



STAR CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, October 19, 2021

7:00 PM

Agenda Item 1) CALL TO ORDER – Mayor Chadwick opened the meeting at 7:00pm.

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

Agenda Item 3) ROLL CALL – PRESENT Mayor Chadwick, Council Members Hershey, Keyes, Salmonsens, Nielsen, City Clerk, Jacob Qualls, City Planner, Shawn Nickel, PIO, Dana Partridge, Star Police Chief Hessing, City Attorney Chris Yorgason attended remotely via Zoom.

Agenda Item 4) PROCLAMATIONS:

Agenda Item 4A) Extra Mile Proclamation

Chadwick read the proclamation and declared November 1st as Extra Mile Day.

Agenda Item 5) CONSENT AGENDA

- Keyes moved to approve the following items on the consent agenda: 5A. Approval of Minutes for June 29, 2021 and July 6, 2021. 5C. Final Plats: Norterra Subdivision #2 (FP-21-23) & Rosti Farms Subdivision #6 (FP-21-22). Hershey seconded the motion. Voice vote: Hershey – aye; Keyes – aye; Salmonsens – aye; Nielsen – aye. Motion Carried.

Agenda Item 6) PUBLIC HEARINGS & LAND USE ACTION ITEMS:

Agenda Item 6C) ORDINANCE 346 – Cherished Estates Subdivision Annexation

Chadwick moved this item up on the agenda.

- Keyes moved to dispense with the rules for reading the Ordinance. Salmonsens seconded the motion. Roll Call vote: Hershey – aye; Keyes – aye; Salmonsens – aye; Nielsen – aye. 4 ayes. Motion carried.

Keyes read the Title.

- Nielsen moved to approve Ordinance 346 – Cherished Estates Subdivision Annexation. Keyes seconded the motion. Roll Call vote: Hershey – aye; Keyes – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

Agenda Item 6A) PUBLIC HEARING – Stargazer Subdivision Annexation and Zoning, Development Agreement and Preliminary Plat (AZ-20-19/DA-20-24/PP-20-17) - Continuation

Chadwick re-opened the Public Hearing and read the rules. Chadwick asked the Council if they had any ex parte communication. All members present indicated that they did not.

APPLICANT

Nickels said this was a continuation of the public hearing for this application. The Council had asked the applicant to go back and negotiate a couple of items with the other property owner in the development.



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Jane Suggs, Gem State Planning 9839 Cable Car Street, Boise

Mrs. Siuggs testified Mr. Bruneel and the developer got together and worked out a compromise. Both parties have reduced the number of buildable lots. The developer is requesting approval based on the new staff report with a new condition of approval that describes the development potential for Mr. Bruneel's lot. They will be submitting a revised plat with 122 lots.

PUBLIC INPUT

Dr. Zach Bruneel 3035 N. Hamlet Lane, Star

Dr. Bruneel is a co-applicant of the project and is in favor of it.

Chadwick closed the public hearing at 7:16 p.m. and the council moved on the deliberations.

Nielsen said he appreciated the applicants resolving the issue that tabled the application in June.

- Nielson moved to approve the application. Salmonsens asked if there were any conditions from the June hearing that needed to be stated. Nickel said his notes had a pathway to north into the open space. Nielsen amended his motion to include the pathway. Salmonsens seconded the motion. Voice vote: Hershey – aye; Keyes – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

Agenda Item 6B) PUBLIC HEARING – Tommy's Car Wash Conditional Use Permit (CU-21-05)

Chadwick opened the Public Hearing and read the rules. Chadwick asked the Council if they had any ex parte communication. All members present indicated that they did not.

APPLICANT

Mark Ridley 2913 S. Waterbury Place, Boise

Mr. Ridley testified the application is to seek approval of a Conditional Use Permit to construct and operate a carwash facility within the Heron River Commercial Subdivision. The property is located at 9839 W. State Street. Jill from Tommy's Car Wash joined the meeting remotely. At the neighborhood meetings, people expressed concerns about noise, water usage, traffic and the possibility of another car wash being built further west on State Street. Based on those meetings, the applicant has kept the project on the left side of the property near Les Schwab and plans to keep the right side of the property primarily focused on restaurants and pedestrian friendly uses. The company is environmentally conscious in terms of water conservation. The original design was flipped to address the noise concern and put the dryers on the highway side. They also proposed building an eight-foot uh barrier wall with landscaping. Mr. Ridley described the potential decibel readings from the car wash and how it compared to other noises like traffic on State Street. The applicant called the corporate office of the other potential car wash operator and were told they were not moving forward with the project.



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Jillian Culp with Tommy's Car Wash 338 Stonehenge Drive, Granville, Michigan

Mrs. Culp gave corporate background information on Tommy's Car Wash. She indicated they reclaim 33 percent of their water and use about 60 percent less water than washing vehicles at home. She believes the company has done everything they can to mitigate the noise issue.

Keyes stated he is not against a car wash, but believes this is not the right location for one and thinks it is incompatible with the city's zoning code and comprehensive plan.

There were further discussions about decibel levels.

Salmonsens stated the comprehensive plan states the goal of the central business district is to create a vibrant downtown that is pedestrian & bicycle friendly. She wanted to know how a car wash achieves that goal. Applicant believes that a good mix of businesses makes for a vibrant downtown and indicated his belief that Les Schwab fits the description either.

