

NOTICE OF STAR CITY COUNCIL MEETING

Star City Hall
September 1, 2020
7:00 pm

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 August 2020
 - B. Regular Meeting Minutes of July 21, 2020
 - C. Final Plat for Fallbrook Subdivision Phase 4 (FP-20-12)
 - D. Findings of Fact & Conclusions of Law:
 1. Greiner's Hope Springs Subdivision Vacation of Easement (VAC-20-01)
 2. Ridley's Commercial Subdivision & Rezone (RZ-20-06/DA-20-09/PP-20-09)
5. PRESENTATION – Crime Stoppers – Kenny Pittman
6. OLD/NEW BUSINESS **Action Items**
 - A. Public Hearing: Amazon Falls Subdivision Development Agreement Modification (DA-20-14 MOD)
 - B. Public Hearing: Star River Ranch Private Street (Gate) (PR-20-01)
 - C. Public Hearing: Craftsman Estates North Rezone & Preliminary Plat (RZ-20-07/DA-20-10/PP-20-10)
 - D. 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)
 - E. Ordinance No. 312 Canopi Estates Annexation and Zoning
 - F. Ordinance No. 313 Rosti Farms Annexation and Zoning
 - G. Ordinance No. 314 Rosti Farms Rezone
 - H. Resolution 20-07 Valley Regional Transit Representatives
 - I. Approval of Governor's Public Safety Grant Award
 - J. Approval of Dude Solutions Contract
7. REPORTS
8. EXECUTIVE SESSION UNDER IDAHO CODE Section 74-206(1)(b) Evaluations
9. 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 Wednesday, August 26, 2020. The public is always welcome to submit comments in writing.**

City of Star
Unpaid Bills Detail
As of August 27, 2020

	Type	Date	Split	Open Balance
Ada County Highway District				
	Bill	08/27/2020	419.54 · ACHD Impact Fee	163,436.00
Total Ada County Highway District				163,436.00
Ada County Prosecutors Office				
	Bill	08/25/2020	416.00 · Legal	2,500.00
Total Ada County Prosecutors Office				2,500.00
Ada County Sheriff's Office				
	Bill	08/25/2020	450.50 · Police	85,524.00
Total Ada County Sheriff's Office				85,524.00
Alyson Likes.				
	Bill	08/26/2020	432.10 · Instructors	112.00
Total Alyson Likes.				112.00
Batteries & Bulbs				
	Bill	08/25/2020	419.60 · Maintenance & Rep	39.90
Total Batteries & Bulbs				39.90
Becky Machain				
	Bill	08/25/2020	432.20 · Refunds	100.00
Total Becky Machain				100.00
Blue Cross of Idaho				
	Bill	08/25/2020	415.25 · Health Ins	11,899.58
Total Blue Cross of Idaho				11,899.58
Brady Industries				
	Bill	08/26/2020	419.61 · Maintenance & Repair - Building	464.72
Total Brady Industries				464.72
BSN Sports				
	Bill	08/25/2020	432.14 · Equipment	52.99
Total BSN Sports				52.99
BuyWyz				
	Bill	08/25/2020	419.31 · Supplies	317.20
Total BuyWyz				317.20
Century Link				
	Bill	08/25/2020	419.51 · Telephone	184.91
Total Century Link				184.91

City of Star
Unpaid Bills Detail
As of August 27, 2020

	Type	Date	Split	Open Balance
Christopher Yorgason				
	Bill	08/25/2020	416.00 · Legal	3,300.00
Total Christopher Yorgason				3,300.00
Clearlyfly				
	Bill	08/25/2020	419.51 · Telephone	449.81
Total Clearlyfly				449.81
Computer Associates				
	Bill	08/25/2020	419.42 · Professional Services	4,536.97
Total Computer Associates				4,536.97
Dana Partridge				
	Bill	08/25/2020	415.17 · Pub Info-PR-Events Coordinator	2,620.25
Total Dana Partridge				2,620.25
Dawn Johnson.				
	Bill	08/25/2020	432.18 · Fields-Restrooms	107.50
Total Dawn Johnson.				107.50
DMH, Enterprises				
	Bill	08/27/2020	424.50 · Plumbing Inspector	5,925.00
Total DMH, Enterprises				5,925.00
Dog Waste Depot				
	Bill	08/25/2020	419.61 · Maintenance & Repair - Building	289.65
Total Dog Waste Depot				289.65
ECI Contractors				
	Bill	08/27/2020	424.40 · Electrical Inspector	9,177.36
Total ECI Contractors				9,177.36
Express Employment Professionals				
	Bill	08/25/2020	415.14 · Hourly - Temp	3,510.00
Total Express Employment Professionals				3,510.00
First Interstate Bank				
	Bill	08/26/2020	419.60 Mtnc & Rpr - 419.31 Supplies	492.57
Total First Interstate Bank				492.57
Flag Store of Idaho				
	Bill	08/25/2020	419.60 · Maintenance & Rep	679.25
Total Flag Store of Idaho				679.25

City of Star

Unpaid Bills Detail

As of August 27, 2020

	Type	Date	Split	Open Balance
Gem State Paper & Supply				
	Bill	08/25/2020	470.73 · Capital Exp-Community	596.11
Total Gem State Paper & Supply				596.11
Glenn Karn				
	Bill	08/25/2020	432.20 · Refunds	100.00
Total Glenn Karn				100.00
Heather Renk				
	Bill	08/25/2020	432.20 · Refunds	120.00
Total Heather Renk				120.00
High Desert Wildlife & Pest Solutions				
	Bill	08/25/2020	419.60 · Maintenance & Rep	889.99
Total High Desert Wildlife & Pest Solutions				889.99
Hillarie Gray				
	Bill	08/25/2020	432.20 · Refunds	50.00
Total Hillarie Gray				50.00
Hope Blooms Flowers & Things				
	Bill	08/25/2020	418.20 · Civic Promotion & Dev-fund rais	166.00
Total Hope Blooms Flowers & Things				166.00
Idaho Gopher Control				
	Bill	08/25/2020	419.60 · Maintenance & Rep	850.00
Total Idaho Gopher Control				850.00
Idaho Power - IDACORP				
	Bill	08/25/2020	419.52 Utilities	3,207.08
Total Idaho Power - IDACORP				3,207.08
Idaho Statesman				
	Bill	08/25/2020	419.46 · Advertisement & Publ	796.90
Total Idaho Statesman				796.90
Idaho Tractor Inc.				
	Bill	08/25/2020	419.60 · Maintenance & Rep	34.25
Total Idaho Tractor Inc.				34.25
Intermountain Gas Company				
	Bill	08/25/2020	419.52 Utilities	29.37
Total Intermountain Gas Company				29.37

City of Star
Unpaid Bills Detail
As of August 27, 2020

	Type	Date	Split	Open Balance
Jim Bivens				
	Bill	08/25/2020	432.16 · Referees	180.00
Total Jim Bivens				180.00
Joanna Richards.				
	Bill	08/25/2020	432.20 · Refunds	30.00
Total Joanna Richards.				30.00
Julia Henrie				
	Bill	08/25/2020	432.16 · Referees	180.00
Total Julia Henrie				180.00
Keller Associates				
	Bill	08/26/2020	419.42 Prof. Services - 438.21 Plans	87,925.05
Total Keller Associates				87,925.05
Klm Ingraham.				
	Bill	08/25/2020	432.22 · Promotional Materials	28.00
Total Klm Ingraham.				28.00
Life Springs Church				
	Bill	08/25/2020	432.10 · Instructors	269.50
Total Life Springs Church				269.50
Mountain Alarm				
	Bill	08/25/2020	419.61 · Maintenance & Repair - Building	65.00
Total Mountain Alarm				65.00
Niki Dean				
	Bill	08/26/2020	432.10 · Instructors	211.00
Total Niki Dean				211.00
PortaPros				
	Bill	08/25/2020	419.60 · Maintenance & Rep	396.80
Total PortaPros				396.80
Rachel Miller				
	Bill	08/26/2020	432.10 · Instructors	2,280.53
Total Rachel Miller				2,280.53
Republic Services				
	Bill	08/25/2020	419.52 · Utilities	499.85
Total Republic Services				499.85

City of Star
Unpaid Bills Detail
As of August 27, 2020

	Type	Date	Split	Open Balance
RIMI Inc.				
	Bill	08/27/2020	424.60 · Mechanical Inspector	7,197.00
Total RIMI Inc.				7,197.00
Ron Weston				
	Bill	08/25/2020	432.14 · Equipment	45.60
Total Ron Weston				45.60
Sherwin Williams				
	Bill	08/25/2020	432.14 · Equipment	640.53
Total Sherwin Williams				640.53
Simplot Partners				
	Bill	08/25/2020	419.60 · Maintenance & Rep	2,625.50
Total Simplot Partners				2,625.50
Six Mile Engineering				
	Bill	08/25/2020	438.21 · Plans	2,603.88
Total Six Mile Engineering				2,603.88
Sparklight				
	Bill	08/25/2020	419.51 · Telephone	1,368.72
Total Sparklight				1,368.72
Star Fire Department				
	Bill	08/27/2020	419.56 · Star Fire Impact Fees	43,550.00
Total Star Fire Department				43,550.00
Star Merc				
	Bill	08/25/2020	419.60 · Maintenance & Rep	184.27
Total Star Merc				184.27
Star Storage				
	Bill	08/26/2020	432.14 · Equipment	80.00
Total Star Storage				80.00
Star Tire & Auto LLC				
	Bill	08/25/2020	419.60 · Maintenance & Rep	20.00
Total Star Tire & Auto LLC				20.00
Star Vet Clinic				
	Bill	08/26/2020	440.00 · Animal Control	1,400.00
Total Star Vet Clinic				1,400.00

City of Star

Unpaid Bills Detail

As of August 27, 2020

	Type	Date	Split	Open Balance
Steve's Auto Care				
	Bill	08/26/2020	419.60 · Maintenance & Rep	47.30
Total Steve's Auto Care				47.30
Tates Rents				
	Bill	08/25/2020	419.60 · Maintenance & Rep	166.19
Total Tate's Rents				166.19
Treasure Valley Coffee				
	Bill	08/25/2020	419.31 · Supplies	223.25
Total Treasure Valley Coffee				223.25
United Heritage				
	Bill	08/26/2020	217.06 · Health Insurance (Employee Ded)	118.24
Total United Heritage				118.24
Valley Wide Coop				
	Bill	08/25/2020	419.61 · Maintenance & Repair - Building	1,456.22
Total Valley Wide Coop				1,456.22
Vanguard Cleaning				
	Bill	08/25/2020	419.61 · Maintenance & Repair - Building	825.00
Total Vanguard Cleaning				825.00
Verizon				
	Bill	08/25/2020	419.51 · Telephone	1,047.52
Total Verizon				1,047.52
Whitman & Assoc. Inc.				
	Bill	08/27/2020	424.20 · Building Inspector	30,960.79
Total Whitman & Assoc. Inc.				30,960.79
Willow Tree Learning Center				
	Bill	08/25/2020	419.69 · Miscellaneous	100.00
Total Willow Tree Learning Center				100.00
Xerox				
	Bill	08/25/2020	419.31 · Supplies	82.90
Total Xerox				82.90
Zwygart John				
	Bill	08/25/2020	419.42 · Professional Services	5,250.00
Total Zwygart John				5,250.00
TOTAL				494,618.00

**Star City Council
Meeting Minutes
July 21, 2020**

The regular meeting of the Star City Council was held on Tuesday, July 21, 2020 at 7:00 pm at Star City Hall, 10769 W. State Street in Star, Idaho. Mayor Trevor Chadwick called the meeting to order and all stood for the Pledge of Allegiance.

ROLL CALL: Councilmen David Hershey, Michael Keyes, Kevin Nielsen and Councilwoman Jennifer Salmonsens were present.

APPROVAL OF THE AGENDA: Keyes moved to approve the agenda. Hershey seconded the motion. All ayes. Motion carried.

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

PRESENTATION: Presentation by Ada County Deputy Prosecutor, Rob Bleazard. Bleazard outlined the services and benefits they provide. He highlighted one of the increasingly important benefits of having a Prosecutor available day or night to Law Enforcement Officers. With the Prosecutor being available at any time, they can walk the Law Enforcement Officer through the process of obtaining a warrant and help them to make an immediate arrest, especially in cases such as domestic violence crimes and DUIs. The Mayor asked if there had been an uptick in the amount of domestic violence due to COVID and Bleazard replied that since we are still in the middle of it, it will be hard to know until a few months have passed and they have processed the backlog of cases.

OLD/NEW BUSINESS:

- A. PUBLIC HEARING – Sample Property. Tabled to July 28, 2020.
- B. PUBLIC HEARING – Whitener Property. Tabled to July 28, 2020.
- C. PUBLIC HEARING – Les Schwab. Tabled to July 28, 2020.
- D. PUBLIC HEARING – Les Schwab. Tabled to July 28, 2020.

Hershey moved to table the Public Hearings. Nielsen seconded the motion. All ayes. Motion carried.

- E. Ordinance 310, Amended Unified Development Code. Hershey moved to dispense with the rules to be able to approve the ordinance after reading once by title only. Keyes seconded the motion. Roll call. All ayes. Keyes moved to approve Ordinance 310. Hershey seconded the motion. All ayes. Motion carried.
- F. Resolution 20-04 Declaring Star a Second Amendment Sanctuary City. Keyes said he was inspired to draft this resolution due to current events in the country and expressed the importance of the City taking a position for citizens' rights to self-defense and in supporting the police. Keyes moved to adopt the resolution. Hershey seconded. All ayes. Motion carried.
- G. Bid Documents for 960 Main. The bid date for the Star Community building remodel is scheduled for August 6, 2020. The Mayor talked about the benefits for the city and mentioned that Park Impact Fee money is paying for this remodel. For any citizen who wants to look at the plans, they are available at City Hall. Salmonsens expressed concern about the timeframe for the bid. Keller Associates Engineer, Ryan Morgan replied that will it be 10 business days, or 2 full weeks, which is the minimum requirement by the State. The Mayor said they are going to have 3 Add Alternates for the project: painting the attached garage, adding a 500-gallon tank for gas, and new kitchen millwork. An Alternate 4 would be running electrical conduit. Salmonsens asked if the bid could include the option to make the parking lot paved, rather than gravel, to make it more accessible and ADA compliant. Keyes confirmed that it was okay to pave due to the floodplain. Keyes

moved to approve the Bid Documents with the addition of the option to pave the parking lot. Nielsen seconded the motion. All ayes. Motion carried.

REPORTS

Jake Vogt, Star Chief of Police – Vogt gave a real-world example of what the Prosecutor was speaking of earlier regarding the on-call prosecutor and the need for an arrest warrant for certain misdemeanor crimes. He gave an example of a domestic violence dispute in the parking lot of Bi-Mart. They contacted the Middleton Police who were able to spot the vehicle, detain the suspect and were able to get medical treatment to the injured person. Because it was not committed in the presence of the officer, they were able to contact the prosecutor who assisted with a telephonic arrest warrant so the Star Deputy could make an arrest in any county. Vogt expressed appreciation to the Council and citizens for their support, especially with recent events. Vogt talked about the River Walk and the trash issues. They have increased patrols and is working with the Sheriff's Inmate Labor Detail to help with the cleanup. The Mayor said that he will be working with our maintenance crew to put more trash cans out. Vogt gave an update on the Officer who was recently shot. His potential for recovery is good and there is an ongoing investigation. He mentioned that many citizens have wanted to offer donations, so they have set up funds with their Employee Association and the FOP (Fraternal Order of Police) and have been directing people to those two funds. Nielsen mentioned the Chief becoming part of the Idaho Sheriff's Association.

Hershey – Most of his committees have been pushed back but he is still doing the Outreach and he mentioned the Saturday Market Cornhole Tournament.

Keyes – The Transportation Committee has been active and one of the committee members attended the first Capital Improvements Advisory Committee meeting. The City is waiting to get results from the Traffic Impact Study along State Street.

Salmonsens – Her committee meetings have been getting back to normal. She mentioned a backlog in Emission Testing. Reported that the City Hall After Hours event went well. She worked the Outreach for Hershey while he was on vacation and found it to be rewarding and encouraged others to volunteer.

Nielsen – His committees are not active at this time. He expressed his support of the Sanctuary City Resolution and pride in the work the City is doing.

The Mayor – Thanked everyone who participated in and attended the 4th of July celebration. Mentioned that August 4, 2020 is the budget hearing for the 20-21 Budget year. It will be limited to 50 people but will be online as well. Reported that the City applied for a Federal Grant to put fiber down at Hunters Creek and 960 Main. He expressed the importance of having Internet access for the students who have been having difficulty getting online to study. The Mayor also expressed his support of The Constitution and the Second Amendment and our Police. There are several businesses coming to Star and others who are still looking at coming, despite the economy. He met with the Mayors of Eagle and Middleton to adjust the impact area and worked on getting an Impact Area Agreement to extend further into Eagle.

Adjournment: The Mayor adjourned the meeting at 7:40 pm.

Approved:

Respectfully submitted:

Trevor A. Chadwick, The Mayor

Meredith Hudson, Deputy City Clerk



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel, City Planner *Shawn L. Nickel*

MEETING DATE: September 1, 2020

FILE #: FP-20-12 Final Plat - Fallbrook Subdivision, Phase 4

REQUEST

Applicant requests approval of the Fallbrook Final Plat, Phase 4. The Fallbrook Subdivision is generally located east of Munger Road and north of Floating Feather Road in Star, Idaho. Ada County Parcel #S0406427900.

APPLICANT/OWNER/REPRESENTATIVE

Applicant / Owner

N. Star Farm, LLC – Tim Eck
6152 W. Half Moon Lane
Eagle, Idaho 83616

Representative

Kirsti Grabo
KM Engineering, LLP
9233 W. State Street
Boise, Idaho 83714

PROPERTY INFORMATION

Land Use Designation: Residential (R-3)
Acres: 15.08
Residential Lots: 58
Common Lots: 13
Commercial: N/A

HISTORY

March 7, 2006 Applicant requested annexation and zoning of Residential (R-4); Council continued the meeting to March 9, 2006.

March 9, 2006	Council discussed the zoning and believed that R-4 was not compatible with the surrounding zoning of R-3 and asked the applicant to reconsider. The applicant then asked for a Residential (R-3) zoning designation. Council approved the annexation and zoning of Residential (R-3).
August 21, 2007	Applicant applied for Preliminary Plat approval. Council continued the meeting to September 4, 2007.
September 4, 2007	Council approved the Preliminary Plat for the "Hadley" Subdivision.
October 7, 2008	Time extension granted for one year.
September 1, 2009	Time extension granted for one year.
August 3, 2010	Time extension granted for four years.
January 2014	Property was purchased by new entity.
April 15, 2014	Revisions to the Preliminary Plat were made reducing lot counts and increasing lot sizes. Applicant requested approval of the Final Plat, Phase 1 for the Fallbrook Subdivision.
April 15, 2015	With no work completed, the Plat expired and the property was sold to another entity.
June 21, 2016	Council continued the public hearing to July 19, 2016 to allow the Applicant time to revise roads of the Preliminary Plat.
July 19, 2016	Council unanimously approved the Preliminary Plat for Fallbrook.
October 4, 2016	Council unanimously approved the Final Plat for Fallbrook Phase 1
December 5, 2017	Council approved the Final Plat for Fallbrook Phase 2
March 3, 2020	Council approved the Final Plat for Fallbrook Phase 3

GENERAL DISCUSSION

Final Plat, Phase 4 is in substantial compliance to the Preliminary Plat previously approved on July 19, 2016.

Special Flood District - This property is not within a special flood district.

Setbacks – This subdivision has no approved special setback requirements and will be developed to comply with the effective building and zoning requirements at the time of building permit issuance.

Irrigation – Irrigation for this phase will be provided by the Middleton Mill & Middleton Irrigation Districts. Agreements will need to be submitted to the City prior to signatures on the mylar/final plat.

Landscaping - As required by the Unified Development Code, Chapter 4, Section B-7-C-3 Street Trees; the minimum density of one (1) tree per thirty-five (35) linear feet is required. The landscaping plan submitted includes this requirement. (Please see "Tree Selection Guide for Streets and Landscapes Throughout Idaho", as adopted by the Unified Development Code.)

Streetlights – Streetlight design shall be the same and continuous throughout the subdivision.

PUBLIC NOTIFICATIONS

Notifications of this application were sent to affected agencies on January 2, 2020. The following agencies responded:

Keller Associates	July 20, 2020
West Ada School District	August 5, 2020

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 knows of no financial hardship that would prevent services from being provided.

D. The development will not be detrimental to the public health, safety or general welfare; and

Staff finds no facts to support that this subdivision phase will be detrimental to the public health, safety or general welfare.

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

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

CONDITIONS OF APPROVAL

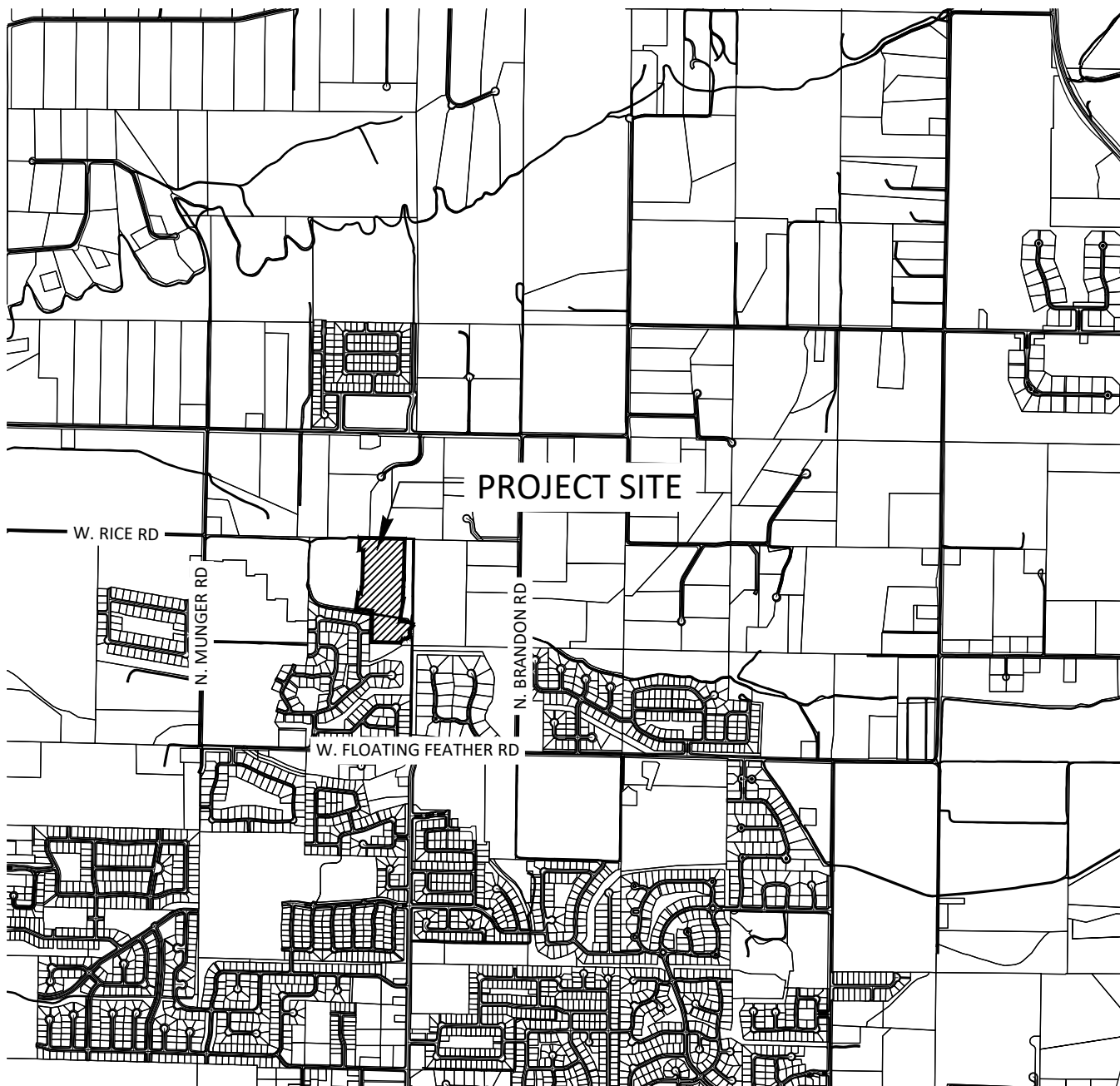
1. The final plat for Fallbrook Subdivision Phase 4 shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. The property associated with this approved Final Plat, in addition to the property of all future phases shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
3. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
4. 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.
5. 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)
6. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
7. 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.
8. 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 Council.
9. Requested surety shall be required at 120% of the total estimated 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.)
10. 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.
11. A separate sign application is required for any subdivision sign.
12. As built plans for pressurized irrigation systems shall be submitted to the City of Star **prior to signature of the final plat.**
13. Applicant shall provide the City with two (2) full size and two (1) 11"x17" copy of the signed recorded final plat with all signatures, prior to any building permits being issued.
14. 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.

15. The mylar/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.
16. A copy of signed irrigation agreements shall be submitted to the City **prior to signature of the final plat.**
17. All common areas shall be maintained by the Homeowners Association.
18. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of construction.**
19. A copy of the recorded CC&R's shall be submitted to the City of Star prior to any building permits being issued.
20. **Prior to signature of the final plat**, a signed Irrigation District Agreement with the Irrigation Districts shall be provided to the City of Star. This requirement shall be with each subsequent Final Plat application.
21. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION

The Star City Council _____ the Fallbrook Subdivision Final Plat, Phase 4, File #FP-20-12 on _____, 2020.

P:\19-184\CAD\EXHIBITS\19-184 VICINITY MAP.DWG, SCOTT PRILLAMAN, 5/20/2020, DWG TO PDF.PC3, 0000

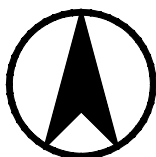


ENGINEERS . SURVEYORS . PLANNERS

9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

DATE: 5/20/20
PROJECT: 19-184

SHEET:
1 OF 1

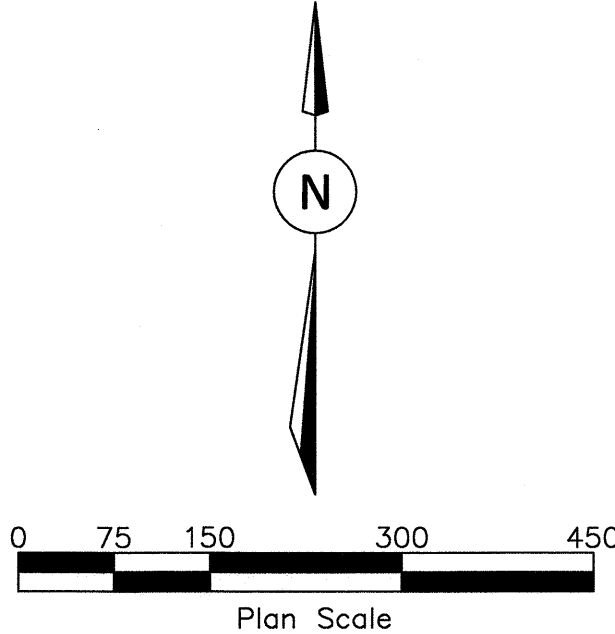


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Plan Scale: 1" = 2000'

FALLBROOK SUBDIVISION NO.4
STAR, IDAHO

FIGURE 1
VICINITY MAP

FALLBROOK SUBDIVISION
PRELIMINARY PLAT
STAR, IDAHO
APRIL 2016



LEGAL DESCRIPTION

NW 1/4 OF THE SE 1/4, A PORTION OF THE NE 1/4 OF THE SE 1/4, AND A PORTION OF THE SE 1/4 OF THE SE 1/4, SECTION 6, AND THE W 1/2 OF THE NW 1/4 OF THE SW 1/4, SECTION 5, T4N. R1W., B.M. CITY OF STAR, ADA COUNTY, ID

INDEX OF DRAWINGS

SHEET NO.	SHEET TITLE
SHEET C1	PRELIMINARY PLAT COVER
SHEET C2	EXISTING CONDITIONS
SHEETS C3 - C4	PRELIMINARY PLAT LOT LAYOUT
SHEETS C5 - C6	PRELIMINARY ENGINEERING PLAN
SHEETS L1.0-L3.0	PRELIMINARY LANDSCAPE PLAN

NOTES

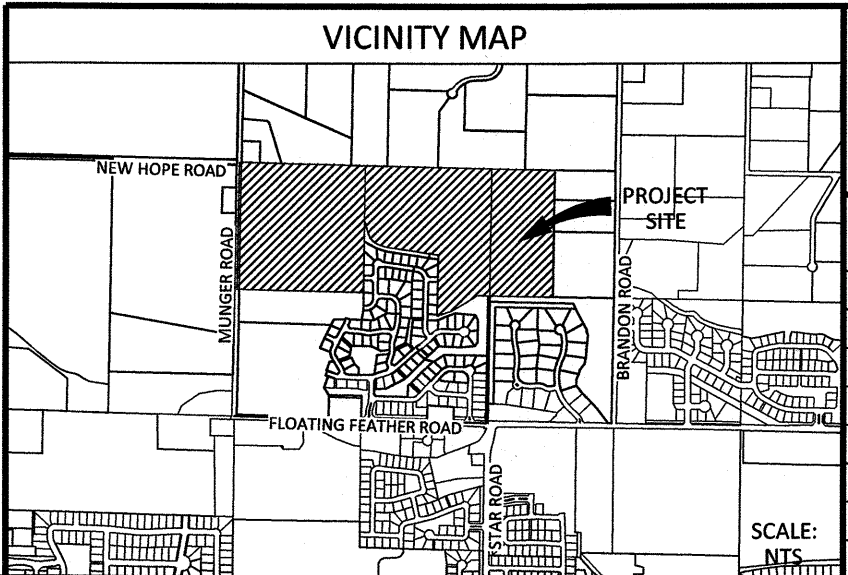
- ALL FRONT LOT LINES COMMON TO STREET RIGHTS-OF-WAY SHALL CONTAIN A TEN (10') FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, STREET LIGHTS, PRESSURIZED IRRIGATION AND LOT DRAINAGE.
- ALL REAR LOT LINES SHALL CONTAIN A TEN (10') FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, PRESSURIZED IRRIGATION AND LOT DRAINAGE.
- ALL INTERIOR LOT LINES SHALL CONTAIN A FIVE (5') FOOT WIDE EASEMENT, EACH SIDE, FOR PUBLIC UTILITIES, PRESSURIZED IRRIGATION AND LOT DRAINAGE.
- INTERNAL LOT LINES ARE CONCEPTUAL AND MAY CHANGE DURING FINAL PLATTING.
- CROSS-ACCESS EASEMENTS AND STORM DRAINAGE EASEMENTS MAY BE PROVIDED ACROSS LOT LINES AS DETERMINED DURING FINAL DESIGN.
- SEE SHEETS C3 AND C4 FOR LOT DIMENSIONS AND AREAS.

PRELIMINARY PLAT DATA

SITE DATA	
TOTAL AREA OF SITE	93.54± ACRES
CURRENT SITE ZONING (NO CHANGE)	R-3
OVERALL OPEN SPACE AREA (SEE SUMMARY THIS SHEET)	25.76 ACRES
DETENTION PONDS AREA	2.43 ACRES
SHARED DRIVE AREA	0.25 ACRES
OPEN SPACE AREA EXCLUDING DETENTION PONDS	23.33 ACRES
PERCENTAGE OPEN SPACE EXCLUDING DETENTION PONDS	24.9%
TOTAL NUMBER OF LOTS	328
NUMBER OF BUILDABLE LOTS	282
NUMBER OF COMMON LOTS	40
NUMBER OF SHARED DRIVE LOTS	6
DWELLING UNITS PER GROSS ACRE	3.0 D.U./ACRE

SETBACKS	
STREET FRONTAGE	35'
FRONT	15' TO LIVING AREA AND 20' TO GARAGE
REAR	15'
INTERIOR SIDE	5' PLUS 5' FOR EACH ADDITIONAL STORY
STREET SIDE SETBACK	
LOCAL	20'
ARTERIAL AND COLLECTOR	25'
STREET LANDSCAPE BUFFER	
ARTERIAL AND COLLECTOR	35'
ENTRYWAY CORRIDOR	40'
MAXIMUM BUILDING HEIGHT	35'

UTILITIES	
WATER:	STAR SEWER AND WATER DISTRICT
SEWER:	STAR SEWER AND WATER DISTRICT
POWER:	IDAHO POWER
CABLE:	CABLEONE
NATURAL GAS:	INTERMOUNTAIN GAS CO.
TELEPHONE:	CENTURYLINK
IRRIGATION:	MIDDLETON IRRIGATION ASSOCIATION



FALLBROOK SUBDIVISION
PRELIMINARY PLAT COVER
STAR, ID

REVISIONS

NO.	ITEM	DATE
1	CITY OF STAR REVIEW COMMENTS	7-13-2016



PROFESSIONAL ENGINEER
10821
STATE OF IDAHO
KEVIN P. MCCARTHY

DATE: 4/14/16
PROJECT: 15-113
SHEET NO. C1



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	600.00'	132.12'	12°36'58"	N75°15'30"W	131.85'
C2	170.00'	151.99'	51°13'35"	N43°20'15"W	146.98'
C3	125.00'	35.00'	16°02'41"	N9°42'10"W	34.89'

OPEN SPACE SUMMARY

OPEN SPACE LOTS

LOT 13, BLOCK 1	1.07 ACRES
LOT 1, BLOCK 2	7.34 ACRES
LOT 7, BLOCK 2	0.05 ACRES
LOT 10, BLOCK 2	0.03 ACRES
LOT 14, BLOCK 2	0.03 ACRES
LOT 1, BLOCK 3	0.25 ACRES
LOT 7, BLOCK 3	0.03 ACRES
LOT 12, BLOCK 3	0.08 ACRES
LOT 1, BLOCK 4	0.07 ACRES
LOT 7, BLOCK 4	0.07 ACRES
LOT 13, BLOCK 5	0.08 ACRES
LOT 18, BLOCK 5	0.07 ACRES
LOT 27, BLOCK 5	1.66 ACRES
LOT 42, BLOCK 5	0.03 ACRES
LOT 1, BLOCK 6	0.04 ACRES
LOT 7, BLOCK 6	0.10 ACRES
LOT 12, BLOCK 6	0.07 ACRES
LOT 26, BLOCK 6	2.39 ACRES
LOT 31, BLOCK 6	0.04 ACRES
LOT 5, BLOCK 7	2.28 ACRES
LOT 1, BLOCK 8	0.07 ACRES
LOT 7, BLOCK 8	0.10 ACRES
LOT 11, BLOCK 8	0.07 ACRES
LOT 1, BLOCK 9	0.07 ACRES
LOT 7, BLOCK 9	0.10 ACRES
LOT 11, BLOCK 9	0.07 ACRES
LOT 1, BLOCK 10	0.07 ACRES
LOT 7, BLOCK 10	0.10 ACRES
LOT 11, BLOCK 10	0.07 ACRES
LOT 1, BLOCK 11	0.03 ACRES
LOT 17, BLOCK 11	0.11 ACRES
LOT 37, BLOCK 11	0.04 ACRES
LOT 1, BLOCK 12	0.07 ACRES
LOT 6, BLOCK 12	0.04 ACRES
LOT 10, BLOCK 12	0.03 ACRES
LOT 1, BLOCK 13	0.07 ACRES
LOT 9, BLOCK 13	0.10 ACRES
LOT 4, BLOCK 14	8.85 ACRES
LOT 1, BLOCK 15	0.04 ACRES
LOT 7, BLOCK 15	0.04 ACRES

TOTAL OPEN SPACE AREA 25.76 ACRES

SHARED DRIVE LOTS

LOT 5, BLOCK 1	0.04 ACRES
LOT 32, BLOCK 5	0.04 ACRES
LOT 20, BLOCK 6	0.04 ACRES
LOT 10, BLOCK 11	0.04 ACRES
LOT 24, BLOCK 11	0.04 ACRES
LOT 29, BLOCK 11	0.05 ACRES

TOTAL SHARED DRIVE AREA 0.25 ACRES

LEGEND

---	BOUNDARY LINE
---	OFFSITE BOUNDARY LINE
---	EASEMENT
---	ROAD CENTERLINE
---	LOT LINE
○	FOUND 1/2 INCH REBAR
⊙	FOUND 5/8 INCH REBAR
⊕	FOUND BRASS CAP
⊗	FOUND ALUMINUM CAP
⦿	FUTURE SET 5/8 INCH REBAR
△	CALCULATED POINT

CONTACT INFORMATION

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KM ENGINEERING, LLP
9233 WEST STATE STREET
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FAX: (208) 639-6930
CONTACT: KEVIN P. MCCARTHY, P.E.
EMAIL: kevin@kmenllp.com

OWNER

N STAR FARM, LLC
8152 W. HALFMOON LANE
EAGLE, ID 83616
CONTACT: TIM ECK

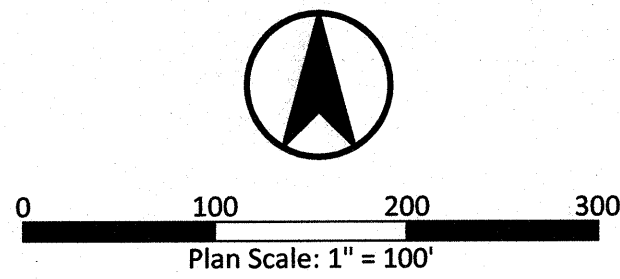
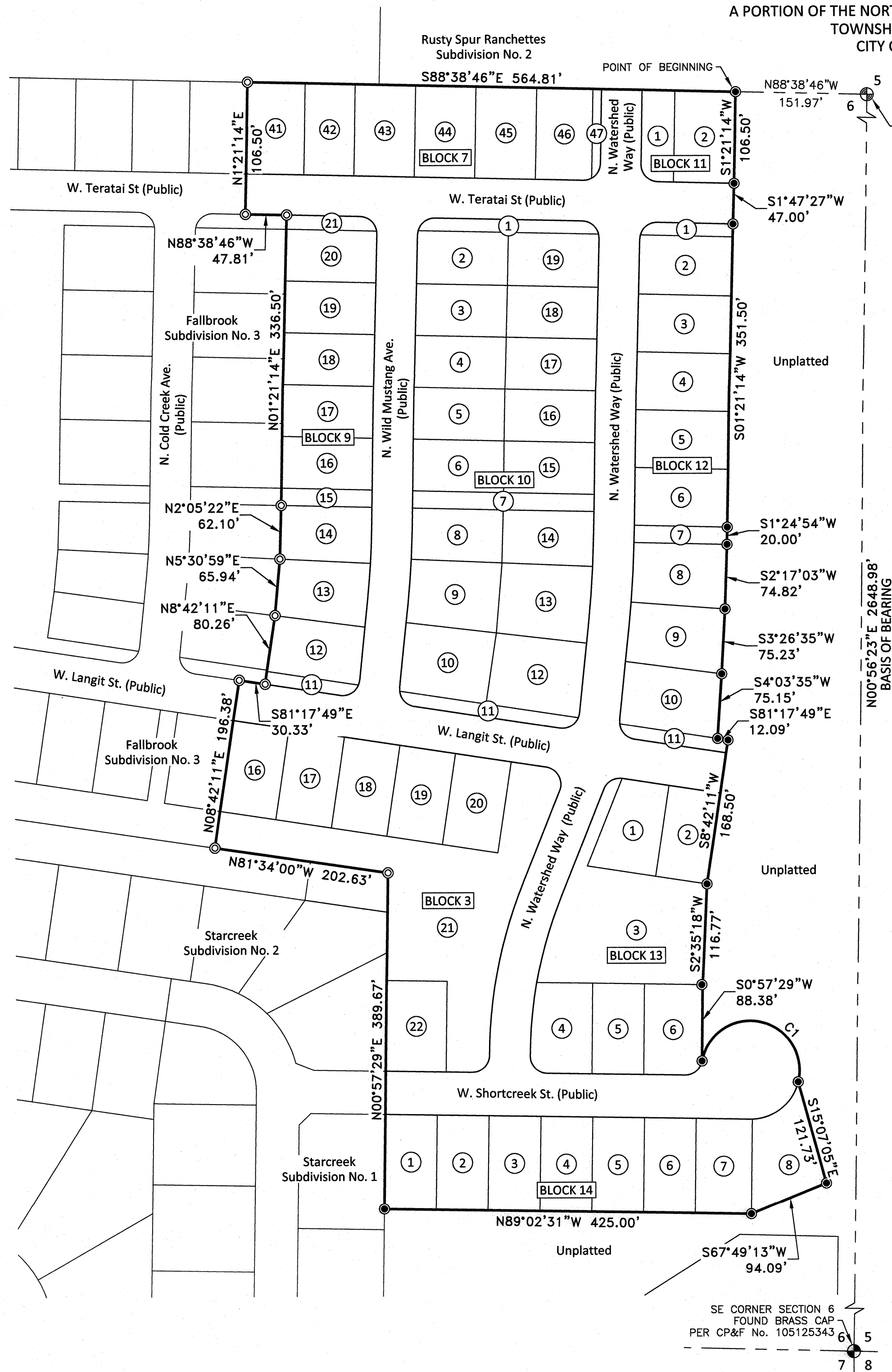
N88°34'46"W 20.00'

PRELIMINARY - NOT FOR CONSTRUCTION

P:\15-113\SUBDIVISION\PRELIMINARY\15-113 PRELIMINARY PLAT COVER.DWG, ANDREW NEWELL, 7/13/2016, OCEADRAWING\2016\FPS_220X34

PLAT OF
FALLBROOK SUBDIVISION No. 4

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6
TOWNSHIP 4 NORTH, RANGE 1 WEST, B. M.,
CITY OF STAR, ADA COUNTY, IDAHO.
2020



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	57.00'	182.58'	183°31'41"	N77°33'29"W	113.95'

SURVEY NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE LAND SHOWN HEREON. THE SURVEY IS BASED UPON THE RETRACEMENT OF PLATS, SURVEYS AND DEEDS LISTED IN THE REFERENCES HEREON AND A FIELD SURVEY OF EXISTING MONUMENTATION. MONUMENTATION RECOVERED WAS FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE REFERENCES LISTED HEREON. ALL PROPERTY CORNERS WHERE MONUMENTS OF RECORD WERE NOT FOUND WERE SET/RESET AS SHOWN HEREON.

SHEET INDEX

- SHEET 1 – OVERALL SUBDIVISION MAP AND LEGEND
- SHEET 2 – DETAIL PLAT MAP AND LEGEND
- SHEET 3 – DETAIL PLAT MAP AND CURVE TABLES
- SHEET 4 – CERTIFICATE OF OWNERS AND NOTES
- SHEET 5 – CERTIFICATES AND APPROVALS

LEGEND

- FOUND BRASS CAP
- FOUND ALUMINUM CAP
- FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "ALB 12459", UNLESS NOTED OTHERWISE
- WITNESS CORNER (AS SHOWN HEREON). FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "ALB 12459"
- FOUND 1/2" REBAR WITH PLASTIC CAP MARKED "ALB 12459", UNLESS NOTED OTHERWISE
- SET 5/8" REBAR WITH PLASTIC CAP MARKED "ALB 12459"
- SET 1/2" REBAR WITH PLASTIC CAP MARKED "ALB 12459"
- CALCULATED POINT (NOTHING FOUND OR SET)
- LOT NUMBER
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- ROAD CENTERLINE
- SECTION LINE
- ADJACENT LOT LINE
- EASEMENT LINE
- ACHD EASEMENT (SEE NOTE 14)

REFERENCES

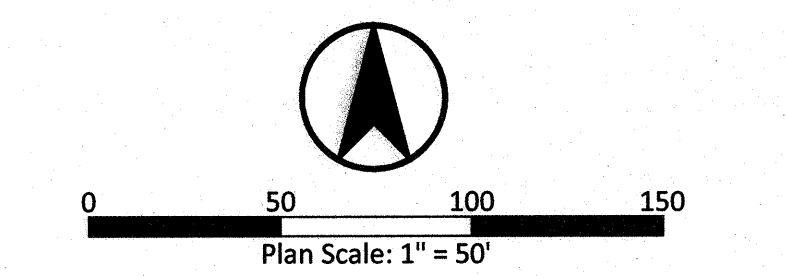
- R1. PLAT OF FALLBROOK SUBDIVISION No. 2, RECORDED IN BOOK 112, PAGES 17554–17558, RECORDS OF ADA COUNTY, IDAHO.
- R2. PLAT OF FALLBROOK SUBDIVISION No. 3, RECORDED IN BOOK 1, PAGES 1–1, RECORDS OF ADA COUNTY, IDAHO.
- R3. RECORD OF SURVEY No. 3165, RECORDS OF ADA COUNTY, IDAHO.
- R4. RECORD OF SURVEY No. 7793, RECORDS OF ADA COUNTY, IDAHO.
- R5. RECORD OF SURVEY No. 9643, RECORDS OF ADA COUNTY, IDAHO.
- R6. PLAT OF RUSTY SPUR RANCHETTES, A SUBDIVISION, RECORDED IN BOOK 64, PAGES 6463–6464, RECORDS OF ADA COUNTY, IDAHO.
- R7. PLAT OF RUSTY SPUR RANCHETTES SUBDIVISION No. 2, RECORDED IN BOOK 64, PAGES 6556–6557, RECORDS OF ADA COUNTY, IDAHO.
- R8. PLAT OF STARCREEK SUBDIVISION PHASE 2, RECORDED IN BOOK 110, PAGES 15701–15704, RECORDS OF ADA COUNTY, IDAHO.
- R9. PLAT OF SAILING HAWKS SUBDIVISION, RECORDED IN BOOK 117, PAGES 17747–17749, RECORDS OF ADA COUNTY, IDAHO.
- R10. DEED PER INSTRUMENT No. 2016–047530, RECORDS OF ADA COUNTY, IDAHO.



