family
			Residential/Agriculture
North of site	RUT/R-3	Neighborhood Residential	Single Family
			Residential/Agriculture
South of site	R-2	Neighborhood Residential	WestPointe Subdivision
East of site	RUT/R-3	Neighborhood Residential	Lobo Creek
			Subdivision/Vacant
West of site	R-2	Neighborhood Residential	Westpoint Subdivision

Existing Site Characteristics: The property currently contains a single-family residential dwelling with several out-buildings and farming and grazing land.

Irrigation/Drainage District(s): Middleton Irrigation Association Inc. / Middleton Mill Ditch Co. **Flood Zone:** This property is outside of the flood zone.

Special On-Site Features:

- Areas of Critical Environmental Concern Dry Creek Canal / McHenry Lateral
- Evidence of Erosion No evidence.
- ◆ Fish Habitat No known areas.
- Floodplain Property is not in a Special Flood Hazard area.
- Mature Trees Several existing mature trees.
- Riparian Vegetation None.
- Steep Slopes None.
- Stream/Creek Dry Creek Canal / McHenry Lateral Ditch
- O Unique Animal Life No unique animal life has been identified.
- O Unique Plant Life No unique plant life has been identified.
- Unstable Soils No known issues.
- Historical Assets No historical assets have been observed.
- Wildlife Habitat No wildlife habitat has been developed or will be destroyed.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held September 01, 2020 Neighborhood Meeting Held September 10, 2020 Application Submitted & Fees Paid September 14, 2020
Application Accepted September 14, 2020
Residents within 300' Notified September 14, 2020
Agencies Notified September 14, 2020
Legal Notice Published September 16, 2020
Property Posted September 25, 2020

HISTORY

This property does not have any history of land use actions or requests in the City.

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.

8-3B-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.

<u>DA DEVELOPMENT AGREEMENT</u>: 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	Α	А	А
Dwelling:			
Multi-family 1	N	N	С
Secondary 1	Α	Α	A
Single-family attached	N	N	С
Single-family detached	Р	Р	P
Two-family duplex	N	N	Р

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

	Maximum	Minimum Yard Setbacks Note Conditions			
Zoning District	Height Note Conditions	Front (1)	Rear	Interior Side	Street Side
R-2	35'	20′	20′	10'	20'

Notes:

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

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:

- 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

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.

PROJECT OVERVIEW

The applicant is requesting approval of an annexation and rezone application to change the zoning designation on 10.62 acres from Rural Urban Transitional Residential (RUT) to low density Neighborhood Residential (R-2). This zoning district would allow for a maximum residential density of 2 dwelling units per acre. The property is currently serviceable with central sewer provided by Star Sewer and Water District. The applicant is currently working with Star Sewer & Water District on an agreement to continue use of two existing wells until the property is further developed. The property currently has two access points off N. Brandon Roads. The rezone request includes a development agreement that will address future density and development standards for any future subdivision plat that is submitted by the applicant along with water service from Star Sewer & Water District.

The applicant has submitted a conceptual site plan that shows the 10.62-acre parcel with the existing home and outbuildings. It appears that the existing single-family dwelling will be retained and utilized as a secondary dwelling (mother-in-law quarters). Once a Secondary Dwelling Unit application is approved by the City, a new Single-Family Dwelling may be constructed on the property and used as the owner's primary residence. The remaining property will continue to be farm and/or grazing land. The property would still be eligible for a one-time division in the future should the owner request such split.

DEVELOPMENT AGREEMENT

Through the Development Agreement process, the applicant is proposing to work with the City to provide further insurances that the development will be built as presented and/or modified by the Council through the review process. Items that can be considered by the applicant and Council include the following:

- Density;
- ITD Proportionate Share Fees;
- Existing Dwelling Unit/Future Secondary Dwelling Unit
- Star Sewer & Water District Annexation

AGENCY RESPONSES

Ada County Development Services September 15, 2020 Sawtooth Law – Middleton Mill Ditch Co. September 15, 2020

PUBLIC RESPONSES

No public responses received.

STAFF RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed annexation and zoning request meets the requirements, standards and intent for development as they relate to the Comprehensive Plan and Unified Development Code. The maximum allowed density of 2 dwelling units per acre up to 21.24 lots is within the range of 1-2 dwelling units per acre allowed in the Neighborhood Residential Comprehensive Plan designation and the (R-2) zoning designation. Staff is also supportive of the elimination of open space requirements due to proposed future density.

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 or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date. A development agreement will also be brought back to the Council for review of proposed Conditions of Approval for the rezone.

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 Council 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 Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the Neighborhood Residential District is to provide for development suitable primarily for residential use allowing single-family detached dwelling units. Densities range from 3 units per acre to 5 units per acre.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and

The Council 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 Council 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.

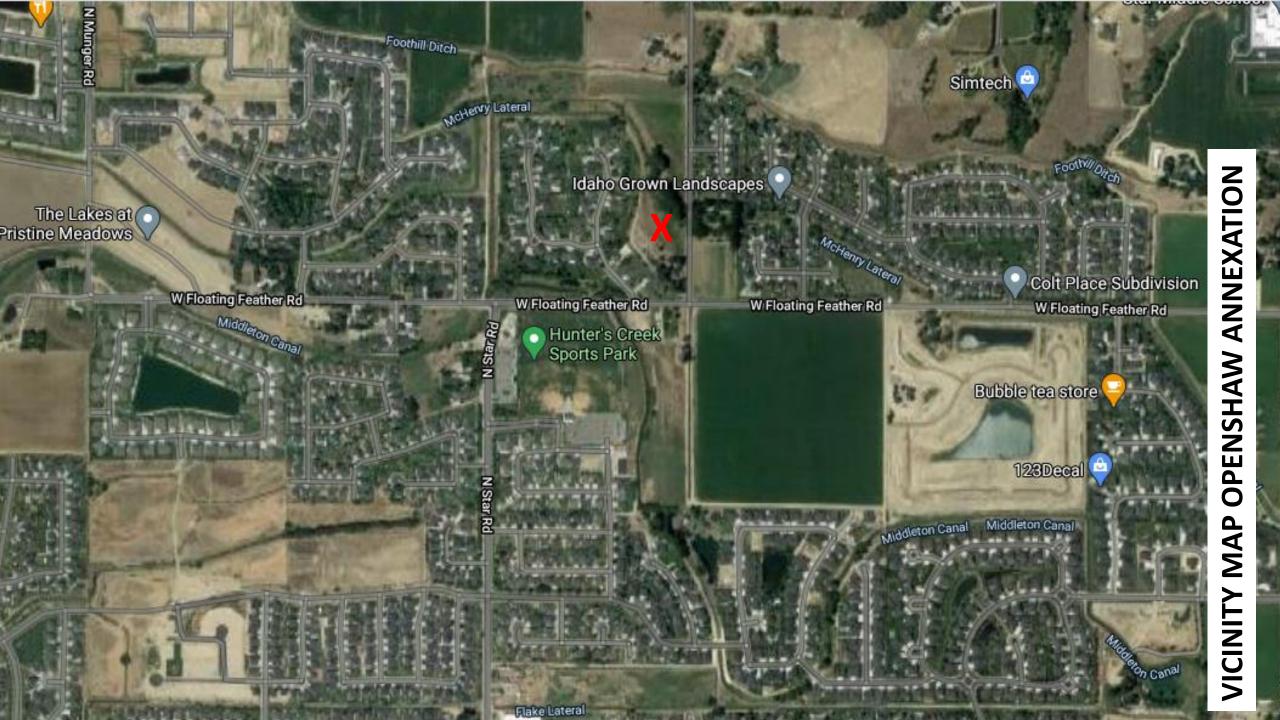
5. The annexation is in the best interest of the city.

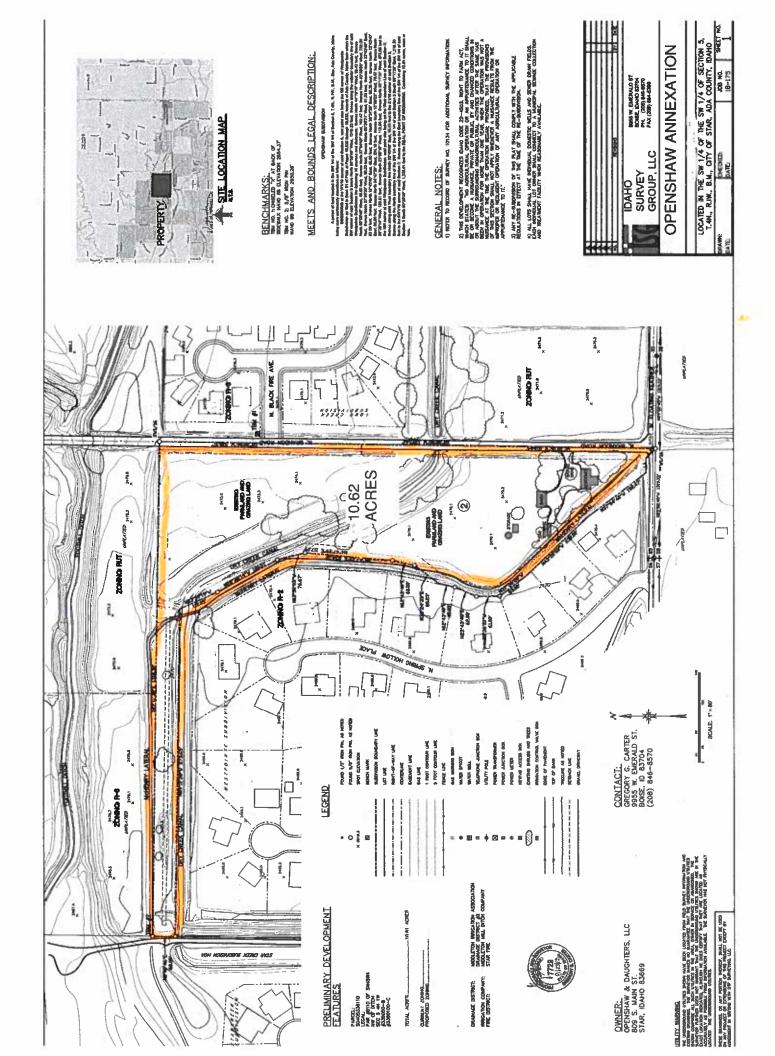
The Council must find that this annexation is reasonably necessary for the orderly development of the City.

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-20-15/DA-20-18 – 1665 N Brandon Road, Star, ID	
Rezone on	, 2020.	





City of Star 10769 W. State Street Star, ID 83669 September 14, 2020

RE: Letter of Intent for Openshaw Annexation Application

Dear City of Star:

Please accept this application for Annexation of our property located at 1665 N. Brandon Road, in Star, Idaho, Section 05, Township 4 North, Range 1 West of the Boise-Meridian. The property includes 10.61 acres and we are requesting a zoning designation of Residential R-2. The property is in the Star Area of Impact. The enclosed application has been submitted in accordance with the requirements of the Star Unified Development Code.

The existing single-family dwelling and detached garage/storage and out-buildings will remain. It is our intent that once annexation is complete, to apply for a Secondary Dwelling application to preserve the existing single family dwelling as a mother-in-law quarters for our family members, and submit a building permit for a new single-family dwelling to be located as indicated on the submitted conceptual site plan. The remainder of the property will remain in agricultural production. We may apply for a one-time property split in the future to create an additional parcel but have no timetable to do this. The property has been of record prior to 1997.

We have had discussions with Hank Day at Star Sewer and Water about extending sewer service into the property to serve the existing home and the new home. We would like to request that we be allowed to utilize the existing well at the current home and the new well that we recently completed for the new dwelling. We would be agreeable to enter into a condition in our Development Agreement to address future extension of the water lines into the site once the property was to redevelop. We will be submitting an annexation request into the Sewer District in the near future.

Thank you for your consideration on our request to annex into the City of Star.

Sincerely,

Micki Openshaw



Richard Beck Interim Director

Ada County Courthouse 200 West Front Street Boise ID 83702 208.287.7900 Fax 208.287.7909 www.adacounty.id.gov

Department Divisions
Building
Community Planning

Engineering & Surveying Permitting

Ada County Commissioners Diana Lachiondo, First District Patrick Malloy, Second District Kendra Kenyon, Third District

ADA COUNTY Development Services Department

September 15, 2020

Shawn Nickel City of Star Planning & Zoning Department 10769 W. State Street Star, ID 83669

RE: Annexation / AZ-20-15 / 1665 N Brandon Road

Shawn,

The City of Star has requested feedback regarding the proposed annexation of 10.62 acres of land at 1665 N. Brandon Road with R-2 (Low Density Residential – 2 Units per Acre) zoning.

Ada County supports the proposed annexation as the property is located within the Star Area of City Impact and abuts other properties which have already been annexed into Star. As such, the site will be more easily serviced by Star than by Ada County. The County also supports the proposed R-2 zoning designation as it will comply with the Star Land Use Map, as adopted by Ada County, as it designates the site as *Medium Density Residential*, which is intended for single-family residential development at densities of four dwelling units per acre or less.

The proposed annexation and zoning designation are supported by *Goal 2.2* of the Ada County Comprehensive Plan as it calls for urban development to be directed to Areas of City Impact where investments in urban services have already been made. Future residents of the site will be within close proximity to existing schools, parks and commercial services, and will help to support Star's downtown businesses.

When the property develops, it is recommended that a pathway be considered along the McHenry Lateral, which crosses the site, in conformance with *Goal 1.2d* of the Ada County Comprehensive Plan which encourages the enhancement of manmade drainage ways as valuable resources and recreational pathways and potential pedestrian and bicycle transportation routes. A pathway would also be supported by *Transportation Policy 9* of the Star Comprehensive Plan which encourages nonmotorized pathways between residential areas to reduce short trips and improve access for non-drivers.