PUBLIC INPUT

Margaret Marlatt 168 S. Tressa Avenue, Star

Mrs. Marlatt stated her backyard fence is 30 feet from the back of Ridley's Market. She has concerns about traffic, particularly ingress, egress and emergency access, headlights shining into the homes nearby and noise.

Debbie Cornell 9821 W. Achillea Street, Star

Mrs. Cornell stated she would like to see a professional building in that location that does not go late into the evening, have bright lights or noise. She asked if the car wash would be using irrigation or city water.

Flo Wheeler 109 S. Barkvine Way, Star

Mrs. Wheeler stated she is a real estate agent and is against this development. She is represented 63 other residents in her neighborhood. She doesn't think it is fair to compare the Les Schwab air gun noise to the car wash. The Les Schwab Hearing was during the middle of the COVID outbreak and many people were afraid to attend the Public Hearing. She believes more people would have been against Les Schwab otherwise. She also stated that the Tommy's Car Wash website said an ideal location for them should not border any residential property. She is worried about the ingress and egress access and ITD giving the applicant access that will keep traffic flowing.

UNKNOWN 9864 W. Wildbranch Drive, Star

Asked what the business hours would be. Most car washes are open around 14 hours per day. Tommy's can handle up to 200 cars per hour. She does not want this in her backyard.



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APPLICANT REBUTTAL

Mark Ridley 2913 S. Waterbury Place, Boise

Mr. Ridely testified 'the right in, right out' issue has been resolved and approved by ITD. Developers and city councils don't choose what business approach them. He would love to build a professional building, but that is not what came and wanted to build on the property. He believes it would be reasonable to expect that they would not install bright lights shining into neighbor's yards. They use approximately 28 gallon of city water per vehicle. The 200 cars per hour is max capacity and he does not see that happening. It was a point to show that even if 20 cars show up at once, there would not be a line of traffic. Hours of operation are typically 7:00 a.m. until 8 p.m. Monday through Friday with reduced hours on Saturday and Sunday.

Nielsen asked staff why this application does not meet the distance requirement when our code says 100 feet and this application is 109 feet from residential.

Nickel said staff measured it from the property line to the closest parking area and drive aisle as being less than the 100 feet. Staff replied the applicant is indicating the building itself is 109 feet from the property line, so it is open to interpretation.

Chadwick has no doubt this is a great facility but does not want to approve something without assurances that the sound will be completely mitigated for people. He wants businesses in Star but does not believe this is the right location being so close to homes.

Chadwick closed the public hearing at public hearing at 8:41 p.m. and moved to council deliberations.

Keyes stated he loves the idea of Tommy's Car Wash coming to Star, but cannot support it in this location.

Nielsen stated he believes the applicant produced sufficient testimony to mitigate the concerns over noise. He liked the idea of another business coming to Star to help balance our commercial to residential tax base ratio and fits within the Comprehensive Plan.

Salmonsens stated the conditions could be put in place to mitigate negative impact on neighbors but was concerned about preserving a vibrant central business district that adheres to the city's definition.

Hershey stated he also loves the idea of a car wash but not this close to residential.

- Keyes moved to deny the conditional use application. Hershey seconded the motion. Voice vote: Hershey – aye; Keyes – aye; Salmonsens – aye; Nielsen – nay. Motion carried.



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Agenda Item 7) ACTION ITEMS

Agenda Item 7A) OPEN CONTAINERS ORDINANCE

Keyes presented a new open containers ordinance which is similar to the City of Eagle. He believes this would aid our police officers in certain situations. The council deliberated with input from Yorgason and Chief Hessing.

The council concurred to make additional changes to the ordinance and also give new Star Police Chief Hessing time to review it.

- Keyes moved to table the Ordinance to the November 16, 2021, meeting. Hershey seconded the motion. Voice vote: Hershey – aye; Keyes – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

Agenda item 7Bi) AGREEMENTS

Approval of Joint Powers Agreement & Declaration of Trust: City of Star & Idaho Independent Insurance Authority (iii-a)

Qualls presented the Council with information on a new health insurance proposal for city staff and elected officials. The proposed insurer, Idaho Independent Insurance Authority is used by over 5,000 Idaho municipal entities. Council deliberated on the pros and cons of changing carriers.

- Nielsen moved to approve the Joint Powers Agreement & Declaration of Trust: City of Star & Idaho Independent Insurance Authority (iii-a) agreement. Keyes seconded the motion. Roll Call vote: Hershey – aye; Keyes – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

Agenda Item 7Bii) AGREEMENTS

Approval of FY 2020/2021 Audit Agreement – Zwygart & Associates

- Keyes moved to approve the Audit Agreement with Zwygart & Associates for the FY 2020/2021 Audit. Hershey seconded the motion. Roll Call vote: Hershey – aye; Keyes – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

Agenda Item 8) ADJOURNMENT

Mayor Chadwick adjourned the meeting at 9:28 p.m.

/s/ Trevor A. Chadwick

/s/ Jacob M. Qualls

Trevor A. Chadwick, Mayor

ATTEST: _____
Jacob M. Qualls, City Clerk / Treasurer