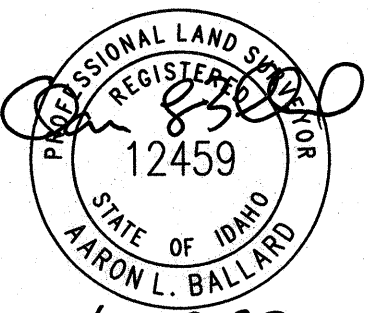
DEVELOPER
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MERIDIAN, IDAHO

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BOISE, IDAHO 83714
PHONE (208) 639-6939
kmengllp.com

PLAT OF
FALLBROOK SUBDIVISION No. 4



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	57.00'	182.58'	183°31'41"	N77°33'29"W	113.95'
C2	1258.50'	105.65'	4°48'36"	N3°45'32"E	105.62'
C3	1001.50'	84.08'	4°48'36"	S3°45'32"W	84.05'
C4	525.00'	198.35'	21°38'49"	S11°09'03"W	197.17'
C5	46.00'	29.48'	36°43'04"	N72°35'57"E	28.98'
C6	20.00'	10.47'	30°00'00"	S76°21'14"W	10.35'
C7	20.00'	20.94'	60°00'00"	S31°21'14"W	20.00'
C8	20.00'	31.42'	90°00'00"	S43°38'46"E	28.28'
C9	20.00'	26.36'	75°31'21"	N53°35'34"E	24.49'
C10	20.00'	5.05'	14°28'39"	N8°35'34"E	5.04'
C11	1282.00'	10.46'	0°28'04"	N1°35'16"E	10.46'
C12	1282.00'	69.16'	3°05'28"	N3°22'02"E	69.16'
C13	1282.00'	28.00'	1°15'04"	N5°32'18"E	27.99'
C14	20.00'	4.17'	11°56'17"	N0°11'41"E	4.16'
C15	20.00'	26.36'	75°31'21"	N43°32'08"W	24.49'
C16	20.00'	26.36'	75°31'21"	S59°44'08"W	24.49'
C17	501.50'	102.39'	11°41'54"	S16°07'31"W	102.22'
C18	501.50'	85.52'	9°46'13"	S5°23'28"W	85.41'
C19	20.00'	31.26'	89°32'52"	S44°16'05"E	28.17'
C20	20.00'	28.02'	80°16'56"	N50°49'05"E	25.79'
C21	57.00'	73.79'	74°10'34"	N51°17'38"E	68.75'
C22	57.00'	2.56'	2°34'34"	N89°40'12"E	2.56'
C23	20.00'	31.55'	90°22'59"	N45°46'00"E	28.38'
C24	548.50'	204.86'	21°23'58"	N11°16'29"E	203.67'
C25	20.00'	36.05'	103°16'17"	S29°39'40"E	31.36'
C26	20.00'	32.30'	92°32'22"	S52°26'01"W	28.90'
C27	20.00'	5.94'	17°01'01"	S14°40'20"W	5.92'
C28	978.00'	41.63'	2°26'19"	S4°56'40"W	41.62'
C29	978.00'	40.48'	2°22'16"	S2°32'22"W	40.47'
C30	20.00'	3.52'	10°04'43"	S3°41'08"E	3.51'
C31	20.00'	31.42'	90°00'00"	S43°38'46"E	28.28'
C32	20.00'	5.05'	14°28'16"	S8°35'22"W	5.04'
C33	20.00'	26.36'	75°31'44"	S53°35'22"W	24.50'
C34	20.00'	26.34'	75°27'36"	N50°54'58"W	24.48'
C35	20.00'	5.08'	14°32'24"	N5°54'58"W	5.06'
C36	1235.00'	39.14'	1°48'57"	N2°15'42"E	39.14'
C37	1235.00'	64.54'	2°59'39"	N4°40'00"E	64.53'
C38	20.00'	5.94'	17°01'01"	N14°40'20"E	5.92'
C39	20.00'	26.36'	75°31'21"	N60°56'31"E	24.49'
C40	20.00'	26.36'	75°31'21"	S43°32'08"E	24.49'
C41	20.00'	4.17'	11°56'17"	S0°11'41"W	4.16'
C42	1025.00'	51.24'	2°51'52"	S4°43'54"W	51.24'
C43	1025.00'	34.81'	1°56'44"	S2°19'36"W	34.80'



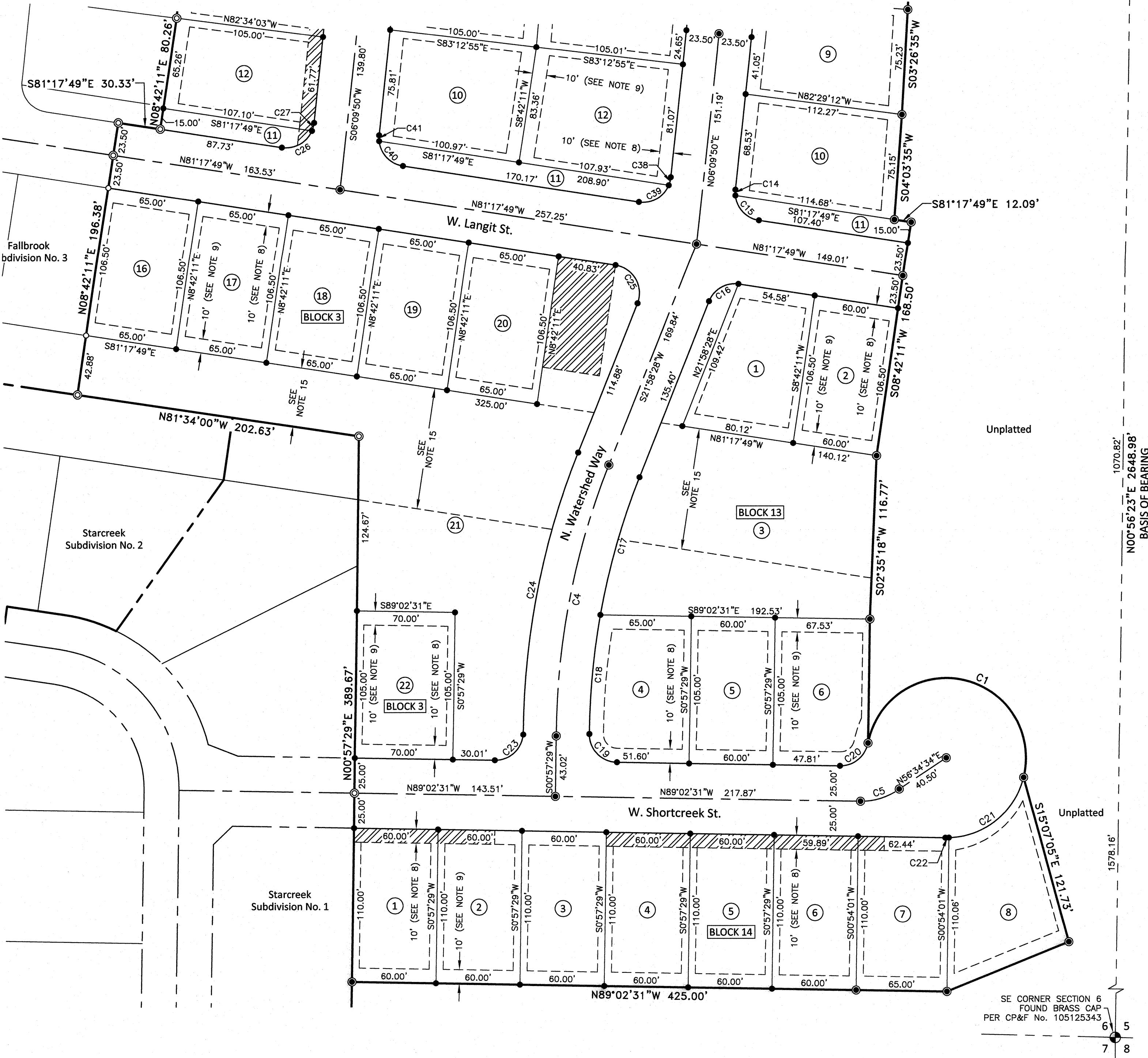
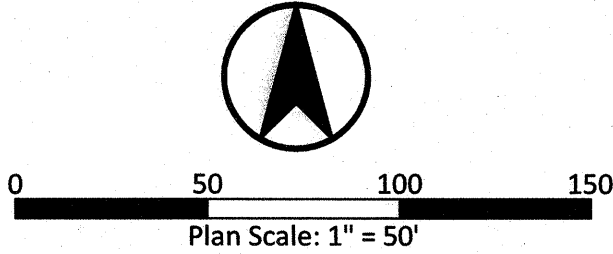
6-16-2020
DEVELOPER
DB Development, LLC
MERIDIAN, IDAHO



PLAT OF
FALLBROOK SUBDIVISION No. 4

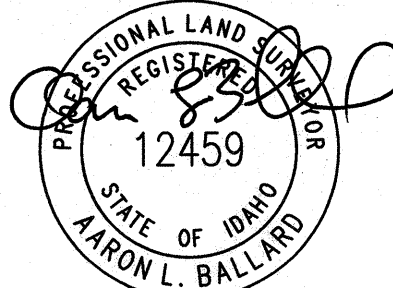
POINT OF COMMENCEMENT
E 1/4 CORNER SECTION 6
FOUND ALUMINUM CAP
R CP&F No. 2017-051887

SEE SHEET 2



NOTES

1. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE CITY OF STAR APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
2. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
3. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF".
4. LOT 21 OF BLOCK 3, LOT 43 OF BLOCK 7, LOTS 11, 15, AND 21 OF BLOCK 4, LOTS 1, 7, AND 11 OF BLOCKS 11 AND 11, LOT 1 OF BLOCK 12, AND LOT 13 OF BLOCK 16 ARE COMMON LOTS AND SHALL BE OWNED AND MAINTAINED BY THE FALLBROOK SUBDIVISION HOMEOWNER'S ASSOCIATION. THESE LOTS ARE SUBJECT TO A BLANKET EASEMENT FOR PUBLIC UTILITIES AND FALLBROOK HOMEOWNER'S ASSOCIATION IRRIGATION.
5. ALL LOT, PARCEL AND TRACT SIZES SHALL MEET THE DIMENSIONAL STANDARDS ESTABLISHED IN THE APPLICABLE ZONING ORDINANCE OR AS SPECIFICALLY APPROVED.
6. IRRIGATION WATER HAS BEEN PROVIDED FROM MIDDLETON MILL IRRIGATION COMPANY IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(b). LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM MIDDLETON MILL IRRIGATION COMPANY AND THE FALLBROOK SUBDIVISION HOMEOWNER'S ASSOCIATION.
7. THIS SUBDIVISION IS SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS THAT ARE ON FILE AT THE ADA COUNTY RECORDER'S OFFICE AS INSTRUMENT No. 2018-017636, AS AMENDED FROM TIME TO TIME.
8. UNLESS OTHERWISE SHOWN, ALL FRONT LOT LINES COMMON TO THE RIGHT-OF-WAYS CONTAIN A 10.00 FOOT WIDE PERMANENT EASEMENT FOR PUBLIC UTILITIES, CITY OF STAR STREET LIGHTS, FALLBROOK HOMEOWNER'S ASSOCIATION PRESSURE IRRIGATION AND LOT DRAINAGE. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF DRIVEWAYS AND SIDEWALKS TO EACH LOT.
9. UNLESS OTHERWISE SHOWN, ALL REAR LOT LINES CONTAIN A 10.00 FOOT WIDE PERMANENT EASEMENT FOR PUBLIC UTILITIES, FALLBROOK HOMEOWNER'S ASSOCIATION PRESSURE IRRIGATION AND LOT DRAINAGE.
10. UNLESS OTHERWISE SHOWN, ALL INTERIOR LOT LINES CONTAIN A 5.00 FOOT WIDE EASEMENT, EACH SIDE, FOR FALLBROOK SUBDIVISION HOMEOWNER'S ASSOCIATION IRRIGATION AND LOT DRAINAGE.
11. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY.
12. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN THE SANITARY RESTRICTION RELEASE.
13. REFERENCE IS MADE TO THE PUBLIC HEALTH LETTER ON FILE REGARDING ADDITIONAL RESTRICTIONS.
14. A PORTION OF LOT 21, BLOCK 3, LOTS 11-14, 20 AND 21, BLOCK 9, LOTS 6-8, BLOCK 10, LOTS 6-8, BLOCK 11 AND LOTS 1-2 AND 4-7, BLOCK 14, ARE SERVIENT TO AND CONTAIN THE ACHD STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THAT CERTAIN FIRST AMENDED MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2015, AS INSTRUMENT No. 2015-103256, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT" AND THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE 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.
15. AS SHOWN HEREON, A PORTION OF LOT 21, BLOCK 3 AND LOT 3, BLOCK 13 ARE SUBJECT TO AN EASEMENT FOR ACCESS, CONSTRUCTION AND MAINTENANCE OF IRRIGATION DITCHES IN FAVOR OF FOOTHILL DITCH COMPANY.



6-16-2020

DEVELOPER

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MERIDIAN, IDAHO

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ENGINEERING
9233 WEST STATE STREET
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kmengllp.com

PLAT OF
FALLBROOK SUBDIVISION No. 4

CERTIFICATE OF OWNERS

KNOW ALL MEN/WOMEN BY THESE PRESENTS: THAT THE UNDERSIGNED IS THE OWNER OF THE REAL PROPERTY HEREAFTER DESCRIBED.

A PARCEL OF LAND BEING SITUATED IN A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 1 WEST, B.M., CITY OF STAR, ADA COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ALUMINUM CAP MARKING THE EAST 1/4 CORNER OF SAID SECTION 6, WHICH BEARS N00°56'23"E A DISTANCE OF 2,648.98 FEET FROM A FOUND BRASS CAP MARKING THE SOUTHEAST CORNER OF SAID SECTION 6;
THENCE FOLLOWING THE NORTHERLY LINE OF THE SAID SOUTHEAST 1/4, N88°38'46"W A DISTANCE OF 151.97 FEET TO A SET 5/8-INCH REBAR AND BEING THE POINT OF BEGINNING.

THENCE LEAVING SAID NORTHERLY LINE, S01°21'14"W A DISTANCE OF 106.50 FEET TO A SET 5/8-INCH REBAR;
THENCE S01°47'27"W A DISTANCE OF 47.00 FEET TO A SET 5/8-INCH REBAR;
THENCE S01°21'14"W A DISTANCE OF 351.50 FEET TO A SET 5/8-INCH REBAR;
THENCE S01°24'54"W A DISTANCE OF 20.00 FEET TO A SET 5/8-INCH REBAR;
THENCE S02°17'03"W A DISTANCE OF 74.82 FEET TO A SET 5/8-INCH REBAR;
THENCE S03°26'35"W A DISTANCE OF 75.23 FEET TO A SET 5/8-INCH REBAR;
THENCE S04°03'35"W A DISTANCE OF 75.15 FEET TO A SET 5/8-INCH REBAR;
THENCE S81°17'49"E A DISTANCE OF 12.09 FEET TO A SET 5/8-INCH REBAR;
THENCE S08°42'11"W A DISTANCE OF 168.50 FEET TO A SET 5/8-INCH REBAR;
THENCE S02°35'18"W A DISTANCE OF 116.77 FEET TO A SET 5/8-INCH REBAR;
THENCE S00°57'29"W A DISTANCE OF 88.38 FEET TO A SET 5/8-INCH REBAR;
THENCE 182.58 FEET ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 57.00 FEET, A DELTA ANGLE OF 183°31'41", A CHORD BEARING OF S77°33'29"E AND A CHORD DISTANCE OF 113.95 FEET TO A SET 5/8-INCH REBAR;
THENCE S15°07'05"E A DISTANCE OF 121.73 FEET TO A SET 5/8-INCH REBAR;
THENCE S67°49'13"W A DISTANCE OF 94.09 FEET TO A SET 5/8-INCH REBAR;
THENCE N89°02'31"W A DISTANCE OF 425.00 FEET TO A SET 5/8-INCH REBAR ON THE EASTERLY BOUNDARY LINE OF STARCREEK SUBDIVISION NO. 1;
THENCE FOLLOWING SAID EASTERLY BOUNDARY LINE, N00°57'29"E A DISTANCE OF 389.67 FEET TO A SET 5/8-INCH REBAR ON THE NORTHERLY BOUNDARY LINE OF STARCREEK SUBDIVISION NO. 1;
THENCE FOLLOWING SAID NORTHERLY BOUNDARY LINE, N81°34'00"W A DISTANCE OF 202.63 FEET TO A SET 5/8-INCH REBAR ON THE EASTERLY BOUNDARY LINE OF FALLBROOK SUBDIVISION NO. 3;

THENCE FOLLOWING SAID EASTERLY BOUNDARY LINE THE FOLLOWING EIGHT (8) COURSES:
1. THENCE N08°42'11"E A DISTANCE OF 196.38 FEET TO A SET 5/8-INCH REBAR;
2. THENCE S81°17'49"E A DISTANCE OF 30.33 FEET TO A SET 5/8-INCH REBAR;
3. THENCE N08°42'11"E A DISTANCE OF 80.26 FEET TO A SET 5/8-INCH REBAR;
4. THENCE N05°30'59"E A DISTANCE OF 65.94 FEET TO A SET 5/8-INCH REBAR;
5. THENCE N02°05'22"E A DISTANCE OF 62.10 FEET TO A SET 5/8-INCH REBAR;
6. THENCE N01°21'14"E A DISTANCE OF 336.50 FEET TO A SET 5/8-INCH REBAR;
7. THENCE N88°38'46"W A DISTANCE OF 47.81 FEET TO A SET 5/8-INCH REBAR;
8. THENCE N01°21'14"E A DISTANCE OF 153.50 FEET TO A SET 5/8-INCH REBAR ON THE NORTHERLY LINE OF SAID SOUTHEAST 1/4;
THENCE LEAVING SAID EASTERLY BOUNDARY LINE AND FOLLOWING SAID NORTHERLY LINE, S88°38'46"E A DISTANCE OF 564.81 FEET TO A SET 5/8-INCH REBAR BEING THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A TOTAL OF 15.083 ACRES, MORE OR LESS.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE SAID LAND IN THIS PLAT. THE EASEMENTS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS SHOWN ON THIS PLAT. NO STRUCTURES OTHER THAN FOR SUCH UTILITY AND OTHER DESIGNATED PUBLIC USES ARE TO BE ERECTED WITHIN THE LIMITS OF SAID EASEMENTS UNLESS NOTED OTHERWISE ON THIS PLAT. THE UNDERSIGNED, BY THESE PRESENTS, DEDICATES TO THE PUBLIC ALL PUBLIC STREETS AS SHOWN ON THIS PLAT. ALL LOTS WITHIN THIS PLAT WILL RECEIVE SEWER AND WATER SERVICE FROM THE STAR SEWER AND WATER DISTRICT SAID DISTRICT HAS AGREED IN WRITING TO SERVE ALL OF THESE LOTS.

JUSTIN BLACKSTOCK, MANAGER
DB DEVELOPMENT, LLC

ACKNOWLEDGMENT

STATE OF IDAHO)
)SS
ADA COUNTY)

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON _____, 20____, BY JUSTIN BLACKSTOCK, AS MANAGER OF DB DEVELOPMENT, LLC.

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES _____

CERTIFICATE OF SURVEYOR

I, AARON L. BALLARD, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT OF FALLBROOK SUBDIVISION No. 4 AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" AND AS SHOWN ON THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL 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.

AARON L. BALLARD, P.L.S. 12459



DEVELOPER
DB Development, LLC
MERIDIAN, IDAHO



FINDINGS OF FACT AND CONCLUSIONS OF LAW
EASEMENT VACATION GREINER'S HOPE SPRINGS SUBDIVISION
FILE NO. VAC-20-01

The above-entitled vacation application came before the Star City Council for their action on August 18, 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:

Tucker Johnson, Green Village 2 Development, 372 S. Eagle Road Suite 328, Eagle, Idaho, 83616, the property owner, requested approval of a vacation of existing utility easements no longer necessary on the property previously approved as the Greiner's Hope Springs Subdivision. The property is located at 11601 W. New Hope Road and 2660 N. Rusty Spur Lane in Star, Idaho, and consists of 62.71 acres. The subject property is generally located on the south side of W. New Hope Road, east of N. Munger Road in Star, Idaho. Ada County Parcel #'s R7626790200; R7626790405; R7626800012; R7626800022; R7626800051; R7626800041; R7626800030.

B. Application Submittal:

A neighborhood meeting was held on July 31, 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 3, 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 August 2, 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 3, 2020. Notice was sent to agencies having jurisdiction in the City of Star on July 3, 2020. The property was posted in accordance with the Star Unified Development Code on August 8, 2020.

D. Site Data:

Total Acreage of Site – 62.71 acres

E. Agencies Responding:

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

Star Sewer and Water District (response via Keller on 8-11-20)
Idaho Power (approval response 7-24-20)
CenturyLink (approval response 6-30-20)
Sparklight (formerly Cable One) (approval response 7-20-20)
Intermountain Gas (approval response 6-24-20)
Keller and Associates (approval response 8-3-20)

F. Letters from the Public:

None

Public Hearing of the Council:

a. A public hearing on the application was held before the City Council on August 18, 2020, at which time testimony was heard and the public hearing was closed. The City Council made their decision at that time.

b. Staff review and recommendation included the following:

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed vacation of easements meets the requirements, standards and intent of the Comprehensive Plan and Zoning Ordinance. 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.

c. It was recommended to Council to consider the following:

- i. This application complies with the framework of Star's Comprehensive Plan;
- ii. The vacations do not create any landlocked property;
- iii. The vacations do not restrict access to any parcel;
- iv. The vacations do not reduce the quality of public services to any parcel of land.

d. Oral testimony in favor of the application was presented to the City Council by:

Tucker Johnson, Green Village 2 Development, 372 S. Eagle Road Suite 328, Eagle, Idaho, 83616 Oral testimony in opposition to the application was presented to the Council by:

- e. Oral testimony uncommitted to the application was presented to the Council by:

Chris Todd, 53 N. Plummer Road, Star, ID 83669

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

None

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this vacation application in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in discussions on the vacation of easements on the property.

Council concluded that:

1. This application complies with the framework of Star's Comprehensive Plan.
2. The vacations do not create any landlocked property.
3. The vacations do not restrict access to any parcel.
4. The vacations do not reduce the quality of public services to any parcel of land.

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' representative requested vacation approval to remove specific utility easements on the subject property.

Conditions of Approval:

1. The approved Final Plat for Greiner's Hope Springs Subdivision shall continue to comply with all conditions of approval for the final plat, along with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. The applicant shall comply with all requirements of the City Engineer.

Council Decision:

The Council voted unanimously to approve the Vacation for Greiner's New Hope Subdivision on August 18, 2020.

Dated this _____ day of _____, 2020.

Star, Idaho

By: _____

ATTEST:

Trevor A. Chadwick, Mayor

Cathy Ward, City Clerk

**FINDINGS OF FACT AND CONCLUSIONS OF LAW
RIDLEY'S HERON RIVER COMMERCIAL SUBDIVISION &
LES SCHWAB TIRE CENTER CUP
FILE NO. RZ-20-06/DA-20-09/PP-20-09/CUP-20-03**

The above-entitled Rezone, Development Agreement, Preliminary Plat and Conditional Use Permit land use applications 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:

Mark Ridley, CJM Limited Liability Limited Partnership, 621 Washington St South, Twin Falls, ID 83301; and Michael White, representing Les Schwab Tire Center, 303 East 17th Ave, Suite 105, Denver, CO, 80203, requested approval of a Rezone (to Central Business District-CBD) with a Development Agreement, a Preliminary Plat for a proposed commercial subdivision consisting of 6 lots, and a Conditional Use Permit for a Tire Center. The property is located at 145 S. Plummer Way, and 9651, 9687, 9759, 9803, 9781, 9839 & 9911 W. State Street, and consists of 11.39 acres.

B. Application Submittal:

A neighborhood meeting was held on June 18, 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 June 22, 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 July 1, 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 June 22, 2020. Notice was sent to agencies having jurisdiction in the City of Star on June 22, 2020. The property was posted in accordance with the Star Unified Development Code on July 17, 2020.

D. History of Previous Actions:

This entire property was approved for commercial uses under the original Heron River (Parkstone Sub) Planned Unit Development and Development Agreement.

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

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Residential (R-2-DA)	Central Business District	Vacant
Proposed	CBD-DA	No Change	Commercial
North of site	Mixed Use (MU) Commercial (C-1)	Central Business District	Commercial
South of site	Residential R-2-DA	Neighborhood Residential	Heron River Subdivision
East of site	Residential (R-2-DA)	Neighborhood Residential	Heron River Subdivision
West of site	Residential (R-2-DA)	Neighborhood Residential	Heron River Subdivision

F. *Site Data:*

Total Acreage of Site – 11.39 acres

G. *Development:*

The Applicant is seeking approval of a Rezone (to Central Business District-CBD) with a Development Agreement, a Preliminary Plat for a proposed commercial subdivision consisting of 6 lots, and a Conditional Use Permit for a Tire Center.

REZONE:

The rezone request from Residential (R-2) to Central Business District (CBD-DA), together with a development agreement, will allow for the development and accompanying subdivision of the subject property into commercial uses consistent with the current Comprehensive Plan. The Comprehensive Plan Land Use Map designates this property as Central Business District.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 6 commercial lots. The proposed Lot 1 will contain the Ridley's Market, currently under construction, while proposed Lot 6 will be the location of the Les Schwab Tire Center that is including in the accompanying Conditional Use Permit application.

CONDITIONAL USE PERMIT (Les Schwab Tire Center):

The Conditional Use Permit included in this application is for a tire center that is listed as a Minor Vehicle Repair use in the Central Business District. The use will be located on the newly created Lot 6 within the Ridley's Heron River Commercial Subdivision. The lot is 1.48 acres in size and is located on the southeast corner of S. Seneca Springs Way and W. State Street. The proposed building is 8,643 square feet in size and will include six service bays and a showroom for tire and brake repair. The development will include 31 parking spaces, a trash enclosure, and

associated landscaping. An infiltration pond will be designed into the landscaping area to the south of the project. An exterior "Bullpen" area is proposed on the southwest corner of the development for outdoor tire and equipment storage. Fencing of the Bullpen area has not been depicted in the submitted plans.

ADDITIONAL DEVELOPMENT FEATURES:

- Parking
Parking required for this use is 1 space per 400 square feet of gross floor area plus 1 space per 500 square feet of outdoor storage area. The proposed 31 spaces exceed the requirement.
- Sidewalks
Sidewalks are existing along Seneca Springs Way and proposed along W. State Street. The applicant shall coordinate with ITD and ACHD when designing and constructing the sidewalks. Sidewalk along State Street shall be a minimum of eight feet (8') as required by the UDC.
- 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. A lighting plan shall be submitted to the City for review and approval prior to issuance of a building permit.
- Fencing
The applicant shall submit a fencing plan that indicates the type of fencing proposed around the tire storage area (Bullpen).

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 – No.
- ★ Riparian Vegetation – No known areas.
- ★ Steep Slopes – No.
- ★ Stream/Creek – None.
- ★ Unique Animal Life – No unique animal life has been identified.
- ★ Unique Plant Life – No unique plant life has been identified.
- ★ Unstable Soils – No known issues.
- ★ Wildlife Habitat – No wildlife habitat has been developed or will be destroyed.
- ★ Historical Assets – No historical assets have been observed.

I. *Agencies Responding:*

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

Star Fire District	June 23, 2020
Keller and Associates	July 17, 2020
Central District Health Dept	July 6, 2020
DEQ	July 6, 2020
ITD	July 20, 2020
ACHD	July 9, 2020

J. Staff received the following neighbor letters for the development:

None

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.

Unified Development Code:

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

CBD CENTRAL BUSINESS DISTRICT: 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.

DA DEVELOPMENT AGREEMENT: This designation, following any zoning designation noted on the official zoning map of the city (i.e., C-2-DA), indicates that the zoning was approved by the city with a development agreement, with specific conditions of zoning.

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

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front (1)	Rear	Interior Side	Street Side
CBD	35'	0'	0'	0'	0'

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.

8-6B-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. For commercial or other non-residential uses, common driveways serving multiple structures and/or properties shall meet the requirements of the Fire District.
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.

8-1B-1C REZONE FINDINGS:

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 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 Council finds that the proposal complies with the proposed district and purpose statement. The purpose of the central business district is to provide for commercial, retail, civic, office, and entertainment uses. Council finds that 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 rezone is reasonably necessary for the orderly development of the City.

8-6A-7: PRELIMINARY PLAT FINDINGS:

1. The plat is in compliance with the Comprehensive Plan;
The Council finds that the Plat, as presented, will be constituent with the updated Comprehensive Plan and will meet the Land Use designation. Further, the property is required to develop under the guidelines of the Comprehensive Plan and requirements of the Unified Development Code.
2. Public Services are available or can be made available and are adequate to accommodate the proposed development;
The Council finds that Agencies having jurisdiction on this parcel were notified of this action. The City has not received notice that public services are not available or cannot be made available for this development.
3. There is public financial capability of supporting services for the proposed development;

The Council finds that the City has not received notice from any jurisdictional agency that there are any problems with public financial capability for this development.

4. The development will not be detrimental to the public health, safety or general welfare;
The Council finds that the City has not been made aware of any known detriment that will be caused by this development. Residential uses are a permitted use.
5. The development preserves significant natural, scenic or historic features;
The Council finds that there are no known natural, scenic, or historic features that have been identified with this Preliminary Plat. The property has been vacant for many years.

8-1B-4E: CONDITIONAL USE PERMIT FINDINGS:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.
The Council finds that the site is large enough to accommodate the use, adequate parking spaces for all customers, and safe and efficient vehicle circulation through the site,
2. That the proposed use will be harmonious with the Star Comprehensive Plan and in accord with the requirements of the Unified Development Code.
The Council finds that the Comprehensive Plan supports this commercial use within the Central Business District zoning designation through a Conditional Use Permit.
3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.
The Council finds that the design and operation of this use on this site, as conditioned, is compatible with other surrounding uses including the adjacent residential uses.
4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.
The Council finds that Conditions of Approval can be placed on this application to protect other properties in the vicinity from adverse effects from the proposed use.
5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.
The Council finds that the use can be served adequately by these services.
6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

The Council finds that this use will not create excessive, additional cost for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The Council finds that the proposed use will not involve activities or conditions of operation that will be detrimental to any persons, property of the general welfare by reasons of excessive production of traffic.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

The Council finds that the use would not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as none are apparent on this site.

Public Hearing of the Council:

- a. A public hearing on the application was held before the City Council on 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:
- Jared Mitchel, Associated Food Stores, 1850 West 2100 South, Salt Lake City, UT 84119, representing Ridley's, the applicant
 - Michael White, Cushing Terrell, 800 W Main Street, Suite 800, Boise, ID 836702, representing Les Schwab Tire Centers, the applicant
 - Shaun Young, Anderson Wahlen & Associates, 2010 N. Redwood Rd, Salt Lake City, UT, 84116, representing Ridley's, the applicant
- c. Oral testimony to the application was further presented to the Council by:
- Jeannie Nail, 11887 W Pinewood River Lane, Star, ID 83669
- d. Written testimony in favor of or opposing the application was presented to the City Council by:
None

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of 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 development layout, noise from Tire Center use.

Statement of Compliance:

Council finds the Applicant(s) have met all requirements of the Unified Development Code and the intent and purpose of the Comprehensive Plan and Map requirements.

The Owner requested the rezone from Residential (R-2-DA) to Central Business District (CBD-DA) with a Development Agreement, and a Conditional Use Permit, which fits within the neighboring properties.

Conditions of Approval:

1. The approved Preliminary Plat for Ridley's Heron River Commercial Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. The applicant for the rezone 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 prior to final plat signature, and as commercial uses are reviewed and approved by the City.
3. All common drives shall meet the requirements of the Star Fire District.
4. The property with the approved Preliminary Plat shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code.
5. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
6. 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.
7. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
8. 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.
9. 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.
10. A plat note shall state that development standards for commercial 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.
11. All streetlights and parking lot lighting 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.
12. 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.**

13. A sign application is required for any subdivision or commercial use signs.
14. Each lot within the subdivision shall be required to record a cross access agreement at the time that each use is approved. The Les Schwab Tire Center shall provide cross access to the east of the development.
15. The Les Schwab Tire Center shall comply with the approved site plan. All parking, lighting, trash enclosures, access and landscaping shall meet the requirements of the UDC at all times.
16. Applicant shall apply for any required building and vendor permits.
17. The Conditional Use Permit may be revoked or modified by the City Council for any violation of any Condition of Approval.
18. The applicant for the Les Schwab Tire Center shall provide a 6' masonry sound wall on the south side of the proposed building between the Bullpen area and the building as required by Council.

Council Decision:

The Council voted unanimously to approve the Rezone to Central Business District (CBD-DA), Development Agreement, Preliminary Plat for Ridely's Heron River Commercial Subdivision, and Conditional Use Permit for Les Schwab Tire Center on July 28, 2020.

Dated this _____ day of _____, 2020.

Star, Idaho

By: _____

ATTEST:

Trevor A. Chadwick, Mayor

Cathy Ward, City Clerk



CITY OF STAR

**LAND USE STAFF REPORT
MEMO**

TO: Mayor & Council
FROM: Shawn L. Nickel, City Planner
MEETING DATE: **September 1, 2020**
RE: **Amazon Falls Subdivision Development Agreement Modification
(DA-20-14 MOD)**

ACTION

This application has been tabled to September 15, 2020 to allow the applicant to properly post the public hearing sign on the property.



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council
FROM: Shawn L. Nickel, City Planner
MEETING DATE: September 1, 2020 – PUBLIC HEARING
FILE(S) #: PR-20-01 **Private Street**

OWNER/APPLICANT/REPRESENTATIVE

Property Owner/Applicant:

Timothy Eck, DAS Investments, LLC
6152 W. Half Moon Lane
Eagle, ID 83616

Representative:

David Powell, P.E.
RiveRidge Engineering Company
2447 S. Vista Avenue
Boise, ID 83705

REQUEST

Request: The Applicant is seeking approval of a Private Street application for a private gate at the entrance to an existing private street (Buena Vista Lane) within the existing Star River Ranch development. The property is located on Lot 56, Block 4 of Star River Ranch Subdivision No. 2.

PROPERTY INFORMATION

Property Location: The subject property is generally located south of Hwy 44 off Bent Lane in Star, Idaho.

APPLICATION REQUIREMENTS

Neighborhood Meeting Held	June 13, 2020
Application Submitted & Fees Paid	March 10, 2020

Application Accepted	August 5, 2020
Residents within 300' Notified	August 5, 2020
Agencies Notified	August 5, 2020
Legal Notice Published	August 7, 2020
Property Posted	August 21, 2020

CODE DEFINITIONS

UNIFIED DEVELOPMENT CODE:

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.

8-4D-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.

PROJECT OVERVIEW

The applicant is requesting approval of a private gate at the entrance to Buena Vista Lane, a private street south of Salmon Falls Lane within the Star River Ranch Subdivision. The existing private street, together with the subdivision were originally approved by Canyon County and later annexed into the City of Star. The applicant has stated that the gate will be for the 6 lots within the development and will meet all requirements for emergency access as is required by the Star Fire District. The Fire District has recommended approval of the request.

AGENCY RESPONSES

Star Fire District

April 2, 2020

PUBLIC RESPONSES

There have been no public responses to this application.

STAFF RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed private street gate meets the requirements, standards and intent for development as they relate to the Comprehensive Plan and Unified Development Code.

The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the 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.

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:

8-4D-4: PRIVATE STREET FINDINGS:

The Applicant is requesting approval of a private gate at the entrance to a private street per the Unified Development Code requirements. The Council finds that:

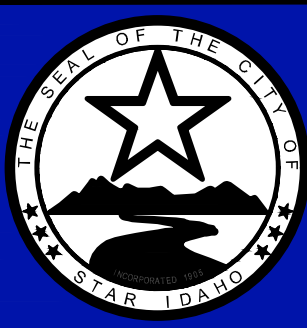
- A. The design of the private street (and gate) meets the requirements of this article;*
- B. Granting approval of the private street (gate) would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and*
- C. The use and location of the private street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

PROPOSED CONDITIONS OF APPROVAL

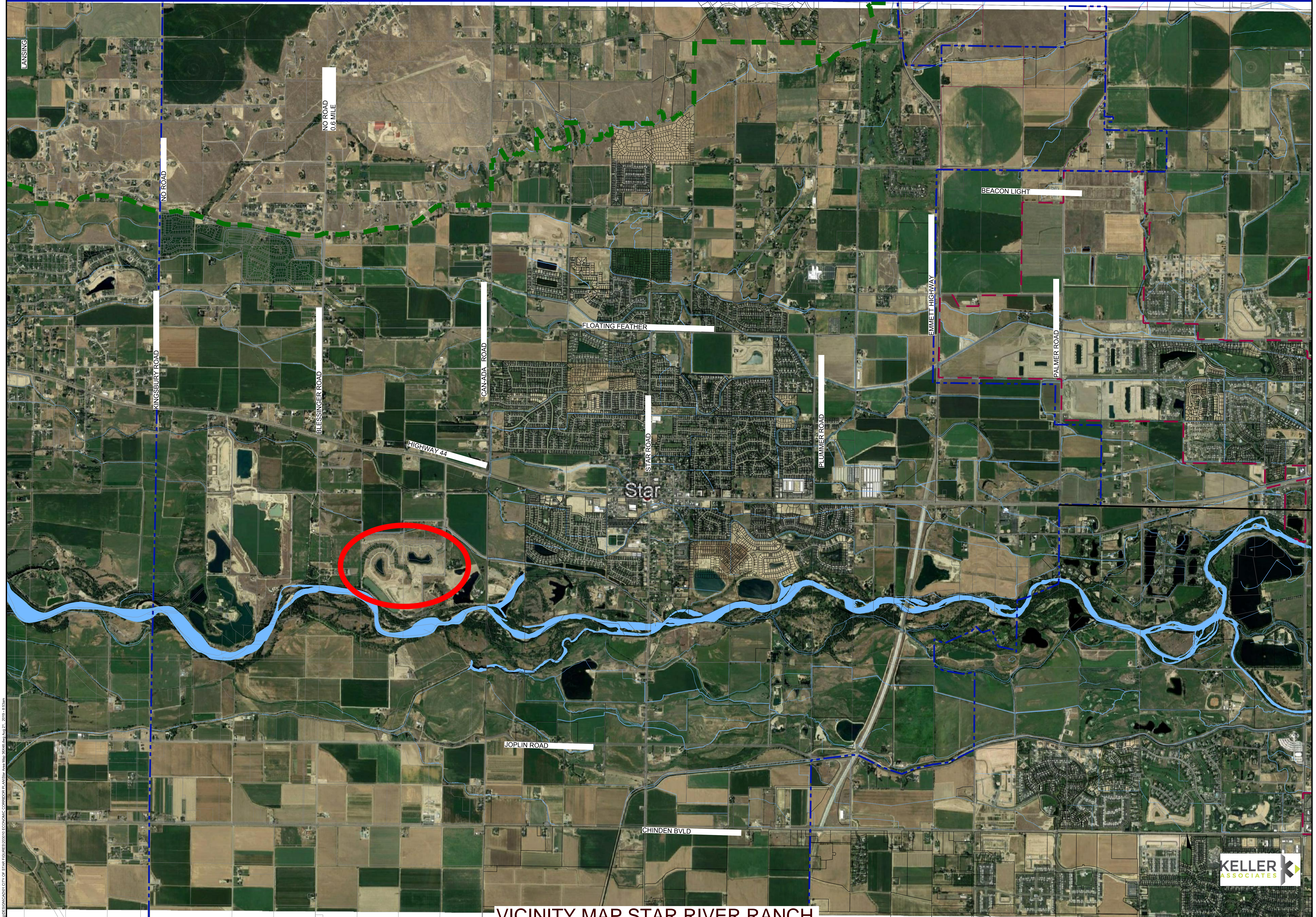
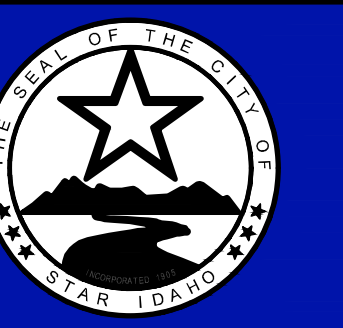
1. The applicant shall meet all requirements of the Star Fire District including the following:
 1. IFC 2015 Appendix D Fire Apparatus Access Roads Proper dead-end fire apparatus access road turnaround must be included;
 2. Any gate now or in the future have to be equipped with a KNOX access key and YELP. These both provide a way for fire and emergency vehicles to get in;
 3. Final inspection by Fire District on any kind of water supply and turnaround.
2. The applicant shall comply with all existing conditions of approval within the approved Star River Ranch Subdivision.
3. The gate shall be maintained by the HOA unless a separate agreement is in place. The applicant shall submit all agreements to the City of Star.
4. Any other specific conditions by Council or Staff.

COUNCIL DECISION

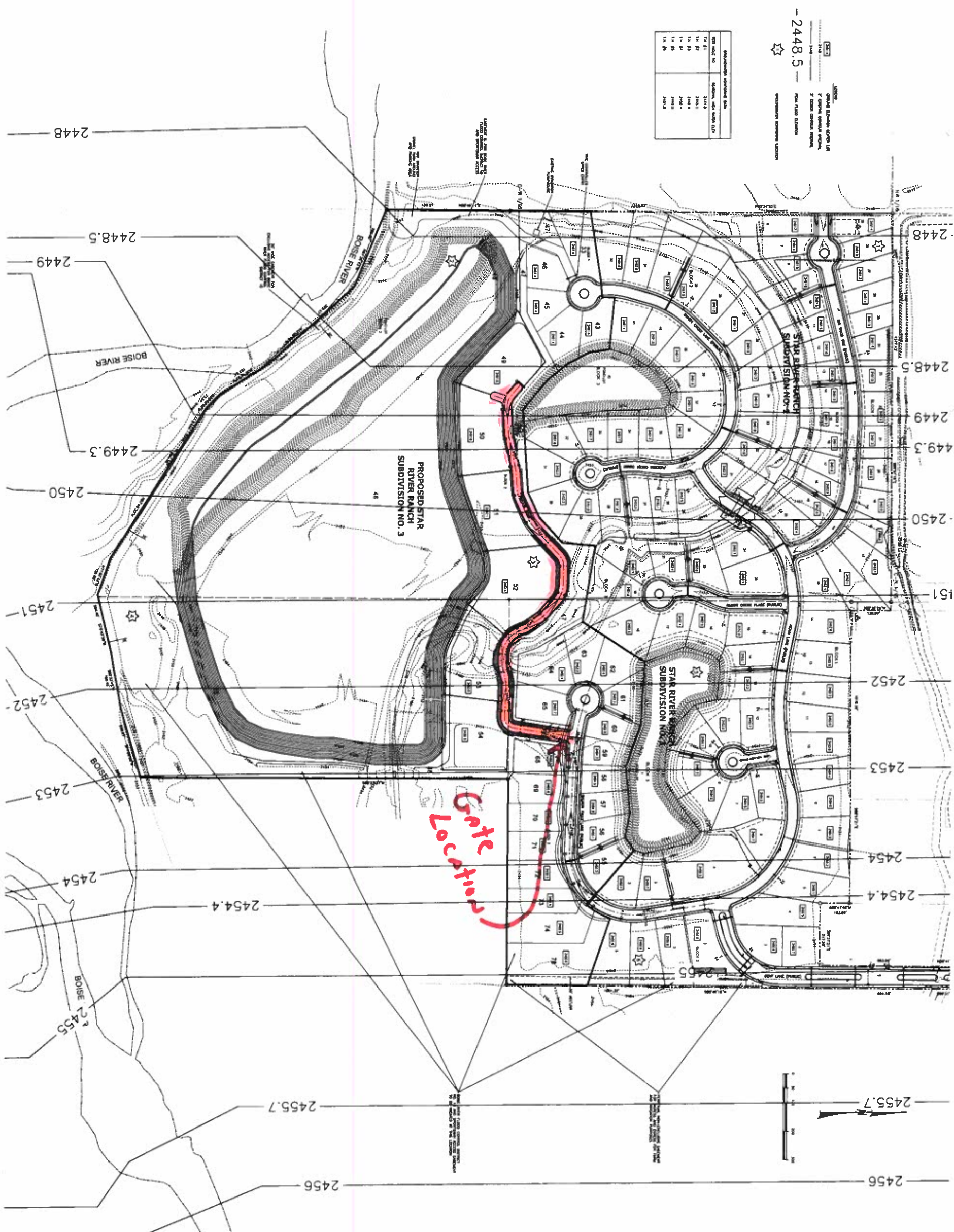
The Star City Council _____ File #PR-20-01 for Private Street (gate) on _____, 2020.