Thank you for this opportunity to provide feedback.

Sincerely,

Brent Moore, MCMP, AICP Community & Regional Planner Ada County Development Services Boise Office 1101 W. River St., Ste. 110 P.O. Box 7985 Boise, Idaho 83707 Tel. (208) 629-7447

Challis Office

1301 E. Main Ave. P.O. Box 36 Challis, Idaho 83226 Tel. (208) 879-4488

Twin Falls Office

236 River Vista Place Suite 301 Twin Falls, Idaho 83301 Tel. (208) 969-9585

Fax (all offices) (208) 629-7559



September 15, 2020

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SEP 18 2020

CITY OF STAR

RECEIVED

Attorneys licensed in Idaho
*Also licensed in Washington
**Also licensed in Oregon

David P. Claiborne *

Patxi Larrocea-Phillips

S. Bryce Farris

Evan T. Roth

Daniel V. Steenson

Matthew A. Sturzen

Katie L. Vandenberg

Andrew J. Waldera **

James R. Bennetts (retired)

Shawn L. Nickel City of Star P.O. Box 130 Star, Idaho 83669

Re: File Nos. AZ-20-15, DA-20-18 - Openshaw Annexation - located at 1665 N. Brandon Rd.

Dear Mr. Nickel:

The Middleton Mill Ditch Company and Middleton Irrigation Association, Inc. (hereinafter collectively referred to as "MM-MI") have an easement for the McHenry Lateral that runs through or abuts this property. The easement is 25 feet each side from the top of bank. In addition, Drainage District No. 2 (referred to as "District") has a ditch and easement that runs through or abuts this property. The District's easement is 100 feet, 50 feet to either side for open drains and 50 feet, 25 feet to either side for piped or closed drains. The developer must contact MM-MI and the District's attorney, Sawtooth Law Offices, PLLC, for approval before any encroachment, change of easement, or drainage discharge into MM-MI or the District's facilities occur. MM-MI and the District must review drainage plans and construction plans prior to any approval.

MM-MI and the District generally require a License Agreement prior to any approval for the following reasons:

- Relocation of a facility which would also require a new easement and relinquishment of the old easement once the relocation has been completed.
- 2. Piping of a facility.
- 3. Encroachment on a facility with gas, water and sewer lines, utility lines, roadways, bridges or any other structures.
- 4. Drainage discharges into any facilities.

Also, please be advised that MM-MI and the District do not approve of trees within their easement. Therefore, any existing trees within MM-MI and the District's easement will need to be removed. On occasion, MM-MI and the District may make exceptions on a case by case basis, which requires the developers/owners to obtain written permission from MM-MI and the District for existing trees to remain.



September 15, 2020 City of Star ltr. Page 2

Please contact me if you have any questions.

Yours very truly,

S. Bryce Farris

cc: MM-MI DD#2



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel, Planning Director & Zoning Administrator Man 1 Mark

MEETING DATE: October 6, 2020 – PUBLIC HEARING

FILE(S) #: AZ-20-11 Annexation and Zoning

DA-20-11 Development Agreement

PP-20-11 Preliminary Plat for Canvasback Subdivision

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Patrick and Rhonda Hynes Trust 4835 NE Hwy 20 Corvallis, Oregon 97330

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 112 residential lots and 11 common lots. The property is located at the southwest corner of W. New Hope Road and N. Wing Road and consists of 20.6 acres with a proposed density of 3.67 dwelling units per acre.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the south side of W. New

Hope Road between N. Brandon Road and N. Wing Road in Star, Idaho.

Ada County Parcel No. S0405244200 & S0405244700.

Existing Site Characteristics: The property is currently in agricultural production

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 No.
- Riparian Vegetation No known areas.
- Steep Slopes No.
- Stream/Creek None.
- Unique Animal Life No unique animal life has been identified.
- O 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

December 18, 2019 Pre-Application Meeting Held Neighborhood Meeting Held February 12, 2020 Application Submitted & Fees Paid July 30, 2020 **Application Accepted** July 30, 2020 Residents within 300' Notified August 03, 2020 **Agencies Notified** August 03, 2020 Legal Notice Published August 04, 2020 **Property Posted** September 25, 2020

HISTORY

Request previously scheduled for public hearing on September 15, 2020 and tabled to October 06, 2020. There have been no previous requests through the City for development of this property.

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS

	Zoning Designation	Comp Plan Designation	Land Use
Existing	County Rural	Neighborhood Residential	Agricultural
	Transitional (RUT)		
Proposed	R-4-DA	Neighborhood Residential	Neighborhood
			Residential
North of site	R-3	Neighborhood Residential	Greendale Grove Sub.

South of site	County Rural	Neighborhood Residential	Single Family Dwelling /	
	Transitional (RUT)		Agriculture	
East of site	County Rural Transitional (RUT)	Rural Residential / Special Transition Overlay	Single Family Dwelling / Agriculture	
West of site	County Rural Transitional (RUT)	Neighborhood Residential	Single Family Dwelling / Agriculture	

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.

<u>DA DEVELOPMENT AGREEMENT</u>: 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	А	А	А
Dwelling:			
Multi-family 1	N	N	С
Secondary 1	А	А	А
Single-family attached	N	N	С
Single-family detached	Р	Р	P
Two-family duplex	N	N	Р

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

	Maximum Height	Minimum Yard Setbacks Note Conditions							
Zoning District	Note Conditions	Front(1)	Rear	Rear Interior Side					
R-4	35'	15' to living area 20' to garage	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. 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.

8-1E-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.

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.

8.5.3 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.

8.5.4 Policies Related to The Special Transition Overlay Areas:

A. Development adjacent to and within the Special Transition Overlay 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. This may include new abutting lots to be one acre in size or may include buffering.

B. Site layout is to provide for a transition in density and lot sizing with all policies regarding compatibility herein applying.

C. Modified street sections, such as with no curbs gutters or sidewalks, should be encouraged for adjacent compatibility where determined appropriate.

D. When an urban density residential development is planned with lots that directly abut lots within a Special Transition Overlay Area an appropriate transition is to be provided for the two abutting residential lot types. A transition must 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 Special Transition Overlay Area lots, or may include the provision of a buffer strip avoiding urban lots directly abutting Special Transition Overlay Area lots, or may include setbacks within the urban lots similar to the Special Transition Overlay Area lots directly abutting, or may include the provision of one half to one acre size lots directly abutting the Special Transition Overlay Area lots.

E. Larger setbacks should be required for new lots planned to abut existing Special Transition Overlay Area lots.

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 Residential R-3 and County Rural Urban Transition (RUT) to Medium-Low Density Residential (R-4) 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 3.67 dwelling units per acre. The current Comprehensive Plan Land Use Map designates this property as Neighborhood Residential, with an anticipated density of 3 to 5 dwelling units per acre. The requested density falls in the middle of this designation. The requested zoning designation and density meets the intent of the Comprehensive Plan.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 112 single family residential lots, and 11 common area lots for a total of 123 total lots. The residential lots range in size from 5,298 square feet to 14,988 square feet. The applicant has indicated that the development will contain a total of five (5) acres (16.4%) of open space. The applicant states that useable open space, not including street buffers and endcaps equal to 3.52 acres (11.6%) 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.

The development will use access off N. Brandon Road and W. New Hope Road as well as N. Wing Road. The development will also have a stub road on the south of the property that will terminate at the property line with the possibility to extend in the future.

The current Unified Development Code, Section 8-4E-2 requires a development of this size to have 3 site amenities. The applicant is proposing a children's play structure, covered picnic shelter and pathway connections for access to the development and park.

ADDITIONAL DEVELOPMENT FEATURES:

Sidewalks

Sidewalks are proposed at five-foot (5') widths and will be attached throughout overall subdivision.

<u>Lighting</u>

Streetlights shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire development. The applicant has not submitted street light design standards. A condition of approval will be required to receive staff approval of streetlights prior to final plat approval.

Street Names

Star Fire District

Street names will be approved by the Ada Street Naming Committee prior to signature of final plat.

- <u>Landscaping</u> 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.
- <u>Setbacks</u> Client is requesting a five (5) foot side yard setback for all homes in the development.
- Block lengths All blocks meet the 750' block length requirement.

AGENCY RESPONSES

August 31, 2020

Keller and Associates
August 06, 2020
APRIL 22, 2020
ACHD
September 22, 2020
August 13, 2020
Farmer's Union Ditch Company
West Ada School District
Ada County Development Services
August 04, 2020
August 04, 2020

PUBLIC RESPONSES

Lonn and Ann Kuck - 10399 W. Rolling Hills Dr., Star, ID 83669 Seeve and Charlene Greene – 9999 W Star Acres Drive, Star, ID 83669 See Will Eason – 10174 W. Star Acres Dr., Star, ID 83669 See

Terry Bier and Carolee Polfer – 10040 West Star Acres Dr., Star, ID 83669

September 28, 2020 September 28, 2020 September 28, 2020

TRANSITIONAL LOTS:

The eastern boundary of the subdivision is immediately adjacent to Star Acres Subdivision, an Ada County approved 5-acre lot subdivision that is in Un-Incorporated Ada County. The majority of the houses built within the Star Acres Subdivision are located to the west end of the lots and along N. Wing Road. The Star Comprehensive Plan designates the area within this subdivision as a Special Transition Overlay Area. The Unified Development Code provides a definition for transitional Lots or Properties and states the following: 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. It appears from the submitted preliminary plat that the developer has made an effort to design the development with this requirement in mind (see exhibit attached). N. Wing Road and the proposed 30-foot landscape buffer provide in excess of 100 feet of separation. The one concern that staff has is with regard to the two proposed lots (Lots 2 & 3, Block 7) at the southeast corner of the proposed development. An existing house on the adjacent lot in Star Acres is in very close proximity to the boundary of the proposed Lots 2 & 3 and there is not a roadway or canal providing the defined buffer of 100 feet. Council should consider this when making its decision on compliance with the UDC standards. One staff suggestion is to combine lots 2 & 3 into one lot or increase the open space buffer between the two developments.

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 Canvasback 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/design prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative.
- 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.
- 7. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
- 8. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
- 9. 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.
- 10. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
- 11. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
- 12. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
- 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.

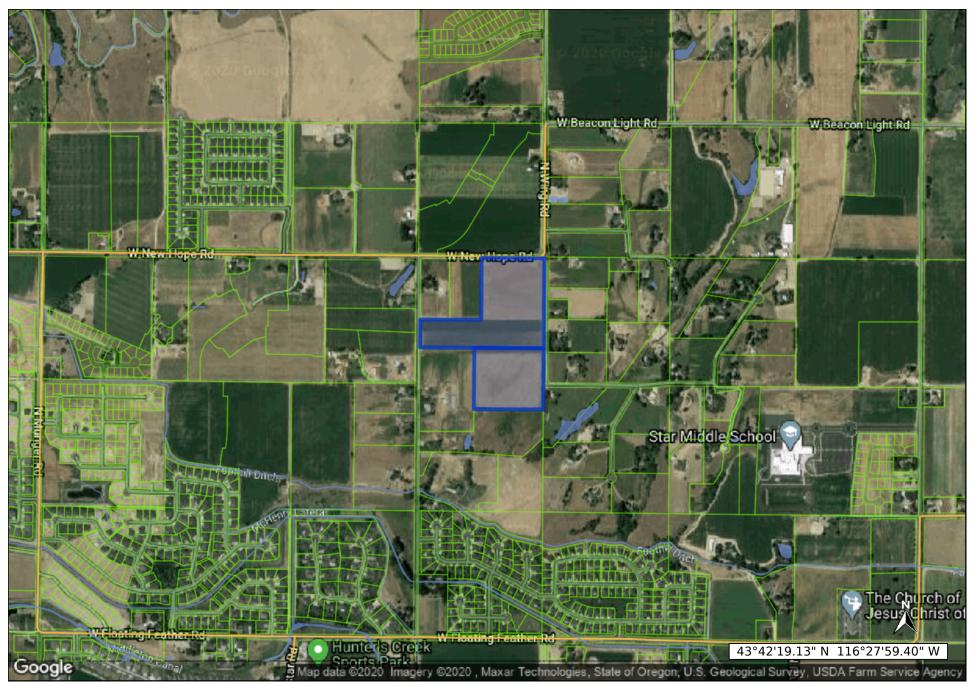
- 17. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping 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. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION							
The Star City Council	File #AZ-20-11/PP-20-11/DA-20-11 for Canvasback						
Subdivision on	<i>,</i> 2020.						