CITY OF STAR



VICINITY MAP STAR RIVER RANCH
PRIVATE STREET-GATE



**PRELIMIARY PLAT
SITE GRADING PLAN**

LOCATED BY A PORTION OF THE SE 1/4 OF THE NW 1/4, SW 1/4 OF THE NE 1/4,
PORTIONS OF GOVERNMENT LOTS 2 AND 3, ALL IN SECTION 13,
TOWNSHIP 4 NORTH, RANGE 2 WEST, CANYON COUNTY, IDAHO

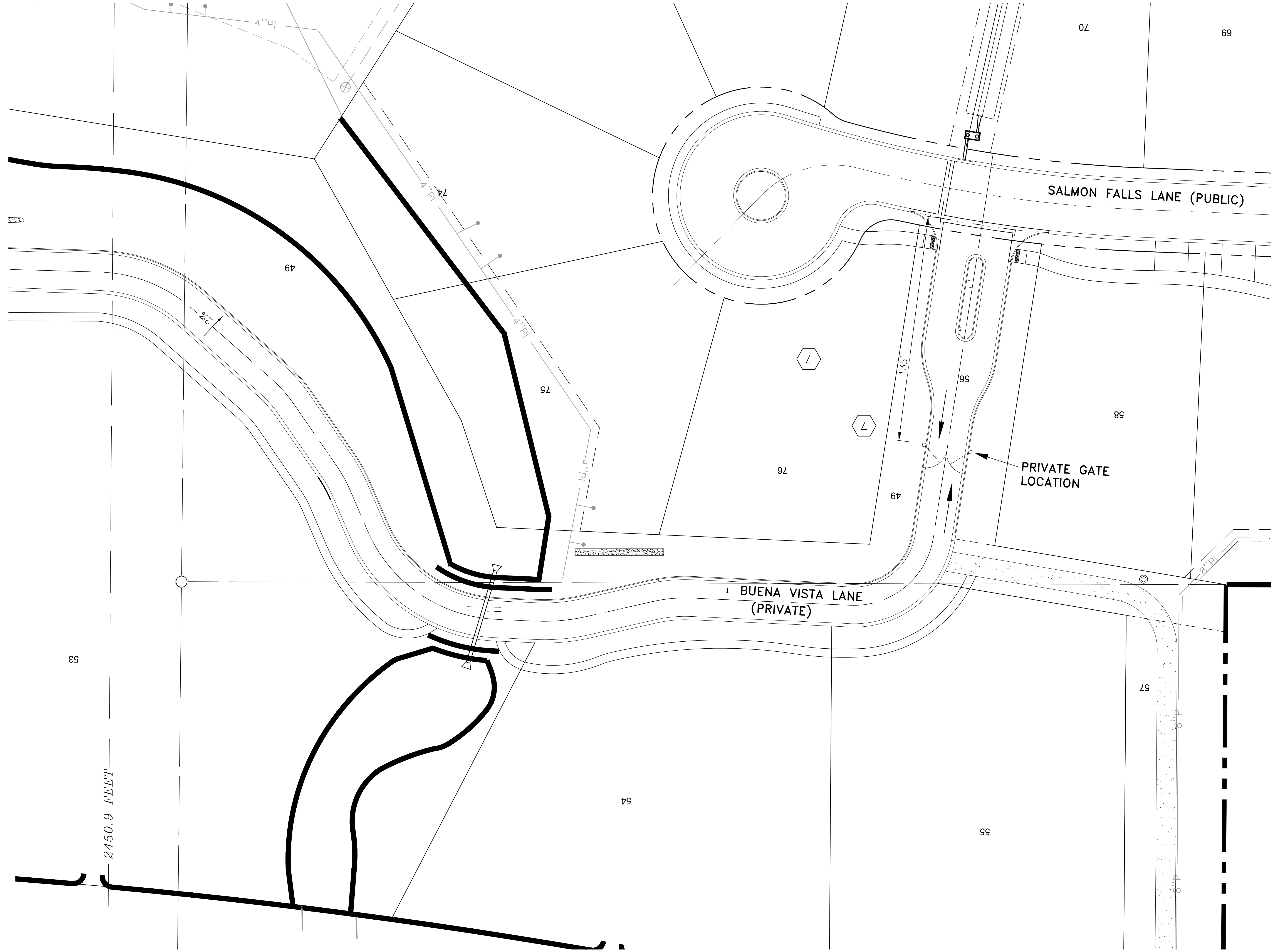


REVISIONS		DATE	BY (NAME)
NO.	DESCRIPTION		
			DESIGNED
			CHECKED
			APPROVED

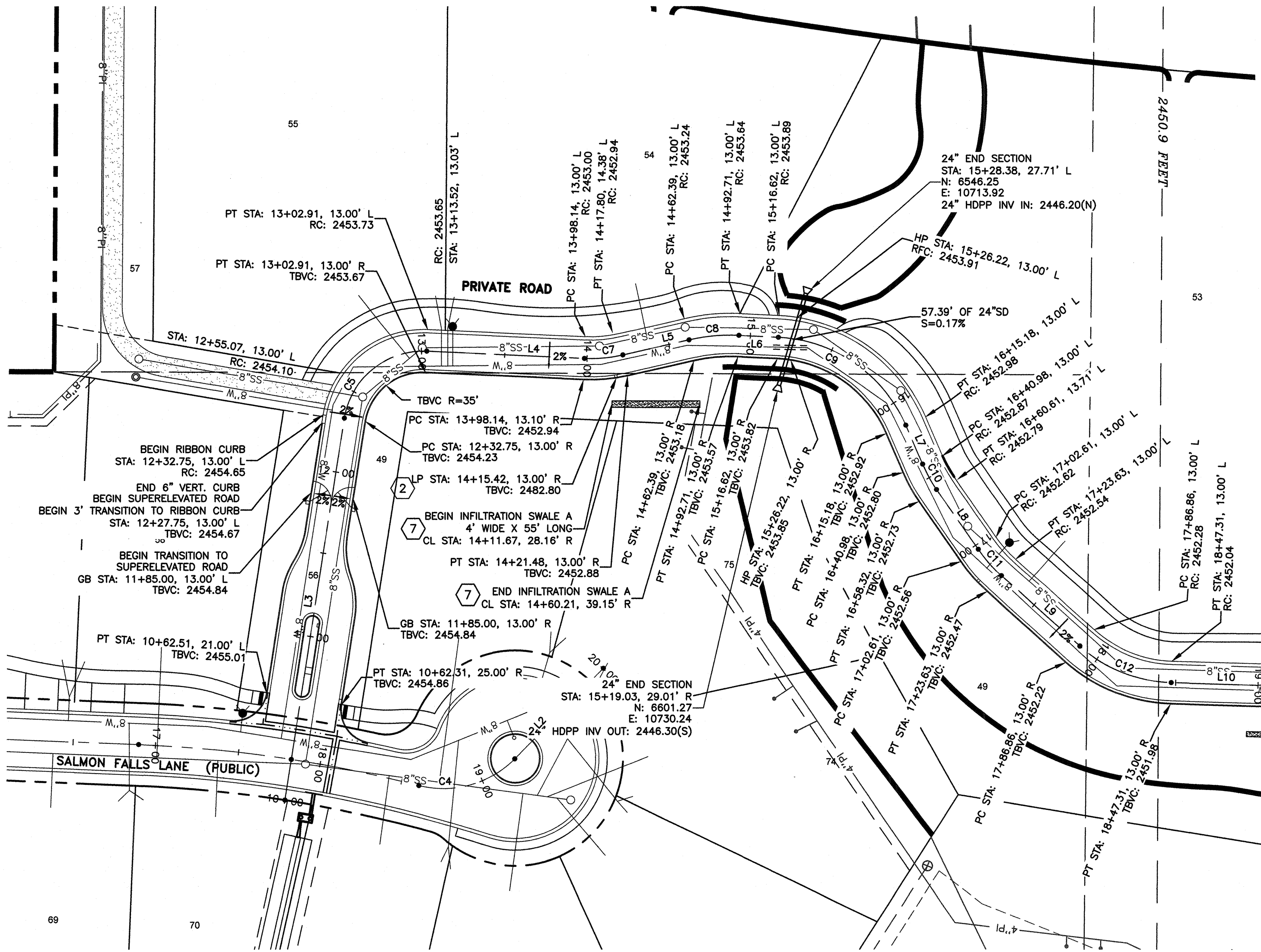
**RiverRidge
Engineering
Company**



2447 S. Vista Ave. Boise, Idaho 83705
Ph. (208) 344-1180, Fax (208) 344-1182



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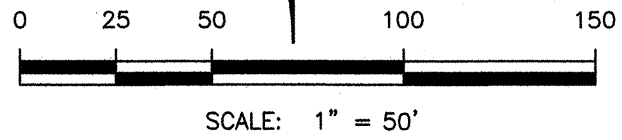


LINE TABLE		
LINE #	LENGTH	BEARING
L3	207.75'	S8°50'40"W
L4	95.23'	N87°24'23"W
L5	40.91'	S77°13'20"W
L6	23.91'	N87°24'23"W
L7	25.80'	N23°13'51"W
L8	44.28'	N34°39'05"W
L9	63.23'	N48°29'52"W
L10	62.67'	N88°18'40"W
L11	131.71'	S47°49'17"W
L12	39.69'	S65°38'57"W

CURVE TABLE						
CURVE	RADIUS	TANGENT	LENGTH	DELTA	BEARING	CHORD
C5	48.00'	43.03'	70.16'	83°44'57"	S50°43'09"W	64.08'
C7	87.00'	11.74'	23.34'	15°22'17"	S84°54'29"W	23.27'
C8	113.00'	15.25'	30.32'	15°22'17"	S84°54'29"W	30.23'
C9	88.00'	55.18'	98.57'	64°10'32"	N55°19'07"W	93.48'
C10	87.00'	8.70'	17.34'	11°25'14"	N28°56'28"W	17.31'
C11	87.00'	10.56'	21.02'	13°50'47"	N41°34'29"W	20.97'
C12	87.00'	31.50'	60.45'	39°48'48"	N68°24'16"W	59.24'
C13	62.00'	24.97'	47.47'	43°52'03"	S69°45'19"W	46.32'
C14	113.00'	17.72'	35.16'	17°49'40"	S56°44'07"W	35.02'
C15	270.90'	49.37'	97.66'	20°39'18"	S75°58'37"W	97.13'

LEGEND

TBC: TOP BACK OF ROLLED CURB
TBVC: TOP BACK OF VERTICAL CURB
RFC: TOP BACK OF REVERSE PAN VERTICAL CURB
RC: BACK OF RIBBON CURB
GB: GRADE BREAK
HP: HIGH POINT
PC: POINT OF CURVATURE
PT: POINT OF TANGENCY



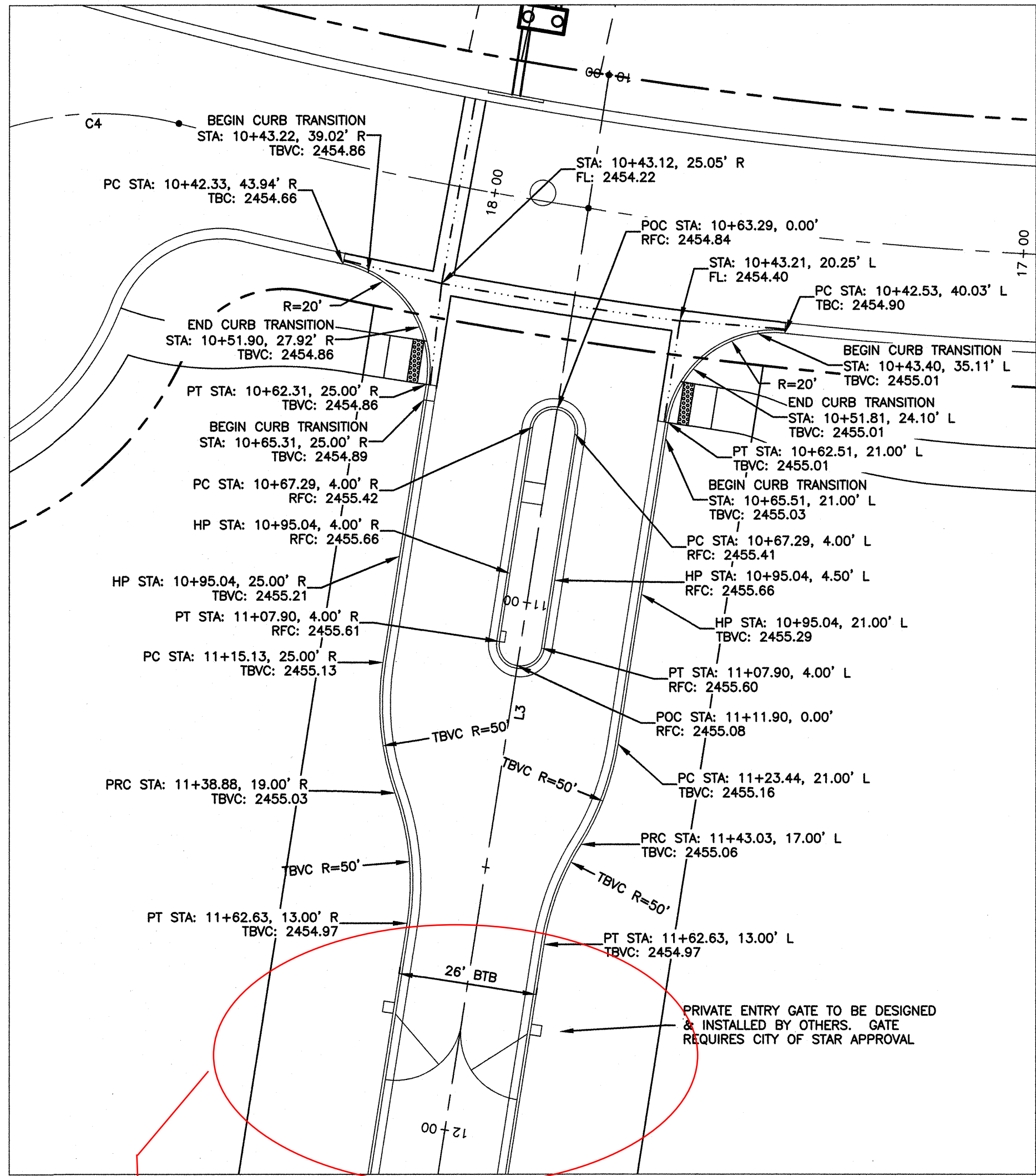
KEY NOTES

- CURB OPENING PER ISPC SD-716, SEE SHEET 5.1
- VALLEY GUTTER, SEE DETAIL ON SHEET 5.0
- CONSTRUCT PEDESTRIAN RAMP, SEE SHEET 5.0 FOR DETAIL
- SEE SHEET 4.0 FOR INFILTRATION SWALE DETAIL

NOTES

- CONTRACTOR TO VERIFY LOCATION AND ELEVATION OF ALL EXISTING FEATURES TO BE CONNECTED TO & NOTIFY ENGINEER OF ANY DISCREPANCIES.
- WHERE TRANSITIONS IN CURB/SW ARE REQUIRED FOR PEDESTRIAN RAMPS AND APPROACHES, CURB ELEVATIONS DO NOT REFLECT ACTUAL TRANSITION ELEVATIONS. CURB ELEVATIONS SHOWN ARE FOR A NORMAL CURB SECTION.
- WHERE MATCHING INTO EXISTING ASPHALT & PRIOR TO PAVING, SAWCUT TO SOUND PAVEMENT PERPENDICULAR OR PARALLEL WITH THE ROADWAY. PARALLEL CUTS SHALL BE LOCATED AT THE CENTER OR EDGE OF THE TRAVEL LANE.

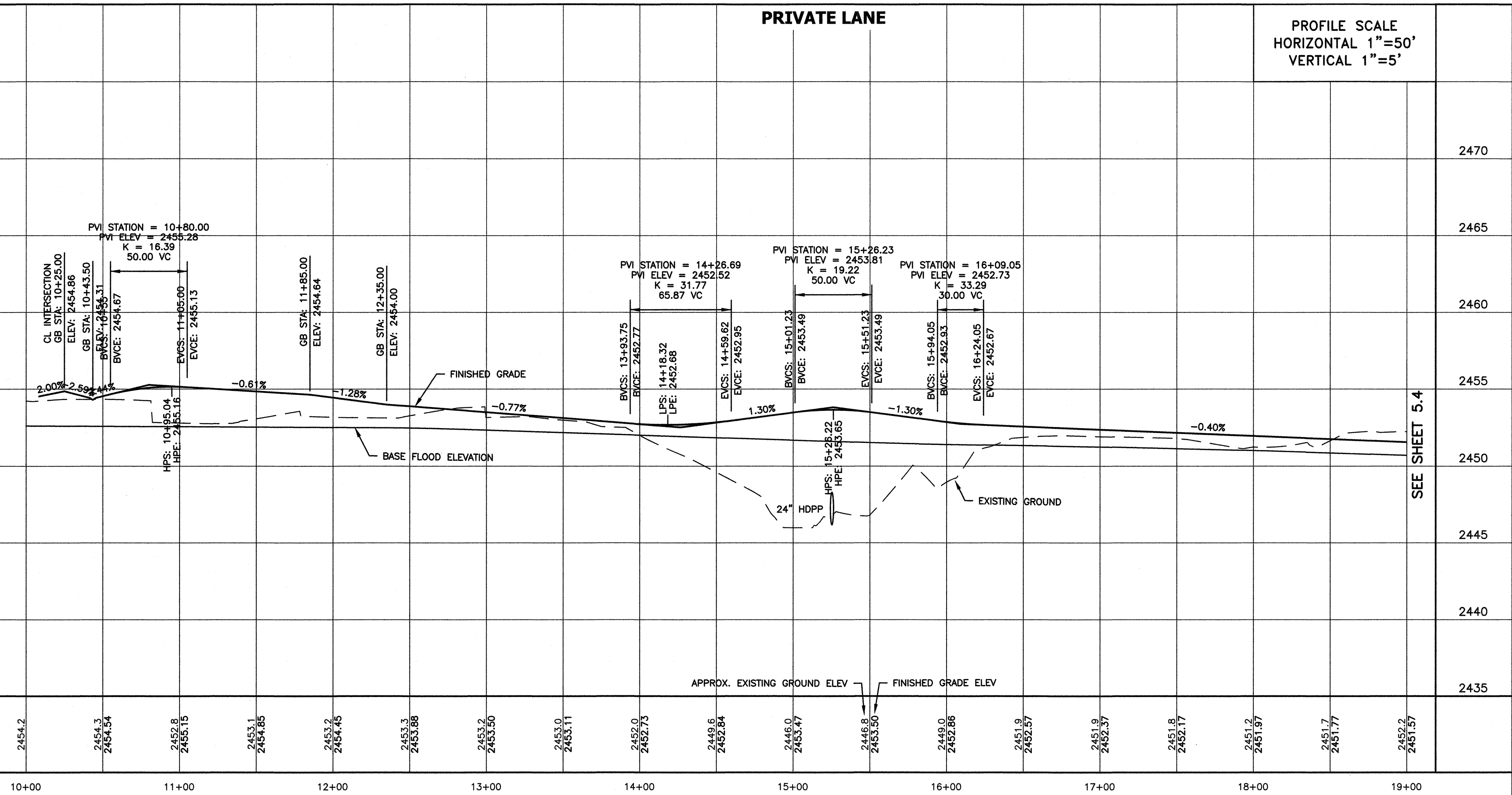
SEE SHEET 5.4



BUENA VISTA LANE ENTRANCE DETAIL

SCALE: 1"=20'

PRIVATE GATE LOCATION



PRIVATE LANE

PROFILE SCALE
HORIZONTAL 1"=50'
VERTICAL 1"=5'

SEE SHEET 5.4

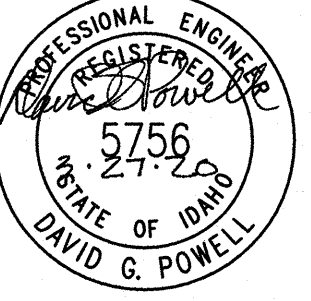
STAR RIVER RANCH SUBDIVISION NO. 2

PRIVATE ROADWAY PLAN & PROFILE STA. 10+00 TO 19+00

DATE: NOVEMBER, 2019
PROJECT: 16046
SHEET 5.3 OF 24

NO.	REVISED PER SMD & CHD COMMENTS AND REVISED PRIVATE ROAD	ITEM	DATE	16046 RDS
1			3/27/2020	DESIGNED
				WH, DGP
				DRAWN
				WH, US
				CHECKED
				DGP
				APPROVED
				DGP

Riveridge Engineering Company
2447 S. Vista Ave. Boise, Idaho 83705
Ph. (208) 344-1180, Fax (208) 344-1182



Gate Application

Buena Vista Lane

Star River Ranch Subdivision No. 2

Exceptional Circumstances

Protection of Wetland Protection Areas under the Jurisdiction of the U.S. Army Corps of Engineers from trespassers, illegal access and consequential damage

Applicant requests approval for an electric gate

The south portion of Star River Ranch Subdivision No. 2 includes an enclave of 6 exclusive estate lots. Star River Ranch Estates (SRRE). SRRE lots all have frontage on a private lake. The SRRE lots and lake will include a perimeter pathway surrounding the lots and the lake. The pathway will border protected wetlands that extend across the west and south lakeshore. SRRE will be fully fenced or bordered by a 4' retaining wall along a wetland protected slough.

Lots 47, 48, 49, 53, 73 and 74, Block 4 include wetland restricted areas under jurisdiction of the U.S. Army Corps of Engineers (ACOE). Lots 49 and 53 include large areas of wetland restricted area protected only by the SRRE boundary fence.

The SRRE HOA and its members are the only people allowed to access the wetland restricted areas and only for the purpose of ACOE approved maintenance. The Final Plat notes and CC&R's define the restricted areas. The owners of the SRRE lots will be members of the SRRE HOA and will be informed and aware of the ACOE protected wetlands and the requirement to stay out of the restricted areas except for ACOE approved maintenance.

It will be impossible to control the general public that decides to trespass. The boundary fence will be properly marked to deter trespassing, but if the private road is not gated the open road will invite trespassers to enter SRRE and drive to the edge of the wetland boundary. This will provide easy access to the ACOE protected wetland areas and illegal entry into the ACOE protected wetlands will occur. The open access will result in the SRRE Owners/Association Members having to assume the duty of policing the ACOE protected wetlands, demanding trespassers to leave or calling law enforcement to have them removed. Allowing a gate as requested at the entrance to SRRE will prevent uninvited vehicular access and assist in the protection of the wetlands.

The gate will be electrically operated. Will include a siren detector causing it to open when first responders or police blast their siren and will have cell phone access connectivity to provide remote access.

The developer does not intend to individually fence the SRRE lots. With the SRRE boundary fence and the gated entry the SRRE lots will be provided additional desired security without individual lot fencing and gating of each driveway.

Wetlands are not as easily distinguishable as the name might imply. Protected wetlands are identified by plant species not water. Once the ACOE believes that wetlands might exist you are required to hire a wetland biologist to identify and delineate the wetland boundaries. Absent the training of a wetland biologist, wetlands, green and lush or dead and dry just look like weeds. They are, but they are protected weeds.

The presence of water is frequently seasonal not annual. As the water level in the Boise River rises and falls and as the water table rises and falls, the water required to irrigate the wetland

plants rises and falls. At times where water is high the wetlands are generally green and lush. At other times when the water levels are low the wetland species dry out and die.

Attached is a recent example of dry wetlands and please notice the blatant abuse by the public dumping in the wetlands.

While this is the only picture I have it has been an ongoing task as long as I have owned the property, removing debris and waste dumped in the wetlands including bagged garbage, old televisions, animal carcasses, furniture, household trash, car batteries, etc.

A handwritten signature in black ink, appearing to be "D. M. L." or similar, written in a cursive style.



CANYON HIGHWAY DISTRICT No. 4

15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208/454-8135
FAX 208/454-2008

January 24, 2020

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

Tim Eck, Developer
c/o David Powell, P.E.
RiverRidge Engineering
2447 S. Vista Ave.
Boise, Idaho 83705

**RE: Star River Ranch Subdivision No. 2
PR-20-01 Private Street w/ Gate**

Dear Shawn:

Canyon Highway District No. 4 (CHD4) has reviewed the application for installation of a private road gate south of Salmon Falls Lane in Star River Ranch Subdivision No. 2.

The gate and private road approach to Salmon Falls Lane, as shown on the approved construction drawings dated March 27, 2020, meets the standards of Canyon Highway District No. 4 and the Ada County Highway District policy manual, and appears to be suitably located to allow operation of the gate without interference with traffic on the public road system.

CHD4 has no objections to the request by the applicant. Please feel free to contact me with any questions on this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Chris Hopper', with a long horizontal flourish extending to the right.

Chris Hopper, P.E.
District Engineer
Canyon Highway District No. 4

File: Subdivision_Star_Star River Ranch No. 2



STAR FIRE PROTECTION DISTRICT

Office of the Fire Chief

Greg Timinsky

11665 W State Street Suite B

Star, ID 83669

April 2, 2020

To: City of Star

File# PR-20-01

Development: Gate for Lots 49-55 Block 4 Star River Ranch Subdivision #2

From: Chief Greg Timinsky

Star Fire Protection District approves the request PR-20-01 for a gate with the following conditions.

1. IFC 2015 Appendix D Fire Apparatus Access Roads Proper dead-end fire apparatus access road turnaround must be included.
2. Any gates now or in the future have to be equipped with a KNOX access key and YELP these both provide a way for fire and emergency vehicles to get in.
3. Final inspection by Fire District on any kind of water supply and turnaround.

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

Sincerely,

Greg Timinsky,
Fire District Chief

Original to Requester/ Copy retained by Chief



STAR FIRE PROTECTION DISTRICT

Office of the Fire Chief

Greg Timinsky

11665 W State Street Suite B

Star, ID 83669



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel, City Planner *Shawn L. Nickel*

MEETING DATE: September 1, 2020 – PUBLIC HEARING

FILE(S) #: **RZ-20-07 Rezone**
DA-20-10 Development Agreement
PP-20-10 Preliminary Plat for Craftsman Estates North Subdivision

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Pristine Development, LLC
10090 W. Floating Feather Road
Star, Idaho 83669

Representative/Applicant:

Stephanie Leonard
KM Engineering, LLP
9233 West State Street
Boise, ID 83714

REQUEST

Request: The Applicant is seeking approval of a Rezone (to Commercial C-1), a Development Agreement, and Preliminary Plat for a proposed residential and commercial subdivision consisting of 23 residential lots, 1 commercial lot and 4 common lots. The property is located at the southeast corner of New Hope Road and N. Can Ada Road in Star, Idaho, and consists of 20.6 acres with a proposed density of 1.49 dwelling units per acre.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the southeast corner of New Hope Road and N. Can Ada Road in Star, Idaho. Ada County Parcel No. S0406233820.

Existing Site Characteristics: The property is mostly vacant, with a barn and farm equipment, and has been in agricultural production in the past.

Irrigation/Drainage District(s): - Middleton Irrigation Association and Foothill Ditch

Flood Zone: The development is located outside of a special flood hazard zone per FEMA FIRM panel #16027C0259G.

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.
- ✧ 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	January 31, 2020
Neighborhood Meeting Held	June 16, 2020
Application Submitted & Fees Paid	July 7, 2020
Application Accepted	July 30, 2020
Residents within 300' Notified	July 30, 2020
Agencies Notified	July 30, 2020
Legal Notice Published	August 2, 2020
Property Posted	August 20, 2020

HISTORY

This property was part of the original public hearings for the Craftsman Estates Subdivision (PP-16-01) on April 19 and May 3, 2016. Council included a condition of approval that the 16 lots proposed in the original development along New Hope Road were not to be developed with the original preliminary plat.

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS
--

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Residential (R-3)	Neighborhood Residential Neighborhood Centers Commercial	Agricultural
Proposed	Residential (R-3)/ Commercial (C-1)	No Change	Residential/ Neighborhood Commercial
North of site	RUT (County) Residential (R-2) RT-DA	Neighborhood Residential	Low Density Residential
South of site	Residential (R-3)	Neighborhood Residential	Single Family Dwellings
East of site	RUT (County) Residential (R-3)	Neighborhood Residential	Agricultural Single Family Dwellings
West of site	AG (Canyon County)	Neighborhood Residential Neighborhood Centers Commercial	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.

C-1 NEIGHBORHOOD BUSINESS DISTRICT: To provide for the establishment of convenience business uses which tend to meet the daily needs of the residents of an immediate neighborhood while establishing development standards that prevent adverse effects on residential uses adjoining a C-1 district. Such districts are typically appropriate for small shopping clusters or integrated shopping centers located within residential neighborhoods, where compatible.

DA DEVELOPMENT AGREEMENT: This designation, following any zoning designation noted on the official zoning map of the city (i.e., C-2-DA), indicates that the zoning was approved by the city with a development agreement, with specific conditions of zoning.

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

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front (1)	Rear	Interior Side	Street Side
R-2	35'	20'	20'	10'	20'
C-1	35'	20'	5'	0'	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.
3. 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.
4. 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.

8-3A-3: USES WITHIN ZONING DISTRICTS

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

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

Building material, garden equipment and supplies	N	N	N	P	C	P	C	P	N	C
Campground/RV park 1	C	N	N	N	N	N	N	N	N	C
Caretaker Unit 1	A	A	A	N	A	A	N	N	A	A
Cement or clay products manufacturing	N	N	N	N	N	N	N	P	N	N
Cemetery 1	C	C	N	N	N	N	N	N	P	N
Chemical manufacturing plant 1	N	N	N	N	N	N	N	C	N	N
Child Care center (more than 12) 1	N	C	N	C	C	C	C	N	N	C
Child Care family (6 or fewer) 1	A	A	A	A	A	A	A	N	N	A
Child Care group (7-12) 1	C	C	C	C	C	C	C	N	N	C
Child Care-Preschool/Early Learning1	N	C	C	C	C	C	C	N	N	C
Church or place of religious worship1	P	P	C	N	P	P	P	N	C	P
Civic, social or fraternal organizations	C	N	N	P	P	P	P	N	N	C
Concrete batch plant 1	N	N	N	N	N	N	N	C	N	N
Conference/convention center	N	N	N	P	P	P	P	C	C	C
Contractor's yard or shop 1	C	C	N	N	N	N	N	C	N	N
Convenience store	N	N	N	P	C	P	P	P	N	C
Dairy farm	C	N	N	N	N	N	N	N	N	N
Drive-through establishment/drive-up service window 1	N	N	N	P	P	P	C	C	N	C
Dwelling:										
Multi-family 1	N	N	C	N	N	N	N	N	N	C
Secondary 1	A	A	A	N	N	N	N	N	N	C

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

Greenhouse, commercial	P	C	N	N	C	P	N	P	N	C
Guesthouse/granny flat	P	P	C	N	N	N	N	N	N	C
Healthcare and social services	N	N	N	P	P	P	P	P	N	C
Heliport	C	N	N	N	N	N	N	C	N	N
Home occupation 1	A	A	A	A	N	N	N	N	N	A
Hospital	N	N	N	P	C	P	P	C	N	C
Hotel/motel	N	N	N	C	C	P	N	C	N	C
Ice manufacturing plant	N	N	N	N	N	N	N	P	N	N
Industry, information	N	N	N	P	P	P	P	P	N	C
Institution	N	N	N	C	C	P	N	N	C	C
Junkyard	N	N	N	N	N	N	N	C	N	N
Kennel	C	C	N	N	N	C	N	C	N	C
Laboratory	N	N	N	P	P	P	P	P	N	C
Laboratory, medical	N	N	N	P	P	P	P	P	N	C
Lagoon	N	N	N	N	N	N	N	C	C	N
Laundromat	N	N	N	P	P	P	P	P	N	P
Laundry and dry cleaning	N	N	N	P	P	P	P	P	N	C
Library	N	N	N	P	P	P	P	N	P	N
Manufactured home 1	P	P	P	N	N	N	N	N	N	C
Manufactured home park 1	N	N	C	N	N	N	N	N	N	N
Manufacturing plant	N	N	N	N	N	C	N	C	N	N
Meatpacking plant	C	N	N	N	N	N	N	C	N	N
Medical clinic	N	N	N	P	P	P	P	N	N	P
Mining, Pit or Quarry (excluding	C	N	N	N	N	N	N	C	N	N

accessory pit) 1										
Mining, Pit or Quarry (for accessory pit) 1	A	A	A	A	A	A	A	A	A	A
Mortuary	N	N	N	N	C	P	N	P	N	C
Museum	C	N	N	P	P	P	P	N	P	P
Nursery, garden center and farm supply	N	N	N	C	P	P	P	P	N	C
Nursing or residential care facility 1	N	N	C	C	P	P	P	N	N	C
Office security facility	N	N	N	P	P	P	P	P	N	C
Parking lot/parking garage (commercial)	N	N	N	C	C	C	C	C	C	C
Parks, public and private	P	P	P	P	P	P	P	P	P	P
Pawnshop	N	N	N	P	P	P	P	P	N	P
Personal and professional services	N	N	N	P	P	P	P	P	N	P
Pharmacy	N	N	N	P	P	P	P	P	N	P
Photographic studio	N	N	N	P	P	P	P	P	N	P
Portable classroom/modular building (for private & public Educational Institutions)	C	C	C	C	C	C	C	N	C	C
Power plant	N	N	N	N	N	N	N	C	N	N
Processing plant	C	N	N	N	N	N	N	C	N	N
Professional offices	N	N	N	P	P	P	P	P	N	C
Public infrastructure; Public utility major, minor and yard 1	C	C	C	C	C	C	C	C	C	C
Public utility yard	C	N	N	N	C	C	N	P	C	N
Recreational vehicle dump station	N	N	N	N	C	C	N	C	N	A

Recycling center	N	N	N	N	C	C	N	P	N	N
Research activities	A	N	N	P	P	P	P	P	N	C
Restaurant	N	N	N	P	C	P	P	C	N	C
Retail store/retail services	N	N	N	P	C	P	P	P	N	C
Retirement home	N	N	C	C	C	N	C	N	N	C
Riding Arena or Stable, Private/ Commercial	P/C	P/C	C/N	N	N	N	N	N	N	N
Salvage yard	N	N	N	N	N	N	N	C	N	N
Sand and gravel yard	C	N	N	N	N	N	N	P	N	N
Service building	C	N	N	P	P	P	N	P	N	C
Shooting range (Indoor/Outdoor)	C	N	N	C/N	C/N	C/N	N	C	N	C/N
Shopping center	N	N	N	P	C	P	N	N	N	C
Short Term Rentals 1	A	A	A	A	N	N	N	N	N	A
Solid waste transfer station	N	N	N	N	N	N	N	C	N	N
Storage facility, outdoor (commercial)1	C	N	N	N	C	P	N	P	N	C
Storage facility, self-service (commercial)1	C	N	N	N	C	P	N	P	N	C
Swimming pool, commercial/public	N	N	N	P	P	P	P	P	P	P
Television station	N	N	N	N	N	C	N	C	N	C
Temporary living quarters 1	P	P	C	N	N	N	N	N	N	N
Terminal, freight or truck 1	N	N	N	N	N	C	N	P	N	N
Truck stop	N	N	N	N	N	C	N	P	N	C
Turf farm	P	P	N	N	N	N	N	N	C	N
Vehicle emission testing 1	N	N	N	P	P	P	P	P	N	C

Vehicle impound yard ₁	N	N	N	N	N	N	N	P	N	N
Vehicle repair, major ₁	N	N	N	N	C	P	N	P	N	C
Vehicle repair, minor ₁	N	N	N	C	C	P	N	P	N	C
Vehicle sales or rental and service ₁	N	N	N	C	C	P	N	P	N	C
Vehicle washing facility ₁	N	N	N	C	C	P	N	P	N	C
Vehicle wrecking, junk or salvage yard ₁	N	N	N	N	N	N	N	C	N	N
Veterinarian office	P	C	N	C	P	P	P	P	N	C
Vineyard	P	P	N	N	N	N	N	C	N	C
Warehouse and storage	N	N	N	N	N	P	C	P	N	C
Wholesale sales	N	N	N	C	P	P	C	P	N	C
Winery	P	C	N	N	N	C	N	P	N	C
Wireless communication facility ₁	C	C	C	C	C	C	C	C	C	C
Woodworking shop	N	N	N	N	N	P	N	P	N	N

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. Parkway along local residential streets with detached sidewalks that meet all the following standards may count toward the common open space requirement:
 - a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk and includes street trees as specified otherwise herein.
 - b. Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.
 - c. Stormwater detention facilities do not qualify to meet the common area open space requirements, unless all of the following is met:
 1. Must be at least fifty feet by one hundred feet (50' x 100') in area;
 2. Specifically designed as a dual use facility, as determined by the administrator, to include minimal slopes, grass throughout, and guarantee of water percolation within 24 hours of storm event.
 3. Is located in a development that has a second usable open space area that contains a qualified site amenity as herein defined.
 5. Visual natural space, including open ditches, wetlands, slopes or other areas that may not be readily accessible to residents, and is provided with open style fencing, may qualify for up to 20% of the required open space total.
- C. Qualified Site Amenities: Qualified site amenities shall include, but not be limited to, the following:

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

8-6B-2: IMPROVEMENT STANDARDS:

- 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. For commercial or other non-residential uses, common driveways serving multiple structures and/or properties shall meet the requirements of the Fire District.
 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:

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.

Neighborhood Commercial Centers

Locations which may be suitable for the establishment of convenience business uses which tend to meet the daily needs of the residents of an immediate neighborhood while including development standards that prevent adverse effects on existing or planned adjoining residential uses. Such centers are typically appropriate for small shopping clusters located within residential neighborhoods.

18.4 Implementation Policies:

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

PROJECT OVERVIEW

REZONE:

The zoning request from Residential (R-3) to Commercial (C-1) on the west 5.18 acres of the applicant's property, together with the development agreement, will allow for the development of neighborhood commercial on the southeast corner of New Hope Road and N. Can Ada Road, as is designated on the Star Comprehensive Plan Land Use Map as Neighborhood Centers Commercial. The remaining acreage will remain Residential (R-3) and will accommodate the proposed residential subdivision.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 23 residential lots, 1 commercial lot and 4 common lots. The residential lots range in size from 10,262 square feet to 17,349 square feet with an average lot size of 12,016 square feet and an overall density of 1.49 dwelling units per acre. The streets are proposed to be public streets and will be built to ACHD standards, including 36' street widths.

The original site layout for the residential area proposed an access on both New Hope Road and Munger Road. ACHD, however, is not allowing the access to New Hope per their guidelines. The applicant has submitted an updated preliminary plat showing one access point on Munger Road. The Star Fire District will need to review the site design for emergency access concerns.

The preliminary plat indicates that the residential portion of the development will contain 5.19 acres (33.6%) total open space within three common lots, with 1.64 acres (10.6%) being usable space. The development meets the minimum of 15% total open space and 10% usable space as required by Code. The applicant will provide amenities in the main open space area (west side of Lot 1, Block 3) with a seating area, horseshoe pits and a trellis, in addition to usable open area.

The commercial lot proposed is 3.26 acres and will be developed separate from the residential portion of the development. Landscaping and other development features will be reviewed as commercial uses are submitted for approval.

NEIGHBORHOOD COMMERCIAL:

The request for commercial uses on the 5 acres at the corner of New Hope Road and Can Ada Road would be consistent with the land use designation as indicated on the Comprehensive Plan Land Use Map that was approved by City Council in April of 2019. As a guide for development, however, the Council should consider the uses that may be developed on this property and the impacts that those uses will have on adjacent property owners, traffic and the overall community. The current City Land Use Map shows Neighborhood Residential designations with densities of 3-5 dwelling units per acre anticipated for properties in all four

directions from this intersection. While some limited neighborhood service commercial may be appropriate as this area transitions from rural to residential, other uses may not be compatible. In the applicant's narrative, fuel service stations, convenience stores, delis, coffee shops, nurseries and professional offices are all possible uses for this property. Section 8-3A-3, Uses Within Zoning Districts (see Code Section above) lists other uses that are allowed outright and as conditional uses within the C-1 zone. After reviewing the list, staff believes that only a handful of allowed uses should be considered in this area, due to current roadway conditions, adjacent residential uses, and the depth and limited access of the property. Of the uses proposed by the applicant and/or further allowed in the zone, staff recommends that Council consider the following list of potential uses:

- Artist Studio
- Retail Bakery
- Barber Shop/Styling Salon
- Child Care Center (more than 12)*
- Child Care Group (7-12)*
- Child Care-Preschool/Early Learning*
- Financial Institution (*Bank*)
- Library
- Medical Clinic
- Nursing or Residential Care Facility
- Personal and Professional Services
- Photographic Studio
- Professional Offices
- Veterinarian Clinic

*Requires additional approval through a Conditional Use Permit

ADDITIONAL DEVELOPMENT FEATURES:

- Sidewalks
Sidewalks are proposed at five-foot (5') widths and will be attached throughout the subdivision.
- Lighting
Streetlights shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire development. **The applicant shall submit a detailed streetlight plan for review and approval prior to final plat approval.**

- Landscaping - As required by the Unified Development Code, Chapter 8, Section 8-8C-2-M(2) Street Trees; A minimum of one street tree shall be planted for every thirty-five (35) linear feet of street frontage. The landscaping plan submitted does show street trees as required. The applicant shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code.
- Setbacks – No special setbacks have been requested by the applicant. The dimensional standards for the R-3 zoning district shall apply to all homes in this development.

AGENCY RESPONSES

Keller and Associates	August 7, 2020
Central District Health Dept	August 4, 2020
DEQ	August 6, 2020
Foothill Ditch Co.	August 6, 2020
ACHD	August 24, 2020
ITD	Pending

PUBLIC RESPONSES

See Exhibits Attached

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of the design, layout and density of the residential portion of the development application, with the proposed conditions of approval. Staff would also be supportive of limited neighborhood commercial uses on the corner of the property provided that specific uses are prohibited as conditioned through the Development Agreement.

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed rezone, 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 neighborhood commercial district is to provide for the establishment of convenience business uses which tend to meet the daily needs of the residents of an immediate neighborhood while establishing development standards that prevent adverse effects on residential uses adjoining a C-1 district. Such districts are typically appropriate for small shopping clusters or integrated shopping centers located within residential neighborhoods, where compatible.

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

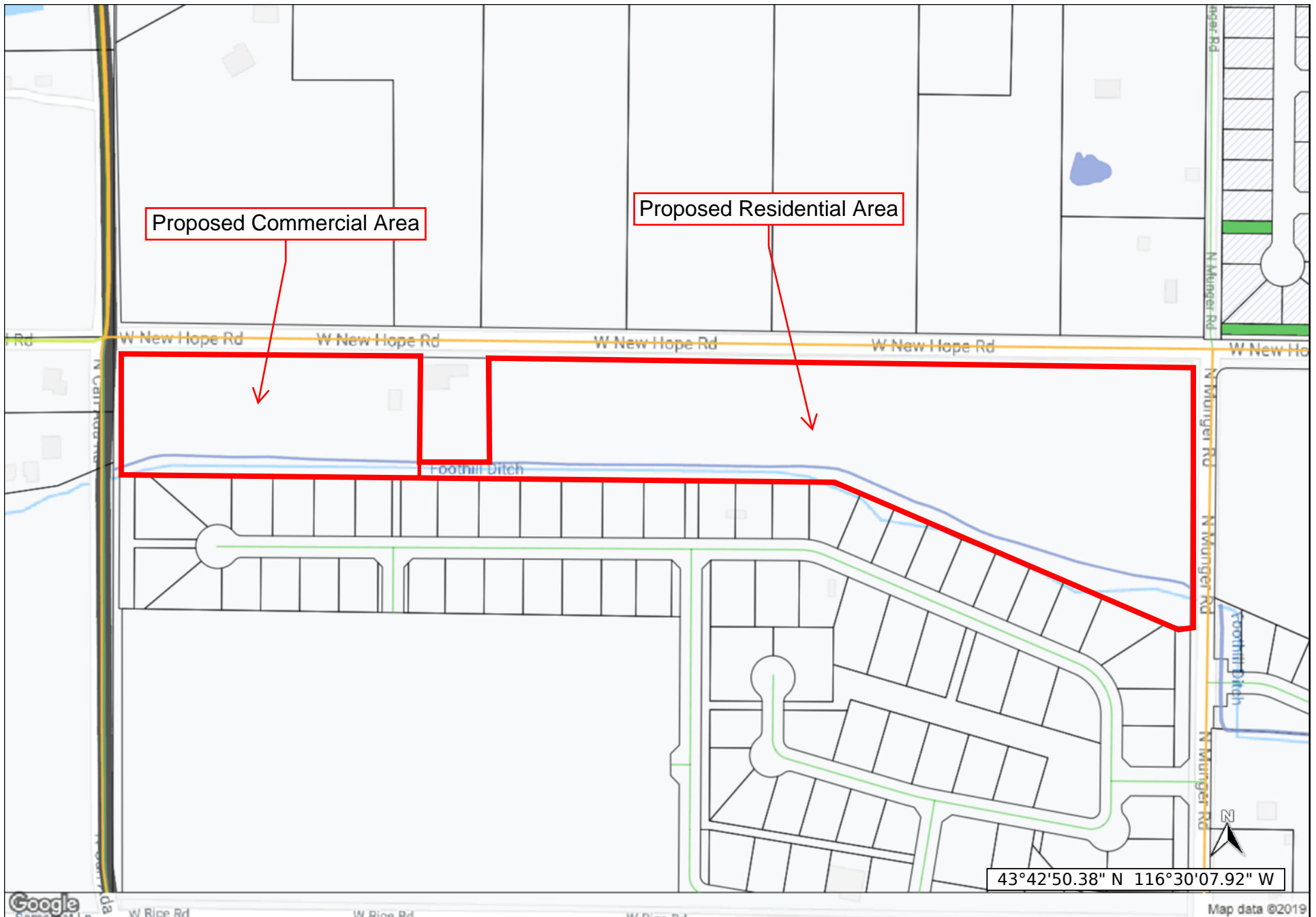
1. The approved Preliminary Plat for Craftsman Estates North Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. The property with the approved Preliminary Plat shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code.
3. Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees. **A revised landscape plan shall be submitted to the City prior to submittal of the final plat showing one (1) tree per thirty-five (35) linear feet.**
4. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
5. 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.
6. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
7. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
8. 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.
9. 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.
10. 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.
11. Streetlights shall comply with the Star City Code. 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. Please coordinate with City Staff.
12. 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.
13. All common areas shall be maintained by the Homeowners Association.

14. 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.**
15. A sign application is required for any subdivision signs.
16. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION

The Star City Council _____ File #RZ-20-07/DA-20-10/PP-20-10 for Craftsman Estates North Subdivision on _____, 2020.

Craftsman Estates North

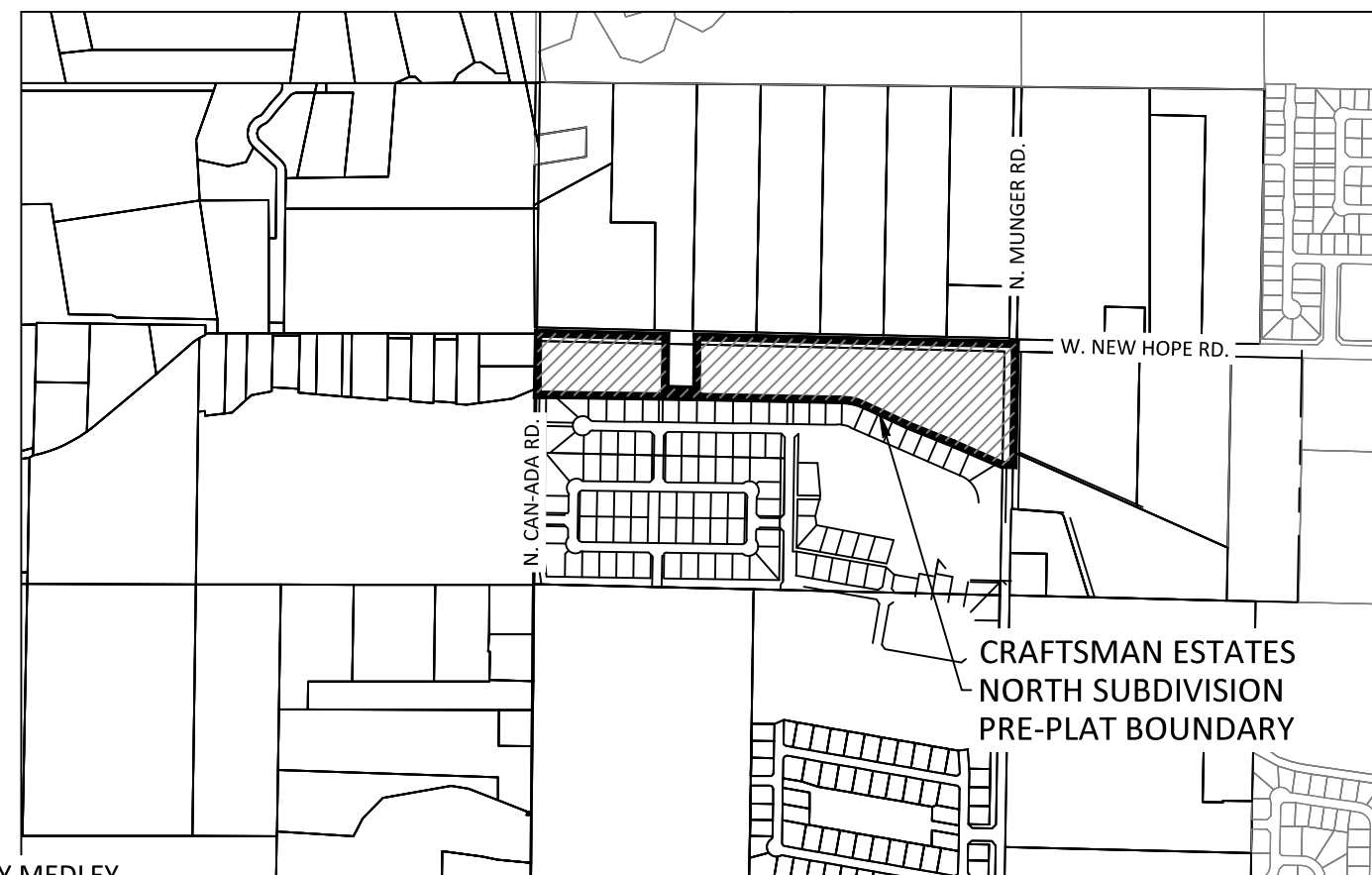


CRAFTSMAN ESTATES NORTH SUBDIVISION PRELIMINARY PLAT

A PARCEL OF LAND SITUATED IN A PORTION OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF
SECTION 6, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF STAR, ADA
COUNTY, IDAHO.

2020

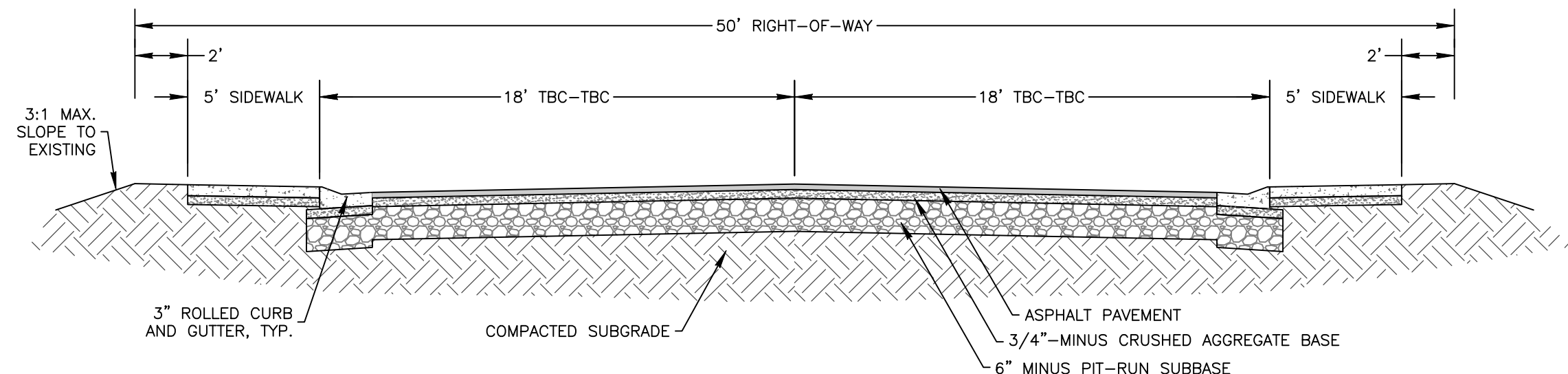
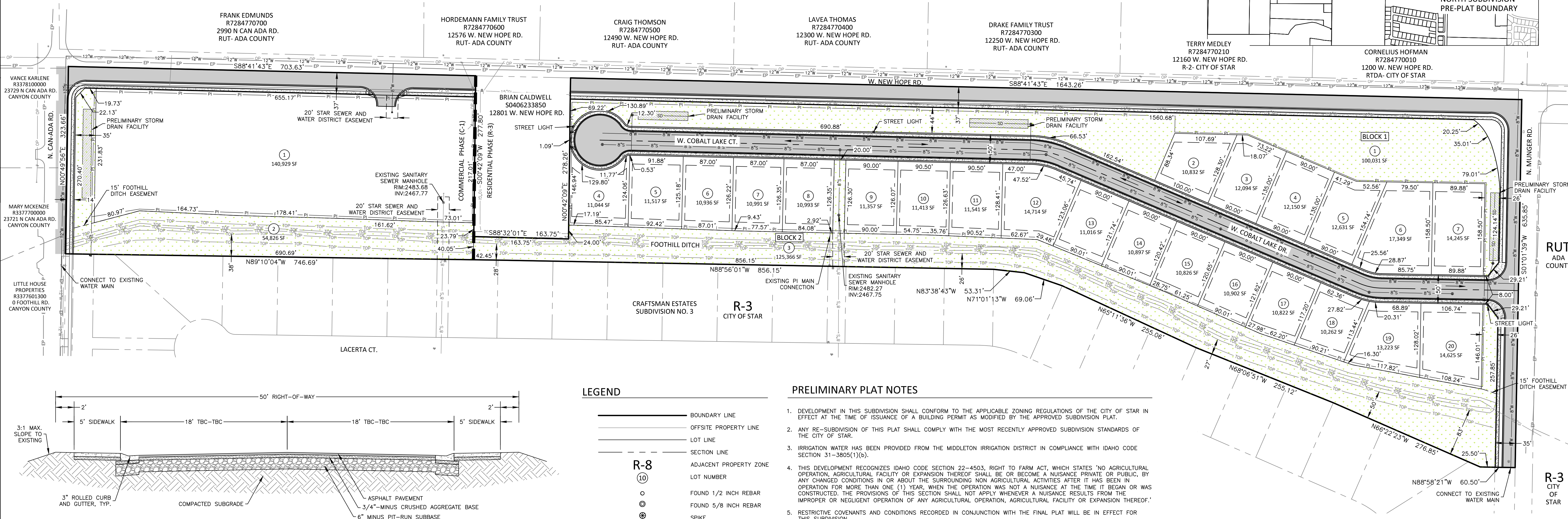
VICINITY MAP : 1"=1,000'



INDEX OF DRAWINGS

SHEET NO.	SHEET TITLE
PP1.0	PRELIMINARY PLAT AND PRELIMINARY ENGINEERING PLAN
PP1.1	EXISTING CONDITIONS
PPL1.0	LANDSCAPE COVER SHEET
PPL2.0	LANDSCAPE PLAN
PPL3.0	LANDSCAPE PLAN

0 80 160 240
Plan Scale: 1" = 80'



TYPICAL LOCAL STREET SECTION

SCALE: NTS

SURVEY CONTROL NOTES

- ALL SURVEY DATA IS BASED ON THE NAD83 STATE PLANE COORDINATE SYSTEM (IDAHO WEST 1103) AND VERTICAL (NAVD88) DATUM.

PRELIMINARY PLAT DATA

SITE DATA	R-3
CURRENT ZONING	R-3/C-1
PROPOSED ZONING	NEIGHBORHOOD RESIDENTIAL,
CURRENT COMPREHENSIVE PLAN DESIGNATION	NEIGHBORHOOD CENTERS
(NO CHANGE PROPOSED)	COMMERCIAL
TOTAL AREA OF SITE	20.60 ACRES
TOTAL COMMERCIAL PHASE AREA (C-1)	5.18 ACRES
COMMERCIAL LOT AREA (C-1)	3.24 ACRES
COMMERCIAL COMMON LOT AREA (C-1)	1.25 ACRES
ACHD ROW (C-1)	0.69 ACRES
TOTAL RESIDENTIAL PHASE AREA (R-3)	15.42 ACRES
RESIDENTIAL BUILDABLE LOT AREA (R-3)	6.34 ACRES
RESIDENTIAL COMMON AREA (R-3)	5.17 ACRES
ACHD ROW (R-3)	3.91 ACRES
OVERALL LOT DATA	
TOTAL LOTS	27
SINGLE FAMILY RESIDENTIAL LOTS	23
COMMON LOTS	3
COMMERCIAL LOTS	1
MINIMUM PROPERTY SIZE (RESIDENTIAL)	10,262 SQ. FT.
AVERAGE PROPERTY SIZE (RESIDENTIAL)	12,016 SQ. FT.
SETBACKS	
FRONT	15'
REAR	15'
SIDE	5' (PLUS 5' FOR EACH ADDITIONAL STORY)
OPEN SPACE AND DENSITIES (RESIDENTIAL)	
ACREAGE OF TOTAL OPEN SPACE	5.17 ACRES
PERCENTAGE OF TOTAL OPEN SPACE	33.53%
ACREAGE OF USEABLE OPEN SPACE	1.64 ACRES
PERCENTAGE OF USEABLE OPEN SPACE	10.60%
DWELLING UNITS PER GROSS RESIDENTIAL ACRE	1.49 UNITS/ACRE

LEGEND

—	BOUNDARY LINE
---	OFFSITE PROPERTY LINE
---	LOT LINE
---	SECTION LINE
---	ADJACENT PROPERTY ZONE
---	LOT NUMBER
○	FOUND 1/2 INCH REBAR
⊙	FOUND 5/8 INCH REBAR
⊕	SPIKE
---	PROPOSED IMPROVEMENTS
—S—S—	SEWER LINE
—W—W—	WATER LINE
—SD—SD—	STORM DRAIN LINE
—PI—PI—	PRESSURE IRRIGATION LINE
⊙	SEWER MANHOLE
---	EXISTING FEATURES
—S—S—	SANITARY SEWER LINE
—W—W—	WATER LINE
—G—G—	GAS LINE
—OP—OP—	OVERHEAD POWER LINE
—GI—GI—	GRAVITY IRRIGATION LINE
⊙	SEWER MANHOLE
⊕	WATER VALVE
⊕	WATER METER
⊕	FIRE HYDRANT
⊕	POWER POLE
⊕	POWER BOX
—EP—EP—	EDGE OF PAVEMENT
—EG—EG—	EDGE OF GRAVEL
→	DRAINAGE DIRECTION
—2645—	EXISTING GRADE CONTOUR

PRELIMINARY PLAT NOTES

- DEVELOPMENT IN THIS SUBDIVISION SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS OF THE CITY OF STAR IN EFFECT AT THE TIME OF ISSUANCE OF A BUILDING PERMIT AS MODIFIED BY THE APPROVED SUBDIVISION PLAT.
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE MOST RECENTLY APPROVED SUBDIVISION STANDARDS OF THE CITY OF STAR.
- IRRIGATION WATER HAS BEEN PROVIDED FROM THE MIDDLETON IRRIGATION DISTRICT IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(b).
- THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, 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 NON AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.'
- RESTRICTIVE COVENANTS AND CONDITIONS RECORDED IN CONJUNCTION WITH THE FINAL PLAT WILL BE IN EFFECT FOR THIS SUBDIVISION.
- DIRECT LOT ACCESS TO W. NEW HOPE RD. AND N. MUNGER RD. IS PROHIBITED.
- LOT 1, BLOCK 1; LOTS 2 AND 3, BLOCK 2 ARE COMMON LOTS AND SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- LOT 2, BLOCK 2 TO BE SUBJECT TO A BLANKET EASEMENT IN FAVOR OF THE FOOTHILL DITCH COMPANY.
- YARD SETBACKS ARE AS FOLLOWS: FRONT AND REAR: 15', SIDE: 5'. EASEMENT LOCATIONS AND WIDTHS TO BE REFINED WITH FINAL PLAT.

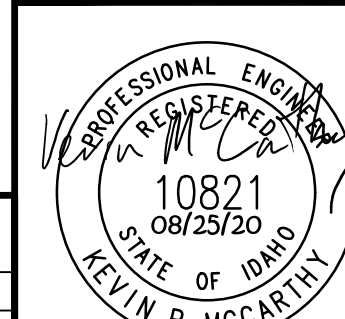
PRELIMINARY ENGINEERING NOTES

- DOMESTIC WATER SERVICE WILL BE PROVIDED BY STAR SEWER AND WATER DISTRICT. 8" WATER MAINS WILL BE LOOPED THROUGHOUT THE SUBDIVISION CONNECTING TO THE EXISTING WATER MAIN IN N. MUNGER RD.
- SANITARY SEWER SERVICE WILL BE PROVIDED BY THE STAR SEWER AND WATER DISTRICT THE PROPERTY WILL BE SERVED BY THE CONNECTIONS WITHIN LOT 2, BLOCK 2.
- WATER AND SEWER LINE SIZES AND LOCATIONS ARE PRELIMINARY AND WILL BE REFINED DURING FINAL DESIGN.
- ALL DOMESTIC WATER MAINS AND SANITARY SEWER WILL BE INSTALLED IN ACCORDANCE WITH THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY AND STAR SEWER AND WATER DISTRICT REQUIREMENTS.
- PRESSURE AND GRAVITY IRRIGATION IMPROVEMENTS SHALL BE DETERMINED DURING FINAL DESIGN.
- CONSTRUCTION OF THE FOLLOWING IMPROVEMENTS WILL BE IN COMPLIANCE WITH THE STAR SEWER AND WATER DISTRICT CONSTRUCTION NOTES: WATER; DRAINAGE; SEWER; AND PRESSURE IRRIGATION.
- STAR SEWER AND WATER DISTRICT SANITARY SEWER AND WATER EASEMENT LOCATIONS TO BE DETERMINED DURING FINAL DESIGN.
- GRADING AND DRAINAGE IMPROVEMENTS SHALL BE DETERMINED DURING FINAL DESIGN.
- STREET LIGHTING SHALL BE IN ACCORDANCE WITH ISPCW AND THE CITY OF STAR SUPPLEMENTALS. CUT SHEET FOR LIGHTS AND LIGHT POLES SHALL BE APPROVED IN WRITING BY THE CITY PRIOR TO INSTALLATION.

DEVELOPER/OWNER
PRISTINE DEVELOPMENT, LLC.
10090 W. FLOATING FEATHER RD.
STAR, IDAHO 83669
PHONE: (208) 870-1885
CONTACT: BRYAN PECHT

ENGINEER/SURVEYOR
KM ENGINEERING
9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE: (208) 639-6939
CONTACT: KEVIN MCCARTHY, P.E.
EMAIL: kevin@kmengllp.com

CRAFTSMAN ESTATES NORTH
PRELIMINARY PLAT AND PRELIMINARY ENGINEERING PLAN
STAR, IDAHO

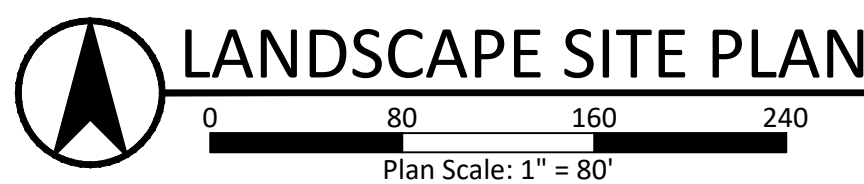
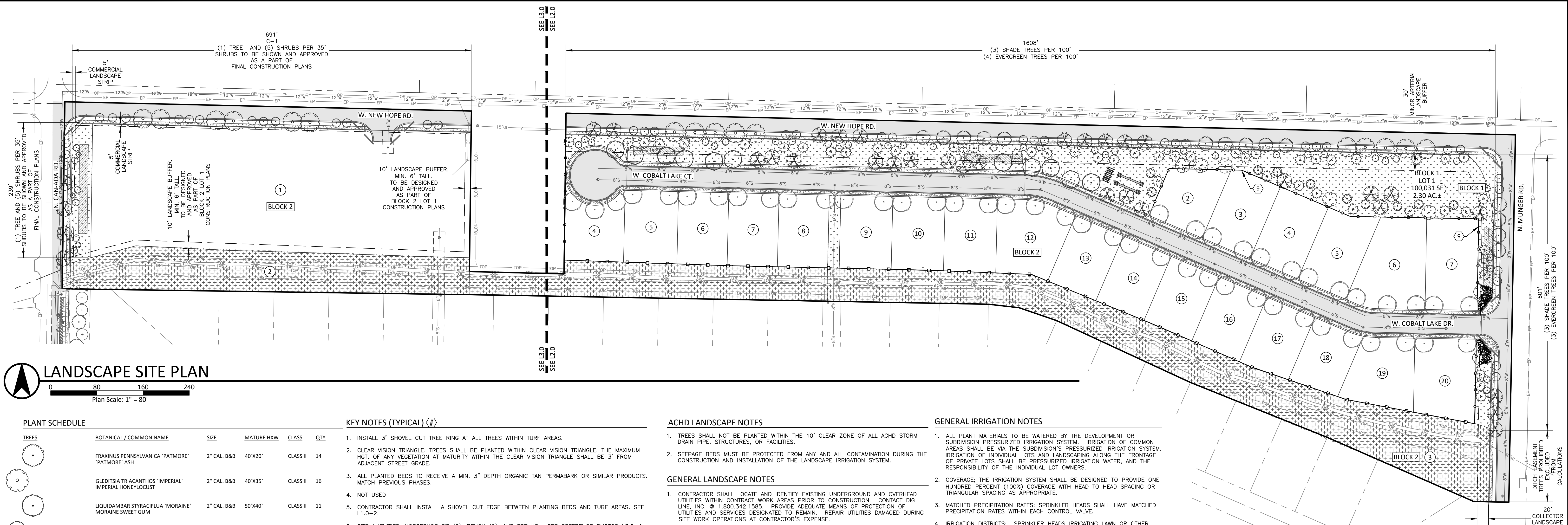


km
ENGINEERING
9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
kmengllp.com

Digitally signed by Kevin
McCarthy, PE
Date: 2020.08.25
14:59:49 -06'00'

DATE: JULY 2020
PROJECT: 19-154
SHEET NO.
PP1.0

REVISIONS		
NO.	ITEM	DATE
1	AGENCY COMMENTS	08/25/20



PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	FRAXINUS PENNSYLVANICA 'PATMORE' PATMORE ASH	2" CAL. B&B	40'X20'	CLASS II	14
	GLEDITSIA TRIACANTHOS 'IMPERIAL' IMPERIAL HONEYLOCUST	2" CAL. B&B	40'X35'	CLASS II	16
	LIQUIDAMBAR STYRACIFLUA 'MORAINÉ' MORAINÉ SWEET GUM	2" CAL. B&B	50'X40'	CLASS II	11
	PYRUS CALLERYANA 'CHANTICLEER' CHANTICLEER PEAR	2" CAL. B&B	40'X15'	CLASS I	40
	PYRUS CALLERYANA 'CHANTICLEER' CHANTICLEER PEAR	2" CAL. B&B	40'X25'	CLASS II	7
	TILIA CORDATA 'GREENSPIRE' GREENSPIRE LITTLELEAF LINDEN	2" CAL. B&B	45'X35'	CLASS II	34
EVERGREEN TREES	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	CEDRUS ATLANTICA 'GLAUCOA' BLUE ATLAS CEDAR	6'-8' B&B	30'X20'		10
	PICEA OMORIKA 'BRUNS' BRUNS SPRUCE	6'-8' B&B	30'X10'		3
	PINUS FLEXILIS 'VANDERWOLF'S PYRAMID' VANDERWOLF'S PYRAMID PINE	6'-8' B&B	25'X15'		43
	PINUS NIGRA AUSTRIAN BLACK PINE	6'-8' B&B	55'X35'		51
OTHER TREES	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	INDIVIDUAL LOT TREE SCHEMATIC LOCATION PER THE CITY OF STAR CODE 8-48-7C. INDIVIDUAL LOT TREES SHALL BE INSTALLED BY THE INDIVIDUAL HOME BUILDER IN CONJUNCTION WITH THE INDIVIDUAL LOT DEVELOPMENT. THESE TREES ARE NOT THE RESPONSIBILITY OF THE DEVELOPER.	2" CAL. B&B			49
SHRUBS	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	CORNUS ALBA 'IVORY HALO' TM TATARIAN DOGWOOD	5 GAL.	6'X6'		12
	ROSA X 'NOARE' FLOWER CARPET GROUNDCOVER ROSE	2 GAL.	4'X3'		8
PERENNIALS AND GRASSES	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	HEMEROCALLIS X 'STELLA DE ORO' STELLA DE ORO DAYLILY	1 GAL.	2'X2'		22
	MISCANTHUS SINENSIS 'LITTLE KITTEN' LITTLE KITTEN EULALIA GRASS	1 GAL.	3'X3'		22
	PANICUM VIRGATUM 'HEAVY METAL' BLUE SWITCH GRASS	1 GAL.	4'X2'		24
	SALVIA X SYLVESTRIS 'MAY NIGHT' SAGE	1 GAL.	2'X2'		27
GROUND COVERS	BOTANICAL / COMMON NAME	CONT			QTY
	EXISTING LANDSCAPE TO REMAIN NATURAL	-			153,327 SF
	TURF SOD RHIZOMATOUS RHIZOMATOUS TALL RESCUE	SOD			121,287 SF

KEY NOTES (TYPICAL) #

1. INSTALL 3' SHOVEL CUT TREE RING AT ALL TREES WITHIN TURF AREAS.
2. CLEAR VISION TRIANGLE. TREES SHALL BE PLANTED WITHIN CLEAR VISION TRIANGLE. THE MAXIMUM HGT. OF ANY VEGETATION AT MATURITY WITHIN THE CLEAR VISION TRIANGLE SHALL BE 3' FROM ADJACENT STREET GRADE.
3. ALL PLANTED BEDS TO RECEIVE A MIN. 3" DEPTH ORGANIC TAN PERMABARK OR SIMILAR PRODUCTS. MATCH PREVIOUS PHASES.
4. NOT USED
5. CONTRACTOR SHALL INSTALL A SHOVEL CUT EDGE BETWEEN PLANTING BEDS AND TURF AREAS. SEE L1.0-2.
6. SITE AMENITIES: HORSESHOE PIT (2), BENCH (2), AND TRELLIS. SEE REFERENCE PHOTOS L3.0-4, L3.0-5, L3.0-6.
7. SANDSTONE BOULDERS. MATCH PREVIOUS PHASES. SEE L1.0-3. EQUALLY DISTRIBUTE SIZES.
8. EXISTING LANDSCAPING AND IRRIGATION TO REMAIN. RETAIN AND PROTECT. CONTRACTOR SHALL FIELD VERIFY LIMITS OF DISTURBANCE AND PATCH BACK ALONG PHASE BOUNDARY AS NECESSARY. TRANSITION BETWEEN NEW AND EXISTING LANDSCAPE SHALL BE COHESIVE AND NON RECOGNIZABLE. CONTRACTOR IS RESPONSIBLE TO REPAIR ALL EXISTING LANDSCAPE AREAS AND IRRIGATION COMPONENTS DAMAGED AS A RESULT OF NEW CONSTRUCTION. THE CONTRACTOR SHALL ENSURE THAT THE EXISTING IRRIGATION SYSTEM REMAINS OPERABLE DURING CONSTRUCTION AND THAT FOLLOWING CONSTRUCTION, THE EXISTING IRRIGATION SYSTEM OPERATES AS GOOD, OR BETTER PRIOR TO THIS PROJECT. CONTRACTOR SHALL REPLACE, AT NO ADDITIONAL COST TO THE OWNER, PLANT MATERIALS DAMAGED DURING EXECUTION OF THIS PROJECT OR DAMAGED DUE TO THE CONTRACTORS FAILURE TO MAINTAIN OPERATION OF THE EXISTING SYSTEM DURING THE COURSE OF CONSTRUCTION.
9. 6' PRIVACY FENCE MEASURED FROM THE ELEVATION OF THE FINAL GRADE OF THE ADJACENT ROADWAY CENTERLINE. SEE L3.0-7.
10. 5' OPEN VISION FENCE. SEE L3.0-8.

ACHD LANDSCAPE NOTES

1. TREES SHALL NOT BE PLANTED WITHIN THE 10' CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES.
2. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.

GENERAL LANDSCAPE NOTES

1. CONTRACTOR SHALL LOCATE AND IDENTIFY EXISTING UNDERGROUND AND OVERHEAD UTILITIES WITHIN CONTRACT WORK AREAS PRIOR TO CONSTRUCTION. CONTACT DIG LINE, INC. @ 1.800.342.1585. PROVIDE ADEQUATE MEANS OF PROTECTION OF UTILITIES AND SERVICES DESIGNATED TO REMAIN. REPAIR UTILITIES DAMAGED DURING SITE WORK OPERATIONS AT CONTRACTOR'S EXPENSE.
2. ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE SHOWN.
3. ALL TREE, TURF, PLANT MATERIAL, AND IRRIGATION PROPOSED WITHIN THE PLANTER STRIP BETWEEN BACK OF CURB AND SIDEWALK SHALL BE INSTALLED BY THE HOME BUILDER IN CONJUNCTION WITH THE INDIVIDUAL LOT DEVELOPMENT.
4. ALL TREES PLANTED IN THE PARK STRIP (BY BUILDER) TO BE CENTERED BETWEEN BACK OF CURB AND SIDEWALK AND ARE SUBJECT TO THE ACHD DEVELOPMENT AGREEMENT FOR LANDSCAPING.
5. FENCING WITHIN SUBDIVISION, ALONG SIDE AND REAR LOT LINES SHALL BE INSTALLED BY BUILDER/HOMEOWNER IN CONJUNCTION WITH INDIVIDUAL LOT DEVELOPMENT AND SHALL COMPLY WITH THE STANDARDS ESTABLISHED IN THE SUBDIVISION'S CC&RS.

GENERAL IRRIGATION NOTES

1. ALL PLANT MATERIALS TO BE WATERED BY THE DEVELOPMENT OR SUBDIVISION PRESSURIZED IRRIGATION SYSTEM. IRRIGATION OF COMMON AREAS SHALL BE VIA THE SUBDIVISION'S PRESSURIZED IRRIGATION SYSTEM. IRRIGATION OF INDIVIDUAL LOTS AND LANDSCAPING ALONG THE FRONTAGE OF PRIVATE LOTS SHALL BE PRESSURIZED IRRIGATION WATER, AND THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNERS.
2. COVERAGE: THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE ONE HUNDRED PERCENT (100%) COVERAGE WITH HEAD TO HEAD SPACING OR TRIANGULAR SPACING AS APPROPRIATE.
3. MATCHED PRECIPITATION RATES: SPRINKLER HEADS SHALL HAVE MATCHED PRECIPITATION RATES WITHIN EACH CONTROL VALVE.
4. IRRIGATION DISTRICTS: SPRINKLER HEADS IRRIGATING LAWN OR OTHER HIGH WATER DEMAND AREAS SHALL BE CIRCUITED SO THAT THEY ARE ON THE SEPARATE ZONE OR DISTRICT FROM THOSE IRRIGATING TREES, SHRUBS, OR OTHER REDUCED WATER DEMAND AREAS.
5. OVERSPRAY: SPRINKLER HEADS SHALL BE ADJUSTED TO REDUCE OVERSPRAY ONTO IMPERVIOUS SURFACES SUCH AS STREETS, SIDEWALKS, DRIVEWAYS, AND PARKING AREAS.

NOTE: CALCULATIONS SHOWN BELOW ARE TO DETERMINE THE REQUIRED NUMBER OF TREES PER CITY OF STAR UDC AND ARE NOT INTENDED TO SERVE AS QUALIFIED OPEN SPACE CALCULATIONS.

OPEN SPACE TREE CALCULATIONS RESIDENTIAL ONLY(1TREE/1000SF)

BLOCK #	LOT #	LOT AREA (SF)	QUALIFIED AREA (SF)	QUALIFIED (ACRES)	REQUIRED	PROVIDED
1	1	100,031	50,513 EXCLUDES 20' AND 30' BUFFER	1.1600	51.00	53.00
2	2	119,468	23,893	0.5400	TREES NOT ALLOWED	0.00
TOTALS		TOTAL SF	QUALIFIED	PROVIDED ACRES	REQUIRED	PROVIDED
		219499.0000	48061	1.7000	51.0000	53.00

STREET TREE CALCULATIONS

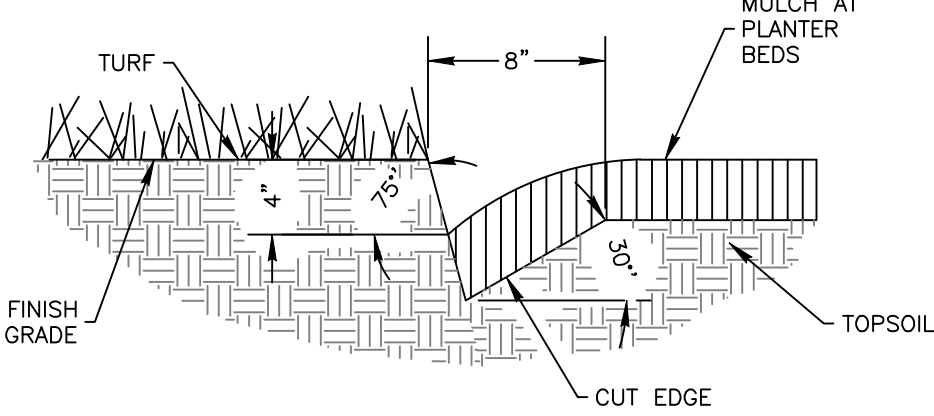
STREET NAME	CALCULATION	REQUIRED	PROVIDED
N. CAN-ADA RD. (C-1)	239 LF/35 TREES 239 LF/35 * 5 SHRUBS	7.00 34.00	16.00 ***
W. NEW HOPE RD. (C-1)	691 LF-32 LF (1 ENTRY @ 32 LF) = 659/35 TREES 691 LF-32 LF (1 ENTRY @ 32 LF) = 659/35 * 5 SHRUBS	19.00 94.00	19.00 ***
W. NEW HOPE RD. (R-3)	1,608 LF/100 * 3 1,608 LF/100 * 4	48.00 64.00	48.00 65.00
W. MUNGER RD. (R-3)	477 LF-50 LF (1 ENTRY @ 50 LF) = 427 LF/100 * 3 477 LF-50 LF (1 ENTRY @ 50 LF) = 427 LF/100 * 3	13.00 13.00	15.00 13.00
INTERIOR DRIVE	3,130 LF-598 LF (23 DRIVES @ 26 LF) = 2,532 LF/35	72.00	72.00
TOTALS		236.00	248.00

MITIGATION REQUIREMENTS

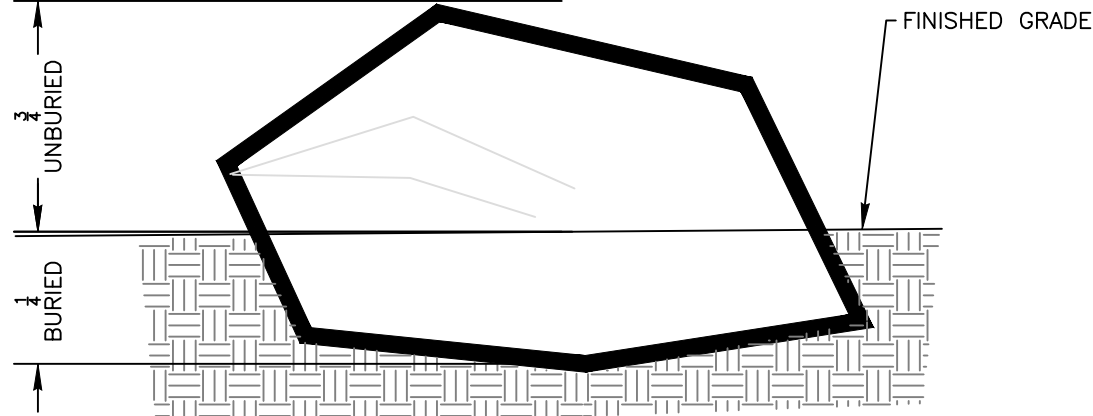
THERE ARE NO HEALTHY TREES > 4" CAL. PROPOSED FOR REMOVAL

TOTAL TREES REQUIRED/PROVIDED	287.00	301.00
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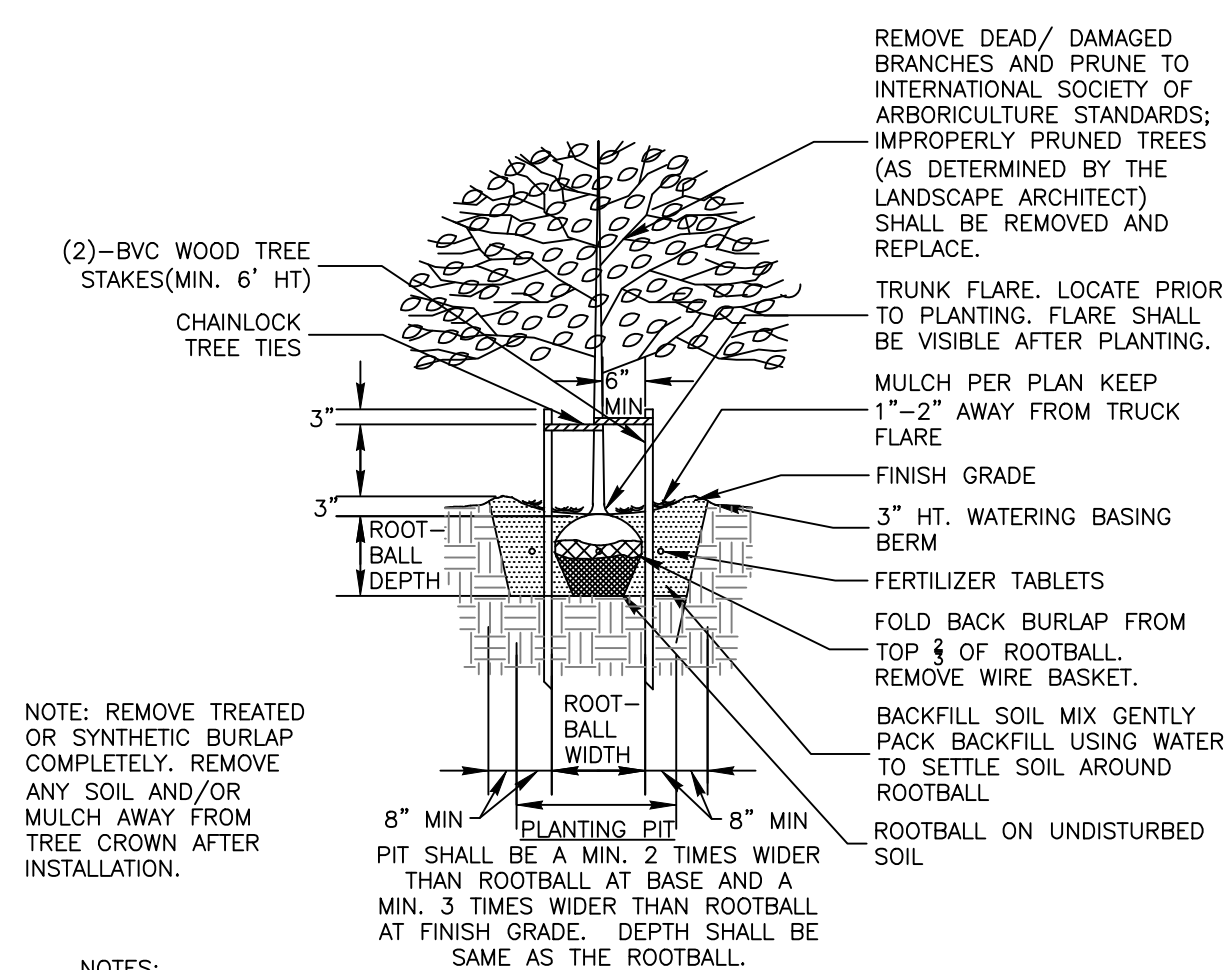
***TO BE DESIGNED AND APPROVED AS A PART OF FINAL CONSTRUCTION PLANS



2 SHOVEL CUT NTS



3 BOULDER INSTALLATION DETAIL NTS



1 DECIDUOUS TREE PLANTING AND STAKING DETAIL NTS

CONTACT INFORMATION LANDSCAPE CONSULTANT

KM ENGINEERING, LLP
9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE: (208) 639-6939
FAX: (208) 639-6930
CONTACT: ALYSSA YENSEN, PLA
EMAIL: ayensen@kmenllp.com

APPLICANT / DEVELOPER

PRISTINE DEVELOPMENT, LLC
10090 W. FLOATING FEATHER RD.
STAR, IDAHO 83669
PHONE: (208) 870-1885
CONTACT: BRYAN PECHT

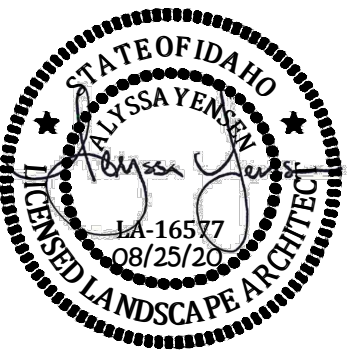
PRELIMINARY NOT FOR CONSTRUCTION

CRAFTSMAN ESTATES NORTH LANDSCAPE COVER SHEET STAR, IDAHO

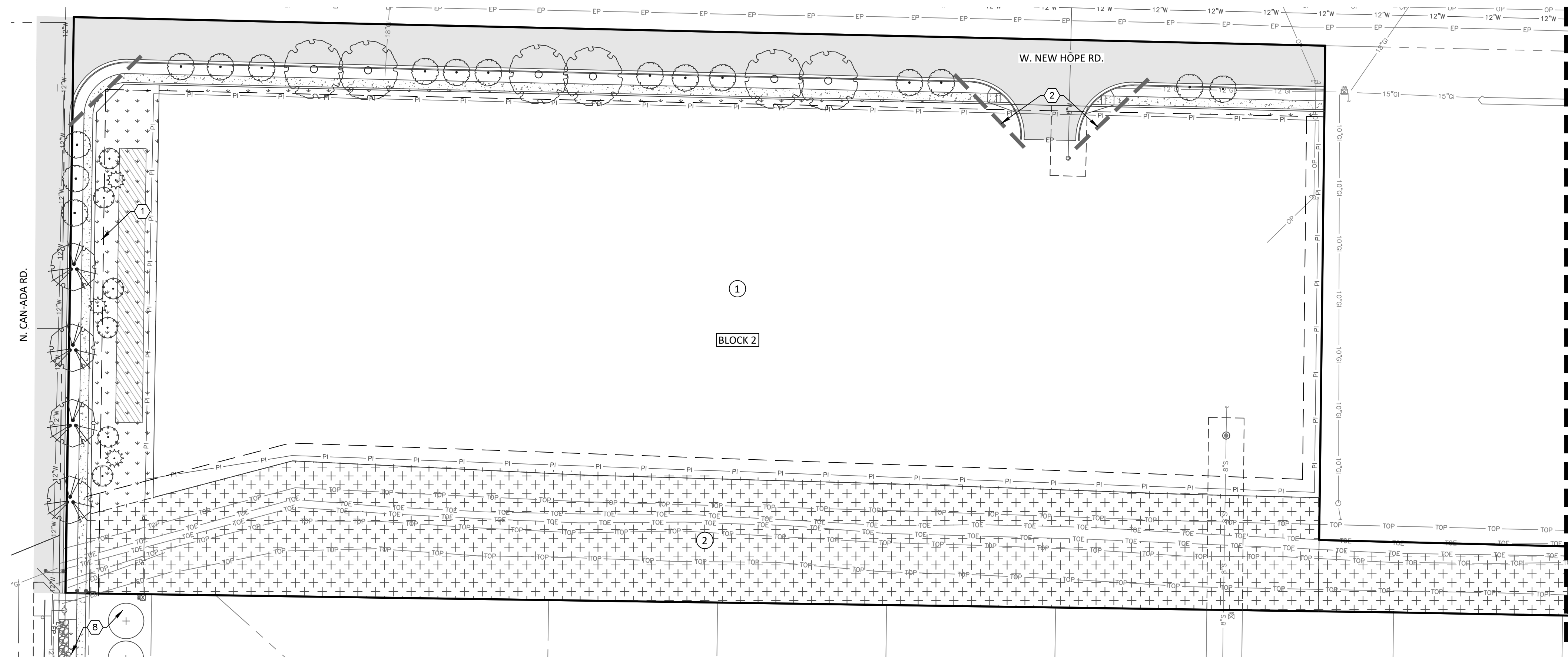
REVISIONS		
NO.	ITEM	DATE
1	AGENCY COMMENTS	8/25/20