Canvasback Subdivision

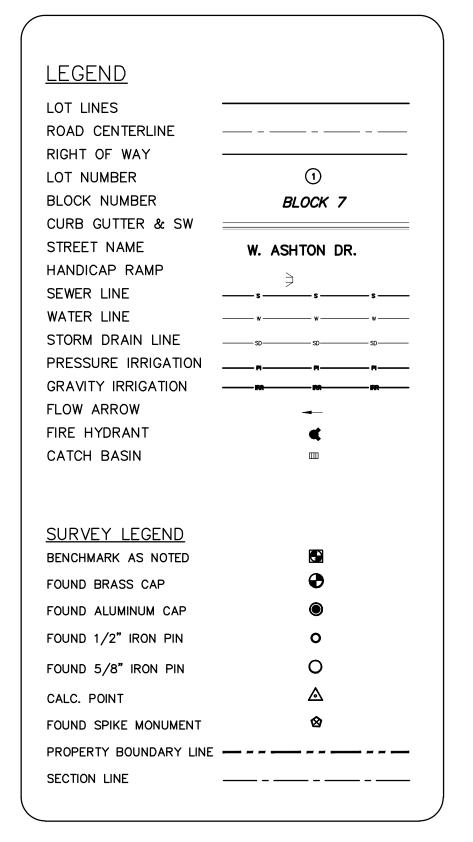
Vicinity map 2

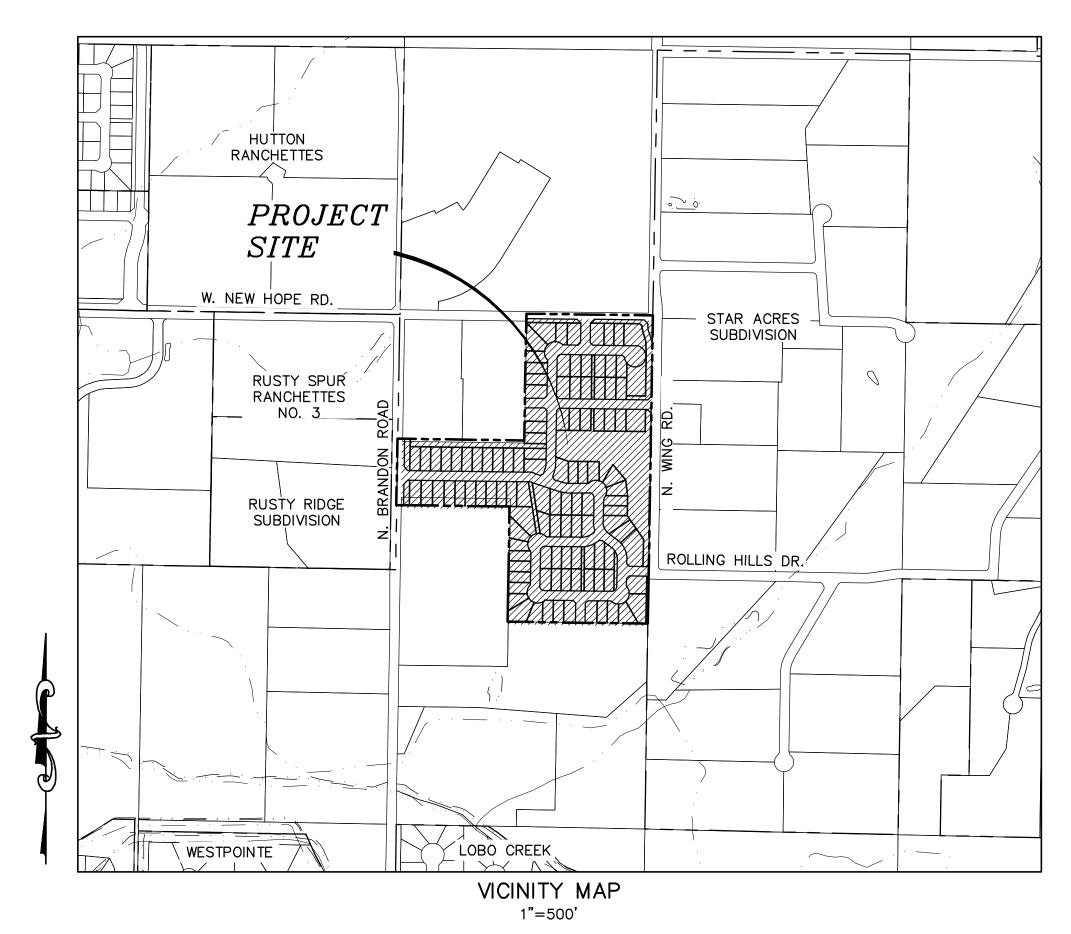




PRELIMINARY PLAT FOR CANVASBACK SUBDIVISION

LOCATED IN THE SE 1/4 OF THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 SECTION 5 T.4N., R.1W. B.M., CITY OF STAR, ADA COUNTY, IDAHO





PLAN SHEET INDEX

SHEET DESCRIPTION

PP-1 - COVER SHEET, INDEX, VICINTIY MAP, NOTES & DETAILS

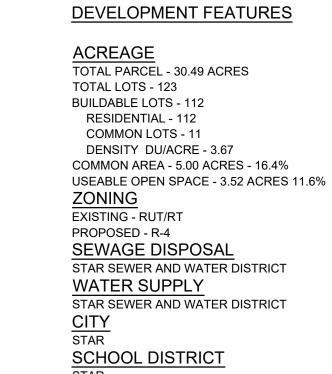
PP-2 - PRELIMINARY PLAT & PARCEL TABLE

PP-3 - CONCEPTUAL ENGINEERING PLAN & CURVE TABLE

PP-4 - CONCEPTUAL SEWER PROFILES PP-6 - CONCEPTUAL SEWER PROFILES

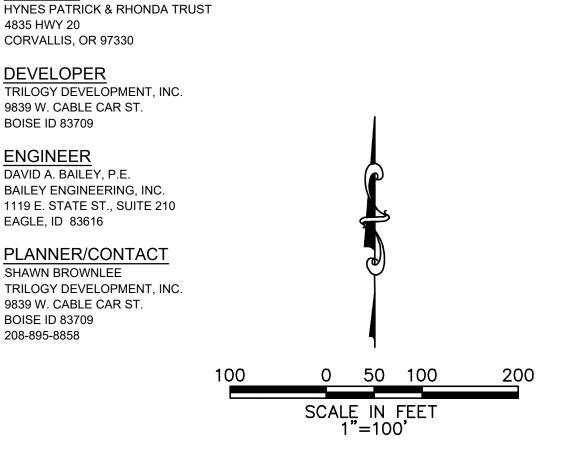
- 1. STAR SEWER AND WATER DISTRICT WATER AND SEWER SERVICE SHALL BE EXTENDED TO ALL LOTS.
- 2. THE SUBJECT PROPERTY DOES NOT FALL WITHIN ANY FEMA FLOOD HAZARD ZONE. REFERENCE FIRM PANELS 16001C0130H REVISED FEBRUARY 19, 2003.
- 3. ALL LOT SHALL HAVE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, STREET LIGHTS, 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 UTILTY, IRRIGATION AND LOT DRAINAGE EASEMENT ADJACENT TO ANY LOT LINE NOT ADJACENT TO A PUBLIC STREET.
- 4. 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.
- 5. 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.
- 6. STORM DRAINAGE SHALL BE RETAINED ON SITE THROUGH SUBSURFACE SEEPAGE TRENCHES AS APPROVED BY ACHD.
- 7. ALL LOTS DESIGNATED AS COMMON LOTS ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION OR ITS ASSIGNS.
- 8. ALL EXISTING STRUCTURES WILL BE REMOVED PRIOR TO DEVELOPMENT OF THE PHASE CONTAINING THE STRUCTURE.
- 9. ALL LOTS WITHIN THIS SUBDIVISION ARE SINGLE FAMILY RESIDENTIAL LOTS, WITH THE EXCEPTION OF LOT 1, BLOCK 1; LOTS 1 & 12, BLOCK 2; LOT 7, BLOCK 3; LOTS 1 & 15, BLOCK 4; LOTS 1 & 13, BLOCK 5; LOTS 4 & 8, BLOCK 6; LOT 1, BLOCK 7; THAT ARE COMMON LOTS OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

Common Lots										
Lot	Area	Perimeter	Туре							
BLOCK 1 Lot 1 OPEN	5483	597	BUFFER							
BLOCK 2 Lot 1 OPEN	45124	3134	BUFFER							
BLOCK 2 Lot 12 OPEN	114714	2297	OPEN							
BLOCK 3 Lot 7 OPEN	3450	490	PATHWAY							
BLOCK 4 Lot 1 OPEN	4764	379	BUFFER							
BLOCK 4 Lot 15 OPEN	26499	1496	OPEN							
BLOCK 5 Lot 1 OPEN	3701	308	BUFFER							
BLOCK 5 Lot 13 OPEN	5434	585	PATHWAY/UTILITY EASEMENT							
BLOCK 6 Lot 4 OPEN	2832	430	ENDCAP							
BLOCK 6 Lot 8 OPEN	3451	491	PATHWAY							
BLOCK 7 Lot 1 OPEN	2459	513	BUFFER							

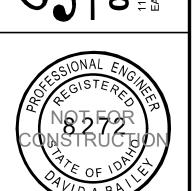


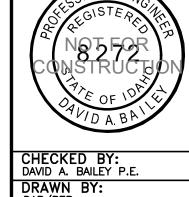
FIRE DISTRICT

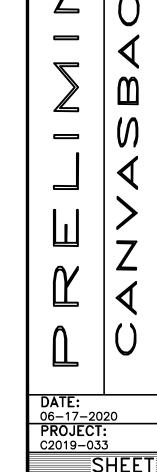
4835 HWY 20 CORVALLIS, OR 97330 <u>DEVELOPER</u> TRILOGY DEVELOPMENT, INC. 9839 W. CABLE CAR ST. **BOISE ID 83709** DAVID A. BAILEY, P.E. BAILEY ENGINEERING, INC. 1119 E. STATE ST., SUITE 210 EAGLE, ID 83616 PLANNER/CONTACT SHAWN BROWNLEE TRILOGY DEVELOPMENT, INC. 9839 W. CABLE CAR ST. **BOISE ID 83709** 208-895-8858 **IRRIGATION DISTRICT** FARMERS UNION DITCH COMPANY LTD



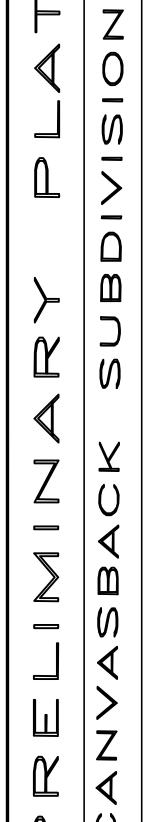




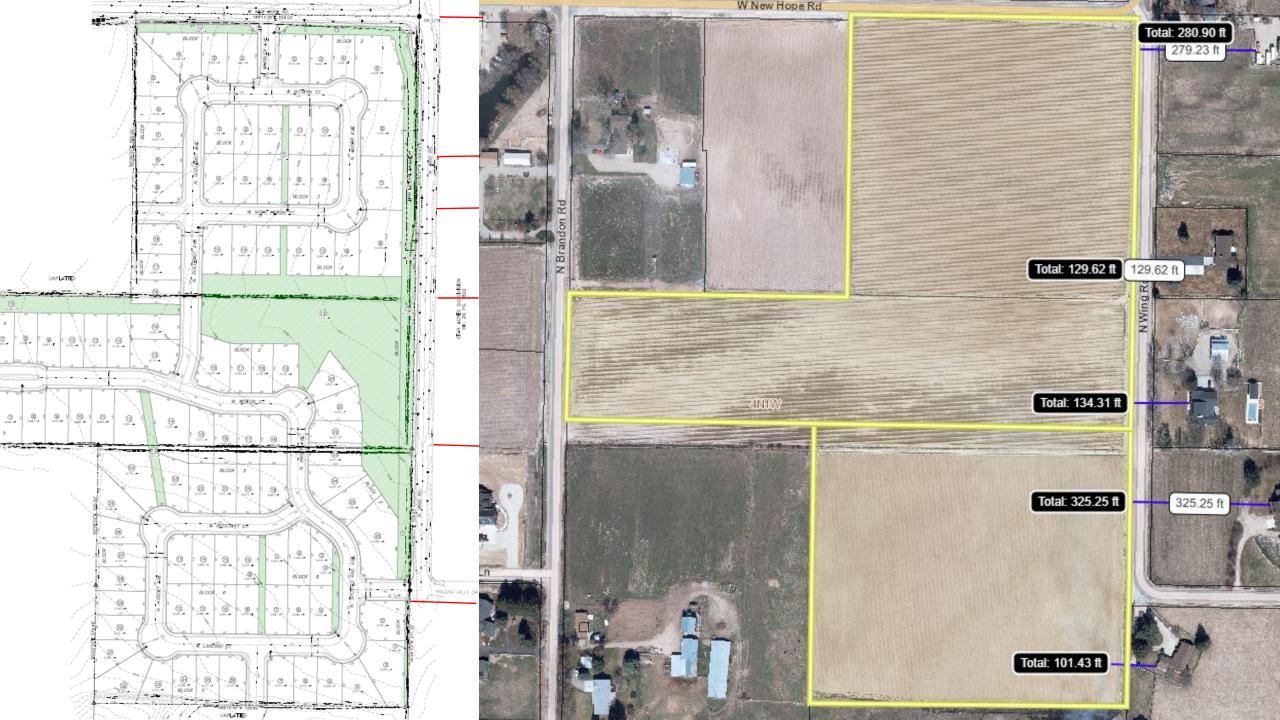








DATE: 06-17-202 PROJECT: C2019-033



Gem State Planning, LLC

July 1, 2020

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

Subject: Canvasback Subdivision at New Hope/Brandon/Wing Roads

Applications for Annexation, Zoning, Preliminary Plat and Development Agreement

Dear Mr. Nickel:

On behalf of the property owners, Patrick & Rhonda Hynes Trust and the developer, Trilogy Development, please accept the subject applications for Canvasback Subdivision. This new community of single family homes is located south of New Hope Road, between Brandon Road and Wing Road (4N, 1W, Section 5). The property is 30.49 acres, is currently zoned RUT in Ada County and is being farmed.

Annexation and Zone

The property is located just south of the recently annexed Greendale Subdivision, which provides a path of annexation into the City of Star. The Star Comprehensive Plan Future Land Use Map designates this property as Neighborhood Residential. This designation is "suitable primarily for single family residential use" with densities of 3-5 units per acre. Canvasback Subdivision is planned for 112 buildable lots or 3.67 dwelling units per acre. We are requesting a rezone to R-4 which is in keeping with the City's Neighborhood Residential designation. With the accompanying Development Agreement, the lots in Canvasback Subdivision meet dimensional standards for R-4 lots. The annexation and rezone will not negatively impact the provision of public services. In fact, the developers of Canvasback and Greendale Subs are working to together to provide sewer and water extensions along Brandon and New Hope Roads, that will also service adjacent parcels. In addition, the annexation of this property at the requested zone will not be detrimental to public health, safety and welfare and is in the best interest of the City of Star.

Preliminary Plat

As noted above, Canvasback Subdivision is planned for 112 buildable lots and 11 common lots for a total of 123 lots.

Canvasback Subdivision is located adjacent to the Star Acres Subdivision to the east. Star Acres Sub was developed in the mid 1970's as an Ada County Subdivision. The Star Acres lots are zoned RUT or 5-acre lot size. These lots are not within the City of Star but are in the City's Special Transition Overlay Area. The Star City Code states that development <u>directly adjacent</u> to this special area requires an appropriate transition where new urban development, such as Canvasback Subdivision, is being planned. According to Star Code 8-3B-3, the transition may include clustering urban lots, a buffer strip, different setbacks, or larger lots directly abutting the rural lots.

Canvasback is using several methods to provide more than adequate transition to the Star Acres lots. As shown on the preliminary plat, most of the Canvasback Subdivision is separated from the Star Acres lots

by the 50' wide right of way for Wing Road. In addition, we have clustered the Canvasback lots to create a large open space/community park along the Wing Road frontage, encompassing about 1/3 of the frontage. In the northeast portion of Canvasback Subdivision, we are planning 4 larger lots, along with a 30' buffer strip. The only portion of Canvasback that is directly adjacent to the Special Transition Overlay Area is in the southeast corner. To provide a transition, we have enlarged the 2 Canvasback lots in that area and are also providing a buffer lot.

Open Space and Amenities

The common lots total 5.0 acres or 16.4% of the 30.49 acre site. The usable open space, which does not include street buffers and endcaps, totals 3.52 acres or 11.6% of the site. Both open spaces calculations exceed the requirements of Star Code 8-4E-2.A.1.

The property size and number of homes will require three (3) qualified site amenities. Our amenities include a children's play structure and picnic shelter in the 3+ acre centrally located park. We are also providing pathway connections between home lots that will provide easy access to the park and to neighboring lots. Lot 15, Block 3 is an open grass area that is included in our open space calculations but is not specifically programed for an urban park.

Neighborhood meeting

A neighborhood meeting was held on Wednesday, February 12, 2020, at 6 pm at Star City Hall and was very well attended. The attendance sheet from the meeting in attached. We have also included a list of written comments and questions received from the Mr. Steve Greene in the Star Acres Subdivision to the east. This is the subdivision plan was presented:



9840 W. Overland Road, Suite 120, Boise, Idaho 83709

That plan included 114 buildable lots and 3 new street connections to Wing Road. As a result of the comments we received at the neighborhood meeting and from Mr. Greene, we made significant revisions to the layout. We eliminated 2 of the 3 street connections to Wing Road. We increased the buffer along Wing Road from 20' to 30' wide to provide room for landscaping, along with the necessary irrigation facilities.

We realigned the southern access to Wing Road so that it lines up with Rolling Hills Drive. And by moving the south stub street, we now have 2 larger lots adjacent to our neighbor at 10399 Rolling Hills Drive, instead of 3 lots in our earlier plan.

Development Agreement

We have included a draft development agreement in our application package. Through this development agreement we are requesting five (5) foot side yard setbacks for all the homes in Canvasback Subdivision. We also agree to limit the number of buildable lots to 112.

Streets and Utilities

All streets in Canvasback are public streets that are 36' back-of-curb to back-of-curb, with attached 5' sidewalks, in a 50' right of way. Both New Hope Road and Wing Road will also be improved to meet the same standard where adjacent to the subdivision property. Canvasback frontage on Brandon Road will be improved to collector street standards as indicated on the plat detail.

Water, sewer, and pressurized irrigation will be provided to each lot. Open irrigation ditches that cross the property will be enclosed in pipe. The location and volume of irrigation discharge to adjacent properties will not change. In fact, Mr. Sam Rosti, the President of the Farmers Union Irrigation District, is familiar with the property and has met with the project engineer on site to assist with irrigation design.

Traffic Study

A traffic impact study has been prepared and was submitted to ACHD and ITD on March 23, 2020. A copy of the TIS is included in our application package.

In summary, Canvasback Subdivision, with the changes made in response to comments, will be a great asset to Star and a wonderful community for families to live and play. We look forward to working with you through the approval process. Please contact me if you have questions about the applications or the new community.

Sincerely,

Jane Suggs

Jane Suggs



From the Office of Deputy Chief Victor Islas

August 31, 2020

City of Star City Planner/Zoning Administrator P.O. Box 130 Star, Idaho 83669

RE: Canvasback Subdivision
File # AZ-20-11 Annexation-Zoning
File # PP-20-11 Preliminary Plat

To Whom It May Concern:

The Star Fire Protection District has reviewed submitted plans for the Canvasback Subdivision located in Star, Idaho. Our Comments are as follows:

This project shall comply with the 2015 International Fire Code (IFC) and any codes set forth by the City of Star Idaho.

This project can be serviced by the Star Fire Protection District. The response station to this development will be Fire Station 51 located at 11665 W. State Street, Suite B, Star, Idaho 83669. The response time under normal driving conditions will be 7 minutes utilizing google maps.

Access roads shall be provided and maintained following Appendix D and Section 503 of the 2015 IFC. Access shall include adequate roadway widths, signage, turnarounds, and turning radius for fire apparatus.

- One-or two-family dwellings residential developments:
 - Developments of one-or two-family dwellings where the number of dwelling units exceed
 30 shall be provided with at least two separate and approved fire apparatus access roads.

Access road design shall be designed and constructed to allow for evacuation simultaneously with emergency response operations.



From the Office of Deputy Chief Victor Islas

Continued Comments for: Canvasback Subdivsion

All fire department access roads in the development shall remain clear and unobstructed during construction of the development. Additional parking restrictions may be required as to maintain access for emergency vehicles at all times. Hydrants shall remain unobstructed during construction as per City code.

The Fire hydrant spacing shall be no more than 400' apart and will be equipped with Storz LDH connection in place of the 4 182" outlet. Hydrants shall be approved and witnessed by the Fire Code Official.

Final inspection by Fire District of above list including hydrant flow must be verified before building permits are issued.

If you have questions or would like to discuss this letter in detail, please feel free to contact my office at (208) 585-6650.

Sincerely,

Victor E. Islas Deputy Chief

Middleton Rural Fire District 302 E. Main Street Middleton, Idaho 83644

(208) 288-1992



August 6, 2020

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

Re: Canyasback Subdivision Preliminary Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Canvasback Subdivision dated June 17, 2020. We reviewed the applicant's package to check conformance with the City's Subdivision Ordinance and coordinated our review with Cathy Ward. We have the following comments and question based on our review.

- 1. The distances on the east side of the property boundary shown on the plan do not match the legal description provided.
- 2. It appears that there is a sewer line that runs through Lot 13, Block 5 that will need an easement.
- 3. Stamp needs to be signed.
- 4. Add a streetlight at the intersection of N Spotted Rail Ave and Rolling Hills.
- 5. Irrigation arrows appear to be pointing to the wrong areas and structures.
- 6. Street lighting shall be in accordance with ISPWC and the City of Star Supplementals. Cut sheet for lights and light poles shall be approved in writing by the City prior to installation.
- Construction plans for a subdivision-wide pressure irrigation system will be required for each final plat. Plan approvals and license agreements from the affected irrigation and/or canal companies will be required.
- 8. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
- 9. Potable water cannot be used for irrigation purposes. A separate pressure irrigation system will be required.
- 10. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
- 11. Easements for sewer/water facilities will be required where placed outside of public right of way.

We recommend that the **conditions 1 and 5 listed above be addressed prior to approval of the Preliminary Plat.** 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.

DocuSigned by:

Rÿan⊓vontorgan, P.E.

City Engineer

cc: File

Staff Technical Report 3/30/2020 REVISED 4/21/2020

Development: Canvasback Subdivision

Lead Agency: City of Star

Shawn Nickel

Snickel@staridaho.org Phone: 208-286-7247

Location: East of SH-16, SE corner of New Hope and Wing Road in Star, ID

Applicant: Shawn Brownlee

Trilogy Development

9839 W. Cable Car St, Suite 101

Boise, ID 83709 (208) 895-8858 office

Consultant: Chhang Ream

CR Engineering, Inc. 181 East 50th Street <u>chhream@gmail.com</u> Phone: 208-841-4996

Staff Contact: Erika Bowen

Traffic Technical Engineer
Erika.Bowen@itd.idaho.gov
Phone: 208-265-4312 ext. #7

Traffic Findings for Consideration

1. Proposed Development

The proposed Canvasback Subdivision contains 113 single-family homes. Total build is anticipated in 2023. The development is taking all access from local roads.



IDAHO TRANSPORTATION DEPARTMENT

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

April 22, 2020

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

VIA EMAIL

RE: Canvasback Subdivision – ITD Development Condition Memo

Dear Shawn,

I really appreciate the work you are doing to help those who are living in this beautiful area of Star, ID. The Canvasback Subdivision Traffic Impact Study (TIS) provided by CR Engineering has been reviewed. The trips generated by your development adds congestion to SH-44 and SH-16. ITD has 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 will work together to accelerate highway construction within Star's area of impact to accommodate new development growth. ITD values your contribution to the transportation system so we can help keep goods, services and the public moving at an efficient pace.

ITD determined Canvasback Subdivision's proportionate share contribution to be \$188,000 (0.47%). This is based off the subdivision's site trips through the intersection of SH-16 / SH-44 in comparison to total 2045 traffic volumes. The next anticipated intersection improvement is an interchange. Details of the proportionate share calculation are included in the attached *ITD Staff Technical Report*.

Thank you again for your partnership. If there are any questions or concerns please don't hesitate to email me at Justin.Price@itd.idaho.gov or give me a call at 208-334-8340.

Sincerely,

Justin Price

Justin Price
ITD District 3 Traffic Engineer

Cc:

Shawn Nickel – City of Star Mindy Wallace – ACHD

2. Vicinity Map





3. Trip Generation:

Table 4.1 - Build-Out Site Traffic Trip Generation Summary

Land Use	ITE Code	Size	Unit	Period	Total Trips	Ente	ring	Exit	ing
0: 1 5 3				Weekday Daily (vpd)	1,164	50%	582	50%	582
Single-Family Detatched Housing	210	113	DU	AM Peak Hour (vph)	85	25%	21	75%	64
Detateried Flousing				PM Peak Hour (vph)	114	63%	72	37%	42

4. Traffic Impact Analysis

Dated: March 23, 2020

a. Scope of Work

ITD only requested full build-out site trips and not analysis at the intersections of SH-16 / Beacon Light Rd, SH-16 / SH-44, SH-44 / Star Road. Future intersections improvements are known at each of these intersections based on corridor plans, and other recent TIS's.

b. Executive Summary

CR Engineering prepared a traffic impact study for the proposed Canvasback Subdivision. Below is an executive summary of the findings as presented by CR Engineering. The following executive summary is not the opinion of ITD staff. ITD Staff has reviewed the submitted traffic impact study for consistency with ITD policies and practices and may have additional and/or varied requirements beyond what is noted in the summary.

2.0 Improvements Needed to Mitigate 2020 Existing Traffic

- 2.1 With 2020 existing traffic, all study area roadway segments meet ACHD's level of service planning thresholds with the existing lane configuration. As a result, no roadway capacity improvements are needed to mitigate 2020 existing traffic operations.
- 2.2 With 2020 existing traffic, all study area intersections meet minimum operational thresholds analyzed with the existing intersection control and lane configurations. In addition, none of the study area intersections requires turn lanes based on ACHD's turn lane guidelines. As a result, no intersection improvements are needed to mitigate 2020 existing traffic operations.