9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930



DATE: JULY 2020
PROJECT: 19-154
SHEET NO. PPL1.0



LANDSCAPE PLAN
0 40 80 120
Plan Scale: 1" = 40'

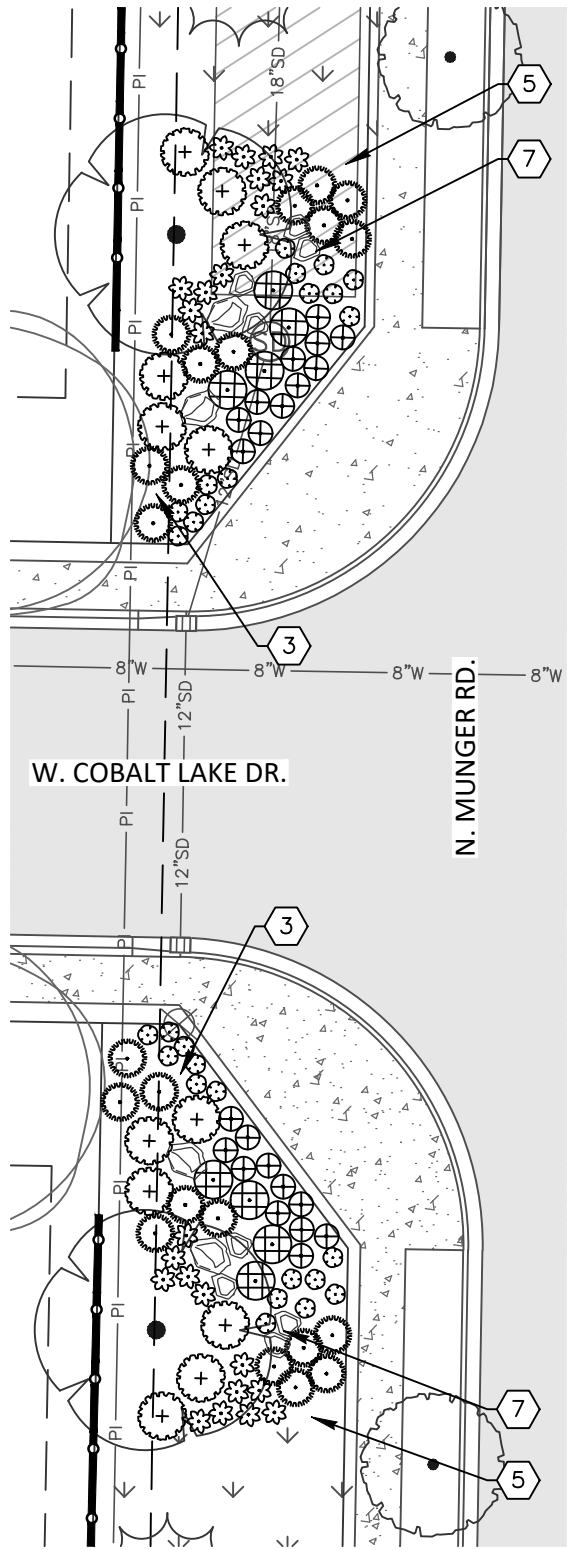
MATCHLINE - SEE SHEET L2.0

PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	FRAXINUS PENNSYLVANICA 'PATMORE' 'PATMORE' ASH	2" CAL. B&B	40' X20'	CLASS II	14
	GLEDITSIA TRIACANTHOS 'IMPERIAL' IMPERIAL HONEYLOCUST	2" CAL. B&B	40' X35'	CLASS II	16
	LIQUIDAMBAR STYRACIFLUA 'MORaine' MORaine SWEET GUM	2" CAL. B&B	50' X40'	CLASS II	11
	PYRUS CALLERYANA 'CHANTICLEER' CHANTICLEER PEAR	2" CAL. B&B	40' X15'	CLASS I	40
	PYRUS CALLERYANA 'CHANTICLEER' CHANTICLEER FLOWERING PEAR	2" CAL. B&B	40' X25'	CLASS II	7
	TILIA CORDATA 'GREENSPIRE' GREENSPIRE LITTLELEAF LINDEN	2" CAL. B&B	45' X35'	CLASS II	34
EVERGREEN TREES	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	CEDRUS ATLANTICA 'GLAUCA' BLUE ATLAS CEDAR	6'-8" B&B	30' X20'		10
	PICEA OMORIKA 'BRUNS' BRUNS SPRUCE	6'-8" B&B	30' X10'		3
	PINUS FLEXILIS 'VANDERWOLF'S PYRAMID' VANDERWOLF'S PYRAMID PINE	6'-8" B&B	25' X15'		43
	PINUS NIGRA AUSTRIAN BLACK PINE	6'-8" B&B	55' X35'		51
OTHER TREES	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	INDIVIDUAL LOT TREE SCHEMATIC LOCATION PER THE CITY OF STAR CODE 8-4B-7C INSTALL ONE TREE PER 35' - INDIVIDUAL LOT TREES SHALL BE INSTALLED BY THE INDIVIDUAL HOME BUILDER IN CONJUNCTION WITH THE INDIVIDUAL LOT DEVELOPMENT. THESE TREES ARE NOT THE RESPONSIBILITY OF THE DEVELOPER.	2" CAL. B&B			49
SHRUBS	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	CORNUS ALBA 'IVORY HALO' TM TATARIAN DOGWOOD	5 GAL.	6' X6'		12
	ROSA X "NOARE" FLOWER CARPET GROUNDCOVER ROSE	2 GAL.	4' X3'		8
PERENNIALS AND GRASSES	BOTANICAL / COMMON NAME	SIZE	MATURE HWX	CLASS	QTY
	HEMEROCALLIS X 'STELLA DE ORO' STELLA DE ORO DAYLILY	1 GAL.	2' X2'		22
	MISCANTHUS SINENSIS 'LITTLE KITTEN' LITTLE KITTEN EULALIA GRASS	1 GAL.	3' X3'		22
	PANICUM VIRGATUM 'HEAVY METAL' BLUE SWITCH GRASS	1 GAL.	4' X2'		24
	SALVIA X SYLVESTRIS 'MAY NIGHT' SAGE	1 GAL.	2' X2'		27
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	MATURE HWX	CLASS	QTY
	EXISTING LANDSCAPE TO REMAIN NATURAL	-			153,327 SF
	TURF SOD RHIZOMATOUS RHIZOMATOUS TALL FESCUE	SOD			121,287 SF

KEY NOTES (TYPICAL) (#)

- INSTALL 3" SHOVEL CUT TREE RING AT ALL TREES WITHIN TURF AREAS.
- CLEAR VISION TRIANGLE. TREES SHALL BE PLANTED WITHIN CLEAR VISION TRIANGLE. THE MAXIMUM HGT. OF ANY VEGETATION AT MATURITY WITHIN THE CLEAR VISION TRIANGLE SHALL BE 3' FROM ADJACENT STREET GRADE.
- ALL PLANTED BEDS TO RECEIVE A MIN. 3" DEPTH ORGANIC TAN PERMABARK OR SIMILAR PRODUCTS. MATCH PREVIOUS PHASES.
- NOT USED
- CONTRACTOR SHALL INSTALL A SHOVEL CUT EDGE BETWEEN PLANTING BEDS AND TURF AREAS. SEE L1.0-2.
- SITE AMENITIES: HORSESHOE PIT (2), BENCH (2), AND TRELLIS. SEE REFERENCE PHOTOS L3.0-4, L3.0-5, L3.0-6.
- SANDSTONE BOULDERS. MATCH PREVIOUS PHASES. SEE L1.0-3. EQUALLY DISTRIBUTE SIZES.
1/4 (4'X5') 1/4 (3'X4') 1/4 (2'X3').
BOULDERS SHALL BE OBTAINED FROM OWNER DESIGNATED SOURCE.
- EXISTING LANDSCAPING AND IRRIGATION TO REMAIN. RETAIN AND PROTECT. CONTRACTOR SHALL FIELD VERIFY LIMITS OF DISTURBANCE AND PATCH BACK ALONG PHASE BOUNDARY AS NECESSARY. TRANSITION BETWEEN NEW AND EXISTING LANDSCAPE SHALL BE COHESIVE AND NON RECOGNIZABLE. CONTRACTOR IS RESPONSIBLE TO REPAIR ALL EXISTING LANDSCAPE AREAS AND IRRIGATION COMPONENTS DAMAGED AS A RESULT OF NEW CONSTRUCTION. THE CONTRACTOR SHALL ENSURE THAT THE EXISTING IRRIGATION SYSTEM REMAINS OPERABLE DURING CONSTRUCTION AND THAT FOLLOWING CONSTRUCTION, THE EXISTING IRRIGATION SYSTEM OPERATES AS GOOD, OR BETTER PRIOR TO THIS PROJECT. CONTRACTOR SHALL REPLACE, AT NO ADDITIONAL COST TO THE OWNER, PLANT MATERIALS DAMAGED DURING EXECUTION OF THIS PROJECT OR DAMAGED DUE TO THE CONTRACTORS FAILURE TO MAINTAIN OPERATION OF THE EXISTING SYSTEM DURING THE COURSE OF CONSTRUCTION.
- 6' PRIVACY FENCE MEASURED FROM THE ELEVATION OF THE FINAL GRADE OF THE ADJACENT ROADWAY CENTERLINE. SEE L3.0-7.
- 5' OPEN VISION FENCE. SEE L3.0-8.



MUNGER PLANTING DETAIL
0 10 20 30
Plan Scale: 1" = 10'



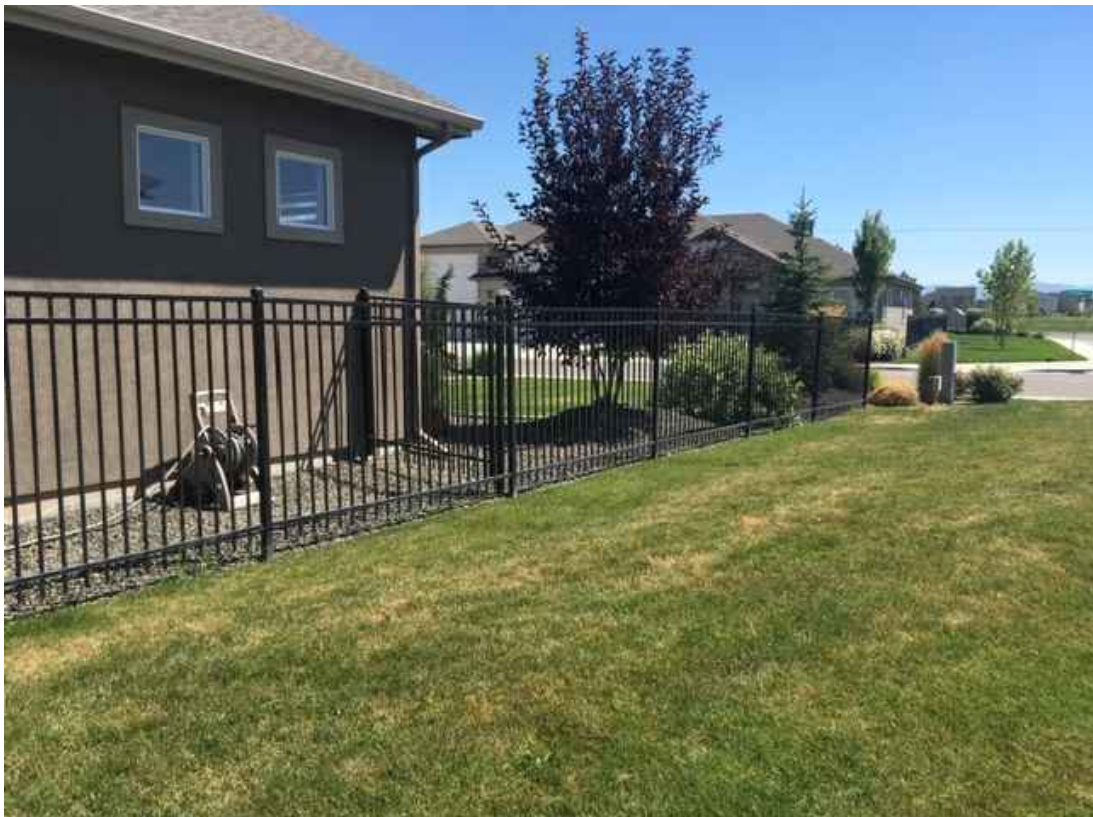
REFERENCE PHOTO



REFERENCE PHOTO



REFERENCE PHOTO



4 HORSESHOE PIT
NTS

5 BENCH
NTS

6 TRELLIS
NTS

7 6' VINYL FENCE
NTS

8 5' CLEAR VIEW FENCE
NTS

PRELIMINARY NOT FOR CONSTRUCTION

CRAFTSMAN ESTATES NORTH
LANDSCAPE PLAN
STAR, IDAHO

REVISIONS		
NO.	ITEM	DATE
1	AGENCY COMMENTS	8/25/20

km
ENGINEERING

9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

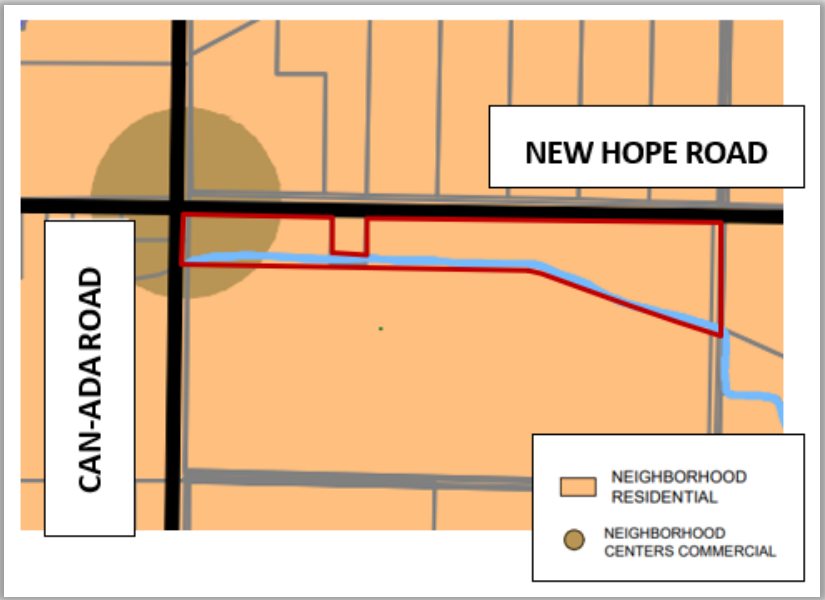
STATE OF IDAHO
JULY 2020
PROJECT: 19-154
SHEET NO. PPL3.0

DATE: JULY 2020
PROJECT: 19-154
SHEET NO. PPL3.0

At the time of the original Craftsman Estates / Pristine Springs entitlement, this property was included in both the annexation/zoning efforts and the preliminary plat. However, as the project progressed through agency reviews, it was determined that the original layout for this part of the project was not feasible, resulting in its removal from the overall preliminary plat.

Rezone

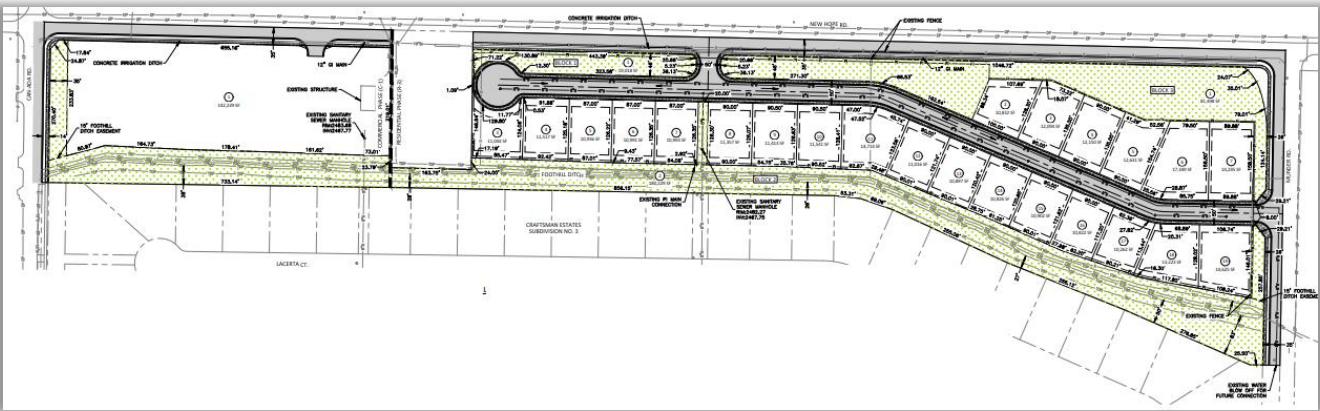
The City of Star’s Comprehensive Plan identifies the subject property as primarily Neighborhood Residential with a small area of Neighborhood Centers Commercial at the corner of Can Ada and New Hope. The Neighborhood Residential designation calls for single-family residential uses ranging between 3 and 5 units per acre, which is consistent with the current R-3 zoning designation and the proposed residential component of this project. The Neighborhood Centers Commercial designation outlines uses geared toward convenience for the surrounding residential area. Permitted uses can include small shopping centers and service businesses that complement and serve the surrounding neighborhoods.



Consistent with the Comprehensive Plan, this application proposes to rezone +/- 5.18 acres on the west end of the project to the C-1 Neighborhood Business District zone, while leaving the remaining +/- 15.42 acres with the current R-3 Residential zone.

Preliminary Plat

The Craftsman Estates North preliminary plat includes 23 buildable single-family residential lots, 1 buildable commercial lot and 4 common lots for a total of 28 lots on +/- 20.6 acres.



Residential

Consistent with the current R-3 zone, the residential area proposes a density of approximately 1.49 units per acre with lots ranging in size from +/- 10,262 sq. ft. to +/- 17,349 sq. ft., with an average lot size of +/- 12,016 sq. ft. Access to the lots is proposed via a new public street connection to New Hope and Munger Roads.

At this time, the housing product slated for this project consists of single-family detached homes on varied lot sizes. It is likely that the project will include both single-story and two-story homes which will comply with the zoning regulations in effect at the time of development. The architectural style and quality are expected to be similar and complementary to homes in the existing Craftsman Estates / Pristine Springs neighborhood.

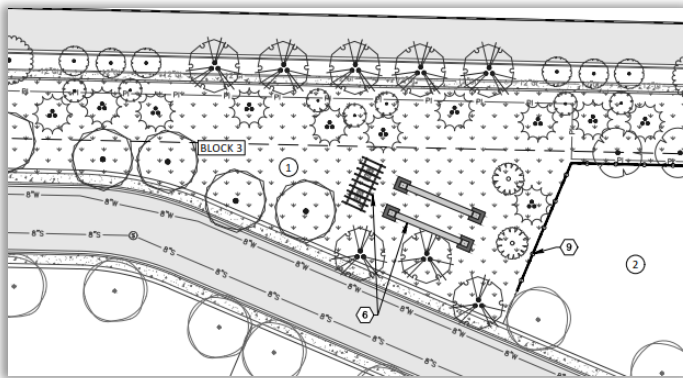
Commercial

The commercial portion of the project proposes 1 buildable lot, approximately 3.26 acres in size. Access to the lot is currently proposed via a single connection to New Hope Road. Consistent with the requested C-1 zone, a variety of uses are possible for this area including, but not limited to, a fuel service station, convenience store, deli, coffee shop, nursery and professional offices. While no specific users have been identified at this time, it is the goal of this development to provide a small area to accommodate one or more neighborhood-serving uses consistent with the Comprehensive Plan.

We look forward to working with the City as this project progresses to identify the types of service uses appropriate for this area. Further, the developers have indicated a willingness to enter into a Development Agreement, if requested, to help guide the future development of this commercial parcel.

Amenities and Open Space

As you will see on the attached landscape plan, the Craftsman Estates North project proposes approximately 5.19 acres (33.6%) of total open space with approximately 1.64 acres (10.60%) of useable open space. This open space includes a seating area and horseshoe pits for resident use, as well as landscaped open areas. The open space and



amenities will be owned and maintained by the HOA and will provide a great opportunity for recreation and resident enjoyment, buffering from major roadways, and easement accommodation for the Foothill Ditch.

Landscaping in the commercial portion is shown to depict code requirements. As noted, future construction plans will reflect a detailed plan with shrub and vegetation type and location consistent with future use requirements.

Utilities

The development team has coordinated with the City Engineer regarding available public utilities in the project area. Sewer facilities are available for extension at our project's southern boundary. Water facilities are available in the adjacent right-of-way and will be extended through the project as required. This property has shares within the Foothill Ditch / Middleton Irrigation which will be utilized to provide pressure irrigation to the project. The pressure irrigation system will connect to the existing system in the Craftsman Estates / Pristine Springs neighborhood.

Please refer to the preliminary engineering plans for additional details.

Irrigation Districts

As requested by the application, the following are the irrigation districts associated with or adjacent to this project to the best of our knowledge:

- Middleton Irrigation Association: PO Box 848, Middleton, ID 83644
- Middleton Mill Ditch Company: PO Box 848, Middleton, ID 83644
- Foothill Ditch Company: PO Box 848, Middleton, ID 83644
- Farmers Union Ditch Company: 10389 West Beacon Light Road, Star, ID 83669

Conclusion

At this time, there are no known health, safety or environmental problems that currently exist or that will exist as a result of this development. Craftsman Estates North reflects a residential lot type and size that will complement the surrounding area. Further, the small commercial component will complement and enhance the community at large by bringing services and employment opportunities to this growing area. We are excited to work with City staff to accomplish this great addition to the City of Star.

Should you have any questions on these materials or need any further information, please feel free to contact me.

Sincerely,

KM Engineering, LLP



Stephanie Leonard
Land Planner

cc: Pristine Development, LLC



131 SW 5th Ave, Suite A
Meridian, ID 83642

(208) 288-1992

August 7, 2020

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

Re: Craftsman Estates North Subdivision Preliminary Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Craftsman Estates North Subdivision dated July 7, 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. Provide property boundary with bearings and distances on plan sheet.
2. What is the intent of the radii at the corner of Munger and New Hope? Is additional ROW being dedicated?
3. Note 9, Preliminary Plat Notes is not sufficient. Please provide distances in note or dimensions on plat for all easements, front, rear, and side. These can be refined on final plat as noted.
4. It appears that Lot 3, Block 2 is also a common lot, please clarify.
5. Lot 1,2,3, Block 2 have sewer running through them and will require an easement.
6. Lot 1, Block 2 does not appear to have water. Water will have to be extended along entire frontage of Can Ada Rd, Munger Rd and New Hope Rd per SSWD.
7. Provide natural features map showing all existing site features and 1-foot contour elevations is provided in accordance with 5-7 of City of Star Subdivision Ordinance.
8. Provide preliminary storm drain facilities.
9. It appears that Lot 1, Block 2 does not have pressure irrigation, please provide.
10. Provide streetlights at every intersection and at end of cul-de-sac. 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.
11. 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.



Ada County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat PP-20-10

Craftsman Estates
North

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

Reviewed By: _____

Date: 8/4/2020



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
John H. Tippetts, Director

August 6, 2020

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

RE: Craftsman Estates North Subdivision, RZ-20-07, DA-20-10, and PP-20-10

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.

Boise Office
Golden Eagle Building
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 (208) 629-7559



CITY OF STAR
SAWTOOTH LAW
OFFICES, PLLC

RECEIVED

AUG 10 2020

CITY OF STAR

David P. Claiborne *

S. Bryce Farris

Patxi Larrocea-Phillips

Evan T. Roth

Daniel V. Steenson

Matthew A. Sturzen

Katie L. Vandenberg

Andrew J. Waldera **

James R. Bennetts (retired)

*Attorneys licensed in Idaho
* Also licensed in Washington
** Also licensed in Oregon*

Thursday, August 06, 2020

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

Re: File #RZ-20-07 Rezone / File #DA-20-10 Development Agreement /
File #PP-20-10 Preliminary Plat – **Craftsman Estates North Subdivision** located on the
southeast corner of New Hope Road and N. Can Ada Road in Star, Idaho

Dear Mr. Nickel:

The Foothill Ditch Company (referred to as "Ditch Company") has a ditch and easement that runs through or abuts this property. The easement is 25 feet each side from the top of bank. In addition, the Middleton Mill Ditch Company and Middleton Irrigation Association (collectively referred to as "MM-MI") have a lateral ditch and easement that runs through or abuts this property. The easement is 25 feet each side from the top of bank. The developer must contact the Ditch Company and MM-MI's attorneys, Sawtooth Law Offices, PLLC, for approval before any encroachment, change of easement, or drainage discharge into Ditch Company or MM-MI facilities occurs. The Ditch Company and MM-MI must review drainage plans and construction plans prior to any approval.

The Ditch Company and MM-MI generally require a License Agreement prior to any approval for the following reasons:

1. 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 neither the Ditch Company or MM-MI approves of trees within their easements. Therefore, any existing trees within easement will need to be removed. On occasion, the

www.sawtoothlaw.com



August 6, 2020
City of Star Itr.
Page 2

Ditch Company and MM-MI may make exceptions on a case by case basis, which requires the developers/owners to obtain written permission from District for existing trees to remain.

Please contact me if you have any questions.

Yours very truly,

A handwritten signature in blue ink, appearing to read "S. Bryce Farris".

S. Bryce Farris

SBF:krk

cc: MM-MI/Foothill Ditch Company

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 Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- 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

ec: CM#2020AEK195

12. Early phases of this development have already been constructed and inhabited. The applicant should address how construction of future phases will be compatible with existing phases and how construction will be managed to minimize disruption and disturbance to existing residents.
13. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
14. Potable water cannot be used for irrigation purposes. A separate pressure irrigation system will be required.
15. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
16. 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.
17. Landscape plans including fencing, buffer areas, and street trees will have to conform to the City subdivision ordinance.
18. Easements for sewer/water facilities will be required where placed outside of public right of way.
19. Applicant needs to explain proposed stormwater disposal plan for local roads as well as New Hope Road.

We recommend that the **conditions 1 and 10 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



Project/File: **Craftsman Estates North Subdivision/ SPP20-0009/ RZ-20-07/DA-20-10/PP-20-10**
This is a preliminary plat application and development agreement application to develop 23 residential lots, 1 commercial lot and 4 common lots on 20.6 acres. A rezone application has also been included to rezone 3.27 acres of the site to C-1 for the commercial lot.

Lead Agency: City of Star

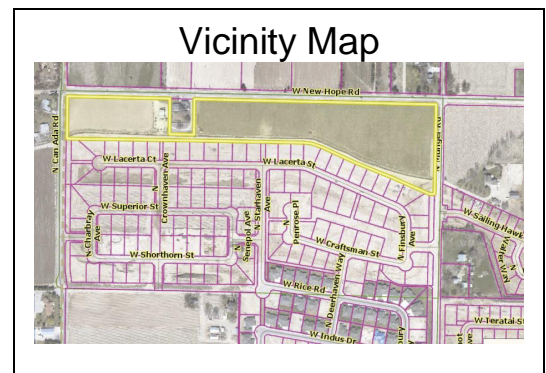
Site address: Southwest corner of New Hope Road and Munge Road extending to Can-Ada Road

Staff Approval: August 24, 2020

Applicant: Stephanie Leonard
 KM Engineering, LLP
 9233 W. State Street
 Boise, ID 83714

Representative: Same as above

Staff Contact: Paige Bankhead, E.I.
 Phone: 387-6293
 E-mail: pbankhead@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting approval of a preliminary plat application and development application to develop 23 residential lots, 1 commercial lot and 4 common lots on 20.6 acres. The applicant is also requesting approval to rezone 3.27 acres of the site to C-1 for the commercial lot.

The site is zoned as R-3 (medium-low density residential). The City of Star's Future Land Use Map designates this area as Neighborhood Residential with Neighborhood Center Commercial use at the northwest corner of the site.

2. Description of Adjacent Surrounding Area:

Direction	Land Use	Zoning
North	Medium-Low Density Residential	R-3
South	Medium-Low Density Residential	R-3
East	Medium-Low Density Residential	R-3
West	Medium-Low Density Residential (Canyon County)	R-3-DA

- Site History:** ACHD staff previously reviewed this site as part of a preliminary plat application for Craftsman Estates to develop 261 residential lots and 12 common lots on 126.14 acres in April 2016. The requirements of this staff report differ from those of the prior action due to the modification to the development application.

4. **Transit:** Transit services are not available to serve this site.
5. **New Center Lane Miles:** The proposed development includes 0.32 centerline miles of new public road.
6. **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.
7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
 - Bridge #1462 is scheduled in the IFYWP to be replaced in 2024.
12. **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 Can Ada Road and Munger Road as Level 2 facilities abutting the site. The applicant will improve Munger Road abutting the site as ½ of a 36-foot wide residential collector street consistent with the MSM and the Roadways to Bikeways Master plan.

B. Traffic Findings for Consideration

1. **Trip Generation:** The residential portion of this development is estimated to generate 217 additional vehicle trips per day; 23 additional vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

The following table includes trip generation rates for anticipated neighborhood commercial land uses, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

Land Use	Unit of Measurement	Average Daily Trips	PM Peak Hour Trip Generation
General Office	Per 1,000 square feet	9.74	1.15
Shopping Center	Per 1,000 square feet	37.75	3.81
Fast Casual Restaurant	Per 1,000 square feet	315.17	14.13
High-Turnover (Site Down) Restaurant	Per 1,000 square feet	112.18	9.77
Coffee/Donut Shop w/o Drive-thru	Per 1,000 square feet	N/A	36.31

2. **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
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New Hope Road	2,305-feet	Minor Arterial	78	Better than “D”
Can Ada Road	280-feet	Minor Arterial	128	Better than “D”
Munger Road	600-feet	Collector	63	Better than “D”

* 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).

3. **Average Daily Traffic Count (VDT)**

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

- The average daily traffic count for Can Ada Road north of SH-44 was 2,348 on 3/07/2018.
- The average daily traffic count for New Hope Road east of Can Ada Road was 1,172 on 5/18/2016.
- The average daily traffic count for Munger Road north of Floating Feather Road was 1,183 on 5/10/2018.

C. Findings for Consideration

1. **Purple Sage/Beacon Light Alignment Study**

The Purple Sage/Beacon Light Alignment Study was a planning effort identified by COMPASS in Communities in Motion (CIM) to define an alignment to connect Purple Sage in Canyon County to Beacon Light in Ada County. This alignment study allows for right-of-way preservation and creation of a future east/west arterial, to provide circulation options to the area. The alignment also serves an important role of reliving some traffic from State Highway 44 (SH-44). The Purple Sage/Beacon Light Alignment Study was approved by the ACHD Commission on June 25, 2008.

The Purple Sage/Beacon Light Alignment Study recommends right-of-way preservation for a future 3-lane arterial roadway for New Hope Road and provides an Access Management Plan, which proposes ¼ mile spacing for full movement access points and ½ mile spacing for traffic signals.

2. **MSM Roundabout – New Hope Road/Munger Road**

- ACHD Master Street Map:** ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, roundabout requirements, and specific roadway features required through development. A new roundabout was identified on the MSM. The new single-lane roundabout is planned at New Hope Road and Munger Road intersection.
- Applicant Proposal:** The applicant has proposed to dedicate additional right-of-way abutting the site to accommodate for the future construction of the single-lane roundabout at the Munger Road and New Hope Road intersection.
- Staff comments/Recommendation:** The applicant’s proposal to dedicate additional right-of-way is consistent with the MSM and should be approved, as proposed. The applicant should ensure the proposed right-of-way dedication at the New Hope Road and Munger Road intersection is consistent with the template shown on attachment 3 to accommodate the future construction of the multi-lane roundabout at the intersection.

3. New Hope Road

- a. **Existing Conditions:** New Hope Road is improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. There is 70-feet of right-of-way for New Hope Road (38 to 40-feet from centerline).

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).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of New Hope Road is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 74-feet of right-of-way.

- c. **Applicant Proposal:** The applicant has proposed to improve New Hope Road abutting the site with curb, gutter and 5-foot wide detached concrete sidewalk within existing right-of-way.
- d. **Staff Comments/Recommendations:** The applicant's proposal to improve New Hope Road abutting the site with curb, gutter and sidewalk exceeds District policy which requires right-of-way dedication, pavement widening and construction of sidewalks on arterial roadways. The applicant should be required to widen the pavement to 17-feet from section line plus a 3-foot wide gravel shoulder adjacent to the entire site and construct a 5-foot wide detached concrete sidewalk and locate it a minimum of 30-feet from the section line on New Hope Road abutting the site. All improvements on New Hope Road should be measured from the section line consistent with improvements for New Hope Road to the east.

The section line on New Hope Road is not available in the ACHD mapping system and Staff was unable to measure the current amount of right-of-way as measured from the section line on New Hope Road abutting the site. The applicant should ensure that there is 37-feet of right-of-way as measured from the section line on New Hope Road abutting the site. Additional right-of-way should be dedicated abutting the site as necessary to total 37-feet as measured from the section line.

The applicant may provide a permanent right-of-way easement for detached sidewalk located outside of the right-of-way.

Staff recommends that the applicant work with the owner of the separate parcel surrounded by the site, 12801 New Hope Road, to widen the pavement and construct sidewalk abutting the parcel on New Hope Road to match the improvements on either side of the parcel so that there is not a gap in improvements on New Hope Road.

The applicant will not be compensated for any improvements or right-of-way dedication along New Hope Road abutting the site, as this roadway is not scheduled for improvements in ACHD's IFYWP or CIP.

4. Can-Ada Road

- a. **Existing Conditions:** Can-Ada Road is improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. There is 70-feet of right-of-way for Can-Ada Road (48-feet from centerline).
- 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 has proposed to improve Can-Ada Road abutting the site with curb, gutter and a 5-foot wide detached concrete sidewalk within the existing right-of-way.
- d. **Staff Comments/Recommendations:** The applicant's proposal to improve Can-Ada Road abutting the site with curb, gutter, and detached concrete sidewalk exceeds District policy which requires right-of-way dedication, pavement widening and construction of sidewalks on arterial roadways. The applicant should be required to widen the pavement to 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site and construct a 5-foot wide detached concrete sidewalk and locate it a minimum of 30-feet from the centerline of Can-Ada Road abutting the site. All improvements on Can-Ada Road should be measured from the centerline of the existing roadway, consistent with improvements to Can-Ada Road to the south.

There is already 70-feet of right-of-way (40-feet from centerline) for Can-Ada Road abutting the site consistent with District policy for minor arterial roadways. Therefore, staff recommends that no additional right-of-way dedication be required with this development application.

The applicant may provide a permanent right-of-way easement for detached sidewalk located outside of the right-of-way.

The applicant will not be compensated for any improvements or right-of-way dedication along Can-Ada Road abutting the site, as this roadway is not scheduled for improvements in ACHD's IFYWP or CIP.

5. Munger Road

- a. **Existing Conditions:** Munger Road is improved with 2-travel lanes with no curb, gutter or sidewalk abutting the site. There is 55-feet of right-of-way for Munger Road (26-feet from section line).
- 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.

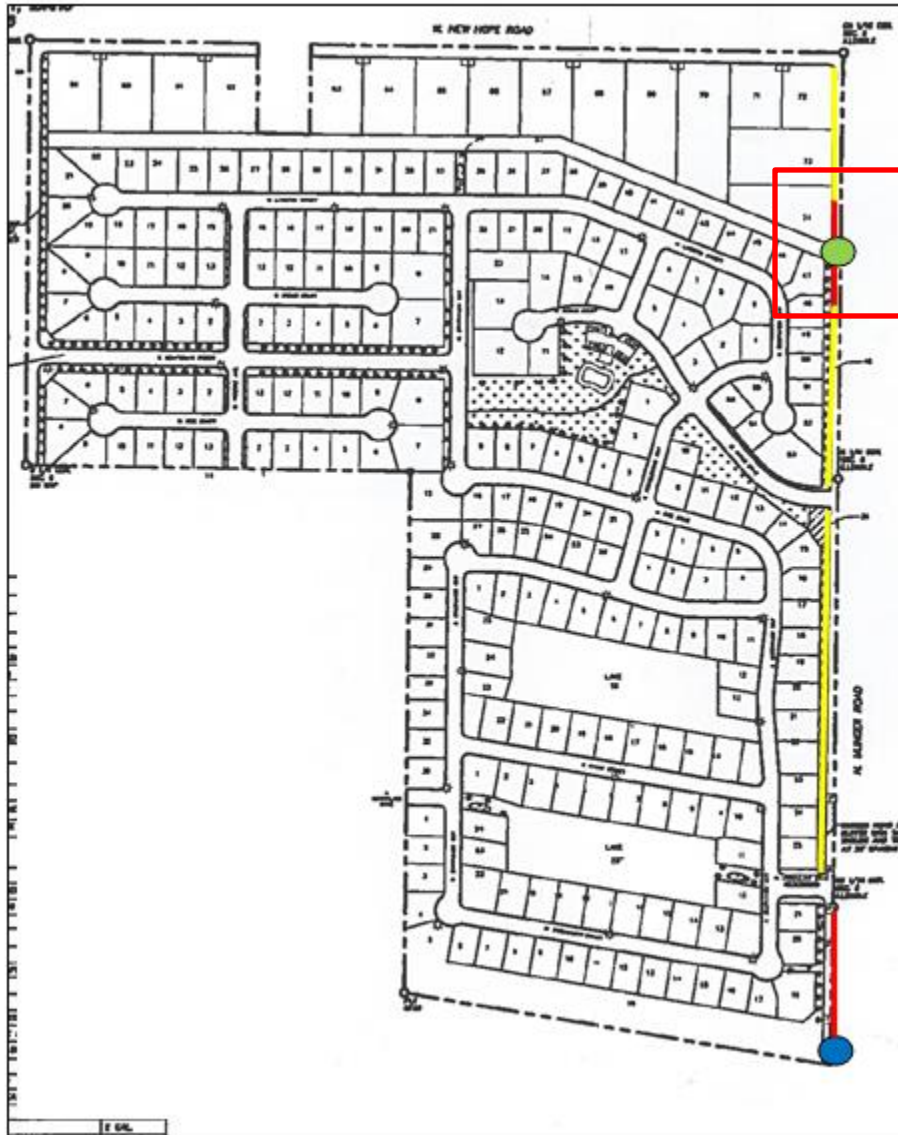
Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

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.

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 Munger Road is designated in the MSM as a Residential Arterial with 2-lanes and on-street bike lanes, a 36-foot wide street section within 54-feet of right-of-way.

- c. **Applicant Proposal:** The applicant has proposed to improve Munger Road abutting the site as $\frac{1}{2}$ of a 46-foot wide street section with curb, gutter and 5-foot wide detached sidewalk within existing right-of-way.
- d. **Staff Comments/Recommendations:** The applicant's proposal to improve Munger Road abutting the site as $\frac{1}{2}$ of a 46-foot wide street section does not meet the MSM typology for Munger Road which designates this roadway as a residential collector with a 36-foot wide street section. The applicant should be required to improve Munger Road abutting the site as a $\frac{1}{2}$ of a 36-foot wide street section with vertical curb, gutter and a 5-foot wide detached (or 7-foot wide attached) concrete sidewalk within the existing right-of-way, except within 15-feet north and south of Bridge #1462. If street trees are desired, an 8-foot wide planter strip is required. If detached sidewalks are located outside of the right-of-way, the applicant may provide a permanent right-of-way easement. All improvements on Munger Road shall be measured from the section line, consistent with improvements to Munger Road to the south.

Bridge #1462 abutting the site on Munger Road is scheduled in the IFYWP to be replaced in 2024. Consistent with ACHD's action on Craftsman Estates in 2016, staff recommends that the improvements on Munger Road (curb, gutter, sidewalk and pavement widening) abutting the site not be constructed 15-foot north and south of Bridge #1462 due to ACHD constructing those improvements and replacing the bridge in 2024. Consistent with the standard conditions of approval with Craftsman Estates in 2016, that applicant has already provided a road trust to ACHD in the amount of \$56,860 to construct frontage improvements with the bridge repairs on Munger Road that included \$2,046 for the frontage improvements on Munger Road 15-feet north and south of Bridge #1462 abutting the site (see figure below in red) at \$62/LF (includes 10% contingency).



Green = Bridge # 1462, Blue = Bridge # 107, Red = Road Trust Area, Yellow = Standard Improvements

There is already 55-feet of right-of-way (26-feet from section line) for Munger Road abutting the site consistent District policy for residential collector roadways and the MSM. Therefore, staff recommends no further right-of-way dedication be required with this development application.

6. Cobalt Lake Way

a. **Existing Conditions:** There are no local roadways 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.

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.

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.

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.

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.

- c. **Applicant's Proposal:** The applicant has proposed to construct Cobalt Lake Way as a public road and construct the road as a 36-foot wide local street sections with curb, gutter, and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way.

The applicant has proposed to construct Cobalt Lake Way to intersect Munger Road and extend it to the west to 12801 New Hope Road to provide access to that parcel. The applicant has proposed to construct 1 cul-de-sac at the terminus of Cobalt Lake Way at 12801 New Hope Road's east property line.

- d. **Staff Comments/Recommendations:** The applicant's proposal for the local street section and a cul-de-sac meet District policy and should be approved, as proposed. If street trees are desired, an 8-foot wide planter strip is required.

However, staff does not support the applicant's proposal to construct public roads within this development due to the fact that the Master Street Map does not show a public street within this site, the proposed roadway does not provide substantial connectivity to the surrounding parcels and ACHD approved a private road for the site with the previous development application in 2016. Staff recommends that if allowed by the City of Star, that the applicant construct the internal roadway, Cobalt Lake Way, as a private road. If Cobalt Lake Way is constructed as a private road, staff recommends that the applicant provide a cross-access easement for the separate parcel within the site, 12801 New Hope Road, to use the private road. If the applicant constructs a private road and the City of Star approves the private road, the applicant shall be required to pave the private roadway its 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.

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.

7. Starhaven Avenue

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

- b. **Policy:**

Local Street Intersection Spacing on Minor Arterials: District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 660-feet as measured from all other existing roadways as identified in Table 1a (7205.4.6).

Number of Access Points on Arterials: District policy 7205.4.4 states the guidelines shall be used when more than one access point is being requested with a development:

Additional driveways may be considered when one or more of the following conditions are met:

- The daily volume using one driveway exceeds 5,000 vehicles (total volume for entering and exiting traffic).
- Traffic using one driveway exceeds the volume to capacity ratio (v/c) equal to or greater than 1, of a STOP controlled intersection during either the peak hour of the street or the peak hour of the site traffic generation.
- A District approved traffic impact study and analysis determines that conditions warrant additional driveways.

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.

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.
- c. Applicant's Proposal:** The applicant has proposed to construct Starhaven Avenue to intersect New Hope Road and construct the road as a 36-foot wide local street sections with curb, gutter, and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way. The City of Star has indicated that they would prefer a roadway connection onto New Hope Road.
- d. Staff Comments/Recommendations:** The applicant's proposal to construct the street section for Starhaven Avenue as a 36-foot wide local street section meets District policy, however, the applicant's proposal to construct Starhaven Avenue to intersect New Hope Road does not meet the District's Access policy or the District's Local Streets Intersections on Arterials policy and should not be approved, as proposed. ACHD's access policy limits access onto arterial roadways to access points that are needed to serve a site. The applicant did not provide any supporting information to justify that an access point onto New Hope Road is needed to serve the site, and a pre-application meeting was not requested with ACHD to provide these recommendations and requirements to the applicant prior to the submittal of their development application. In addition, the proposal is not consistent with the Purple Sage/Beacon Light Alignment Study's Access Management Plan, which restricts access spacing to 1,320-feet. If the applicant would like to further pursue access onto New Hope Road, a traffic analysis to demonstrate that an additional access is necessary to serve the site should be provided, per District policy 7205.4.4.