3.0 Improvements Needed to Mitigate 2023 Build-Out Year Background Traffic

- 3.1. There are numerous in-process developments adjacent to the site and will be contributing off-site traffic to the study area roadways and intersections. To accurate account for off-site traffic, background traffic was estimated using a 2% annual growth rates plus off-site traffic generated by the following in-process developments:
 - Trident Ridge Subdivision
 - Trapper Ridge Subdivision
 - Greendale/Greendale Grove Subdivision
 - Greiner Hope Springs Subdivision
 - New Hope Subdivision (traffic impact study is being prepared)
- 3.2. Greendale Subdivision is planning to realign Beacon Light Road between Wing Road and Brandon Road, expected to be constructed in 2021. With this realignment, Wing Road south of Beacon Light Road and New Hope Road east of Brandon Road will be disconnected from Beacon Light Road. New Hope Road east of Brandon Road will be realigned to form a new T-intersection with the Beacon Light Road realignment.
- 3.3. With 2023 background traffic, all study area roadway segments are expected to meet ACHD's level of service planning thresholds with the existing lane configuration. Besides the Beacon Light Road realignment and intersection improvements, no additional roadway capacity improvements are needed to mitigate 2023 background traffic operations.
- 3.4. With 2023 background traffic, all study area intersections are expected to meet minimum operational thresholds analyzed with the existing intersection control and lane configurations. One study area intersection is expected to meet ACHD's turn lane guidelines:
 - Pollard Lane and Beacon Light Road intersection
 - Westbound left-turn lane
 - Based on the expected volumes, the existing westbound right-turn lane is not required. The
 westbound left-turn lane could be added by restriping the westbound approach to have one leftturn lane and one shared through/right-turn lane
 - Roadway widening will be needed west of the intersection to accommodate the westbound leftturn lane

4.0 Improvements Needed to Mitigate 2023 Build-Out Year Total Traffic

- 4.1 With 2023 total traffic, all study area roadway segments are expected to meet ACHD's level of service planning thresholds with the existing lane configuration. As a result, no roadway capacity improvements are needed to mitigate 2023 total traffic operations.
- 4.2 With 2023 total traffic, all study area intersections are expected to meet minimum operational thresholds analyzed with the existing intersection control and lane configurations or with the turn lane needed with 2023 background traffic conditions. As a result, no additional improvements beyond the improvements needed to mitigate 2023 background traffic are needed to mitigate 2023 total traffic operations.
- 4.3 The estimated site traffic as a percentage of the 2023 total traffic at the study area intersections are:
 - Wing Road and Beacon Light Road intersection 7.0% in the AM and PM peak hour
 - Pollard Lane and Beacon Light Road intersection 6.3% in the AM and PM peak hour
 - Brandon Road and Floating Feather Road intersection AM Peak = 8.4%, PM peak = 9.0%

5. ITD Policy Review

a. Proportionate Share Contribution

ITD District 3 has issued *Memo 39-Development Proportionate Share Contribution* as a means to request equitable contribution from developers to improve public facilities needed to serve new growth and development.

b. Jurisdictional Authority

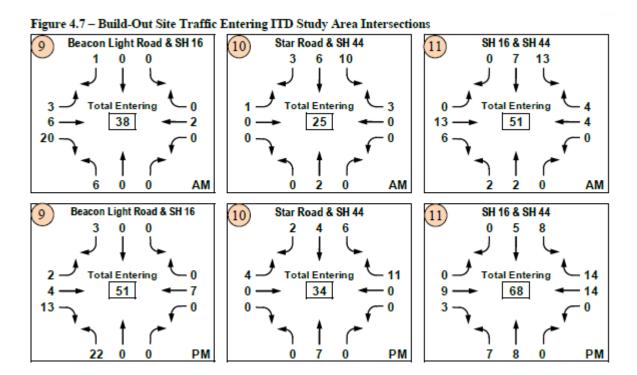
ITD does not have jurisdictional authority to require improvements from the developer A formal letter of request will need to be sent to the city of Star requesting them to include any mitigation to the State highway system in their development agreement.

c. Interagency Agreement

ITD does not have a signed Interagency Agreement with the city of Star. The draft document should be presented at the April 27th Star City Council meeting.

6. Staff Comments Recommendations

The TIS provided site trips passing through the following three intersections:



Given that traffic disperses to both SH-16 and SH-44, staff feels it is most fair to only ask for proportionate share contribution at a single intersection. The one that experiences traffic from both directions, SH-16 / SH-44

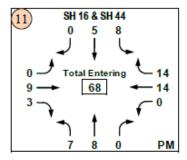
Intersection of SH-44 / SH-16

ITD's SH-44 Traffic Analysis identifies an interchange being the next needed improvement at this location to meet 2045 traffic demands.

GARVEE office staff estimates the design and construction costs for the SH-44 / SH-16 interchange as \$40M.

Staff calculates the developer's proportionate share to be 0.95% based off total intersection trips at 2045 PM Peak. 2045 is the year analyzed in the SH-44 Traffic Analysis.

2023 Site Traffic



2045 Total Traffic

2045 Build			2045 Forecasts (Build) ADJUSTMENT OPTIONS			2045 ADJUSTED FORECASTS								
	5-6	PM			2045 5-6 PM	2045 5-6 PM	2045 5-6 PM	Adjustment (Yes, None,	Estimated Annual	Adjustment Ratio (Adjusted				
Int. No.	Intersection	Segment	Dir.	Inbound / Outbound	Volume	Approach Total	Split	Growth Rate, Override)	Growth Rate %	Forecast / Forecast)	Selected Adjustment	Selected Volume	Approach Total	Split
19	SH-16	SH-44	w/o	In	1,184	3,154	38%	Yes		0.91	RAf	1,077	3,058	35%
19	SH-16	SH-44	w/o	Out	1,970	.,	62%	Yes		1.01	RAf	1,981	-,	65%
19	SH-16	SH-44	e/o	In	2,428	4,597	53%	Yes		1.17	RAf	2,845	4,738	60%
19	SH-16	SH-44	e/o	Out	2,169		47%	Yes		0.87	RAf	1,893		40%
19	SH-16	SH-16	n/o	In	1,226	2,557	48%	Yes		0.85	RAf	1,044	2,390	44%
19	SH-16	SH-16	n/o	Out	1,331		52%	Yes		1.01	RAf	1,346		56%
19	SH-16	SH-16	s/o	In	2,716	4,826	56%	Yes		0.86	RAf	2,344	4,459	53%
19	SH-16	SH-16	s/o	Out	2,110		44%	Yes		1.00	RAf	2,115		47%
19	SH-16			Total	15,134					0.97		14,645		

<i>PM Site</i> = 68	PM Total = 14,465	<i>PM</i> % = 0.47
-	e Share for SH-44 / SH-16 Interchange Improvements	% = 0.47

Staff recommends the developer pay a proportionate share of \$188,000 (0.47%) to the future interchange at SH-16 / SH-44 based off total intersection trips at 2045. Proportionate share needs to be provided prior to occupancy of the development.

^{*}ITD Staff Recommendations are intended to assure that the proposed development will not place an undue burden on the existing State Highway system within the vicinity impacted by the proposed development.

^{**} Recommendations included in ITD's Staff Technical Report along with any development conditions (see associated Permit Committee Agenda/Minutes) is only valid for the period of one year from the date of the TIS report. ITD reserves the right to request an updated TIS to reflect current traffic conditions if an approved encroachment application and/or proportionate share contribution are not obtained/provided within one year.



1445 North Orchard • Boise, ID 83706 • (208) 373-0550

Brad Little, Governor John H. Tippets, Director

August 13, 2020

Shawn L. Nickel City Planner and Zoning Administrator Star City Hall P.O. Box 130 Star, Idaho 83669

RE: Canvasback Subdivision, AZ-20-11 Annexation-Zoning, DA-20-11 Development Agreement, and PP-20-11 Preliminary Plat

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 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. Information on fugitive dust control plans can be found at: http://www.deq.idaho.gov/media/61833-dust_control_plan.pdf

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

- A DEQ short-term activity exemption (STAE) from this office is required if the project will
 involve de-watering of ground water during excavation and discharge back into surface water,
 including a description of the water treatment from this process to prevent excessive sediment
 and turbidity from entering 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: http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm
- 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. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations 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.
- 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, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.

• 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 Boise Regional Office

Jaion Schilb

ec: CM#2020AEK198



Richard Beck Interim Director

Ada County Courthouse 200 West Front Street Boise ID 83702 208.287.7900 Fax 208.287.7909 www.adacounty.id.gov

Department DivisionsBuilding
Community Planning
Engineering & Surveying
Permitting

Ada County Commissioners Diana Lachiondo, First District Patrick Malloy, Second District Kendra Kenyon, Third District

ADA COUNTY Development Services Department

August 4, 2020

Via Email: snickel@staridaho.org

Shawn Nickel City of Star Planning & Zoning Department 10769 W. State Street Star, ID 83669

RE: Annexation / Canvasback Subdivision

Shawn,

The City of Star has requested feedback regarding a proposed annexation and preliminary plat for the Canvasback Subdivision located on the southwest corner of New Hope Road and Wing Road. The subdivision will consist of 112 single-family residential lots on 30.5 acres at a density of 3.7 dwelling units per acre. Ada County is in support of the application due to the proximity of the site to public services and infrastructure. Future residents of the site will have nearby access to existing parks, schools, commercial services and employment opportunities, and will help to support the businesses located within Star's downtown.

The proposed application is supported by *Goal 2.2f* of the Ada County Comprehensive Plan as it encourages residential development to occur at urban densities within Areas of City Impact where urban public facilities are available. The layout of the subdivision also complies with several goals of the Star Comprehensive Plan, as adopted by Ada County. The proposal to provide 3.52 acres of usable open space within the development, which will include a park, playground and picnic shelter will comply with *Residential Policy 3*, which encourages neighborhood parks and open spaces within residential areas, and the proposed pedestrian paths will comply with *Transportation Policy 9* which encourages non-motorized pathways between residential areas to reduce vehicle trips and improve access for non-drivers.

It is recommended that additional stub streets be provided, particularly to the adjacent property to the southwest to which no connections are proposed, in order for the development to meet the Ada County Comprehensive Plan's connectivity goals. *Goal 4.3* supports the development of local transportation systems that are well-connected, both internally and to the regional transportation system and *Goal 4.3d* calls for new developments to provide stub streets that will connect to future developments on adjacent lands wherever possible.

Regarding land use, the comprehensive plan currently adopted by the County for the Star Area of City Impact designates the site as *Low Density Residential*, with a maximum density of up to two units per acre. Star has since adopted an updated comprehensive plan designating the site as *Neighborhood Residential*, within which the proposed density would be allowed. Ada County looks forward to working with city staff in the renegotiation and adoption of the updated comprehensive plan.

Thank you for this opportunity to provide feedback.

Sincerely,

Brent Moore, MCMP, AICP

Community & Regional Planner

Ada County Development Services

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: Canvasback Agency: Star

CIM Vision Category: Future Neighborhoods

New households: 112 New jobs: 0 Exceeds CIM forecast: Yes

	CIM Corridor: New Hope Road Pedestrian level of stress: R Bicycle level of stress: R	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.
	Housing within 1 mile: 790 Jobs within 1 mile: 160 Jobs/Housing Ratio: 0.2	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.
	Nearest police station: >4 miles Nearest fire station: 2.4 miles	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.
<u>.</u>	Farmland consumed: Yes Farmland within 1 mile: 1,129 acres	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.
	Nearest bus stop: >4 miles Nearest public school: 1.7 miles Nearest public park: 3 miles Nearest grocery store: >4 miles	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.

Recommendations

This proposal exceeds growth forecasted for this area. Transportation infrastructure may not be able to support the new transportation demands. The proposal is on the fringe of urban development in a predominately farmland area. Nearby services, such as schools, parks, grocery, and other services are likely accessed only by vehicle and there are no plans for public transportation to this location. The nearest bus service is more than four miles away.

More information about COMPASS and Communities in Motion 2040 2.0:

Web: www.compassidaho.org
Email info@compassidaho.org





Jerry A. Kiser Attorney at Law

4708 W. Fairview Ave., Suite 203 P.O. Box 8389

jkiser@cableone.net

Boise, Idaho 83707

(208) 861-4657

September 4, 2020

By email to: snickel@staridaho.org and by regular U.S. mail to:

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

Re: Canvasback Subdivision/ File #'s AZ-20-11 Annexation-Zoning; DA-20-11 Development Agreement; PP-20-11 Preliminary Plat

Dear Mr. Nickel:

I write as attorney for the HRM pipeline, (HRM) an Idaho lateral water user association. The HRM delivers irrigation water from the Farmers Union canal to the property being developed as Canvasback subdivision as well as a number of other water users in the area. Regarding the proposed development and subdivision, the HRM has certain requirements which include, but may not be limited to, the following:

- 1. The developer/property owner must recognize irrigation rights-of-way for cleaning, maintenance and repair of the HRM delivery ditches and pipeline. The HRM has rights-of-way granted by State law. The sizes of those rights-of-way vary depending on the location, size and type of delivery structure or method of conveyance of water delivered to its water users. The HRM maintains a right-of-way of at least 10 feet on each side of its buried pipelines. Open ditch rights-of-way differ depending on a number of factors such as the width of the ditch and geographic features on or near the ditch. Idaho law provides no improvements including but not limited to, fences, structures, roads, pipelines or other construction is to be placed in the HRM rights-of-way without written permission from the HRM. The HRM strongly recommends rights-of-way be platted as common area lots to prevent encroachment or unauthorized improvements in the right-of-way by lot owners. The HRM should be contacted to determine specific rights-of-way the HRM has for its ditches and pipelines.
- 2. No change in the point of diversion or place of use of the water is allowed unless approved by the HRM.

- 3. 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 the HRM's delivery of water or cleaning, maintenance, and repairs to its pipes and ditches.
- 4. In most circumstances, the HRM requires subdivisions install a pressurized irrigation system. Any such system should be pre-approved by the HRM.
- 5. Pursuant to Idaho law, the written permission of the HRM must be obtained before any ditch or canal is buried in irrigation pipe by any land owner. Written permission must also be obtained from the HRM to relocate or change the location of any existing ditch, canal or pipeline.

Please note the HRM may have further and additional input regarding impacts to the lateral by the proposed subdivision. The President of the HRM is Mike Sessions and he can be reached at 208-949-3837. If you have any questions regarding the foregoing, please feel free to contact me or Mike.

Sincerely

Jerry A. Kiser Attorney at Law

cc: HRM Pipeline



September 8, 2020

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

RE: Canvasback Subdivision
DA-20-11 Development Agreement

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. Many of our schools throughout the district are operating at or above capacity. Based on U.S. census data, we can predict that these homes, when completed, will house _78 (= # homes x 0.7 student generation rate) school aged children. Approval of the Canvasback Subdivision will affect enrollments at the following schools in West Ada District:

	<u>Enrollment</u>	Capacity
Star Elementary	525	650
Star Middle School	727	1000
Eagle High School	2159	1800

West Ada School District supports economic growth; however, growth fosters the need for additional school capacity. In order 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.

New 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 baths 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.

Sin/cerely,

Joe Yochum

Assistant Superintendent - Operations

West Ada School District



September 8, 2020

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

RE: Moon Valley Estates Subdivision FP-20-14

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. Many of our schools throughout the district are operating at or above capacity. Based on U.S. census data, we can predict that these homes, when completed, will house 10 (= # homes x 0.7 student generation rate) school aged children. Approval of the Moon Valley Estates Subdivision will affect enrollments at the following schools in West Ada District:

	Enrollment	Capacity
Star Elementary	525	650
Star Middle School	727	1000
Eagle High School	2159	1800

West Ada School District supports economic growth; however, growth fosters the need for additional school capacity. In order 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.

New 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 baths 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.

Sinderely,

Íoe Yochum

Assistant Superintendent - Operations

West Ada School District



Project/File: Canvasback/ SPP20-0004/ AZ-20-11/ PP-20-11/ DA-20-11

This is an annexation with rezone from RUT to R-4, a preliminary plat application consisting of 123 lots, and a Development Agreement with the City of Star. The site

is located on 30.5-acres.

Lead Agency: City of Star

Site address: South of New Hope Road between

Brandon Road and Wing Road

Staff Approval: September 22, 2020

Applicant/

Representative: Gem State Planning

Jane Suggs

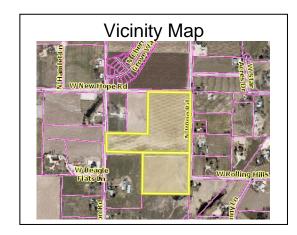
9840 W Overland Road, Ste. 120

Boise, ID 83709

Staff Contact: Stacey Yarrington, Planner III

Phone: 387-6171

E-mail: syarrington@achdidaho.org



A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval for annexation with rezone from RUT (Rural Urban Transition) to R-4 (Medium-low density Residential), a preliminary plat application consisting of 112 single family lots and 11 common lots, and a Development Agreement with the City of Star. The site is located on 30.5-acres and the applicant's proposal is consistent with the City of Star's Future Land Use Map that designates this area as Neighborhood Residential.

2. <u>Description of Adjacent Surrounding Area:</u>

Direction	Land Use	Zoning
North	Medium-low Residential	R-3
South	Rural Urban Transition (Ada County)	RUT
East	Rural Urban Transition	RUT
West	Medium-low Residential/ Rural Urban Transition	R-4, RUT

- 3. Site History: ACHD has not previously reviewed this site for a development application.
- **4. Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
 - Canopi Estates, a 15 single-family lot subdivision located directly west of the site was approved by ACHD in June 2020.
 - Greiner Hope Springs, a 270-lot residential development located west of the site was approved by ACHD in August 2019.

- Greendale Grove, a 106-lot residential development located northeast of the site was approved by ACHD in April 2019.
- Greendale, a 131-lot residential development located north of the site was approved by ACHD in April 2019.
- **5.** Transit: Transit services are not available to serve this site.
- New Center Lane Miles: The proposed development includes 0.77 centerline miles of new public road.
- 7. Impact Fees: There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
- 8. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):

There are no roadways, bridges or intersections in the general vicinity of the project that are in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

9. Roadways to Bikeways Master Plan: ACHD's Roadways to Bikeways Master Plan (BMP) was adopted by the ACHD Commission in May of 2009 and was update in 2018. The plan seeks to implement the Planned Bicycle Network to support bicycling as a viable transportation option for Ada County residents with a wide range of ages and abilities, maintain bicycle routes in a state of good repair in order to ensure they are consistently available for use, promote awareness of existing bicycle routes and features and support encouragement programs and to facilitate coordination and cooperation among local jurisdictions in implementing the Roadways to Bikeways Plan recommendations.

The BMP identifies New Hope Road as a Level 3 facility and Brandon Road as a Level 2 facility.

B. <u>Traffic Findings for Consideration</u>

1. Trip Generation: This development is estimated to generate 1,154 vehicle trips per day; 113 vehicle trips per hour in the PM peak hour, based on the traffic impact study.

2. Traffic Impact Study

CR Engineering, Inc., prepared a traffic impact study for the proposed Canvasback Subdivision. Below is an executive summary of the findings as presented by CR Engineering, Inc. The following executive summary is <u>not the opinion of ACHD staff</u>. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices and may have additional requirements beyond what is noted in the summary. ACHD Staff comments on the submitted traffic impact study can be found below under staff comments.

SUMMARY

	Improvements I	Needed to	Mitigate 2020	Existing	Traffic
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• All study area intersections and roadways are anticipated to operate at an acceptable planning level of service threshold under existing traffic conditions.

☐ Improvements Needed to Mitigate 2023 Build-Out Year Background Traffic

- All study area roadways are anticipated to operate at an acceptable planning level of service threshold with 2023 background traffic.
- With 2023 background traffic, all study area intersections are expected to meet minimum operational thresholds analyzed with the existing intersection control and lane configurations. One study area intersection is expected to meet ACHD's turn lane quidelines:
 - Pollard Lane and Beacon Light Road intersection

- Based on the expected volumes, the existing westbound right-turn lane is not required. The westbound left-turn lane could be added by restriping the westbound approach to have one left-turn lane and one shared through/rightturn lane.
- Roadway widening will be needed west of the intersection to accommodate the westbound left-turn lane.

☐ Improvements Needed to Mitigate 2023 Build-Out Year Total Traffic

- All study area roadways are anticipated to operate at an acceptable planning level of service threshold with 2023 total traffic.
- All study area intersections are anticipated to operate at an acceptable planning level
 of service threshold with the existing intersection control and lane configurations or
 with the turn lane needed with 2023 background conditions. No additional
 improvements are needed under 2023 total traffic conditions.
 - Intersection Mitigation
 All study area intersections are expected to meet minimum operational thresholds with and without the turn lanes as summarized under 2023 background traffic conditions. As a result, no additional intersection improvements are needed to mitigate 2023 total traffic operations. The estimated site traffic at the external study area intersections as a percentage of the 2023 total traffic are:
 - Wing Road and Beacon Light Road intersection 6.8% in the AM peak hour and 7.0% in the PM peak hour
 - Pollard Lane and Beacon Light Road intersection 6.1% in the AM peak hour and 6.3% in the PM peak hour
 - Floating Feather Road and Brandon Road intersection 8.4% in the AM peak hour and 8.9% in the PM peak hour

Policy:

- a. Mitigation Proposals: Mitigation recommendations shall be provided within the report. At a minimum, for each roadway segment and intersection that does not meet the minimum acceptable level of service planning threshold or v/c ratio, the report must discuss feasible measures to avoid or reduce the impact to the system. To be considered adequate, measures should be specific and feasible. Mitigation may also include:
 - Revision to the Phasing Plan to coincide with the District's planning Capital Projects.
 - Reducing the scope and/or scale of the project.

Alternative Mitigation Measures: 7106.7.3 states that if traditional mitigation measures such as roadway widening and intersection improvements are infeasible as determined by ACHD, the TIS may recommend alternative mitigation measures. Alternative mitigation measures shall demonstrate that impacts from the project will be offset.

- If the impacted roadway segments and/or intersections are programmed as funded in the Integrated Five Year Work Plan (IFYWP) or the Capital Improvements Plan (CIP); no alternative mitigation is required.
- If the impacted roadway segments and/or intersections are not programmed in either the IFYWP or the CIP; the applicant may (i) analyze the shoulder hour and (ii) provide a safety analysis to determine alternative mitigation requirements.
 - If the impacted roadway segments and intersections meet the minimum acceptable level of service planning thresholds in the shoulder hour the applicant may suggest feasible alternative mitigation such as: sidewalks, bike facilities,

- connectivity, safety improvements, etc. within 1.5 miles of the proposed development.
- If the shoulder hour planning thresholds are exceeded the applicant may request to enter into a Development Agreement and pay into the Priority Corridor Fund an amount determined by the ACHD to offset impacts from the project.
- Alternative Mitigation may also include:
 - Revision to the Phasing Plan to coincide with the District's future Capital Projects.
 - o Reducing the scope and/or scale of the project.
- b. Level of Service Planning Thresholds: District Policy 7206.4.1 states that, Level of Service Planning Thresholds have been established for principal arterials and minor arterials within ACHD's Capital Improvement Plan and are also listed in section 7106. Unless otherwise required to provide a Traffic Impact Study under section 7106, a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds the minimum acceptable level of service planning threshold or V/C ratio.

Staff Comments/Recommendations: Traffic Services and Planning Review staff have reviewed and generally agree with the findings and recommendations of the submitted traffic impact study.

The Traffic Impact Study indicates that with the development and background traffic, the Pollard Lane/Beacon Light Road intersection should be widened and re-striped to have one left-turn lane and one shared through/right-turn lane. However, widening of the intersection as recommended in the TIS is infeasible because there is insufficient right-of-way and the location of the large drainage ditch along the east side of Pollard Lane, to accommodate the proposed improvement mitigation. Therefore, no improvements are required for this intersection consistent with District Level of Service Planning Thresholds policy that states, a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds the minimum acceptable level of planning threshold or V/C ratio. The proposed development is estimated to generate 6.3% in the PM peak hour to the existing intersection peak hour traffic.

3. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Beacon Light Road	0-feet	Minor Arterial	248	Better than "E"
New Hope Road (Brandon to Can Ada Road)	0-feet	Minor Arterial	78	Better than "E"
Brandon Road	345-feet	Collector	21	Better than "D"
New Hope Road (Brandon to Wing)	655-feet	Local	N/A	N/A
Wing Road	1,360-feet	Local	N/A	N/A

^{*} Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

^{*} Acceptable level of service for a two-lane collector is "D" (425 VPH).

4. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for Beacon Light Road east of Wing Road was 1,869 on 02/13/2020.
- The average daily traffic count for New Hope Road east of Can Ada Road was 1,172 on 05/18/2016.
- The average daily traffic count for Brandon Road south of New Hope Road was 506 on 09/13/2016.
- There are no current traffic counts for Wing Road.

C. Findings for Consideration

1. Purple Sage/Beacon Light Alignment Study

On June 28, 2008 the ACHD Commission approved the Purple Sage/Beacon Light Alignment Study which included a preferred alignment for the roadway and determined that Beacon Light Road would be extended as a 3-lane minor arterial roadway. The study notes that right-of-way dedication and construction of the roadway will occur incrementally as development occurs.

The alignment of Beacon Light Road has been designated on ACHD's Master Street Map and the realignment of Beacon Light to connect to New Hope Road was approved as part of the Greendale Subdivision directly north of the site. The realignment of Beacon Light Road also changed the designation of New Hope Road between Brandon Road and Wing Road from a Minor Arterial to a Local Street.

2. New Hope Road

a. Existing Conditions: New Hope Road is improved with 2-travel lanes, 24-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for New Hope Road (30-feet from centerline).

b. Policy:

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Half Street Policy: District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

- **c. Applicant Proposal:** The applicant is proposing to construct New Hope Road abutting the site as ½ of a 36-foot street section with curb, gutter, and 5-foot wide attached concrete sidewalk within the existing right-of-way.
- d. Staff Comments/Recommendations: As noted above, this section of New Hope Road between Brandon Road and Wing Road is now classified as a local street due to the realignment of Beacon Light Road and New Hope Road. The applicant's proposal meets District policy and should be approved, as proposed.

3. Brandon Road

a. Existing Conditions: Brandon Road is improved with 2-travel lanes, 22-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 53-feet of right-of-way for Brandon Road (23-feet from centerline).

b. Policy:

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. This segment of Brandon Road is designated in the MSM as a Residential Collector with 2-lanes and on-street bike lanes, a 36-foot street section within 50-feet of right-of-way.

c. Applicant Proposal: The applicant is proposing to dedicate additional right-of-way to total 37-feet from centerline of Brandon Road abutting the site.

The applicant is proposing to construct Brandon Road abutting the site as ½ of a 36-foot wide collector street section with curb, gutter, 7-foot wide parkway strip, and 5-foot wide detached concrete sidewalk.

d. Staff Comments/Recommendations: The applicant's proposal is consistent with the MSM and meets District policy and should be approved, as proposed, except for the proposed 7-foot wide planter strip. The applicant should be required to provide a minimum 6-foot wide planter strip, or 8-foot wide planter strip if street trees are desired. For detached sidewalks, the applicant should be required to extend the right-of-way to 2-feet behind the back edge of sidewalk, or the applicant may reduce the right-of-way width to 2-feet behind the back of curb

and provide a permanent right-of-way easement from the right-of-way line to 2-feet behind back edge of the sidewalk.

4. Wing Road

a. Existing Conditions: Wing Road is improved with 2-travel lanes, 24-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Wing Road (25-feet from centerline). Wing Road intersects New Hope Road as a non-standard intersection with a curve in the roadway.



b. Policy:

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

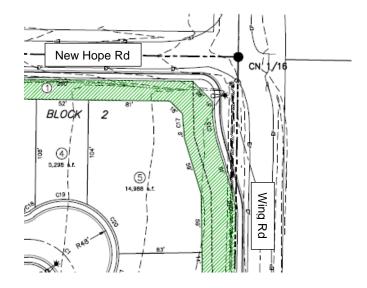
A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Half Street Policy: District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

- c. Applicant's Proposal: The applicant is proposing to realign the intersection of Wing Road and New Hope Road as a T-type intersection and construct Wing Road as ½ of 36-foot street section with curb, gutter, and 5-foot wide attached sidewalk within 50-feet of right-of-way.
- d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved, as proposed.

The applicant should be required to dedicate additional right-of-way to 2-feet behind back of sidewalk on Wing Road abutting the site to accommodate the realignment of the Wing Road/ New Hope Road intersection.