In addition, staff does not support the construction of public roads with this development due to the fact that the Master Street Map does not show a public street within this site, the proposed roadway does not provide additional connectivity to surrounding parcels and ACHD approved a private road for the site in 2016 with the previous development application. Staff recommends that private roads be constructed with this development.

8. Roadway Offsets

- a. Existing Conditions:** There are no roadways within the site.
- b. Policy:**
- Local Street Intersection Spacing on Minor Arterials:** District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 660-feet as measured from all other existing roadways as identified in Table 1a (7205.4.6).
- Collector Offset Policy:** District policy 7206.4.5, states that the preferred spacing for a new local street intersecting a collector roadway to align or offset a minimum of 330-feet from any other street (measured centerline to centerline).
- Local Offset Policy:** 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 has proposed to construct Cobalt Lake Way, a local road, to intersect Munger Road, a collector roadway, 330-feet south of New Hope Road.
- The applicant has proposed to construct Starhaven Avenue, a local road, to intersect New Hope Road, a minor arterial roadway, 1,170-feet west of Munger Road. The City of Star has indicated that they would prefer a roadway connection onto New Hope Road.
- d. Staff Comments/Recommendations:** The applicant's proposal to construct Cobalt Lake Way to intersect Munger Road 330-feet south of New Hope Road meets District policy and should be approved, as proposed.

The applicant's proposal to construct Starhaven Avenue, a local road, to intersect New Hope Road, a minor arterial roadway, does not meet the District's Local Street Intersections on Arterials policy which states that local roads should not typically intersect arterials and should not be approved, as proposed. See Finding 7 above.

9. Driveways

9.1 New Hope Road

- a. **Existing Conditions:** There is an existing 26-foot wide unpaved driveway from the site onto New Hope Road located 630-feet east of 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 40 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.

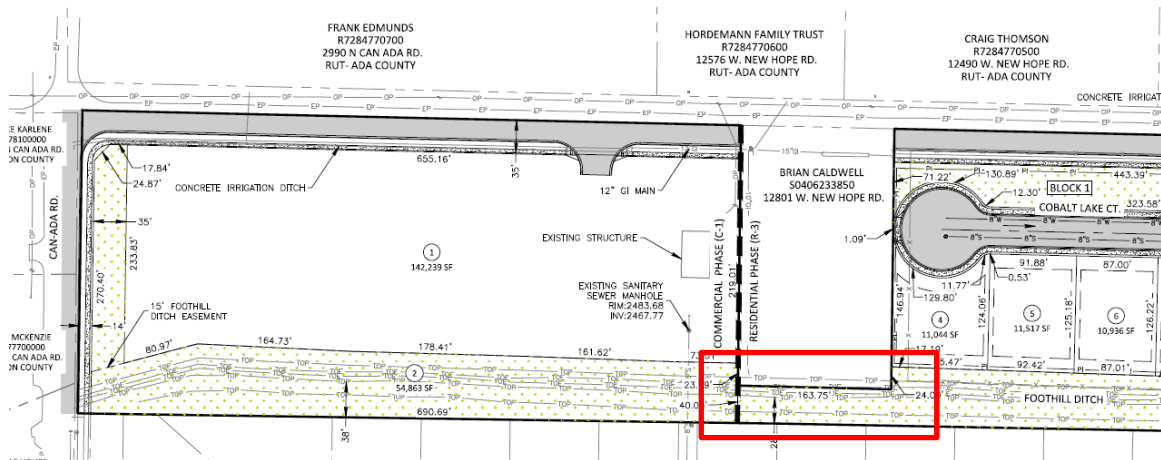
- c. **Applicant's Proposal:** The applicant has proposed to close the existing driveway onto New Hope Road located 630-feet east of Can-Ada Road with sidewalk to match improvements on either side.

The applicant has proposed to construct a 30-foot wide paved curb return type driveway onto New Hope Road 570-feet east of Can-Ada Road to access the commercial portion of the site.

The City of Star has indicated that an access onto New Hope Road is desired.

- d. **Staff Comments/Recommendations:** The applicant's proposal to close the existing driveway located 630-feet east of Can-Ada Road meets District policy and should be approved, as proposed.

The applicant's proposal to construct a driveway onto New Hope Road and locate it 570-feet east of Can-Ada Road to provide access to the commercial portion of the site does not meet the District's Access policy which states that if a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. Typically, the applicant would be required to have the commercial property take access from the lesser classified street, Munger Road, a collector roadway abutting the site, instead of New Hope Road which is a minor arterial roadway. However, staff recommends a modification of policy due to the fact that that extending a roadway through the site from Munger Road to the west end of the site is infeasible due the Foothill Ditch easement and steep grade at the narrow portion of the property, see the figure below. Therefore, staff recommends that the applicant's proposal to construct a 30-foot wide paved curb return type driveway onto New Hope Road and locate it 570-feet east of Can-Ada Road be approved, as proposed.



Staff recommends that the applicant work with the property owners at 12801 New Hope Road to close the 2 existing driveways from that parcel onto New Hope Road since access is being provided to that parcel to the east with the Craftsman Estates North Subdivision. If the property owners at 12801 New Hope Road choose to close the existing 2 driveways onto New Hope Road, the driveways should be closed with improvements to match improvements on either side of the driveways.

If the City of Star requires secondary access onto New Hope Road for the residential portion of the development, staff supports the construction of an emergency access where Starhaven Avenue is proposed to intersect New Hope Road, 1,170-feet west of Munger Road. The applicant should be required to pave the access its full width (maximum width is 30-feet) and at least 30-feet into the site beyond the edge of pavement for New Hope Road and restrict the access to emergency access only with a gate or bollards as determined by the Star Fire Department.

9.2 Munger Road

- a. **Existing Conditions:** There are no driveways from the site onto Munger Road.
- 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 (Stop Controlled Intersection): District policy 7206.4.4 requires driveways located on collector roadways near a STOP controlled intersection to be located outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is greater. 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 35 MPH and daily traffic volumes greater than 100 VTD to align or offset a minimum of 280-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 has proposed to construct a public road, Cobalt Lake Way, onto Munger Road and locate it 330-feet south of New Hope Road. Staff has recommended that this road be constructed as a private road in Finding 6.
- d. **Staff Comments/Recommendations:** Staff recommends that Cobalt Lake Way be constructed as a private road onto Munger Road. If the applicant chooses to construct Cobalt Lake Way as a private road, the applicant's proposal to offset the road 230-feet north of the residential driveway onto Munger Road to the south will not meet the District's Successive Driveways policy which requires driveways located on collector roadways with a speed limit of 35 MPH and daily traffic volumes greater than 100 VTD to align or offset a minimum of 280-feet from any existing or proposed driveway. However, staff recommends a modification of policy due to the fact that the applicant does not have sufficient site frontage on Munger Road to meet the offset requirements and remain outside of the area of influence of the future roundabout at Munger Road/New Hope Road intersection. Therefore, staff recommends that if Cobalt Lake Way is constructed as a private road, that the applicant's proposal to intersect Munger Road 330-feet south of New Hope Road and 230-feet north of the residential driveway be approved, as proposed. This is a 18% modification of policy and can be approved at the Development Services Manager level.

10. Traffic Calming

- a. **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 maintenance and/or license agreement.

- b. **Staff Comments/Recommendations:** The applicant has proposed to construct Cobalt Lake Way greater than 750-feet in length. This roadway will need to be redesigned to reduce the length of the roadway or to include passive design elements. Speed humps/bumps and valley gutter will not be accepted as traffic calming. The applicant should be required to submit a revised preliminary plat showing the redesigned roadways for review and approval prior to ACHD's signature on the first final plat.

11. 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.

12. 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.

13. Other Access

New Hope Road and Can-Ada Road are classified as minor arterial roadways. Munger 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. Dedicate additional right-of-way for New Hope Road abutting the site to total 37-feet as measured from the section line where needed.
2. Improve New Hope Road abutting the site with pavement widening to 17-feet from the section line and construct a 3-foot wide gravel shoulder. Construct a 5-foot wide detached concrete sidewalk and locate it a minimum of 30-feet from the section line on New Hope Road. All improvements on New Hope Road shall be measured from the section line.
3. If the property owner at 12801 New Hope Road chooses to improve New Hope Road abutting their parcel with this development application, improve New Hope Road abutting the parcel with 5-foot wide concrete sidewalk and pavement widening to match the improvements on either side of the parcel.
4. Improve Can-Ada Road abutting the site with pavement widening to 17-feet from the centerline of the roadway and construct a 3-foot wide gravel shoulder within the existing right-of-way. Construct a 5-foot wide detached concrete sidewalk on Can-Ada Road abutting the site and locate it a minimum of 30-feet from the centerline of the roadway. All improvements on Can-Ada Road shall be measured from the centerline of the roadway.
5. Improve Munger Road abutting the site, except the 15-feet of Munger Road north and south of bridge #1462, as ½ of a 36-foot wide collector street section with curb, gutter and 5-foot wide

detached (or 7-foot wide attached) concrete sidewalk within the existing right-of-way. All improvements on Munger Road shall be measured from the section line.

6. Construct Cobalt Lake Way to intersect Munger Road 330-feet south of New Hope Road, as proposed.
7. If the applicant chooses to construct Cobalt Lake Way as a public road, construct it as a 36-foot wide local street section with rolled curb, gutter and 5-foot wide concrete sidewalk within 50-feet of right-of-way, as proposed.
8. If street trees are desired, an 8-foot wide planter strip shall be required.
9. Extend Cobalt Lake Way to provide access to parcel at 12801 New Hope Road, as proposed.
10. Construct 1 cul-de-sac, as proposed.
11. If the applicant chooses to construct Cobalt Lake Way as a private road, construct it as a 36-foot wide curb return type driveway onto Munger Road and pave the road its full width and at least 30-feet into the site beyond the edge of pavement of Munger Road.
12. 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.
13. Construct a 30-foot wide paved curb return type driveway onto New Hope Road and locate it 570-feet east of Can-Ada Road, as proposed.
14. Close the existing 26-foot wide unpaved driveway onto New Hope Road located 630-feet east of Can-Ada Road with sidewalk to match improvements on either side, as proposed.
15. If the property owners at 12801 New Hope Road choose to close the existing 2 driveways from the site onto New Hope Road, close the driveways with improvements to match the improvements on either side of the driveways.
16. If Cobalt Lake Way is constructed as a public road, redesign Cobalt Lake Way to reduce the length of the roadway or to include the use of passive design elements and submit a revised preliminary plat showing the redesigned roadways for review and approval prior to ACHD's signature on the first final plat.
17. The applicant may provide a permanent right-of-way easement for detached sidewalk located outside of the right-of-way.
18. The applicant will not be compensated for any improvements or right-of-way dedication along New Hope Road or Can-Ada Road abutting the site, as these roadways are not scheduled for improvements in ACHD's IFYWP or CIP.
19. Other than access specifically approved with this application, direct lot access is prohibited to New Hope Road, Can-Ada Road and Munger Road and should be noted on the final plat.
20. If the applicant would like to further pursue additional access onto New Hope Road, a traffic analysis to demonstrate that an additional access is necessary to serve the site should be provided, per District policy 7205.4.4.
21. If the City of Star requires secondary access onto New Hope Road, staff supports the construction of an emergency access 1,170-feet west of Munger Road. The applicant should be required to pave the access its full width (a maximum width of 30-feet) and at least 30-feet into the site beyond the edge of pavement for New Hope Road and restrict the access to emergency access only with a gate or bollards as determined by the Star Fire Department.
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, ISPMC 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

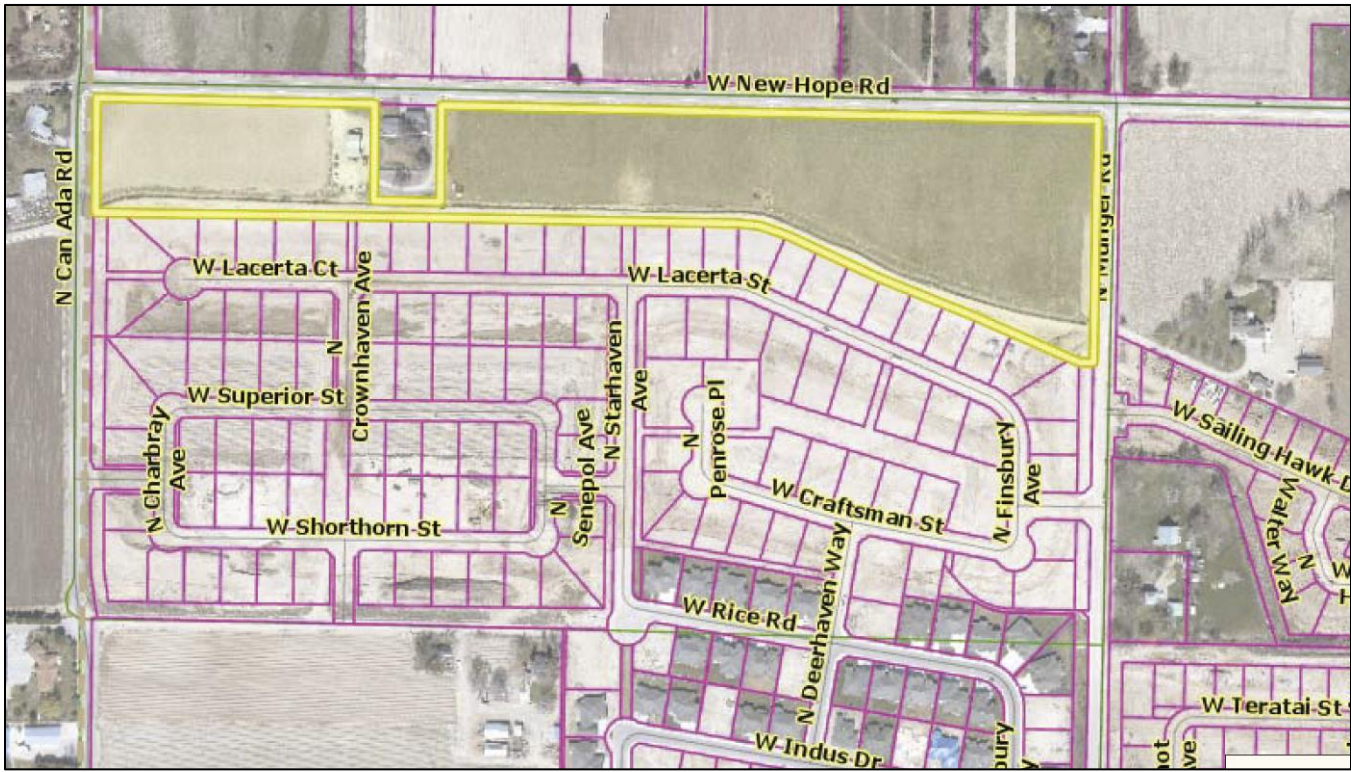
1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.

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

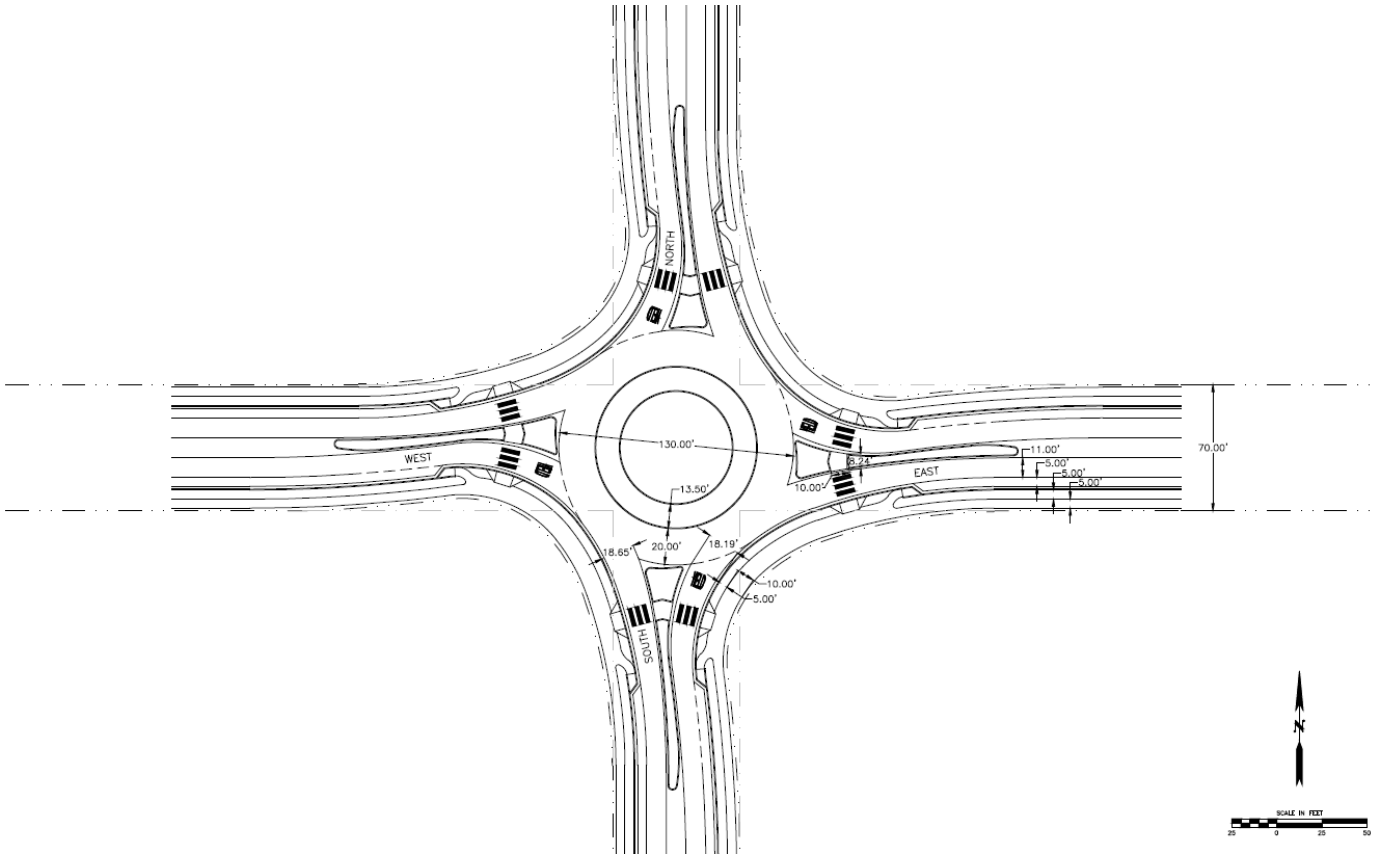
1. Vicinity Map
2. Site Plan
3. Single-Lane Roundabout Template
4. Utility Coordinating Council
5. Development Process Checklist
6. Request for Reconsideration Guidelines **OR** Appeal Guidelines

VICINITY MAP



[illegible]

TEMPLATE FOR SINGLE-LANE ROUNDABOUT



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 City or the County will transmit the development application to ACHD
- ☒ The ACHD **Planning 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 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.

Request for Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

- a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

- b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
- c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
- d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
- e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
- f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

August 22, 2020

Shawn L. Nickel, City Planner
Star City Hall
P.O. Box 130
Star, ID 83660

Dear Council,

We are submitting our comments for the City Council's review concerning the Craftsman Estate North Subdivision's proposal to rezone a portion of the site to Commercial C-1, located at the southeast corner of New Hope Road and North Can Ada Road in Star, Idaho (Ada County Parcel No. S0406233820 - Files #'s RZ-20-07 Rezone; DA-20-10 Development Agreement and PP-20-10 Preliminary Plat).

We are supportive of the residential aspect of the development. However, we have concerns regarding the proposal to rezone a portion of the development to commercial. We understand that future development is inevitable given our explosive growth. However, we are concerned about the uses that would be allowed with the commercial development, specifically ones that will produce high traffic volumes. Our opposition is based on the following:

1. Reduction in Property Value:

Having a commercial property behind us will have a significant impact on the quality and character of our neighborhood, specifically a commercial use such as a gas station that produces a lot of traffic. The homes in this well maintained subdivision start at \$500,000. People buying expensive homes do not want a commercial property that produces traffic in the vicinity as this decreases market/property values. Homeowners may not be able to sell their homes for what they are worth. We believe this area is more suited for beautiful homes, residential uses, and green space. Commercial development is not consistent with the character of the area.

2. Proximity To Homes:

The close proximity of the proposed commercial sight is alarming (under 1 mile). Since the proximity of this proposed commercial property is so close to the subdivision "Estates at Pristine Springs", commercial developments with a lot of traffic will bring disruptive noise, traffic congestion commercial property lighting/signs. We enjoy the rural feel of the subdivision and feel that a commercial use is not consistent with the area's residential and open space uses. However, if commercial use is desired, we feel that a use that is smaller in nature, such as a café, small shop, winery or small brewery would be better suited for the area than a gas station, for example.

3. Traffic Congestion:

We are concerned about the noise pollution that would be produced from a commercial development. In addition, the rezoning to commercial would cause increased traffic that could cause potential accidents. The safety of our children and pets is put at risk with a substantial increase in traffic.

Robert "Buzz" and Linda Hogan
2066 N. Starhaven Ave.
Star, Idaho, 83669-5971
209.606.3189
LallHogan@aol.com

AUGUST 19, 2020

City of Star, Idaho City Hall
10769 W. State Street Star, Idaho 83669
Mailing: P.O. Box 130 Star, ID 83669
Phone: 208-286-7247
<https://www.staridaho.org/>

Dear City Council Members,

RE: Rezoning the property on the southeast corner of CanAda and New Hope Roads, from R3 to C1, to facilitate commercial expansion at that location.

We have been made aware that the City Council will take under advisement, September 1, 2020, at 7:00 pm the rezoning of the aforementioned location, to change it from a residential area to a commercial area. We would like to express that we are opposed to this change for the following concerns:

1. What is the City of Star Masterplan for commercial and residential development? How would this rezoning align with the Masterplan?
2. What studies have been completed with due diligence for infrastructure considerations, like the widening of CanAda and New Hope Roads to accommodate the increased traffic patterns to possible future new businesses located there , noise, and other EPA considerations including air quality control?
3. To Rezone to C1, what type of additional commercial enterprises might soon follow nearby, that would not be conducive to a residential area and Star Middle School located only 6 minutes (2.7 miles) from the Pristine Springs community?
4. The present R3 zoning is a part of the original plat plan for the Pristine Springs residential development. New home buyers, in good faith, have counted on the community to be completed as presented in promotional materials. Many new home buyers, would not have purchased their homes, had they known that a commercial development could/would back up to their new properties. Home buyers saw residential lots on the map not a commercial zone.

As Pristine Springs residential taxpayers, we are confidently supporting the Star City Council's professionally researched decisions, to safeguard and guarantee the city's quality of life. Thank you for your consideration in this matter.

Warm regards,

Robert "Buzz" and Linda Hogan

RESIDENTS OF THE LAKES AT PRISTINE SPRINGS

Wade D. Thomas, Esq.
12300 W. New Hope Rd.
Star, ID 83669
wthomas01@gmail.com

August 18, 2020

City of Star
City Council
C/O Shawn Nickel, City Planner
P.O. Box 130
Star, ID 83669

RE: Craftsman Estates North Subdivision:
File # RZ-29-07 Rezone
DA-20-10 Development Agreement
PP-20-10 Preliminary Plat

Members of the City Council, Mr. Mayor, and Mr. Nickels:

This letter is in opposition to the above-referenced Application. My family and I are neighbors who will be negatively impacted by the Application.

Many of you as Council members, and even Mayor Chadwick, ran your respective campaigns on protecting the “rural feel” of Star (Mayor Chadwick, KTVB, 1-12-20 after reelection), while encouraging and managing commercial growth in our city. Councilwoman Salmonsens claimed she is “passionate about preserving our home-town feel...” (Jennifer Salmonsens, FaceBook post 11/1/19). Here is your opportunity to honor those commitments and/or campaign pledges and act with integrity. Councilman Keyes sums it up best “the single raindrop never feels responsible for the flood” (Michael Keyes, FaceBook 1/24/20 FB and current FaceBook profile cover). I ask YOU to be responsible and lead our community the way you committed to when you were elected.

The proposed Application is **not** compatible with the surrounding properties, which range from agriculture (W of subject property), rural residential (W, NW and N of subject property) and Neighborhood Residential to the west and south and directly adjacent to the subject property. Additionally, the Application is **not** compatible with the entirety of the Comp Plan. Notably, the “Neighborhood Commercial Center” designation in the current Comp Plan appears to directly contradict the stated goals of the individual City Council Members, Mayor Chadwick, and the Comp Plan itself. Of greatest concern, the Application appears to be another attempt of a developer’s intention of getting a rubber stamp, as it provides no suggestions/requests as to the specific uses for the proposed property; rather it simply requests “C-1” zoning. The assumption is that the developer can sort out the specifics after he gets the C-1 zoning, which is unacceptable and sloppy - the Council should not allow it.

The Proposed Zoning Change is NOT compatible with the surrounding properties.

If you stand at the subject property, you will find a wonderful mixture of agriculture and rural residential properties with acreage for horses, cows and/or farming, along with new luxury homes. A place with beautiful sunrises and sunsets where you can still enjoy the crow of pheasants. Despite what I call the urban sprawl, the current mixture allows citizens to enjoy the "country life," while still having access to the spoils of the Treasure Valley. Once the Commercial Business District is completed, commercial amenities will be a short drive away down Can Ada. The balance is currently in place by preserving the rural feel of Star, while embracing its rapid growth, and melding them together.

Commercial development at the proposed location is not necessary. All the needs of the surrounding neighborhoods and homes will eventually be met through the development of the Commercial Business District. Many of my neighbors have stated, and I concur, that we live in Star because we don't mind traveling to downtown Star or other surrounding cities for our commercial needs, if such means we can feel like we still live in the country... away from the noise, the lights, and the traffic. All these things will come with commercial development and will have an adverse effect on every neighbor if the subject property is zoned C-1. A stated objective of the Comp Plan (sec 8.4, G) is to "(e)ncourage land uses that are in harmony with existing resources, **scenic areas, natural wildlife and areas and surrounding land uses.**" The proposed zoning will not be harmonious with the surrounding neighbors and it will destroy that rural feel that makes Star... **Our homes.**

The application is contrary to the current Comp Plan.

The Application directly contradicts the Comp Plan in its entirety. The Neighbor Commercial Center is such an anomaly when compared to the other well defined and focused designation. Of interest, there are only 3 small areas in the entire footprint of Star that have the "Neighborhood Commercial Center" designation in the Comp Plan. The two other areas are currently so far from the current residential growth that they remain irrelevant to this discussion. One can surmise from the Comp Plan that the idea behind a "Neighborhood Commercial Center" was that these areas could accommodate future commercial needs of the surrounding residences, i.e. by limiting trips or purely for convenience. However, such is premised on the notion that such designation will have its time (and possible need) once the Commercial Business District is fully developed. Even then, the Council **has to balance the appropriateness of commercial development against the adverse effect it would have on the surrounding land uses, which in this case are profoundly negative.**

While the Comp Plan contemplates future commercial developments (and I suspect that this was the intent of establishing Neighborhood Commercial Centers), it states (Sec. 7.2.7) "(a)s the community grows, other retails centers may be established, but it is important for the community to **remain focused on the vitality of the central core** and mixed used developments... for a vibrant Central Business District." The Central Business District, while finally beginning to take form, continues to be in its infancy. The Council should continue to focus on the Central Business District as the place to establish and grow the commercial presence and needs for the City of Star. Only then can it even begin to know what commercial needs, if any, are appropriate or

necessary in Neighborhood Commercial Centers, if such are truly there to augment the commercial needs not being fulfilled by the Central Business District. Approving any commercial zoning at this time and at the proposed location, without more development of the Central Business District is putting the cart before the horse and simply unreasonable. Notwithstanding the foregoing, even if there is a need for commercial growth, such still needs to be balanced against the adverse effect it would have on surrounding land uses and neighbors.

Furthermore, The Comp Plan Introduction provides: “(t)he community does not want Star to become a **“Stack and Pack” metropolitan city** but wants to strive to retain its **small town family friendly character** while growing a strong commercial base and vibrant downtown. Approving the Application and rezoning the subject property to C-1 is exactly that...turning Star into a stack and pack metropolitan city. The proposed location is no Paramount Subdivision, or BridgeTower Subdivision, or any of the other large subdivision located off major thoroughfares trying to accommodate the thousands of residences and thousands of cars zooming by every day. The proposed location is in the heart of rural Star, where commercial property simply is **not** needed or wanted.

The Comp Plan allows the Council flexibility in assessing what is appropriate at the subject property.

Since the Developer is asking for a rubber stamp from the Council because the Neighborhood Commercial Center simply exists in the Comp Plan, it bears mentioning that the Comp Plan is merely a guide. The Council has the duty to use that guide but ultimately make reasoned decisions. The Comp Plan states (Sec. 8.2)

The Comprehensive Plan represents the future of Star. The land use component is **only one** of the components to be considered when determining whether a particular proposal is consistent with the Comprehensive Plan. When determining what the Comprehensive Plan is to achieve, each component must be considered before a decision can be made. The components are to function in concert with no component standing in isolation.

It has long been held in Idaho that a **Comprehensive Plan is a “guide”**. It has also been litigated in Idaho that the Land Use Map is **only one component** to be considered and that the “ENTIRE” plan is to be considered when rendering a decision, not just the Land Use Map. The Land Use Map is not required to “mirror” zoning designations. A Zoning Compatibility Matrix is therefore incorporated into the plan to help elected officials determine the best zoning for a particular piece of property as it relates to the overall plan. **It is the sole discretion of the City Council to determine the best zoning using the Comprehensive Plan as a guide...**

Land use designations serve as a **planning tool** that **assist the city** in sustaining reasonable growth and development patterns and to identify land use patterns which remain consistent with the goals, objectives, and policies of the City of Star.

In short, the Council is encouraged and has the support of the Comp Plan to make rationed and reasonable decisions based on what is best for the community. A rubber stamp is not what is

needed in approving the proposed Application, nor should the Council hide behind the Comp Plan as a legal constraint that binds them to one conclusion. Rather, you should make a decision that preserves Star. You can make an affirmative decision, based on all of the foregoing, and truly preserve our homes and protect the rural feel of Star, the very reason most, if not all, of us live in Star, including yourselves.

You, as a Council, are not beholden to the Comp Plan and must in this instance exercise rational and reasoned judgement and deny the Application, as it relates to the commercial zoning C-1. If the proposed property is zoned commercial, there is no going back. The damage will be done; and it will be irreversible. Such a decision would also be against the promises you made when you were elected to your respective offices. **"Do not turn into exactly what you fought so hard against."** - Councilman Hershey FaceBook 10-30-19.

Sincerely,

A handwritten signature in black ink, appearing to read "Wade D. Thomas", with a stylized flourish at the end.

Wade D. Thomas
Attorney

Finally, we believe there are several other areas in Star better suited for commercial properties, for example along State Street and closer to the Star downtown area. The proposal for a commercial development in this area is not consistent with the residential and open space character of the area.

Thank you for taking our concerns into consideration when making your decision.

Respectfully submitted,

Jon and Connie Cybulski, residents of Estates at Pristine Springs subdivision
12264 W Lacerta St.
Star, Idaho 83669

8-21-20

Dear Mayor Trevor A. Chadwick and Council Members,

The City of Star will be having a Public Hearing on the matter of proposed rezoning of a residential area to commercial. (Files RZ 20-07, DA 20-10 and PP-20-10) Craftsman Estates North Subdivision.

The majority of the residents in the Pristine Springs Development are strongly opposed to rezoning approximately 5 acres of residential to commercial to facilitate a Gas Station or other commercial buildings.

Pristine Springs homeowners are requesting a City Park / HOA Park be placed at the proposed rezoning area located at New Hope and Can Ada Roads. The builder / developer of Pristine Springs originally stated that an open space / park were planned for the sub-division.

Most all of the sub-divisions in the immediate area have some type of park. I believe a park at the corner of New Hope and Can Ada Roads would be better use of the area and improve the City of Star's overall family atmosphere.

Commercial zoning should stay focused in the business district of Star (State Street) where increased traffic would be better facilitated.

We have well over 300 homes in the Pristine Springs Development with no City Park or HOA Park. Our homes are valued at approximately \$525,000 to \$650,000 which generates a substantial amount of tax revenue for the City of Star.

The City of Star should pay close attention to the rapid development and planning of this great city. A park at the corner of Can Ada and New Hope Road would better serve the community.

Thank you,



12078 W. LACERNA ST.

STAR, ID 83669

RECEIVED
AUG 25 2020
CITY OF STAR

8-21-20

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The City of Star should pay close attention to the rapid development and planning of this great city. A park at the corner of Can Ada and New Hope Road would better serve the community.

Thank you,

Jonie Lto

12078 W. Lacerta St.

Star, ID 83669

RECEIVED

AUG 25 2020

CITY OF STAR

Shawn Nickel

From: Fritz Schindelbeck <fritz64@sbcglobal.net>
Sent: Thursday, August 20, 2020 6:12 PM
To: Shawn Nickel
Subject: Can Ada & New Hope rezone

I'd like to express my dissent to the proposed rezoning of the property located at the corner of Can Ada and New Hope (#SO406233820) from R3 to C1.

Given the residential nature of the area and the number of families taking up residence near this corner, I feel this use of the land is highly undesirable and inappropriate.

Fritz Schindelbeck
12330 W. Rice Rd.
Star, ID 83669
fritz64@sbcglobal.net
M: (714) 625-6232

Shawn Nickel

From: Warren Linnell <linnellwd@gmail.com>
Sent: Thursday, August 20, 2020 8:32 AM
To: Shawn Nickel
Subject: Can Ada and Hope Gas Station

I want to go on record that I am opposed to this project. It is not right that current close properties, that were told that it would be residential only, are subject to it being changed. The intersection is obviously too small to begin with and, with the added problem of the winter/iced up approach from the North.

I am personally tired of the bait and switch tactics that the developers use. The light and noise pollution alone, that the nearby homes would have to endure, should be enough to cancel this project. I struggle to think of a place worse to put a gas station. I would suggest that someone should follow the money to see what is really behind this questionable project. Thank you for allowing my input. I live in Hillsdale.

Warren sent this

Shawn Nickel

From: Sb <s.buechel@sbcglobal.net>
Sent: Friday, August 21, 2020 7:03 PM
To: Shawn Nickel
Subject: Can Ada rd Gas Station

I am writing to voice my opposition to rezoning the land at the corner of Can Ada and New Hope. That area is rural, and now growing residential. That is absolutely not the area for a gas station or any type of commercial building. The city council needs to put themselves in those folks shoes who live in that area. Would you want a gas station and the accompanying noise that goes with it outside your door? If you're honest the answer is no! Imagine what it will do to those folks property values.

Why is the city council so hell bent on destroying a wonderful small town? The people of this town are not going to continue to put up with this crap. If the city council likes their positions on the council they better get their act together or face being voted out.

Shawn Nickel

From: Jim Ludwig <mcrider1300@gmail.com>
Sent: Saturday, August 22, 2020 10:09 AM
To: Shawn Nickel
Subject: Corner of Can Ada and New Hope

You people must be crazy to even consider this.

Jim Ludwig
mcrider1300@gmail.com
425-985-6154

Shawn Nickel

From: Wade Thomas <wthomas01@gmail.com>
Sent: Thursday, August 20, 2020 1:44 PM
To: Shawn Nickel
Subject: Craftsman Estates North Sub; File #s: RZ-29-7; DA-20-10; and PP-20-10
Attachments: Letter of Opposition to Commercial Zoning 2 - Star 8-18-20 .pdf

Mr. Nickel,

Attached please find my letter in opposition to the commercial zoning for the above-referenced files numbers. Thank you, City Council and Mr. Mayor for your consideration of my comments in advance.

Regards,
Wade Thomas

Shawn Nickel

From: Dana Partridge
Sent: Tuesday, August 18, 2020 6:26 PM
To: Shawn Nickel
Subject: FW: City Council Meeting-September 1, 2020-(7:00pm)

FYI

Dana

On 8/18/20, 4:49 PM, "Shawn Heim" <shawnheim67@gmail.com> wrote:

Dana,

I have recently become aware of a rezoning proposal from residential to commercial on the southeast corner of Foothill/New Hope and CanAda roads.

- Currently zoned R3-R4
- Parcel #S0406233820
- Owner-Pristine Development, LLC
- Project name-Craftsman Estates North

I am opposed to this proposal and wish to attend the meeting and be counted, but I do not wish to speak.

I do need the code so I can attend the Zoom meeting.

Thank you,
Shawn Heim

Sent from my iPhone

> On Aug 18, 2020, at 3:16 PM, Dana Partridge <dpartridge@staridaho.org> wrote:
>

Shawn Nickel

From: Maxine Schvaneveldt <aussiecowdog@yahoo.com>
Sent: Saturday, August 22, 2020 1:49 PM
To: Shawn Nickel
Subject: Commercial

I am not a close neighbor to Can Ada and New Hope but I have lived outside of Star for 34 years. I hate seeing all the growth and I think it is totally ludicrous to zone this corner commercial!!! Don't the people at planning and zoning have any consideration for the residents?

Would want this out YOUR front door??? This is NOT a good place for commercial. Put the commercial down off Highway 44!!

Please listen to the residents of the area!!!

Maxine Schvaneveldt
4505 Hwy 16
Eagle, Idaho

Sent from Yahoo Mail for iPhone

Shawn Nickel

From: Cathy Ward
Sent: Wednesday, August 19, 2020 7:33 AM
To: Shawn Nickel
Subject: FW: Re zoning

-----Original Message-----

From: Brewster <whitb44@hotmail.com>
Sent: Tuesday, August 18, 2020 10:19 AM
To: Cathy Ward <Cward@staridaho.org>
Subject: Re zoning

Good morning,

I am unsure who should receive this email, but we just caught wind of the potential re zoning of foothill/ can ada/ and new hope from residential to commercial with a proposed gas station, among other things. We are currently in escrow on the home adjacent to this plan and are just learning of this. We are purchasing in Star due to the need for a quiet country life with our livestock and show horses. Re zoning to commercial will not allow this. I don't know anyone who would want an eye sore of this smack in the middle of beautiful homes on acreage, bringing our home values down and it impacting our livestock.

Thank you,
Whitney and Bret Hormuth

Sent from my iPhone
Whitney Hormuth

Shawn Nickel

From: kimdelphia@aol.com
Sent: Wednesday, August 19, 2020 2:05 PM
To: Shawn Nickel
Subject: Fwd: Sept 1st city council meeting

-----Original Message-----

From: kimdelphia@aol.com
To: dpartridge@staridaho.org <dpartridge@staridaho.org>
Sent: Tue, Aug 18, 2020 1:48 pm
Subject: Sept 1st city council meeting

Hello Dana,

I would like to be included on the zoom for this city council meeting, Sept 1st.

In addition, I would like to voice my opposition to the application for the rezoning from residential to commercial of the approximate 5 acres on the southeast corner of CanAda and new hope road in Star. Commercial zoning here is not in harmony with the existing residential neighborhoods, will lower our property values, will lead to increased traffic and other noxious effects.

Please keep all commercial zoning along the existing commercial corridor via State Street. We want to keep Star a beautiful thriving community, but we must be sure not to let commercial zoning encroach upon our existing residential areas.

Thank you
Kim Wickstrum
9630 W Golden View Dr
Star ID 83669

Shawn Nickel

From: kristi landphere <klandphere@att.net>
Sent: Wednesday, August 19, 2020 5:48 PM
To: Shawn Nickel
Subject: Gas station

My husband and I are very upset to hear that the city would even consider placing a gas station in the middle of multiple houses/ subdivisions. We moved to our area to be out of the path of stores/gas stations etc..
This is not the place it should be, ever.

Kristi & Mike Landphere

Sent from my iPhone

Shawn Nickel

From: Jacqueline Baldwin <jsb95110@yahoo.com>
Sent: Saturday, August 22, 2020 10:04 AM
To: Shawn Nickel
Subject: Gas Station in Star

Hi there,

I am a resident in Star and live in the Fallbrook community off Munger Road. I have been told that there will be a zone change to the area for New Hope and Canada Rd for a gas station. I would like to say that my family and I oppose this project, it just doesn't fit with the feel of the area. We feel strongly that this is an area for residents and farming. Star has 2 gas stations currently downtown and another gas station that is to be built on the boarder of Eagle and Star on 16 and Beacon Light. I have never had to wait for a turn at the pump, even during rush hour. I hope the city council will continue to hear the residents of Star on this issue and find a more suitable place for a gas station.

Sincerely,
Jackie Baldwin

Sent from my iPhone

Shawn Nickel

From: Gail Montaina <gail.montaina@gmail.com>
Sent: Saturday, August 22, 2020 2:37 PM
To: Shawn Nickel
Subject: Gas station new hope/can ada

Hi Shawn,

Somebody must have been awake months to dream this one up. What sane and intelligent person would want to put a gas station smack dab in the middle of houses, horses and cows??? An eyesore to say the least along with a potential struggle to stay "operative" and a real nuisance for the neighborhoods. Who is going to bypass the 2 gas stations at star/state rds or state rd in Middleton to turn up can Ada for gas. There is obviously something else brewing here that we don't know about if they want to change from R3 to C1. I am so against this proposal. Neighborhoods are (supposed to be) quiet places. Show me one area of residential neighborhood that wants a gas station!!! Can you imagine those big cistern trucks traveling Can Ada rd to unload gas/and who knows what else, and the noise? And those poor folks that bought those new houses with big \$\$\$\$ finding a gas station in their backyard???? I don't even think the idea should be considered "legal".

Ridiculous idea, whose ever it was.....

I vote NO. Of course. ●

Gail Ackerman

Shawn Nickel

From: Cheryl Burgess <sing4joy2@pacbell.net>
Sent: Wednesday, August 19, 2020 1:04 PM
To: Shawn Nickel
Subject: Gas station

I oppose a gas station on New Hope and CanAda. It's ridiculous to have one there.
Dangerous corner and just a strange place for one.
What about a nice sit down coffee shop or restaurant?

Cheryl Burgess
1466 N Bowknot Lake Way in Star
2089942499

Shawn Nickel

From: Jeremy Gayou <jeremygayou@hotmail.com>
Sent: Friday, August 21, 2020 4:33 PM
To: Shawn Nickel
Cc: happytobhis@gmail.com
Subject: I am opposed to the rezoning of the parcel at the corner of Can Ada and New Hope Rds. (#S0406233820) from R3 to C1

Shawn,

I am opposed to the rezoning of the parcel at the corner of Can Ada and New Hope Rds. (#S0406233820) from R3 to C1. This is no need or do we want commercial buildings like a Gas Station and the like in the middle of a residential zone. Please keep that in the main part of the City and not next to so many houses.

Thank you and have a great day and weekend

Jeremy Gayou

Shawn Nickel

From: Danell Neibuhr <neibuhrs@olypen.com>
Sent: Monday, August 24, 2020 10:46 AM
To: Shawn Nickel; Trevor Chadwick
Subject: New Hope & Can-Ada Rezone

RE: Southeast corner of Can-Ada and New Hope Roads
#S0406233820

We are opposed to rezoning this parcel from R3 to C1.

Please maintain this area as a residential development only. The possibility of any commercial development will impact the entire area between Can-Ada Road and Brandon Road. With the additional subdivisions already being built, there will be a tremendous impact on the volume of traffic in this area. The roads are not adequate to accommodate a commercial development. Currently there are many walkers and bicyclists on New Hope Road and a commercial development is not suitable.

Thank you,

Wendell & Danell Neibuhr
11544 W. Meadow Lily Street
Star, ID 83669



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Shawn Nickel

From: Elaine Millar <millarfamil5@yahoo.com>
Sent: Monday, August 24, 2020 7:05 AM
To: Shawn Nickel
Cc: Trevor Chadwick
Subject: NEW HOPE/CAN-ADA REZONE

RE: Southeast corner of Can-Ada and New Hope Roads
S0406233820

We are opposed to the rezoning from R3 to C1.
We feel the area needs to stay residential, it was zoned R3 originally and for a reason.
This area has many bicyclists and walkers, and we believe it will not look well in our neighborhood. We share the same thoughts as many of our neighbors. You may not hear from them, but many, many are opposed to it. Please keep it residential.