5. Internal Streets

a. Existing Conditions: There are no existing streets within the site.

b. Policy:

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system.
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Landscape Medians Policy: District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.
- **c. Applicant's Proposal:** The applicant is proposing to construct the internal streets as 36-foot street sections with curb, gutter, and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way.

The applicant is proposing to construct a 12-foot wide landscape island on Wigeon Street with two, 21-foot wide travel lanes located between Lots 7 and 8, Block 4 and Lots 7 and 8, Block 5.

The applicant is proposing to construct 7 knuckles throughout the site.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy. However, as part of ACHD's approval of Canopi Estates, a stub street to the site's north property line was approved, Canopi Street. Therefore, the applicant should be required to extend Canopi Street into the site and construct the internal streets as 36-foot street sections with curb, gutter, and 5-foot wide concrete sidewalk within 50-feet of right-of-way.

The applicant's proposal to construct a 12-foot wide center landscape island on Wigeon Street with two, 21-foot wide travel lanes should be approved, as proposed. The applicant should be required to plat the center landscape island as right-of-way owned by ACHD; and the Developer or Homeowners Association apply for a license agreement if landscaping is to be placed within the median.

6. Roadway Offsets

a. Existing Conditions: There are no existing streets within the site.

b. Policy:

Local Offset Policy: District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet from a collector roadway (measured centerline to centerline).

District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

c. Applicant's Proposal: The applicant is proposing to construct a new local street, Warbler Avenue, to intersect New Hope Road located approximately 370-feet west of Wing Road (measured centerline to centerline).

The applicant is proposing to construct a new local street, Wigeon Street, to intersect Brandon Road located approximately 860-feet south of New Hope Road and 505-feet north of Beagle Flats Lane (measured centerline to centerline).

The applicant is proposing to construct a local street, Rolling Hills Drive to intersect Wing Road located approximately 1,340-feet south of New Hope Road in alignment with Rolling Hills Drive to the east.

The applicant is proposing to construct the internal streets with a minimum 125-foot offset from any other street (measured centerline to centerline).

d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved, as proposed.

7. Stub Streets

a. Existing Conditions: As part of ACHD's June 2020 action on Canopi Estates Subdivision located north and west of the site a stub street, Canopi Street, was approved to stub to the site's north property line.

b. Policy:

Stub Street Policy: District policy 7207.2.4 (local) states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.5.4 (local), except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

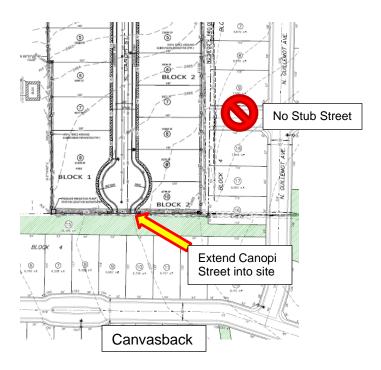
Temporary Dead End Streets Policy: District policy 7207.2.4 (local) requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

- **c. Applicant Proposal:** The applicant is proposing to construct 2 stub streets as follows:
 - A stub street to the west, Night Heron Street, 140-feet in length, located approximately 480feet south of New Hope Road.
 - A stub street to the south, 'unnamed', 140-feet in length, located approximately 965-feet east of Brandon Road.

d. Staff Comments/Recommendations: The applicant's proposal to construct a stub street to the south located 965-feet east of Brandon Road meets District policy and should be approved, as proposed.

As indicated above, ACHD approved a stub street to the site's north property line, Canopi Street, as part of the Canopi Estates Subdivision. Therefore, the applicant should be required to extend the Canopi Street into the site. If Canopi Street, is not yet constructed, when this development moves forward then a stub street should be constructed to the site's north property line in alignment with the future Canopi Street.

Due to ACHD's action on Canopi Estates, staff does not recommend that the stub street to the west, Night Heron Street, be constructed as it would dead-end into a residential building lot.



There is a large parcel along the site's north and west boundaries. In order to provide for future connectivity, staff recommends that the applicant construct a stub street to parcel S0405244552 to provide for future connectivity in this area.

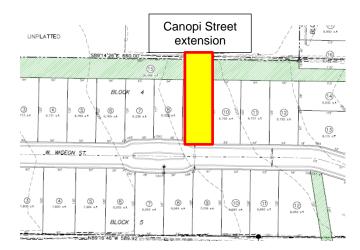
The applicant should provide signage at the terminus of all the stub streets stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

No temporary turnarounds are required as the proposed stub streets are less than 150-feet in length.

8. Traffic Calming

Speed Control and Traffic Calming Policy (Local): District policy 7207.3.7 states that the design of local street systems should discourage excessive speeds by using passive design elements. If the design or layout of a development is anticipated to necessitate future traffic calming implementation by the District, then the District will require changes to the layout and/or the addition of passive design elements such as horizontal curves, bulb-outs, chokers, etc. The District will also consider texture changes to the roadway surface (i.e. stamped concrete) as a passive design element. These alternative methods may require a maintenance and/or license agreement.

- **a. Applicant's Proposal:** The applicant is proposing to construct a landscape island on Wigeon Street approximately 405-feet east of Brandon Road to provide traffic calming on Wigeon Street because it is approximately 800-feet in length.
- b. Staff Comments/Recommendations: As indicated above, the applicant should be required to continue Canopi Street into the site, which will align with the east end of the proposed landscape island. Therefore, staff recommends that the applicant redesign Wigeon Street to relocate the landscape island outside of the future Canopi Street/Wigeon Street intersection or propose an alternative traffic calming design prior to plan submittal. If the landscape island is relocated on Widgeon Street for traffic calming, 21-foot wide travel lanes are required on either side of the island.



9. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

10. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

11. Other Access

Brandon Road is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

- 1. Construct New Hope Road abutting the site as ½ of a 36-foot street section with curb, gutter, and 5-foot wide attached concrete sidewalk within the existing right-of-way (50-feet).
- 2. Dedicate additional right-of-way to total 37-feet from centerline of Brandon Road abutting the site.

- 3. Construct Brandon Road abutting the site as ½ of a 36-foot wide collector street section with curb, gutter, 6-foot wide (8-foot wide w/trees) parkway strip, and 5-foot wide detached concrete sidewalk. Provide a permanent right-of-way easement for detached sidewalks located outside of the dedicated right-of-way.
- **4.** For detached sidewalks, the applicant should be required to extend the right-of-way to 2-feet behind the back edge of sidewalk, or the applicant may reduce the right-of-way width to 2-feet behind the back of curb and provide a permanent right-of-way easement from the right-of-way line to 2-feet behind back edge of the sidewalk.
- **5.** Realign the intersection of Wing Road and New Hope Road as a T-type intersection and construct Wing Road as ½ of a 36-foot street section with curb, gutter, and 5-foot wide attached sidewalk within 50-feet of right-of-way.
- **6.** Dedicate additional right-of-way to 2-feet behind back of sidewalk on Wing Road abutting the site to accommodate the realignment of the Wing Road/ New Hope Road intersection.
- 7. Extend Canopi Street into the site and construct the internal streets as 36-foot street sections with curb, gutter, and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way.
- **8.** Construct a new local street, Warbler Avenue, to intersect New Hope Road located 370-feet west of Wing Road.
- **9.** Construct a local street, Wigeon Street, to intersect Brandon Road located 860-feet south of New Hope Road and 505-feet north of Beagle Flats Lane.
- **10.** Construct a local street, Rolling Hills Drive to intersect Wing Road located 1,340-feet south of New Hope Road in alignment with Rolling Hills Drive to the east.
- **11.** Construct 7 knuckles throughout the site, as proposed.
- **12.** Construct an "unnamed" stub street to the site's south property line, located 965-feet east of Brandon Road.
- **13.** IF Canopi Street, is not constructed when this development moves forward, then construct one stub street to the north, Canopi Street, located 480-feet east of Brandon Road.
- **14.** Construct a local stub street to parcel S0405244552.
- **15.** Install signage at the terminus of all the stub streets stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."
- **16.** Redesign Wigeon Street to locate the landscape island outside of the future Canopi Street/ Wigeon Street intersection or propose an alternative traffic calming design prior to plan submittal.
- **17.** If the landscape island is relocated on Wigeon Street for traffic calming, 21-foot wide travel lanes are required on either side of the landscape island.
- **18.** Plat the center landscape island as right-of-way owned by ACHD; and the Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within the island.
- **19.** Direct lot access is prohibited to Brandon Road and shall be noted on the final plat.
- **20.** Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
- **21.** Payment of impact fees is due prior to issuance of a building permit.
- 22. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

- 1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
- 2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
- 3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
- **4.** Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
- **5.** A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
- **6.** All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
- 7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
- **8.** Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
- **9.** All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
- **10.** Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
- 11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
- 12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

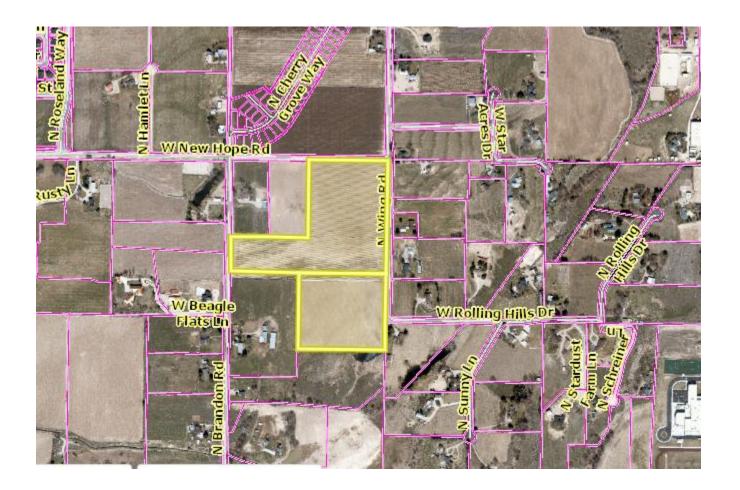
F. Conclusions of Law

- 1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
- 2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

G. Attachments

- Vicinity Map Site Plan 1.
- 2.
- 3.
- Utility Coordinating Council
 Development Process Checklist 4.
- Appeal Guidelines 5.

VICINITY MAP



SITE PLAN



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) Plan Review: The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) Final Notification: The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date: Submit a development application to a City or to Ada County The ACHD Planning Review Section will receive the development application to review Send a "No Review" letter to the applicant stating that there are no site specific conditions of approval at this time. Write a Staff Level report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy. Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy. Items to be completed by Applicant: For **ALL** development applications, including those receiving a "**No Review**" letter: The applicant should submit one set of engineered plans directly to ACHD for review by the **Development** Review Section for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.) The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts. Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval. **DID YOU REMEMBER:** Construction (Non-Subdivisions) ☐ Driveway or Property Approach(s) Submit a "Driveway Approach Request" form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval. ■ Working in the ACHD Right-of-Way Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with: a) Traffic Control Plan b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt. Construction (Subdivisions) ☐ Sediment & Erosion Submittal

At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

☐ Idaho Power Company

 Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

Final Approval from Development Services is required prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

- 1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Star Mayor and City Council 10769 W. State Street Star, ID 83669 RECEIVED
SEP 2 8 2020
CITY OF STAR

Dear Mayor and City Council Members,

We have several concerns with the proposed Canvasback subdivision plan dated June 17, 2020. Our property, at 10399 W. Rolling Hills Dr., is included in the Star Acres "Special Transition Overlay Area".

Lot size/buffer

Two Canvasback lots abut our property. In the absence of a consequential "buffer" neither lot meets the minimum size of one acre as called for in the comprehensive plan. As currently presented by the developer the "buffer" between our property and the Canvasback subdivision is nothing more than a 10' wide easement required by state law to provide maintenance access for an irrigation ditch that parallels our property. We challenge the premise that 10' is a meaningful "buffer" as a transition from the low density Star Acres subdivision and the proposed high density Canvasback subdivision. We propose a transition that mirrors the buffer provided to our neighbors to the north. This would be 50' of green space equal to Wing Road, plus the 20' setback. In addition, some of our neighbors to the north even receive the benefits of a park/open space that further enhances the buffer between them and the proposed Canvasback development. Sam Rosti, President of the Farmers Union Ditch Company, has told us that the minimum easement needed to maintain the ditch is 16'. From our perspective, six more feet does not make a meaningful "buffer". The developer suggested this narrow strip of land would be adequate because we have "planted a healthy stand of large trees". Our trees and other landscaping are not pertinent as far as buffering is concerned. The developer is responsible for providing the buffer, not us. In addition, over 100' of our property, between us and the proposed Canvasback subdivision, has no landscaping or trees further diminishing the "buffer" as proposed by the developer. Furthermore, another 350 plus feet on the west side of our property abuts property potentially available for future sub-development. If, in the future, our neighbors to the west decide to subdivide their properties, whatever lot size/buffering plan is finalized for Canvasback, will likely set a precedent for how future development proceeds to the south. We will continue to be impacted for years to come by the decisions made today.

Roads

At the original neighborhood meeting, we asked that road access to Wing Road be eliminated. There is now one road access point onto Wing at the corner of Wing and Rolling Hills. The plan says, "It is important to provide adequate access to Wing Road, New Hope Road and Brandon Road for emergency services and to allow ease of access for both Canvasback residents and the residents of Star Acres". While we would prefer not to have the road access from Brandon to Rolling Hills, we understand that a road may be necessary. If a road is justified for emergency access, a more reasonable option would be to connect it from Brandon to Wing in a more direct manner without the two ninety degree turns and the two "jogs".

Storm Water Drainage

We are concerned about the storm water that drains from north to south along the west side of Wing Road. This water is outside the Canvasback development. Once the sidewalk and gutter are constructed, how will this water be contained so as not to flood our property? At the present time, this runoff flows into the open irrigation ditch that will buried. We must be assured that this water is contained and directed away from our property to avoid flooding. This issue is not addressed in the current plan.

Single Level Homes

Those of us living in Star Acres have requested that the developer consider single level homes along Wing Road to minimize the visual impact for existing residents. The response we received was, "We are currently not restricting homes along Wing Road to single level. No local codes or state laws provide for view easements over someone else's property". The lack of local codes or state laws in no way keeps the developer from building single level homes to accommodate the Star Acres residents.

Conclusion

With these concerns in mind, we are asking that the lots abutting our property conform to the one acre required in the comprehensive plan or we be afforded the same amount of buffering as our neighbors to the north. Another option would be to extend the large open space/park all along the west side of Wing Road. Another possible option would be to move the park from the northeast corner of the Canvasback property to the southeast corner.

Respectfully,

Lonn and Ann Kuck 10399 W Rolling Hills Dr Star ID 83669

Email: eakuck@aol.com
Phone: 208-286-9638

Jerry A. Kiser Attorney at Law 4708 W. Fairview Ave., Suite 203 P.O. Box 8389 Boise, Idaho 83707

jkiser@cableone.net

(208) 861-4657

September 24, 2020

Mr. and Mrs. Lonn Kuck 10399 W. Rolling Hills Dr. Star, ID 83669

Re: HRM Lateral Water Users Association Rights-of-Way

Dear Mr. and Mrs. Kuck:

I write as attorney for the HRM pipeline, (HRM) an Idaho lateral water user association. The HRM delivers irrigation water from the Farmers Union canal to property in the Star area. The HRM has a lateral ditch which is near the West side of your property. It has come to the attention of the HRM Lateral that an issue has arisen regarding the proposed Canvasback subdivision, your fence and property in regards to the HRM lateral near your property and space needed to clean, maintain and repair this section of the HRM lateral ditch. The purpose of this letter is to inform you the HRM has a right-of-way granted by State law for purposes of cleaning, maintaining and repairing the lateral ditch. Pursuant to Idaho Code section 42-1102, the HRM has,

"... a right-of-way through the lands of others, for the purposes of irrigation. The right-of-way shall include, but is not limited to, the right to enter the land across which the right-of-way extends for the purposes of cleaning, maintaining and repairing the ditch, canal or conduit, and to occupy such width of the land along the banks of the ditch, canal or conduit as is necessary to properly do the work of cleaning, maintaining and repairing the ditch, canal or conduit with personnel and with such equipment as is commonly used or is reasonably adapted to that work.

The existence of a visible ditch, canal or conduit shall constitute notice to the owner, or any subsequent purchaser, of the underlying servient estate, that the owner of the ditch, canal or conduit has the right-of-way and incidental rights confirmed or granted by this section."

The HRM asserts a right-of-way under Idaho Code section 42-1102 of at least ten (10) feet on each side of the lateral ditch which is located near your West property line. Based on information I have been provided it appears that HRM's right-of-way is located partially on your property.

Please understand the right-of-way is for the benefit of the HRM and is not related to, or for the benefit of any individual or development. The HRM must protect and maintain its right-of-way to enable it to perform its statutory duties and obligations as a water delivery entity.

If you have any questions regarding the HRM right-of-way you may contact me or consult with your own legal counsel. If you do contact me please understand I represent the HRM and cannot give you legal advice.

Sincerely,

Jerry A. Kiser Attorney at Law

cc: HRM Pipeline City of Star

Gem State Planning, LLC

September 28, 2020

Star City Council c/o Shawn Nickel Star City Hall P.O. Box 130 Star, ID 83669

Re: Canvasback Subdivision Comments

Star City Council,

The Canvasback Subdivision is currently proposed west of the Star Acres Subdivision, west of Wing Road, and south of New Hope Road. The Star Acres Subdivision is zoned Rural Residential and carries the designation as a Special Transition Overlay Area. The land the Canvasback Subdivision is on is zoned Neighborhood Residential (3-5 du/acre). We would ask the City Council to review the Canvasback Subdivision with the following considerations:

1. Lon and Ann Kuck, located at 10399 Rolling Hills Drive, adjacent to the proposed Canvasback Block 7, Lot 2 & 3, are those most impacted by this proposed subdivision. Ann and Lon have lived in their home over 40 years. While they have 5 acres, their home is in the northwest corner of their lot. The proposed Canvasback Subdivision is being built directly adjacent to their property with a minimal 10-foot buffer (Lot 1). The two lots planned adjacent to their lot are .21 acres (Lot 2) and .28 acres (Lot 3). We believe the intent of the Comprehensive Plan and the inclusion of a Special Transition Overlay Area was to provide for a meaningful transition between large lots and smaller lots – going from 5 acres to .12 acres or even .28 acres misses the intent. Additionally, since their home is in the northwest corner of their property, their privacy will be significantly changed forever.

Recommendation: We recommend that the two lots adjacent to the Kuck's home be a minimum of 1-acre and the homes on the lots be restricted to single story. This should meet the intent of the Comprehensive Plan's language regarding lot size transition which provides not only a physical transition but a lot value transition as well and provides a continued level of privacy.

2. Regarding the proposed lots adjacent to Wing Road, the proposed average lot size is .29 acres. North of this subdivision, also along Wing Road, the Greendale Subdivision on the City's recommendation provided an average lot size of .49 acres.

Recommendation: Unlike the Kuck's situation described above, because Wing Road provides somewhat of a buffer, we recommend the proposed lots along Wing Road be .5 acres to be consistent with the section of the Greendale Subdivision also along Wing

Road. This would meet the spirit of the Comprehensive Plan too by creating a lot size transition.

3. Lastly, while the developer has provided meaningful open space for proposed residents, the preserved view corridor only benefits one resident within Star Acres Subdivision.

Recommendation: We recommend that the homes be staggered along Wing Road with open space between them. The gaps between the proposed homes should be aligned with the existing homes along Wing Road. The proposed larger open space would be reduced in size accordingly. The benefit of this approach is the proposed development gets the same amount of open space but dispersed in a manner that each proposed home along Wing Road has some open space closer to their homes. Additionally, more existing residents in the Star Acres Subdivision will have a better view corridor to the west so they can continue to enjoy the sunsets and the rural feel they have enjoyed for decades.

In summary, what we believe would be an acceptable approach to the Special Transition Overlay Area transitions would be to provide 1 acre lots when proposed lots are directly adjacent to 5 acre lots and .5 acre lots when there is a roadway between the 5 acre lots and a proposed subdivision.

Thank you for allowing us the opportunity to provide comments on the proposed developments near our neighborhood.

Sincerely,

Steve and Charlene Greene 9999 W Star Acres Dr. Star, ID 83669 208-999-2815 Sg.pointers@gmail.com September, 28, 2020

Star City Council Star, Idaho

Star City Council,

We would like to provide public comment to the proposed Canvasback Subdivision south of New Hope Road and west of Wing Road.

The proposed development is directly west of Star Acres Subdivision. Star Acres is one of the oldest established subdivisions in the Star area, and consists of single family homes on 5 acre lots. The subdivision is platted, recorded, and has restrictive covenants which prohibit the subdivision of the lots and provides a limit of one single family home per 5 acre lot. Almost all of the lots are used agriculturally, either raising crops or livestock. The protective covenants dictate that this subdivision will not be developed for any other use. In response to the uniqueness of the lot sizes, agricultural uses, and restrictions, the Comprehensive Plan has designated Star Acres as a Special Transition Overlay Area.

It is our contention that the proposed Canvasback Subdivision does not meet the criteria for development adjacent to a Special Transition Overlay Area with respect to lot size, transition, and buffer. In 2019, the City Council approved the Greendale Subdivision currently being built by Hubbell Homes north of New Hope Road and west of Wing Road. Like the proposed Canvasback Subdivision, it is directly west of Star Acres Subdivision. The Council required that in addition to the 50' right of way for Wing Road, Greendale provide a 20' buffer west of the road and that lots along Wing Road be ½ acres lots. We would recommend that the Council be consistent in their requirements for development along Wing Road and require Canvasback subdivision to provide a buffer area and a minimum lot size of ½ acre.

A different situation is present where Lots 2 and 3, Block 7, of the proposed Canvasback subdivision directly abut the lot line of the property at 10399 Rolling Hills Drive in Star Acres. Here there is no 50' road right of way to provide a transition. The developers of Canvasback contend that the trees and landscaping of the existing property provide a transition and buffer and meet the requirements of the comprehensive plan. The developer should not be permitted to use the features of an existing property to meet their development requirements for a transition and buffer and allow a smaller lot size. The property at 10399 Rolling Hills Drive should be afforded the same relief from adjacent development that was provided to the owners in Star Acres across Wing Road from Greendale. We would recommend that the Canvasback lots that directly abut 10399 Rolling Hills Drive provide a similar 70' transition and buffer area and ½ acre lots, or alternatively provide 1 acre lots adjacent to the Special Transition Overlay Area.

Thank you for your consideration.

Will and Denise Eason 10174 W. Star Acres Dr. Star, Idaho 83669 (907) 575-1138 eason@gci.net

Shawn Nickel

From: Sent: Carolee Polfer <beemr04@gmail.com>
Tuesday, September 29, 2020 10:30 AM

To:

Shawn Nickel

Subject:

Canvasback Subdivision comments

Star City Council c/o Shawn Nickel Star City Hall P.O. Box 130 Star, Idaho 83669

Mr Nickel:

1- The Canvasback Subdivision is currently proposed west of Star Acres Subdivision, west of wing road and south of New Hope. Star Acres Subdivision is zoned Rural Residential and carries the designation as a "Special Transition Overlay Area". The land Canvasback Subdivision is on is zoned Neighborhood Residential, which is 3-5 dwellings per acre. We would ask City Council to review Canvasback with the following considerations:

Lon and Ann Kuck located at 10399 Rolling Hills Drive are adjacent to the Canvasback Block 7, lots 2 and 3, are the most impacted by Canvasback Subdivision. Like many of us, this has been their home for many years . Their home is on 5 acres but is located in the northwest corner of their lot. The proposed Canvasback subdivision is being built directly adjacent to their property with a minimal 10 foot buffer (lot1). The two lots planned adjacent to their land are Lot 2 at .21 acres and Lot 3 at .28 acres. Our interpretation is that the Comprehensive plan and inclusion of a "Special Transition Overlay Area" is to provide significant transition between large lots and smaller lots. One quarter of an acre does not accomplish this. The location of the Kuck's home is going to adversely affect their privacy permanently.

We recommend that the two lots adjacent to their home be a minimum of one acre with single level homes, thus providing transition and privacy.

2- Adjacent to Wing Road, the proposed average lot size is .29 acres.

North of this subdivision along Wing Road, the Greendale Subdivision provided a lot size of .49 acres.

We suggest the proposed lots along Wing Road to be .5 acres to be consistent with the Greendale section along Wing Road, creating a lot size transition.

3- Open spaces have been provided for future residents, however the view corridor will only benefit one resident in the Star Acres Subdivision.

We would like the homes to be staggered along Wing Road with open space between them. The gaps between the proposed homes should be aligned with existing homes along Wing Road. Doing this will give each proposed home along Wing open space near their homes. This would give Star Acres Subdivisiona better view to the west so we can continue to enjoy the beautiful view.

We believe to be in line with the "Special Transition Overlay Area" transitions to provide one acre lots when proposed lots are directly adjacent to five acre lots and .5 acre acre lots when there is a roadway between five acre lots and a proposed subdivision.

Sincerely,

Terry Bier and Carolee Polfer 10040 West Star Acres Drive Star, Idaho 83669 208-863-4684 beemr04@gmail.com

Shawn Nickel

From: Judy Enzminger <jgenzminger@gmail.com>

Sent: Monday, September 28, 2020 9:45 PM

To: Shawn Nickel

Subject: Mr Nickel we have a concern with Canvasback Sub. we are part of the Star Acres Sub.

we are worryed with so many small lots

along wing road. We would like to see .50 acre lots there with the houses staggered so they all could have a view east & west. It also would be nice to have one level homes there on wing. We would like to keep our area value high as it is now. It seems to us we don't have enough schools for all these children that are coming in to our town. Our road on wing in the morning are already congested & with more cars we'll have more problems. Thank you for listening .

Sincerely,

Gary & Judy Enzminger

ORDINANCE NO. 315 (RYKEN MEADOWS PROPERTY)

AN ORDINANCE ANNEXING TO THE CITY OF STAR CERTAIN REAL PROPERTY LOCATED IN THE UNINCORPORATED AREA OF CANYON COUNTY, IDAHO; GENERALLY LOCATED SOUTH OF FOOTHILLROAD AND WEST OF CANADA ROAD, STAR, IDAHO AND CONTIGUOUS TO THE CITY OF STAR (CANYON COUNTY PARCEL NO. R33797010); THE PROPERTY IS OWNED BY BILL LYNCH, L-2 DEVELOPMENT, LLC; ESTABLISHING THE ZONING CLASSIFICATION OF THE ANNEXED PROPERTY AS RESIDENTIAL (R1) OF APPROXIMATELY 5.2 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, the owner(s) of the real property situated in the unincorporated areas of Ada 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 June 2, 2020 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 (R1) 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.

<u>Section 2:</u> The real property, described in the attached Exhibit A, situated in Ada 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 (R1), 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 (R1) 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 Ada 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.

<u>Section 5:</u> 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	, 2020.
	CITY OF STAR Ada and Canyon County, Idaho
ATTEST:	BY: Trevor A. Chadwick, Mayor
Cathy Ward, City Clerk	