Respectfully,

Dana and Elaine Millar
3194 N. Cherry Laurel Way
Star, ID 83669

Shawn Nickel

From: Susan J <susanmjanz@gmail.com>
Sent: Sunday, August 23, 2020 6:02 PM
To: Shawn Nickel
Subject: No - CanAda & New Hope rezoning

City Council Members,

We live in the Roseland's subdivision and are in opposition of rezoning the SE corner of New Hope and CanAda from residential to commercial use.

We believe commercial property should be continuous with other commercial property on highway 44, not in established zoned residential areas.

We do not see how rezoning this location to commercial will benefit the surrounding community.

We strongly encourage the city council to NOT approve rezoning this area to commercial property.

Sincerely,

Dwayne and Susan Janz

Shawn Nickel

From: Darlene Bell <darlene.bell64@yahoo.com>
Sent: Friday, August 21, 2020 3:51 PM
To: Shawn Nickel
Subject: Opposition to rezoning land at the corner of Can Ada/New Hope

Dear Mr. Nickel,

I am a homeowner in the subdivision of The Lakes at Pristine Springs. I am opposed to the commercial rezoning of the land at the corner of Can Ada & New Hope. We purchased our home in March 2020 & would not have purchased in this subdivision if we had know of this plan beforehand. Not only would it be an eyesore for any commercial land use at this location, it has been brought to our attention that the developer is possibly considering building a gas station at this location. Why would the City even consider allowing such a location in the middle of a residential neighborhood? This will create more traffic, light pollution, noise & the smell of gas fumes wafting through our neighborhood, not to mention the adverse effect this will have on our property value. We once thought that this would be our forever home, if this plan comes to fruition, we will be forced to sell & move elsewhere.

Sincerely,

Darlene Bell
2212 N Finsbury Way
Star, ID 83669

Shawn Nickel

From: NeverDullRanch <taterwoman@gmail.com>
Sent: Wednesday, August 19, 2020 8:08 PM
To: Shawn Nickel
Subject: Proposed Gas Station at New Hope and Can-Ada

I understand there is quite a bit of commercial development also being proposed for the intersection of Can-Ada and State Street. That is a MUCH more appropriate location for a gas station than out here in the middle of all this residential land that still (so far) retains a bit of the rural feel for which we all moved to Star.

We are on that first hill north of State Street and have been sad to lose a nice "farmland" view to mostly a view of ROOFTOPS over the years (most of it very recent). But at least the lighting isn't glaring and the traffic is relatively quiet considering how many new homes are going in.

Rezoning any part of our neighborhood "Commercial" is a revolting idea that would result in increased traffic and WAY more light at night than is appropriate for a residential/rural area.

Plus, it would probably include a mini-mart so everyone's kids would be coming and going on roads that are only wide enough to let two normal-sized vehicles pass, let alone accommodate bike and pedestrian traffic. Or are there plans to widen both roadways to add bike/pedestrian lanes? Not holding our breath...

How about putting a gas station at the Emmett Highway and Beacon Light where people could gas up before hitting the highway? That would make much more sense. New Hope is hardly a State Street or a Chinden - except in the mind of someone looking to profit by overthrowing our prior zoning plans and expectations.

Keep the dratted commercial where it belongs - on the HIGHWAY that runs through town, not through neighborhoods where people bought homes to enjoy semi-rural peace and quiet and maybe even still be able to see a few stars at night.

Don & Candy Odiorne
12175 W Band Dr
Star, ID 83669

Shawn Nickel

From: Gina Mulhern <ginmul@yahoo.com>
Sent: Thursday, August 20, 2020 12:04 PM
To: Shawn Nickel
Subject: Proposed rezoning of SE corner of New Hope and Can Ada Roads

Shawn Nickel
City Planner, Star Idaho

Put me down on your long list of very unhappy citizens regarding the proposed rezoning of the above property. My reasons for standing against this change at this time are the following:
No residents desire this parcel to be rezoned neighborhood center commercial at this time. If the designated use of that property is geared toward convenience for the surrounding residential area, we all stand together with a resounding "No"! I can only say the responsible parties for the Comprehensive Plan allowing commercial in our quiet sleepy residential neighborhood must have been on drugs at the time! Please I invite each Council member to come out and see for yourself what the impact of something that falls into the realm of a small shopping center, or a service business would absolutely NOT complement the surrounding residential farms and neighborhoods. This proposed development is way way premature and would only serve to negatively impact all of us in the area. We spent our hard earned money to live here in our quiet country neighborhood, don't force us to put up with the ugliness of lights, traffic and noise a commercial endeavor would bring. Of course there is also the negative impact on property values for something the affected citizenry is strongly against.
At a time when the main drag through town should be the continued focus of Commercial development and in need of some beautification, please concentrate your efforts there.

Gina Mulhern

Sent from my iPad

Shawn Nickel

From: Mark Marchetti <mark.dockdivers@sbcglobal.net>
Sent: Sunday, August 23, 2020 6:31 PM
To: Shawn Nickel
Subject: Proposed rezoning

We would like to express our opposition to this rezoning plan. Commercial buildings seem out of place in this residential community. Commercial businesses belong in the downtown area along State St., not in the center of residential housing. Who wants to have a home looking at a gas station or convenience store parking lot.

The City should really start looking at a reduction of building projects. Slow the growth and look to other areas of the country where the growth got out of hand. The Santa Clara valley in CA is a good example. In the 1950's the towns in the valley were all surrounded by ranches. They had separate identities. Then the housing developments started eating up the land. Now there are no ranches left and the cities have grown into each other forming one massive sprawl to become Silicon Valley... it now looks just like LA. People and traffic all the way from south of San Jose to San Francisco. The quality of life has changed dramatically... and it started out slowly like this, rezoning to allow things to be built in areas where they didn't belong.

Eagle and Meridian are already looking like 'little California'... is that really what you want Star to become?

Mark and Pamela Marchetti
12170 W Pavo St
Star, ID

415-806-6554

Shawn Nickel

From: Susan Wade <susanwade724@gmail.com>
Sent: Monday, August 24, 2020 2:52 PM
To: Shawn Nickel
Subject: Rezone CanAda & New Hope

As a resident of Roselands, I am opposed to the rezoning on CanAda & New Hope. I think it would be better suited for residential, this area does not need the traffic a gas station/ stores would bring.

Thank you for listening

Susan Wade
3029

Shawn Nickel

From: rloreemccammon2@yahoo.com
Sent: Sunday, August 23, 2020 9:53 PM
To: Shawn Nickel
Subject: Rezone Proposal of Can Ada & New Hope

8-23-2020

Regarding rezoning proposal of Can Ada & New Hope.

I do not understand how the developer of The Lakes at Pristine Springs is allowed to continue to make changes to our area, to benefit himself. My husband & I purchased our home at The Lakes at Pristine Springs, which was completed Dec 2018. We made this purchase & lot location based on the information that was given to us as a buyer for this subdivision. We were to have a green belt behind us. We don't. Instead there is a neighbors home that backs up to ours. The pool was to be in a location different than where it is. It was not to be this close to our home. We were told there would be a club house. Instead it appears to be just restrooms. The pool was to be open already but the completion continues to be delayed that we might not enjoy it this summer. The Lakes at Pristine Springs took on a new name for the newer home builds, The Estates at Pristine Springs. I do not understand how this can be done after the fact, that some homes have 2 lots, that there is a 3 story home I have to view from my backyard which is an eye sore & how another home close to us could pick a green color that doesn't even fit in our neighborhood, hence we're paying HOA fees for a reason. All these changes were made with out my knowledge or consent.

We just moved in 2 months ago. I'm just being told, of course not by the developer of the subdivision but by word of mouth, the proposal to REZONE from residential to commercial to include a gas station near us. If I wanted this by my home I would not be living in the location of Star that I purchased. Enough is enough!! I am completely opposed to this taking place.

Sincerely,
Ruby Loree McCammon
12176 W. Rice Road
Star, Idaho. 83669

Sent from my iPhone

Shawn Nickel

From: Kurt McCammon <kurt.mccammon@sbcglobal.net>
Sent: Sunday, August 23, 2020 9:52 PM
To: Shawn Nickel
Subject: Re-zone proposal of Can Ada and New Hope

To the Star City Council

Re: Rezoning proposal of Can Ada and New Hope.

We live in The Lakes at Pristine Springs at 12176 W Rice Rd.

This proposal is very upsetting. There have been changes made to our neighborhood after we purchased our home that affect us already and we don't want more major changes. A few of these changes include:

1. There was supposed to be a green belt behind our house. The green belt ends behind our property now and starts again on Deerhaven. I assume it has something to do with the house on Craftsman taking up two lots instead of one?
2. The Community pool was supposed to be in a different location.
3. The pool was supposed to include a clubhouse not a patio cover.
4. There is now a 3 story monster house on Craftsman that was somehow approved that has several home owners very upset.

This proposal could put retail or possibly a gas station in a residential neighborhood. We don't want the traffic, noise, or the bright lights here. We bought in The Lakes at Pristine Springs because it is just that "Pristine". It's quiet and away from all the traffic and every thing that comes with a bigger city. If I wanted that I would have moved to Meridian. Please do not change our neighborhood into something we don't want. We paid good money to have it the way we were told when it was bought.

Thank you,
William McCammon

Sent from my iPhone

Shawn Nickel

From: Lilia Juarez <liliajuarez09@gmail.com>
Sent: Wednesday, August 19, 2020 7:51 PM
To: Shawn Nickel
Subject: Rezoning

Hello,

I'd like to voice my opinion as a citizen an resident of Roselands subdivision, I oppose the rezoning of the parcel at the corner of Can Ada and New Hope Rds. (#S0406233820) from R3 to C1.

Thank you,
Lilia Juarez kim

Shawn Nickel

From: Dave McGregor <davelmac@yahoo.com>
Sent: Wednesday, August 19, 2020 4:15 PM
To: Shawn Nickel
Subject: Rezoning at Canada and new hope

Me Nickel. My name is Dave McGregor and I live at 6805 canyon run dr in star. I would like to offer my opposition to the rezoning of the parcel at the corner of can ada and new Hope rd. From R3 to C1. This is an extremely poor place to put a gas station. The road down the hill on can ada is dangerous in the winter and the roads and infrastructure are inadequate. I also don't see enough business to support commercial on that corner as well as it would contribute to noise and light pollution. Thank you

Dave @ integrity plus pool repair

Shawn Nickel

From: Sonya Fox <scfox2222@yahoo.com>
Sent: Friday, August 21, 2020 9:58 AM
To: Shawn Nickel
Subject: rezoning of #S0406233820

Dear Shawn,

My husband and I, Curt and Sonya Fox, would like to make you aware that we oppose the rezoning from R3-C1 at the corner of Can Ada and New Hope.(#S0406233820) We live close by in the Roselands development at 11456 w Meadow Lily St and feel that this would be a detriment to home values and our quality of life.

I know many of our neighbors feel the same way so I hope the City of Star takes this into consideration.

Sonya Fox

Shawn Nickel

From: JOHN JONES <helenandjohn@cableone.net>
Sent: Friday, August 21, 2020 8:35 PM
To: Shawn Nickel
Subject: Rezoning of New Hope & CanAda

Hi Shawn -

We heard the City Council is meeting to discuss rezoning the SE corner of New Hope and CanAda for commercial to build a gas station. We are vehemently opposed to that location for a gas station. This is a residential and/or farm area and we DO NOT want commercial businesses in this area. There are plenty of good options for commercial business - the corner of New Hope and CanAda is not one of them. Please, please, please reconsider and do not rezone this area for commercial properties.

Thank you.

John and Helen Jones
Roselands

Shawn Nickel

From: Wanita Hutchison <whutch@cableone.net>
Sent: Saturday, August 22, 2020 1:55 PM
To: Shawn Nickel
Cc: WHUTCH@CABLEONE.NET
Subject: Rezoning of the Craftsman Estates North Subdivision, Star, ID

Hello,

I'm writing this note to address my concerns regarding the rezoning of the Craftsman Estates North Subdivision in Star, Idaho from a residential to a commercial area. This entire area is designated for families as a residential area. It is a peaceful neighborhood where many families have retired or have chosen to raise their young families. It was our understanding when we moved here that all this area was zoned as residential when we bought our retirement home. If this is rezoned as commercial and a gas station is allowed to be built on this site, I believe it will lower our property values, provide greater traffic flow and definitely a less peaceful environment.

Please consider the request being made to rezone from residential to commercial and not allow this rezoning to happen. Please consider the surrounding family neighborhoods around this area and keeping it residential only.

Thank you,

Wanita Hutchison
The Lakes at Pristine Springs

Shawn Nickel

From: Phil Ackerman <phil4id@gmail.com>
Sent: Friday, August 21, 2020 9:47 AM
To: Shawn Nickel
Subject: Rezoning

Shawn...As a resident who lives just east of Can Ada Rd and New Hope I'm writing to vehemently oppose the rezoning of the parcel at the corner of Can Ada and New Hope from R3 to C1. That kind of change is totally inconsistent with the character, use and visual appropriateness for that corner and the area in general. So much of the rural character and charm of New Hope and Foothill roads would be lost and the lights and visual changes would make the surrounding neighborhoods and homes undesirable.

I respectfully plead that this request be turned down. It would be a blight on our beautiful neighborhood. Commercial development should be confined to the Hwy 44 corridor.

Phil Ackerman
Roselands Subdivision

Shawn Nickel

From: shawn maples <shawnmaples@gmail.com>
Sent: Friday, August 21, 2020 8:18 PM
To: Shawn Nickel
Subject: September 1st rezoning meeting for Can Ada at New Hope opposition letter

Good evening Mayor and Council members, thank you for taking a few minutes listening to my comments. My name is Shawn Maples and I live at 12196 W Pavo St in Star. (The Lakes at Pristine Spring)

Bryan Pecht, the developer of Pristine Springs (Craftsman Estates), has submitted an application to the Star City Council about rezoning the property on the southeast corner of Can Ada Road and New Hope Road, from R3 (residential) to C1 (commercial) in order to facilitate the build of some form of commercial development. It is Rumored to potentially be a gas station. I am asking that you deny this request for rezoning and leave it as R3 residential. This area of Star is not suited for commercial development and would detract from the residential setting that is currently in the area in the form of small ranch style properties and newly developed upper end single family homes. This location would bring unwelcome traffic, excessive noise and additional discarded litter to the area causing a reduced value to the property and home owners in the area. The developer of this property and realtors who are the same developer for Pristine Springs and Pristine Estates have repeatedly told prospective buyers and HOA membership that this property was not going to be developed and at no time was commercial property ever mentioned. Buyers were misled to believe that the property was not going to be developed and now some are concerned that we could end up with a gas station, pawn shop or storage unit in our back yard. Star has a wide open and available down town business district in dire need of development. The quite back roads are not the appropriate location for commercial development. I implore you to deny the rezoning and request that it remain residential. I understand that development is inevitable on this property however rezoning for commercial uses are completely out of line and should not be allowed on this property. Thank you for your time and consideration...

Respectfully submitted
Shawn and Diana Maples

Shawn Nickel

From: Angela Edmondson <angela.edmondson@outlook.com>
Sent: Tuesday, August 25, 2020 6:03 PM
To: Shawn Nickel
Subject: Opposition to a gas station at Can Ada / New Hope

Dear Mr. Nickel,

I was made aware that the City Council will rule on rezoning the property located on the southeast corner of Can Ada Rd and New Hope Rd from R3 to C1 in order to facilitate a gas station at that location. I strongly oppose the installation of a gas station in that area. There is no advantage of a gas station in a residential area on a road that does not lead to anything but residential properties north of State Hwy 44. There are plenty of gas station options along State 44 (and one to be built at Hwy16 and W Beacon Light Rd) for the residents to utilize without bringing it into their neighborhood. Along main routes is where gas stations should be. I'm not against commercial development for the proposed location, but it should compliment the neighborhood. Many local residents do not believe a gas station fits that description.

Sincerely,
Angela Edmondson
Resident of Star

ORDINANCE NO. 312
(CANOPI ESTATES)

AN ORDINANCE ANNEXING TO THE CITY OF STAR CERTAIN REAL PROPERTY LOCATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO; MORE SPECIFICALLY LOCATED AT 10609 W. NEW HOPE ROAD IN STAR, IDAHO AND CONTIGUOUS TO THE CITY OF STAR; THE PROPERTY IS OWNED BY MARY JANE MARLOW; ESTABLISHING THE ZONING CLASSIFICATION OF THE ANNEXED PROPERTY AS RESIDENTIAL WITH A DEVELOPMENT AGREEMENT (R3-DA) OF APPROXIMATELY 5 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 16, 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 with a Development Agreement (R3-DA) pursuant to the Unified Development Code of the City of Star.

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

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

Section 2: The real property, described in the attached "Exhibit A", situated in 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 with a Development Agreement (R3-DA), as provided by the Unified Development Code of the City of Star. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the Residential with a Development Agreement (R3-DA) land use classification. (See Exhibit B)

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.

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

DATED this ____ day of _____, 2020.

CITY OF STAR
Ada and Canyon County, Idaho

BY: _____
Trevor A. Chadwick, Mayor

ATTEST:

Cathy Ward, City Clerk



Sawtooth Land Surveying, LLC

2030 S. Washington Ave.
Emmett, ID 83617
P: (208) 398-8104
F: (208) 398-8105

1044 Northwest Blvd., Ste. G
Coeur d'Alene, ID 83814
P: (208) 714-4544
F: (208) 292-4453

141 1st Avenue East
Jerome, ID 83338
P: (208) 329-5303
F: (208) 324-3821

April 20, 2020
Boundary Legal Description

BASIS OF BEARING for this description is North 0°14'40" East, between a 5/8" rebar marking the NW corner of Section 5 and a brass cap monument, PLS 878, marking the N1/4 corner of Section 5, both in T. 4 N., R. 1 W., B.M., City of Star, Ada County, Idaho.

A parcel of land located in the SE1/4 of the NW1/4 of Section 5, T. 4 N., R. 1 W., B.M., Ada County, Idaho, more particularly described as follows;

COMMENCING at a found 5/8" rebar marking the NW corner of Section 5;

Thence North 89°52'23" East, coincident with the north line of the NW1/4 of said Section 5, a distance of 1318.05 feet to the W1/16 corner;

Thence South 0°14'05" West, coincident with the east line of Government Lot 4 of said Section 5, 1390.14 feet to the NW1/16 corner;

Thence South 89°57'48" East, coincident with the north line of said SE1/4 of the NW1/4 of Section 5, a distance of 325.00 feet to the **POINT OF BEGINNING**;

Thence continuing South 89°57'48" East, coincident with said north line of the SE1/4 of the NW1/4 of Section 5, a distance of 335.00 feet;

Thence South 0°14'40" West, parallel with the west line of said SE1/4 of the NW1/4 of Section 5, a distance of 660.00 feet;

Thence North 89°57'48" West, parallel with said north line of the SE1/4 of the NW1/4 of Section 5, a distance of 325.00 feet;

Thence North 0°14'40" East, parallel with said west line of the SE1/4 of the NW1/4 of Section 5, a distance of 330.00 feet;

Thence North 89°57'48" West, parallel with said north line of the SE1/4 of the NW1/4 of Section 5, a distance of 10.00 feet;

Thence North 0°14'40" East, parallel with said west line of the SE1/4 of the NW1/4 of Section 5, a distance of 330.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains 5.00 acres.



FND 5/8" PLS 8444
COR. REC. 107041301

31 32
6 5
1318.05'

NW1/16
FND 5/8" ILLEG.

N. BRANDON RD.

N 0°14'40" E

CW1/16
FND 5/8" ILLEG.

BASIS OF BEARING

N 89°52'23" E 2636.09'

W. BEACON LIGHT RD.

1318.04'

W. NEW HOPE RD.

325.00'

P.O.B.

N 0°14'40" E

330.00'

330.00'

330.00'

N 89°57'48" W 325.00'

N 89°57'48" W

10.00'

PARCEL A
5.000 ACRES ±

N 89°57'48" E

1319.03'

335.00'

659.03'

S 89°57'48" E

335.00'

659.03'

S 89°57'48" E

335.00'

659.03'

S 89°57'48" E

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S 89°57'48" E

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659.03'

S 89°57'48" E

335.00'

659.03'

S 89°57'48" E

335.00'

S 89°57'48" E

N. WING RD.

FND BRASS CAP PLS 878
NW1/4 COR. REC. 109114202

CW1/16
PLS 878



NTS

PROJECT:

CITY OF STAR
ADA COUNTY IDAHO

OWNER/DEVELOPER:

ROCK SOLID CIVIL
270 N 27TH ST #100
BOISE, ID. 83702
(208) 342-3277

DATE:

4/20/20



SAWTOOTH
Land Surveying, LLC

2030 S. WASHINGTON AVE.
EMMETT, ID 83617
P: (208) 398-8104
F: (208) 398-8105

WWW.SAWTOOTHLS.COM

DWG #

120079-EX

PROJECT#

120079

SHEET

1 OF 1



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 Mary Jane Marlow, Trustee of Mary Jane Marlow Family Living Trust, hereinafter referred to as "Owner".

WHEREAS, Owner owns a parcel of land of approximately 5 acres in size, currently located within Ada County, zoned RUT and more particularly described in **Exhibit A** of Ordinance 312 which is attached hereto and incorporated by reference herein (the "Property");

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

WHEREAS, the City, pursuant to Section 67-6511A, Idaho Code, and Star City Code 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 annexed in accordance with this Agreement;

WHEREAS, the parties agree to the zoning designations for various parcels within the Property;

WHEREAS, Owner filed with the City of Star, a Request for Annexation of the Property and Zoning upon Annexation of R-3-DA, as File No. AZ-20-07, 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 use and enjoyment of the Property while at the same time mitigating any adverse impacts of the development upon neighboring properties and the existing community and ensuring the Property is developed in a manner consistent with City Ordinances;

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

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

Section 2. Development/Uses/Standards.

2.1 Development Acreage and Number of Residential Dwelling Units Permitted.

Owner is allowed to develop 5 acres as follows:

- Zoning Classification: The zoning classification shall be a R-3-DA.
- A maximum of 3 dwelling units is approved under this agreement.
- The developer shall comply with all city ordinances relating to Canopi Estates Subdivision except as otherwise provided herein.

2.2 Site Design. The preliminary plat, as set forth in **Exhibit C**, is hereby approved

2.3 Uses. The development is hereby approved for single-family detached units.

2.4 Setbacks. The development shall follow the setbacks required in the R-3 zoning district.

2.5 Proportionate Shares 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. ITD will work with the City and Development Applicant to arrive at a reasonable and defensible proportionate share contribution. ITD has determined that the proportionate share contribution for this development is \$3,324.00. The Owner shall pay this amount (unless otherwise revised by ITD) directly to the City of Star prior to signature of the Final Plat. If the development is to be phased, payment will be per phase as determined by the Zoning Administrator. 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.

2.6 Changes and Modifications. No change in the use or restrictions specified in this Agreement shall be allowed or changed without modification of this Agreement pursuant to the requirements of the Star City Ordinances. In the event Owner changes or expands the use permitted by this Agreement or fail to comply with the restrictions without formal modification of this Agreement as allowed by the Star City Ordinances, Owner shall be in default of this Agreement.

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

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

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

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

Section 6. Assignment and Transfer. After its execution, this Agreement shall be recorded in the office of the County Recorder at the expense of the Applicant. Each commitment and restriction on the development subject to this Agreement, shall be a burden on the Property, shall be appurtenant to and for the benefit of the Property and shall run with the land. This Agreement shall be binding on the City and Owner, and their respective heirs, administrators, executors, agents, legal representatives, successors and assigns: provided, however, that if all or any portion of the Property is divided, each owner of a legal lot shall only be responsible for duties and obligations associated with an owner's parcel and shall not be responsible for duties and obligations or defaults as to other parcels of lots within the Property. The new owner of the Property or any portion thereof (including, without limitation, any owner who acquires its interest by foreclosure, trustee's sale or otherwise) shall be liable for all commitments and other obligations arising under this Agreement with respect only to such owner's lot or parcel.

Section 7. General Matters.

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

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

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

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

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

Owner: Mary Jane Marlow Trustee
Mary Jane Marlow Family Living Trust
485 S. Winslow Bay Way
Star, Idaho 83669

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

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

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

Dated this _____ day _____, 2020.

CITY OF STAR

By: _____
Trevor A. Chadwick, Mayor

By: _____
Trevor A. Chadwick, Mayor

ATTEST:

Cathy Ward, City Clerk

STATE OF IDAHO)
) ss.
County of Ada)

On this ____ day of _____, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Trevor A. Chadwick and Cathy Ward, known to me to be the Mayor and City Clerk, respectively, of the City of Star who subscribed their names to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.


Notary Public for Idaho
Residing at: _____
My Commission Expires: _____

OWNER:
Mary Jane Marlow Trustee
Mary Jane Marlow Family Living Trust

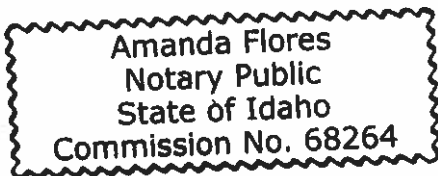
Mary Jane Marlow Trustee
Mary Jane Marlow Family Living Trust

STATE OF IDAHO)
) ss.
County of Ada)

On this 24 day of August, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Mary Jane Marlow, known or identified to me to be the Trustee for the Mary Jane Marlow Family Living Trust, the person who subscribed her name to the foregoing instrument, and acknowledged to me that she executed the same.

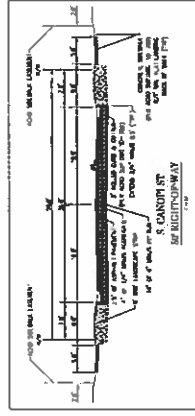
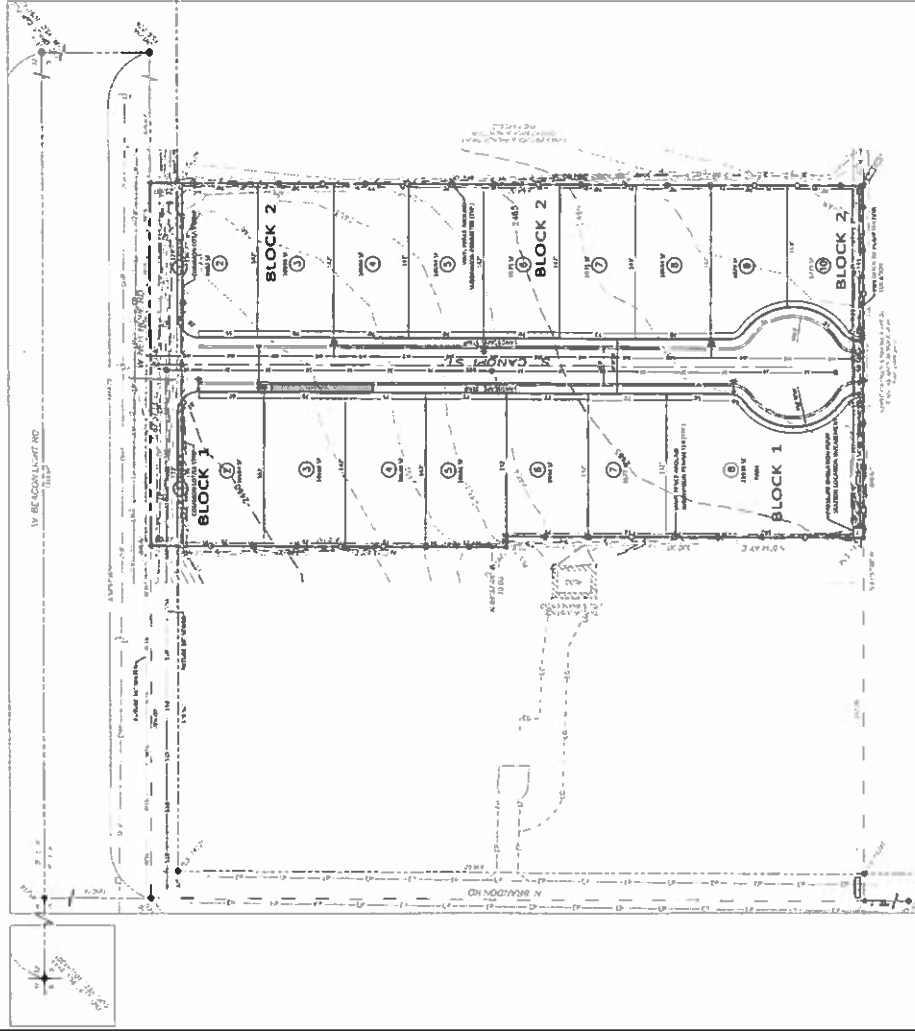


Notary Public for Idaho
Residing at: star, ID
My Commission Expires: 8/16/22



CANOPI ESTATES SUBDIVISION

2020

[illegible]

DEVELOPMENT FEATURES			
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LAND SURVEYORS CARL FORBES, P.L.S.
 SAMPSON & SAMPSON LLC
 2030 S. MIDDLETON AVE.
 LAWRENCE, KS 66044
 (913) 846-4917

CONCRETE CANNON DESIGN
 1545 S. 10TH AVE.
 485 % 2485 047 047 047
 TIAA 01 838888
 (800) 720-7317

CONCRETE JIM L. COOK II, P.C.
 ROCK SOLID CON. LLC
 270 N. 27TH STREET
 66202, D 31627
 (708) 343-2977

UTILITY REPRESENTATIVE		PHONE
GAS	INTERQUIN/Am. gas	(202) 377-6879
ELECTRICITY	WATSON POWER	(202) 381-6520
TELEPHONE	CENTURY Link	(202) 585-1144
CABLE	SANRAJ/Link	(202) 375-6269
SEWER	STAR SEWER & WATER DISTRICT	(202) 256-7800
WATER	STAR SEWER & WATER DISTRICT	(202) 256-7800
INDUSTRIAL	AMC (CITY) HIGHWAY (IND) BCI	(202) 434-4171
RECYCLING	WASH DC INC	(202) 462-1100

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ORDINANCE NO. 313
(ROSTI PROPERTY)

AN ORDINANCE ANNEXING TO THE CITY OF STAR CERTAIN REAL PROPERTY LOCATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO; MORE SPECIFICALLY LOCATED AT 1460 N. POLLARD LANE, STAR, IDAHO AND CONTIGUOUS TO THE CITY OF STAR; THE PROPERTY IS OWNED BY SAM AND KARI ROSTI; (ADA COUNTY PARCELS: S040434700, S0409212400, S0409120800, S0409131300, S0409244305); ESTABLISHING THE ZONING CLASSIFICATION OF THE ANNEXED PROPERTY AS RESIDENTIAL PLANNED UNIT DEVELOPMENT WITH A DEVELOPMENT AGREEMENT (R3-PUD/DA) OF APPROXIMATELY 167.01 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 16, 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 – Planned Unit Development with a Development Agreement (R3-PUD/DA) pursuant to the Unified Development Code of the City of Star.

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

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

Section 2: The real property, described in the attached "Exhibit A", situated in 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 – Planned Unit Development with a Development Agreement (R3-PUD/DA), as provided by the Unified Development Code of the City of Star. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the Residential – Planned Unit Development with a Development Agreement (R3-PUD/DA) land use classification. See “Exhibit B” for requirements of the Development Agreement.

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.

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

DATED this ____ day of _____, 2020.

CITY OF STAR
Ada and Canyon County, Idaho

BY: _____
Trevor A. Chadwick, Mayor

ATTEST:

Cathy Ward, City Clerk



Legal Description
Rosti Farms Subdivision – Annexation

A parcel for annexation being portions of the S $\frac{1}{2}$ of Section 4, and of the N $\frac{1}{2}$ of Section 9, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the northwest corner of said Section 9, from which an Aluminum Cap monument marking the southwest corner of the NW $\frac{1}{4}$ of said Section 9 (W $\frac{1}{4}$ Corner) bears S $0^{\circ}30'24''$ W a distance of 2640.51 feet;

Thence along the northerly boundary of said Section 9 S $89^{\circ}39'06''$ E a distance of 1318.80 feet to an Aluminum Cap monument marking the southwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 4 and the **POINT OF BEGINNING**;

Thence along the westerly boundary of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ N $0^{\circ}52'07''$ E a distance of 814.11 feet to a point marking the southwest corner of Magnolia Subdivision as shown in Book 61 of Plats on Pages 6074 thru 6075, records of Ada County, Idaho;

Thence along the southerly boundary of said Magnolia Subdivision the following described courses;

Thence S $84^{\circ}57'55''$ E a distance of 1326.59 feet to a point;

Thence S $89^{\circ}58'33''$ E a distance of 374.20 feet to a point;

Thence N $71^{\circ}05'27''$ E a distance of 74.30 feet to a point;

Thence S $81^{\circ}19'38''$ E a distance of 105.47 feet to a point;

Thence N $74^{\circ}00'06''$ E a distance of 60.75 feet to a point;

Thence N $64^{\circ}19'44''$ E a distance of 113.30 feet to a point;

Thence N $79^{\circ}26'38''$ E a distance of 202.33 feet to a point;

Thence N $64^{\circ}41'47''$ E a distance of 128.58 feet to a point;

Thence N $58^{\circ}28'16''$ E a distance of 340.71 feet to a point on the easterly boundary of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 4;

Thence along said easterly boundary S $0^{\circ}55'55''$ W a distance of 1060.20 feet to a 5/8 inch diameter rebar marking the southeast corner of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$;

Thence along the easterly boundary of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 9 S $0^{\circ}39'24''$ W a distance of 1823.18 feet to a point;

Thence leaving said easterly boundary N $86^{\circ}58'18''$ W a distance of 986.50 feet to a point;

Thence S $0^{\circ}35'45''$ W a distance of 344.65 feet to a point;

Thence N $89^{\circ}34'17''$ W a distance of 1643.96 feet to a point on the westerly boundary of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of said Section 9;

Thence along said westerly boundary N 0°35'51" E a distance of 36.37 feet to a point;

Thence leaving said westerly boundary S 89°33'55" E a distance of 143.00 feet to a point;

Thence N 0°35'51" E a distance of 305.00 feet to a point;

Thence N 89°33'55" W a distance of 143.00 feet to a point on said westerly boundary of the E ½ of the NW ¼ of Section 9;

Thence along said westerly boundary N 0°35'51" E a distance of 1780.46 feet to the **POINT OF BEGINNING**.

This parcel contains 167.01 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
November 15, 2019



LINE TABLE

LINE #	LENGTH	DIRECTION
L1	74.30'	N71°05'27"E
L2	105.47'	S81°19'38"E
L3	60.75'	N74°00'06"E
L4	113.30'	N64°19'44"E
L5	202.33'	N79°26'38"E
L6	128.58'	N64°41'47"E
L7	36.37'	N0°35'51"E
L8	143.00'	S89°33'55"E
L9	143.00'	N89°33'55"W

TOTAL ANNEXATION AREA = 167.01 ACRES

**PROFESSIONAL LAND SURVEYOR
REGISTERED
11118
11/15/19
STATE OF IDAHO
CLINTON W. HANSEN**

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	74.30'	N71°05'27"E
L2	105.47'	S81°19'38"E
L3	60.75'	N74°00'06"E
L4	113.30'	N64°19'44"E
L5	202.33'	N79°26'38"E
L6	128.58'	N64°41'47"E
L7	36.37'	N0°35'51"E
L8	143.00'	S89°33'55"E
L9	143.00'	N89°33'55"W

TOTAL ANNEXATION AREA =
167.01 ACRES



LandSolutions
Land Surveying and Consulting

231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 (208) 288-2557 fax
www.landsolutions.biz

JOB NO. 19-108



ROSTI FARMS SUBDIVISION
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 Samuel J. Rosti, an individual; Sam J. and Kari Rosti, husband and wife; and Rosti Land, LLC, an Idaho limited liability company, hereinafter referred to as "Owner"; and Toll Southwest LLC, hereinafter referred to as "Developer."

WHEREAS, Owner owns a parcel of land of approximately 171.70 acres in size, currently located within Ada County, zoned RUT and more particularly described in **Exhibit A** of Ordinance 313 & 314, which is attached hereto and incorporated by reference herein (the "Property");

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

WHEREAS, the City, pursuant to Section 67-6511A, Idaho Code, and Star City Code 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 annexed 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 for Annexation of the Property and Zoning upon Annexation of R-3-PUD-DA, as File No. AZ-20-03, 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 171.70 acres as follows:

- Zoning Classification: The zoning classification shall be a R-3-PUD-DA.
- A maximum of 426 single-family dwelling units is approved under this Agreement except as may be increased pursuant to Section 2.3, Section 2.4, or Section 2.5 of this Agreement.
- The Developer shall comply with all city ordinances relating to Rosti Farms Estates Subdivision except as otherwise provided herein.

2.2 Site Design. The preliminary plat, as set forth in **Exhibit C**, is hereby approved

2.3 Residential Uses. The development is hereby approved for single-family detached units. Any future multi-family uses within the M-U area will require Council approval of a conditional use permit.

2.4 Additional Right-of-Way Set Aside. The Developer has set aside extra land to accommodate potential roadway right-of-way needs. If at any point prior to proceeding with the applicable phase, ITD confirms less right-of-way is needed for adjacent roadways (for example, because right-of-way and funding have not been secured for the proposed interchange or because the intersection design has changed), then the Developer may proceed with an alternate layout to utilize the available land.

2.5 Commercial Property Set Aside. Developer has set aside 4.23 acres for neighborhood commercial and 12.73 acres for mixed use development in Phase 10. If market conditions or transportation access conditions do not support the larger mixed-use area, then Developer may request the City to approve an amended plat of the mixed-use area to provide additional residential lots.

2.6 Setbacks and Dimensional Standards. The development shall comply with the following approved setbacks and dimensional standards:

- Minimum Residential Lot Frontage: 35 feet
- Front Setbacks (Measured from the back of sidewalk or property line): 20 feet
- Rear Setbacks: 15 feet
- Interior Setbacks: 5 feet (for one and two-stories)
- Local Street Side Setbacks: 20 feet
- Street Landscape Buffers:

- o Arterial Roadway: 35 feet
- o State Highway 16: 50 feet
- o Residential Collectors: 20 feet
- Maximum Building Height: 35 feet
- Minimum Lot Size: 5, 823 Square Feet
- Average Lot Size: 8,790 Square Feet

2.7 Uses Allowed in Mixed Use Zone. Uses in the Mixed-Use Zone may include those listed in the attached **Exhibit D**.

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 \$874,625 traffic mitigation fee required by the Idaho Transportation Department as follows: the Developer will pay the City \$2,053.11 per buildable lot within each phase prior to signature on the final plat for the applicable phase, capped at a total of \$874,625. 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 Changes and Modifications. No change in the use or restrictions specified in this Agreement shall be allowed or changed without modification of this Agreement pursuant to the requirements of the Star City Ordinances. In the event Owner changes or expands the 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.

Section 4. Default. The failure of Owner, its heirs or assigns or subsequent owners of the Property or any other person acquiring an interest in the Property, to faithfully comply with any of the terms and conditions of this Agreement shall be deemed a default herein. This Agreement may be modified or terminated by the Star City Council as set forth in the Star City Ordinances. In the event this Agreement is modified, Owner shall comply with the amended terms. Failure to comply with the amended terms shall result in default. In the event the City Council, after compliance with the requirements of the Star City Ordinances, determines that this Agreement shall be terminated, the zoning of the Property or portion thereof that has not been developed in

accordance with this Agreement shall revert its prior zoning designation. All uses of such property, which are not consistent with the prior zoning designation, shall cease. A waiver by the City of Star for any default by Owner of any one or more of the covenants or conditions hereof shall apply solely to the breach and breaches waived and shall not bar any other rights or remedies of the City or apply to any subsequent breach of any such or other covenants and conditions. Owner, by entering into this Agreement, do hereby consent to a reversion of the subject property to its prior zoning designation in the event there is a default in the terms and/or conditions of this Agreement.

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

Section 6. Assignment and Transfer. After its execution, this Agreement shall be recorded in the office of the County Recorder at the expense of the Applicant. Each commitment and restriction on the development subject to this Agreement, shall be a burden on the Property, shall be appurtenant to and for the benefit of the Property and shall run with the land. This Agreement shall be binding on the City and Owner, and their respective heirs, administrators, executors, agents, legal representatives, successors and assigns: provided, however, that if all or any portion of the Property is divided, each owner of a legal lot shall only be responsible for duties and obligations associated with an owner's parcel and shall not be responsible for duties and obligations or defaults as to other parcels of lots within the Property. The new owner of the Property or any portion thereof (including, without limitation, any owner who acquires its interest by foreclosure, trustee's sale or otherwise) shall be liable for all commitments and other obligations arising under this Agreement with respect only to such owner's lot or parcel.

Section 7. General Matters.

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

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

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

7.4 Notices. Any notice which a party may desire to give to another party must be in writing and may be given by personal delivery, by mailing the same by registered or certified mail, return receipt requested postage prepaid, or by Federal Express or other reputable overnight

delivery service, to the party to whom the notice is directed at the address of such party set forth below.

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

Owner: Samuel J. Rosti; Sam J and Kari Rosti; and Rosti Land, LLC
1460 N. Pollard Lane
Star, Idaho, 83669

Developer: Toll Southwest LLC
3103 W. Sheryl Drive, Suite 100
Meridian, Idaho, 83642

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

Dated this ____ day _____, 2020.

CITY OF STAR

By: _____
Trevor A. Chadwick, Mayor

ATTEST:

Cathy Ward, City Clerk

STATE OF IDAHO)
) ss.
County of Ada)

On this ____ day of _____, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Trevor A. Chadwick and Cathy Ward, known to me to be the Mayor and City Clerk, respectively, of the City of Star who subscribed their names to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

Notary Public for Idaho
Residing at: _____
My Commission Expires: _____

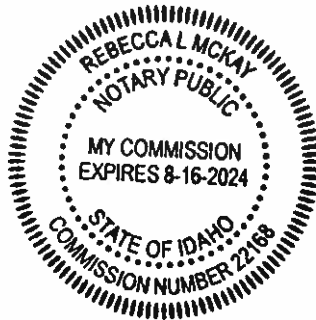
OWNER:

Samuel J. Rosti
Samuel J. Rosti

STATE OF IDAHO)
) ss.
County of Ada)

On this 14TH day of August, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Samuel J. Rosti, known or identified to me to be the person who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Rebecca L. McKay
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 8-16-2024

Samuel J. Rosti
Samuel J. Rosti

Kari Rosti
Kari Rosti

On this 14TH day of August, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Samuel J. Rosti and Kari Rost, husband and wife, known or identified to me to be the persons who subscribed their names to the foregoing instrument, and acknowledged to me that they executed the same.

Rebecca Z McChoy
Notary Public for Idaho
Residing at: Eagle ID
My Commission Expires: 8-16-2024

OWNER:

ROSTI LAND, LLC, an Idaho limited liability company

Samuel J. Rosti

By: Samuel J. Rosti

Its: Member

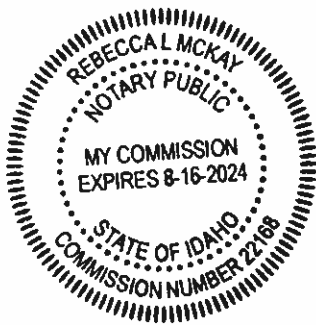
STATE OF IDAHO)

) ss.

County of Ada)

On this 14th day of August, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Samuel J. Rosti, known or identified to me to be a member of Rosti Land, LLC, a limited liability company, the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Rebecca L. McKay

Notary Public for Idaho

Residing at: Engle ID

My Commission Expires: 8-16-2024

TOLL SOUTHWEST LLC

Susan Stanley, Division President

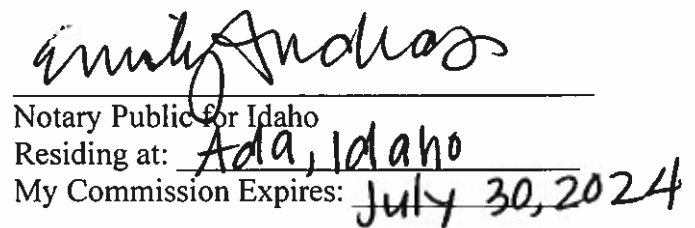
STATE OF IDAHO)

) SS.

County of Ada)

On this 18 day of August, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Susan Stanley, known to me to be the Division President of Toll Southwest LLC, who subscribed her names to the foregoing instrument, and acknowledged to me that she executed the same in said limited liability company's name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Notary Public for Idaho

Residing at: Ada, Idaho

My Commission Expires: July 30, 2024

PRELIMINARY PLAT **REVISED ROSTI FARMS SUBDIVISION** STAR, IOWA

A PORTION OF THE S.W. 1/4 OF THE N.W. 1/4 SECTION 16
 T. 48 N. R. 19 W. S. 24 E. STAR, IOWA COUNTY, IOWA

ENGINEERING SOLUTIONS, INC.
 1000 S. W. 10TH AVE., SUITE 100
 DES MOINES, IOWA 50319
 PHONE: 515-281-1111
 FAX: 515-281-1112
 WWW.ESOLUTIONS.COM

PLANNING
 ROSTI FARMS SUBDIVISION
 1000 S. W. 10TH AVE., SUITE 100
 DES MOINES, IOWA 50319
 PHONE: 515-281-1111
 FAX: 515-281-1112
 WWW.ESOLUTIONS.COM

DEVELOPER
 ROSTI FARMS SUBDIVISION
 1000 S. W. 10TH AVE., SUITE 100
 DES MOINES, IOWA 50319
 PHONE: 515-281-1111
 FAX: 515-281-1112
 WWW.ESOLUTIONS.COM

OWNER OF RECORD
 ROSTI FARMS SUBDIVISION
 1000 S. W. 10TH AVE., SUITE 100
 DES MOINES, IOWA 50319
 PHONE: 515-281-1111
 FAX: 515-281-1112
 WWW.ESOLUTIONS.COM

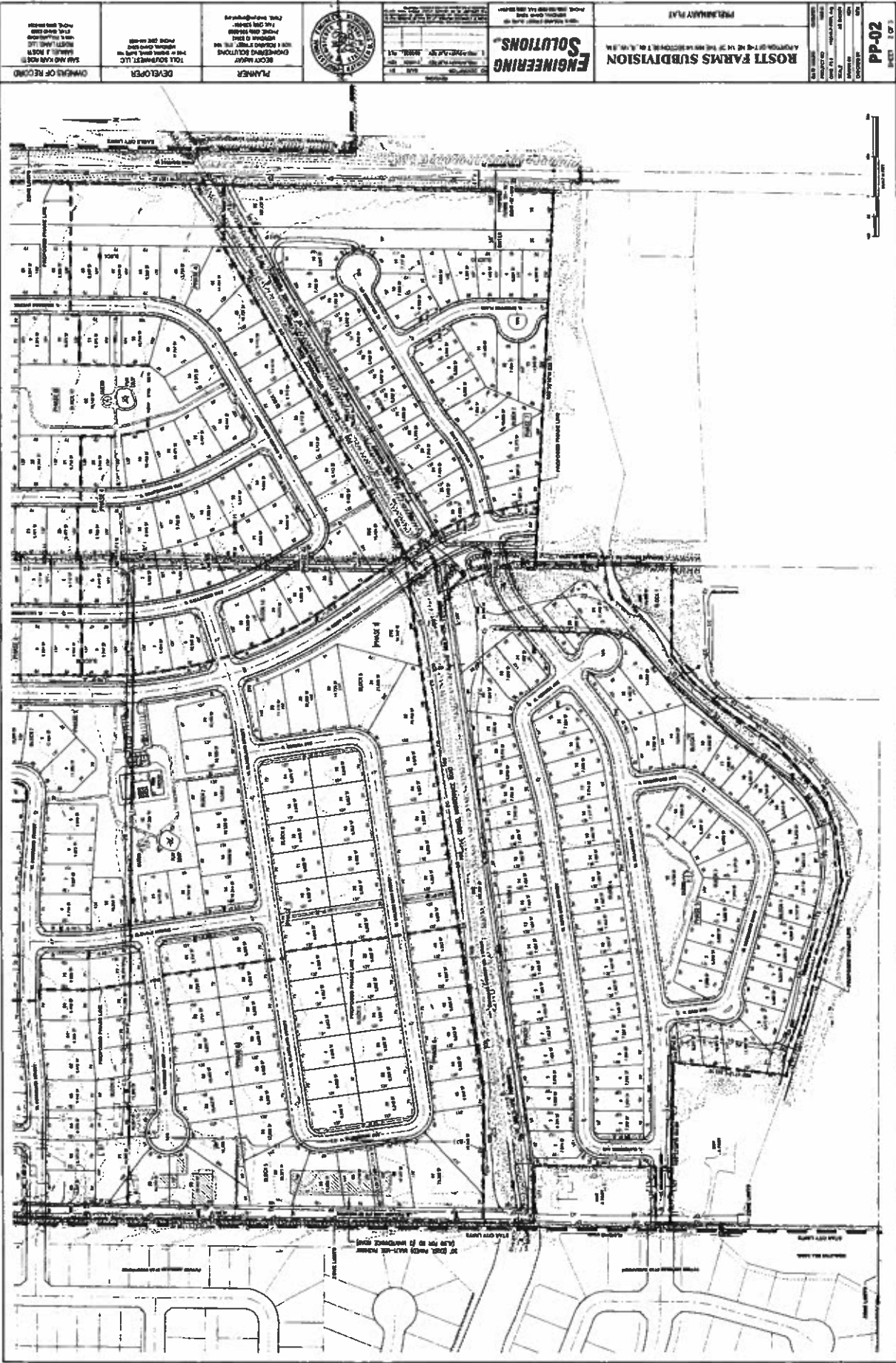


PRELIMINARY PLAT NOTES

1. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
2. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
3. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
4. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
5. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
6. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
7. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
8. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
9. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
10. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
11. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
12. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
13. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
14. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
15. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
16. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
17. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
18. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
19. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.
20. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IOWA BY DEED.

PRELIMINARY PLAT DATA

LOT	AREA (AC)	PERCENTAGE OF TOTAL	ADJACENT LOT
1	1.00	1.00%	2
2	1.00	1.00%	1, 3
3	1.00	1.00%	2, 4
4	1.00	1.00%	3, 5
5	1.00	1.00%	4, 6
6	1.00	1.00%	5, 7
7	1.00	1.00%	6, 8
8	1.00	1.00%	7, 9
9	1.00	1.00%	8, 10
10	1.00	1.00%	9, 11
11	1.00	1.00%	10, 12
12	1.00	1.00%	11, 13
13	1.00	1.00%	12, 14
14	1.00	1.00%	13, 15
15	1.00	1.00%	14, 16
16	1.00	1.00%	15, 17
17	1.00	1.00%	16, 18
18	1.00	1.00%	17, 19
19	1.00	1.00%	18, 20
20	1.00	1.00%	19, 21
21	1.00	1.00%	20, 22
22	1.00	1.00%	21, 23
23	1.00	1.00%	22, 24
24	1.00	1.00%	23, 25
25	1.00	1.00%	24, 26
26	1.00	1.00%	25, 27
27	1.00	1.00%	26, 28
28	1.00	1.00%	27, 29
29	1.00	1.00%	28, 30
30	1.00	1.00%	29, 31
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32	1.00	1.00%	31, 33
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224	1.00	1.00%	223, 225
225	1.00	1.00%	224, 226
226	1.00	1.00%	225, 227
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274	1.00	1.00%	273, 275
275	1.00	1.00%	274, 276
276	1.00	1.00%	275, 277
277	1.00	1.00%	276, 278
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279	1.00	1.00%	278, 280
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281	1.00	1.00%	280, 282
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283	1.00	1.00%	282, 284
284	1.00	1.00%	283, 285
285	1.00	1.00%	284, 286
286	1.00	1.00%	285, 287
287	1.00	1.00%	286, 288
288	1.00	1.00%	287, 289
289	1.00	1.00%	288, 290
290	1.00	1.00%	289, 291
291	1.00	1.00%	290, 292
292	1.00	1.00%	291, 293
293	1.00	1.00%	292, 294
294	1.00	1.00%	293, 295
295	1.00	1.00%	



C.O.D. 10/20/2010
 PP-03
 SHEET 1 OF 1
 PRELIMINARY PLAT
 A PORTION OF THE NE 1/4 OF THE NW 1/4 SECTION 16, T.4N, R.18E, S.4M
 ENGINEERING SOLUTIONS, INC.
 10000 N. 100TH AVENUE, SUITE 100
 DENVER, CO 80231
 PHONE: 303.440.1000
 FAX: 303.440.1001
 WWW.ESOLUTIONS.COM

OWNER OF RECORD
 STATE OF COLORADO
 COUNTY OF WASHINGTON
 DISTRICT OF COLUMBIA
 CITY OF WASHINGTON
 DEVELOPER
 WILL SOUTHWORTH, LLC
 10000 N. 100TH AVENUE, SUITE 100
 DENVER, CO 80231
 PHONE: 303.440.1000
 FAX: 303.440.1001
 WWW.ESOLUTIONS.COM

PLANNER
 ROBERT M. HAYES
 10000 N. 100TH AVENUE, SUITE 100
 DENVER, CO 80231
 PHONE: 303.440.1000
 FAX: 303.440.1001
 WWW.ESOLUTIONS.COM

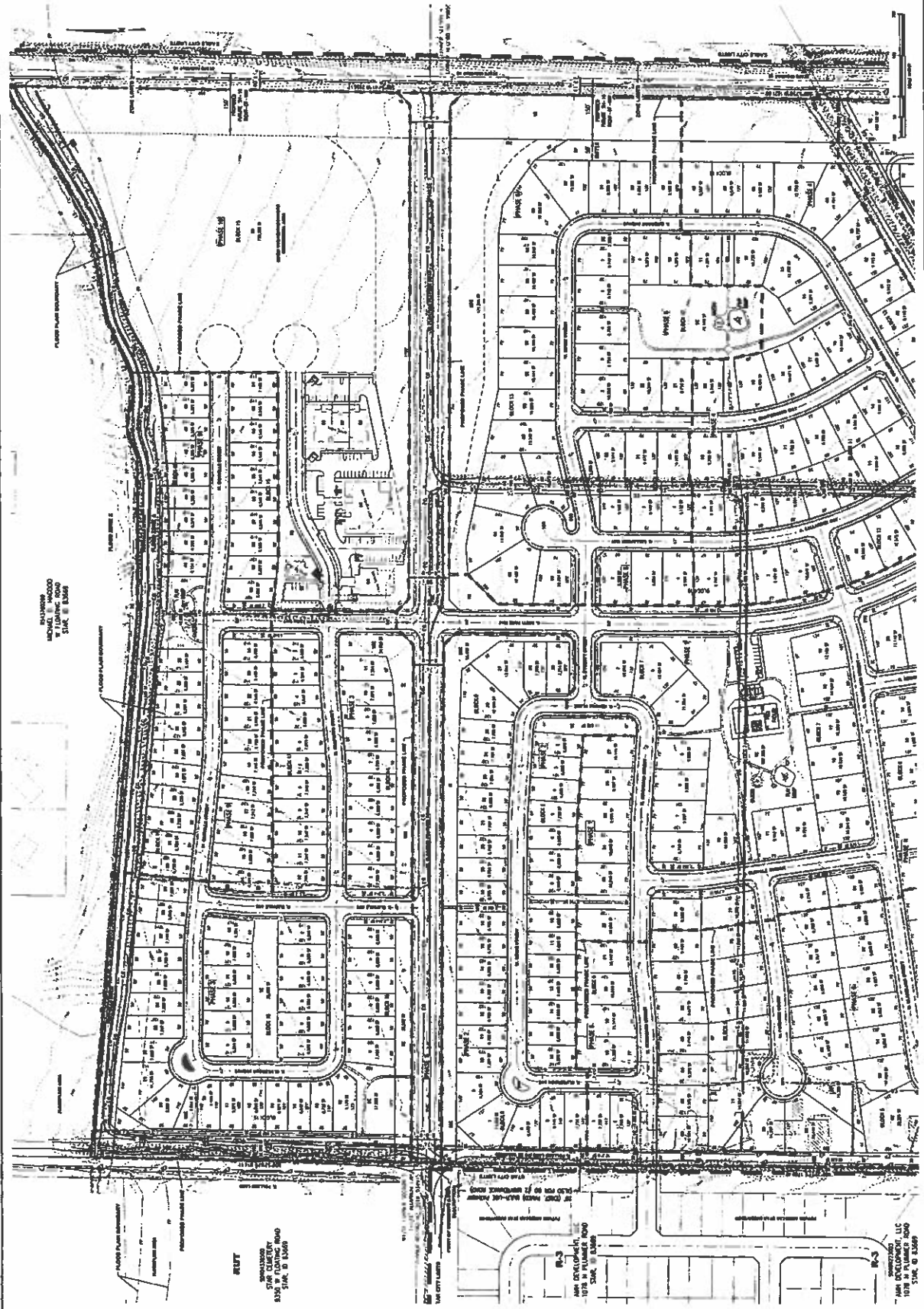
DESIGNER
 ENGINEERING SOLUTIONS, INC.
 10000 N. 100TH AVENUE, SUITE 100
 DENVER, CO 80231
 PHONE: 303.440.1000
 FAX: 303.440.1001
 WWW.ESOLUTIONS.COM

STATE OF COLORADO
 COUNTY OF WASHINGTON
 DISTRICT OF COLUMBIA
 CITY OF WASHINGTON

OWNER OF RECORD
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OWNER OF RECORD
 STATE OF COLORADO
 COUNTY OF WASHINGTON
 DISTRICT OF COLUMBIA
 CITY OF WASHINGTON



ENGINEERING SOLUTIONS, LLC
 10000 N. 100TH AVENUE, SUITE 100
 DENVER, CO 80231
 PHONE: 303.440.1000
 FAX: 303.440.1001
 WWW.ESOLUTIONS.COM

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EXHIBIT D

USES APPROVED IN MIXED USE ZONE

Allowed Uses within the Rosti Farms Subdivision Mixed-Use/Neighborhood Commercial Area (Compliance with City of Star Unified Development Code is required; therefore, some uses may be allowed only with a conditional use permit)

Artist Studio
Arts, entertainment, or recreation facility
Automated Teller Machine (ATM)
Bakery
Bar/tavern/lounge/drinking establishment
Barbershop/styling salon
Brewery/Distillery
Brewpub/Wine Tasting
Building material, garden equipment and supplies
Child Care center (more than 12)
Child Care family (6 or fewer)
Child Care group (7-12)
Child Care-Preschool/Early learning
Church or place of religious worship
Civic, social or fraternal organizations
Convenience Store
Drive-through establishment/drive-up service window
Dwelling:
 Multi-family apartments
 Townhomes
 Single-family attached
 Single-family detached
 Two-family duplex
Education institutions, private
Farm
Farmer's or Saturday market
Financial institution
Flex Space
Gasoline, fueling, and charging station with or without convenience store
Government office
Greenhouse, commercial
Healthcare and social services
Hotel/motel
Laboratory, medical
Laundry and dry cleaning
Library
Medical Clinic

Museum
Nursery, garden center and farm supply
Nursing or residential care facility
Office security facility
Personal and professional services
Pharmacy
Photographic studio
Professional offices
Public infrastructure; public utility major and minor
Research activities
Restaurant
Retail store/retail services
Retirement home
Service building
Shopping Center
Storage facility, outdoor (commercial)
Storage facility, self-service (commercial)
Swimming pool, commercial/public
Vehicle emission testing
Vehicle repair, major
Vehicle sales or rental service
Vehicle washing facility
Veterinarian office
Warehouse and storage
Wholesale sales
Winery
Wireless communication facility

ORDINANCE NO. 314
(ROSTI PROPERTY REZONE)

AN ORDINANCE REZONING CERTAIN REAL PROPERTY LOCATED IN THE CITY OF STAR, OWNED BY SAM & KARI ROSTI, LOCATED GENERALLY SOUTH OF W. FLOATING FEATHER ROAD, WEST OF HIGHWAY 16, AND EAST FROM N. PLUMMER ROAD, (ADA COUNTY PARCEL #S0409244575); REZONING THE PROPERTY FROM MIXED USE (MU) TO RESIDENTIAL-PLANNED UNIT DEVELOPMENT WITH A DEVELOPMENT AGREEMENT (R3-PUD/DA); AMENDING THE ZONING MAP OF THE CITY OF STAR TO REFLECT SUCH CHANGES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Star, Ada and Canyon Counties, Idaho (the “City”), is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized and required by the Constitution and laws of the State of Idaho to adopt land use regulations and classifications; and

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

WHEREAS, the real property described in Section 1 of this Ordinance is classified as Mixed Use (MU) under the Unified Development Code of the City, and the owners have requested that the zoning classification be changed to a Residential – Planned Unit Development with a Development Agreement (R3-PUD/DA); and

WHEREAS, the Mayor and Council, held a public hearing on June 16, 2020, and determined that the requested change in zoning classification should be granted.

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

Section 1: The zoning classification for the real property, situated in the City of Star, Ada County, Idaho, described in attachment “Exhibit A”, is hereby changed from Mixed Use (MU) to Residential – Planned Unit Development with a Development Agreement (R3-PUD/DA) as provided by the Unified Development Code Ordinance of the City.

Section 2: The Official Land Use Zoning Map of the City is hereby amended to reflect the change set forth in Section 1.

Section 3: The Development Agreement for the real property reflected in Section 1, see attachment “Exhibit B”, is hereby adopted by the City and shall be in full force as describe in Section 5 below.

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.

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

DATED this _____ day of _____, 2020.

CITY OF STAR, IDAHO

ATTEST:

By: _____
Trevor A. Chadwick , Mayor

Cathy Ward, City Clerk

Legal Description**Rosti Farms Subdivision – M-U to R-3 PUD Rezone**

A parcel for rezone being a portion of the N ½ of Section 9, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the northwest corner of said Section 9, from which an Aluminum Cap monument marking the southwest corner of the NW ¼ of said Section 9 (W ¼ Corner) bears S 0°30'24" W a distance of 2640.51 feet;

Thence along the northerly boundary of said Section 9 S 89°39'06" E a distance of 1318.80 feet to an Aluminum Cap monument marking the northwest corner of the E ½ of the NW ¼ of said Section 9;

Thence along the westerly boundary of said E ½ of the NW ¼ S 0°35'51" W a distance of 2121.83 feet to the **POINT OF BEGINNING**;

Thence leaving said westerly boundary S 89°34'17" E a distance of 1420.11 feet to a point on the centerline of the Middleton Canal;

Thence along said centerline of the Middleton Canal the following described courses;

Thence S 50°55'56" W a distance of 88.44 feet to a point;

Thence S 40°37'03" W a distance of 115.00 feet to a point;

Thence S 34°22'19" W a distance of 145.33 feet to a point;

Thence S 47°47'03" W a distance of 145.77 feet to a point;

Thence S 54°34'01" W a distance of 43.88 feet to a point;

Thence S 70°03'01" W a distance of 65.71 feet to a point;

Thence S 83°03'43" W a distance of 131.91 feet to a point;

Thence N 76°40'26" W a distance of 117.72 feet to a point;

Thence N 71°11'11" W a distance of 105.66 feet to a point;

Thence N 74°54'37" W a distance of 115.02 feet to a point;

Thence N 71°08'39" W a distance of 134.16 feet to a point;

Thence N 76°17'48" W a distance of 35.22 feet to a point;

Thence leaving said centerline of the Middleton Canal N 6°47'12" E a distance of 283.16 feet to a point;

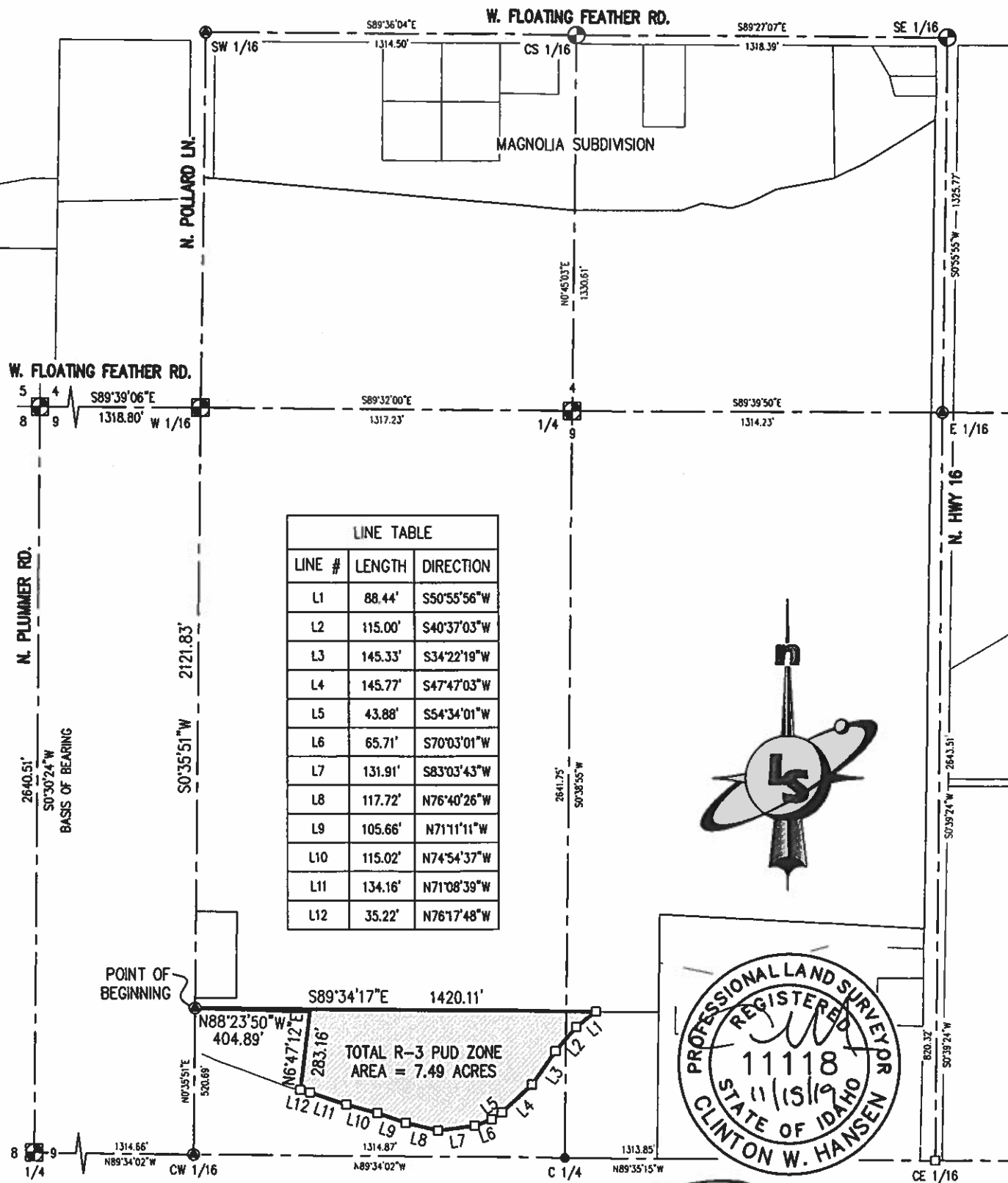
Thence N 88°23'50" W a distance of 404.89 feet to the **POINT OF BEGINNING**.

This parcel contains 7.49 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
November 15, 2019



ROSTI FARMS SUBDIVISION - M-U TO R-3 PUD REZONE EXHIBIT



0 250 500 1000



LandSolutions
 Land Surveying and Consulting

231 E. 5TH ST., STE. A
 MERIDIAN, ID 83642
 (208) 288-2040 (208) 288-2557 fax
 www.landsolutions.biz

JOB NO. 19-108

ROSTI FARMS SUBDIVISION
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 Samuel J. Rosti, an individual; Sam J. and Kari Rosti, husband and wife; and Rosti Land, LLC, an Idaho limited liability company, hereinafter referred to as "Owner"; and Toll Southwest LLC, hereinafter referred to as "Developer."

WHEREAS, Owner owns a parcel of land of approximately 171.70 acres in size, currently located within Ada County, zoned RUT and more particularly described in **Exhibit A** of Ordinance 313 & 314, which is attached hereto and incorporated by reference herein (the "Property");

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

WHEREAS, the City, pursuant to Section 67-6511A, Idaho Code, and Star City Code 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 annexed 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 for Annexation of the Property and Zoning upon Annexation of R-3-PUD-DA, as File No. AZ-20-03, 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 171.70 acres as follows:

- Zoning Classification: The zoning classification shall be a R-3-PUD-DA.
- A maximum of 426 single-family dwelling units is approved under this Agreement except as may be increased pursuant to Section 2.3, Section 2.4, or Section 2.5 of this Agreement.
- The Developer shall comply with all city ordinances relating to Rosti Farms Estates Subdivision except as otherwise provided herein.

2.2 Site Design. The preliminary plat, as set forth in **Exhibit C**, is hereby approved

2.3 Residential Uses. The development is hereby approved for single-family detached units. Any future multi-family uses within the M-U area will require Council approval of a conditional use permit.

2.4 Additional Right-of-Way Set Aside. The Developer has set aside extra land to accommodate potential roadway right-of-way needs. If at any point prior to proceeding with the applicable phase, ITD confirms less right-of-way is needed for adjacent roadways (for example, because right-of-way and funding have not been secured for the proposed interchange or because the intersection design has changed), then the Developer may proceed with an alternate layout to utilize the available land.

2.5 Commercial Property Set Aside. Developer has set aside 4.23 acres for neighborhood commercial and 12.73 acres for mixed use development in Phase 10. If market conditions or transportation access conditions do not support the larger mixed-use area, then Developer may request the City to approve an amended plat of the mixed-use area to provide additional residential lots.

2.6 Setbacks and Dimensional Standards. The development shall comply with the following approved setbacks and dimensional standards:

- Minimum Residential Lot Frontage: 35 feet
- Front Setbacks (Measured from the back of sidewalk or property line): 20 feet
- Rear Setbacks: 15 feet
- Interior Setbacks: 5 feet (for one and two-stories)
- Local Street Side Setbacks: 20 feet
- Street Landscape Buffers:

- o Arterial Roadway: 35 feet
- o State Highway 16: 50 feet
- o Residential Collectors: 20 feet
- Maximum Building Height: 35 feet
- Minimum Lot Size: 5, 823 Square Feet
- Average Lot Size: 8,790 Square Feet

2.7 Uses Allowed in Mixed Use Zone. Uses in the Mixed-Use Zone may include those listed in the attached **Exhibit D**.

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 \$874,625 traffic mitigation fee required by the Idaho Transportation Department as follows: the Developer will pay the City \$2,053.11 per buildable lot within each phase prior to signature on the final plat for the applicable phase, capped at a total of \$874,625. 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 Changes and Modifications. No change in the use or restrictions specified in this Agreement shall be allowed or changed without modification of this Agreement pursuant to the requirements of the Star City Ordinances. In the event Owner changes or expands the 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.

Section 4. Default. The failure of Owner, its heirs or assigns or subsequent owners of the Property or any other person acquiring an interest in the Property, to faithfully comply with any of the terms and conditions of this Agreement shall be deemed a default herein. This Agreement may be modified or terminated by the Star City Council as set forth in the Star City Ordinances. In the event this Agreement is modified, Owner shall comply with the amended terms. Failure to comply with the amended terms shall result in default. In the event the City Council, after compliance with the requirements of the Star City Ordinances, determines that this Agreement shall be terminated, the zoning of the Property or portion thereof that has not been developed in

accordance with this Agreement shall revert its prior zoning designation. All uses of such property, which are not consistent with the prior zoning designation, shall cease. A waiver by the City of Star for any default by Owner of any one or more of the covenants or conditions hereof shall apply solely to the breach and breaches waived and shall not bar any other rights or remedies of the City or apply to any subsequent breach of any such or other covenants and conditions. Owner, by entering into this Agreement, do hereby consent to a reversion of the subject property to its prior zoning designation in the event there is a default in the terms and/or conditions of this Agreement.

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

Section 6. Assignment and Transfer. After its execution, this Agreement shall be recorded in the office of the County Recorder at the expense of the Applicant. Each commitment and restriction on the development subject to this Agreement, shall be a burden on the Property, shall be appurtenant to and for the benefit of the Property and shall run with the land. This Agreement shall be binding on the City and Owner, and their respective heirs, administrators, executors, agents, legal representatives, successors and assigns: provided, however, that if all or any portion of the Property is divided, each owner of a legal lot shall only be responsible for duties and obligations associated with an owner's parcel and shall not be responsible for duties and obligations or defaults as to other parcels of lots within the Property. The new owner of the Property or any portion thereof (including, without limitation, any owner who acquires its interest by foreclosure, trustee's sale or otherwise) shall be liable for all commitments and other obligations arising under this Agreement with respect only to such owner's lot or parcel.

Section 7. General Matters.

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

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

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

7.4 Notices. Any notice which a party may desire to give to another party must be in writing and may be given by personal delivery, by mailing the same by registered or certified mail, return receipt requested postage prepaid, or by Federal Express or other reputable overnight

delivery service, to the party to whom the notice is directed at the address of such party set forth below.

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

Owner: Samuel J. Rosti; Sam J and Kari Rosti; and Rosti Land, LLC
1460 N. Pollard Lane
Star, Idaho, 83669

Developer: Toll Southwest LLC
3103 W. Sheryl Drive, Suite 100
Meridian, Idaho, 83642

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

Dated this ____ day _____, 2020.

CITY OF STAR

By: _____
Trevor A. Chadwick, Mayor

ATTEST:

Cathy Ward, City Clerk

STATE OF IDAHO)
) ss.
County of Ada)

On this ____ day of _____, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Trevor A. Chadwick and Cathy Ward, known to me to be the Mayor and City Clerk, respectively, of the City of Star who subscribed their names to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

Notary Public for Idaho
Residing at: _____
My Commission Expires: _____

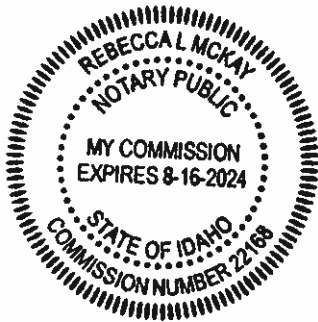
OWNER:

Samuel J. Rosti
Samuel J. Rosti

STATE OF IDAHO)
) ss.
County of Ada)

On this 14th day of August, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Samuel J. Rosti, known or identified to me to be the person who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Rebecca L. McKay
Notary Public for Idaho
Residing at: east, ID
My Commission Expires: 8-16-2024

DEVELOPER:

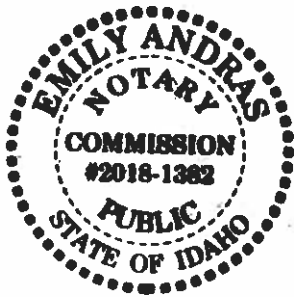
TOLL SOUTHWEST LLC



Susan Stanley, Division President

STATE OF IDAHO)
) ss.
County of Ada)

On this 18 day of August, 2020, before me the undersigned, a Notary Public in and for said state, personally appeared Susan Stanley, known to me to be the Division President of Toll Southwest LLC, who subscribed her names to the foregoing instrument, and acknowledged to me that she executed the same in said limited liability company's name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.




Notary Public for Idaho
Residing at: Ada, Idaho
My Commission Expires: July 30, 2024

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RESIDUAL LOTS	426	
REDEVELOP LOT#	1	
COMMON LOT#	60	
TOTAL LOTS	587	
SURFACE BRIDGE / COMMON AREA	32.49 ACRES	18.92 ACRES
CURRENT ROADWAY	RUT #4	
PROPOSED ROADWAY	K-16 PAVED	



JENSEN BELTS ASSOCIATES
THE FINEST IN LEATHERWORK

DEVELOPER	PLANNER/CONTACT
<p>TELLI SOLUTIONS 11 B. SOUTH DRIVE, STE 100 ARLINGTON, VA 22204 Phone (703) 474-0070</p>	<p>ENGINEERING SOLUTIONS DECKE MAY 1021 N. RICHMOND ST., STE 100 ALBUQUERQUE, NM 87102 Phone (505) 938-0960</p>

STAR. ID

EXHIBIT
B

A PORTION OF THE NE 1/4 OF THE NW 1/4 SECTION 18
T.4N., R.1W., B.M. STATE, ADA COUNTY, IDAHO

PRELIMINARY PLAT

enjoy

PP-01

11

ROSTI FARMS SUBDIVISION
SECTION 16 OF THE NINTH SECTION OF TOWN, T.19S., R.34E.

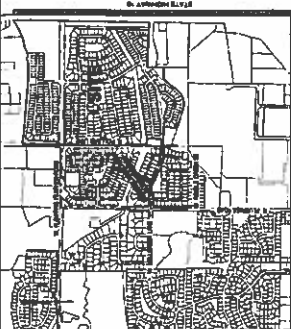
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**ROSTK & SCHMIDT
LTD.**



DATE RECEIVED BY AT NOTES

1. **THE STATE OF TEXAS, COUNTY OF DALLAS, ss. I, JAMES M. HARRIS, Clerk of the County Court, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears on file in my office.**

2. **WITNESSES MY HAND AND SEAL OF OFFICE, this 10th day of January, 1907.**

3. **JAMES M. HARRIS,**
Clerk of the County Court.

4. **NOTED FOR RECORD.**

5. **RECORDED.**

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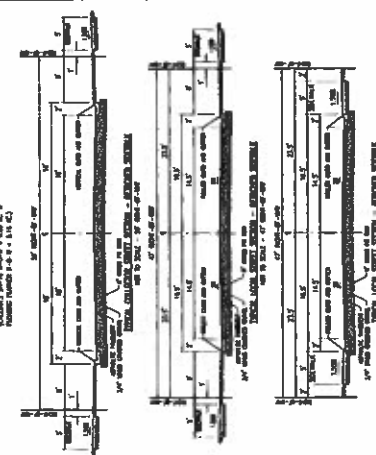
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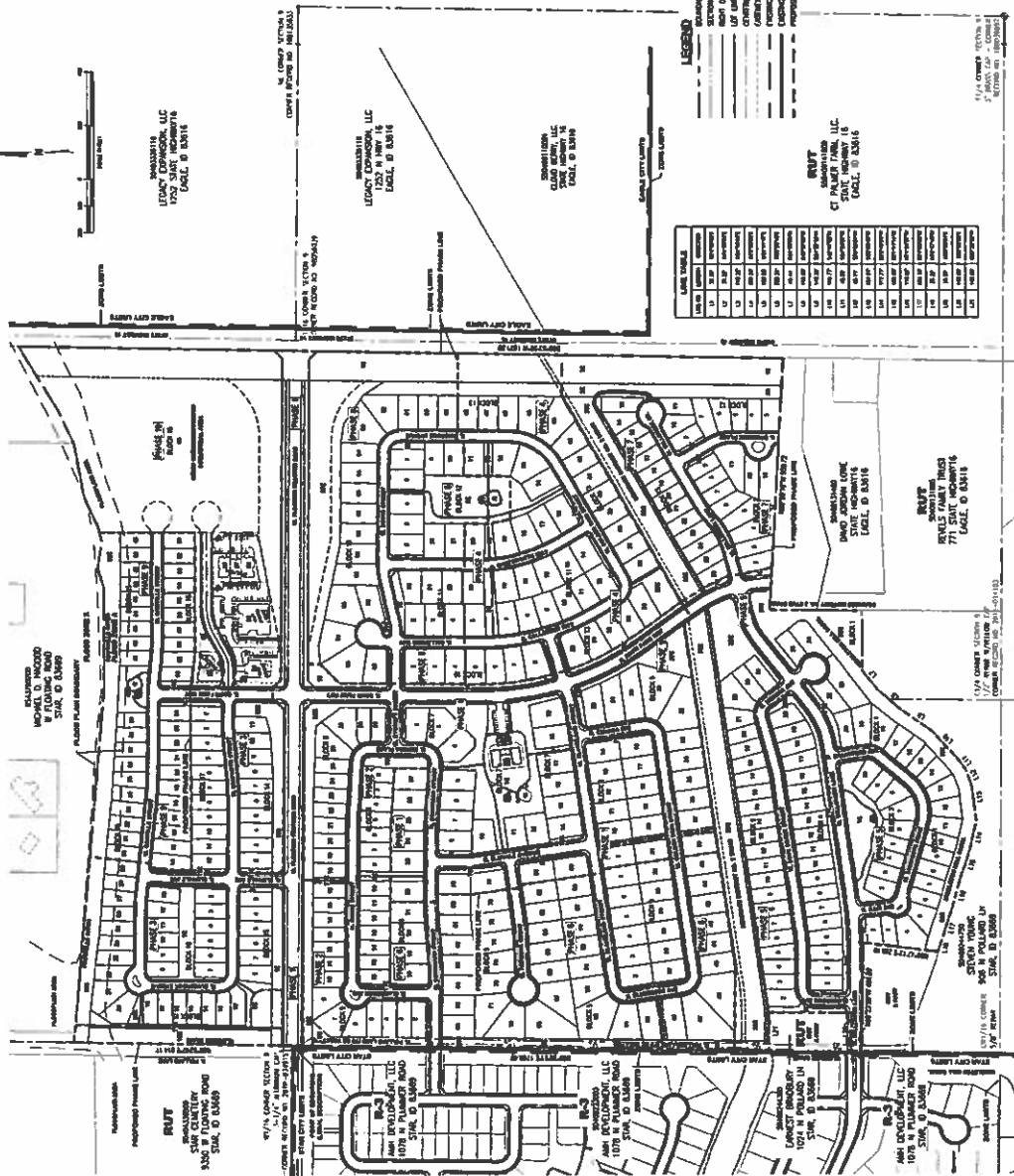
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LOT LINE	=====
CENTRALISE	=====
EXISTING CURT LINE	=====
EXISTING TOWN'S LINE	=====
PROPOSED FENCE LINE	=====

RUFF
SUSANATHAN
CT PALMER FARM, LLC
STATE HIGHWAY 16

51/4 Street, 1970s, 1980s, 1990s, 2000s, 2010s, 2020s, 2030s, 2040s, 2050s, 2060s, 2070s, 2080s, 2090s, 2100s, 2110s, 2120s, 2130s, 2140s, 2150s, 2160s, 2170s, 2180s, 2190s, 2200s, 2210s, 2220s, 2230s, 2240s, 2250s, 2260s, 2270s, 2280s, 2290s, 2300s, 2310s, 2320s, 2330s, 2340s, 2350s, 2360s, 2370s, 2380s, 2390s, 2400s, 2410s, 2420s, 2430s, 2440s, 2450s, 2460s, 2470s, 2480s, 2490s, 2500s, 2510s, 2520s, 2530s, 2540s, 2550s, 2560s, 2570s, 2580s, 2590s, 2600s, 2610s, 2620s, 2630s, 2640s, 2650s, 2660s, 2670s, 2680s, 2690s, 2700s, 2710s, 2720s, 2730s, 2740s, 2750s, 2760s, 2770s, 2780s, 2790s, 2800s, 2810s, 2820s, 2830s, 2840s, 2850s, 2860s, 2870s, 2880s, 2890s, 2900s, 2910s, 2920s, 2930s, 2940s, 2950s, 2960s, 2970s, 2980s, 2990s, 3000s, 3010s, 3020s, 3030s, 3040s, 3050s, 3060s, 3070s, 3080s, 3090s, 3100s, 3110s, 3120s, 3130s, 3140s, 3150s, 3160s, 3170s, 3180s, 3190s, 3200s, 3210s, 3220s, 3230s, 3240s, 3250s, 3260s, 3270s, 3280s, 3290s, 3300s, 3310s, 3320s, 3330s, 3340s, 3350s, 3360s, 3370s, 3380s, 3390s, 3400s, 3410s, 3420s, 3430s, 3440s, 3450s, 3460s, 3470s, 3480s, 3490s, 3500s, 3510s, 3520s, 3530s, 3540s, 3550s, 3560s, 3570s, 3580s, 3590s, 3600s, 3610s, 3620s, 3630s, 3640s, 3650s, 3660s, 3670s, 3680s, 3690s, 3700s, 3710s, 3720s, 3730s, 3740s, 3750s, 3760s, 3770s, 3780s, 3790s, 3800s, 3810s, 3820s, 3830s, 3840s, 3850s, 3860s, 3870s, 3880s, 3890s, 3900s, 3910s, 3920s, 3930s, 3940s, 3950s, 3960s, 3970s, 3980s, 3990s, 4000s, 4010s, 4020s, 4030s, 4040s, 4050s, 4060s, 4070s, 4080s, 4090s, 4100s, 4110s, 4120s, 4130s, 4140s, 4150s, 4160s, 4170s, 4180s, 4190s, 4200s, 4210s, 4220s, 4230s, 4240s, 4250s, 4260s, 4270s, 4280s, 4290s, 4300s, 4310s, 4320s, 4330s, 4340s, 4350s, 4360s, 4370s, 4380s, 4390s, 4400s, 4410s, 4420s, 4430s, 4440s, 4450s, 4460s, 4470s, 4480s, 4490s, 4500s, 4510s, 4520s, 4530s, 4540s, 4550s, 4560s, 4570s, 4580s, 4590s, 4600s, 4610s, 4620s, 4630s, 4640s, 4650s, 4660s, 4670s, 4680s, 4690s, 4700s, 4710s, 4720s, 4730s, 4740s, 4750s, 4760s, 4770s, 4780s, 4790s, 4800s, 4810s, 4820s, 4830s, 4840s, 4850s, 4860s, 4870s, 4880s, 4890s, 4900s, 4910s, 4920s, 4930s, 4940s, 4950s, 4960s, 4970s, 4980s, 4990s, 5000s, 5010s, 5020s, 5030s, 5040s, 5050s, 5060s, 5070s, 5080s, 5090s, 5100s, 5110s, 5120s, 5130s, 5140s, 5150s, 5160s, 5170s, 5180s, 5190s, 5200s, 5210s, 5220s, 5230s, 5240s, 5250s, 5260s, 5270s, 5280s, 5290s, 5300s, 5310s, 5320s, 5330s, 5340s, 5350s, 5360s, 5370s, 5380s, 5390s, 5400s, 5410s, 5420s, 5430s, 5440s, 5450s, 5460s, 5470s, 5480s, 5490s, 5500s, 5510s, 5520s, 5530s, 5540s, 5550s, 5560s, 5570s, 5580s, 5590s, 5600s, 5610s, 5620s, 5630s, 5640s, 5650s, 5660s, 5670s, 5680s, 5690s, 5700s, 5710s, 5720s, 5730s, 5740s, 5750s, 5760s, 5770s, 5780s, 5790s, 5800s, 5810s, 5820s, 5830s, 5840s, 5850s, 5860s, 5870s, 5880s, 5890s, 5900s, 5910s, 5920s, 5930s, 5940s, 5950s, 5960s, 5970s, 5980s, 5990s, 6000s, 6010s, 6020s, 6030s, 6040s, 6050s, 6060s, 6070s, 6080s, 6090s, 6100s, 6110s, 6120s, 6130s, 6140s, 6150s, 6160s, 6170s, 6180s, 6190s, 6200s, 6210s, 6220s, 6230s, 6240s, 6250s, 6260s, 6270s, 6280s, 6290s, 6300s, 6310s, 6320s, 6330s, 6340s, 6350s, 6360s, 6370s, 6380s, 6390s, 6400s, 6410s, 6420s, 6430s, 6440s, 6450s, 6460s, 6470s, 6480s, 6490s, 6500s, 6510s, 6520s, 6530s, 6540s, 6550s, 6560s, 6570s, 6580s, 6590s, 6600s, 6610s, 6620s, 6630s, 6640s, 6650s, 6660s, 6670s, 6680s, 6690s, 6700s, 6710s, 6720s, 6730s, 6740s, 6750s, 6760s, 6770s, 6780s, 6790s, 6800s, 6810s, 6820s, 6830s, 6840s, 6850s, 6860s, 6870s, 6880s, 6890s, 6900s, 6910s, 6920s, 6930s, 6940s, 6950s, 6960s, 6970s, 6980s, 6990s, 7000s, 7010s, 7020s, 7030s, 7040s, 7050s, 7060s, 7070s, 7080s, 7090s, 7100s, 7110s, 7120s, 7130s, 7140s, 7150s, 7160s, 7170s, 7180s, 7190s, 7200s, 7210s, 7220s, 7230s, 7240s, 7250s, 7260s, 7270s, 7280s, 7290s, 7300s, 7310s, 7320s, 7330s, 7340s, 7350s, 7360s, 7370s, 7380s, 7390s, 7400s, 7410s, 7420s, 7430s, 7440s, 7450s, 7460s, 7470s, 7480s, 7490s, 7500s, 7510s, 7520s, 7530s, 7540s, 7550s, 7560s, 7570s, 7580s, 7590s, 7600s, 7610s, 7620s, 7630s, 7640s, 7650s, 7660s, 7670s, 7680s, 7690s, 7700s, 7710s, 7720s, 7730s, 7740s, 7750s, 7760s, 7770s, 7780s, 7790s, 7800s,



STILL LIFE

ENGINEERING SOLUTIONS™



DEVELOPER
TOL SOUTHWEST, LLC
701 N. BROADWAY, SUITE 400
DENVER, CO 80202
303.733.1000

OWNERS OF RECORD
SUN AND KAY WEST
BARRETT & WEST
ROBERT LAYNE, LLC
100 N. HARRISON
ST. LOUIS, MO 63104
417-335-5522

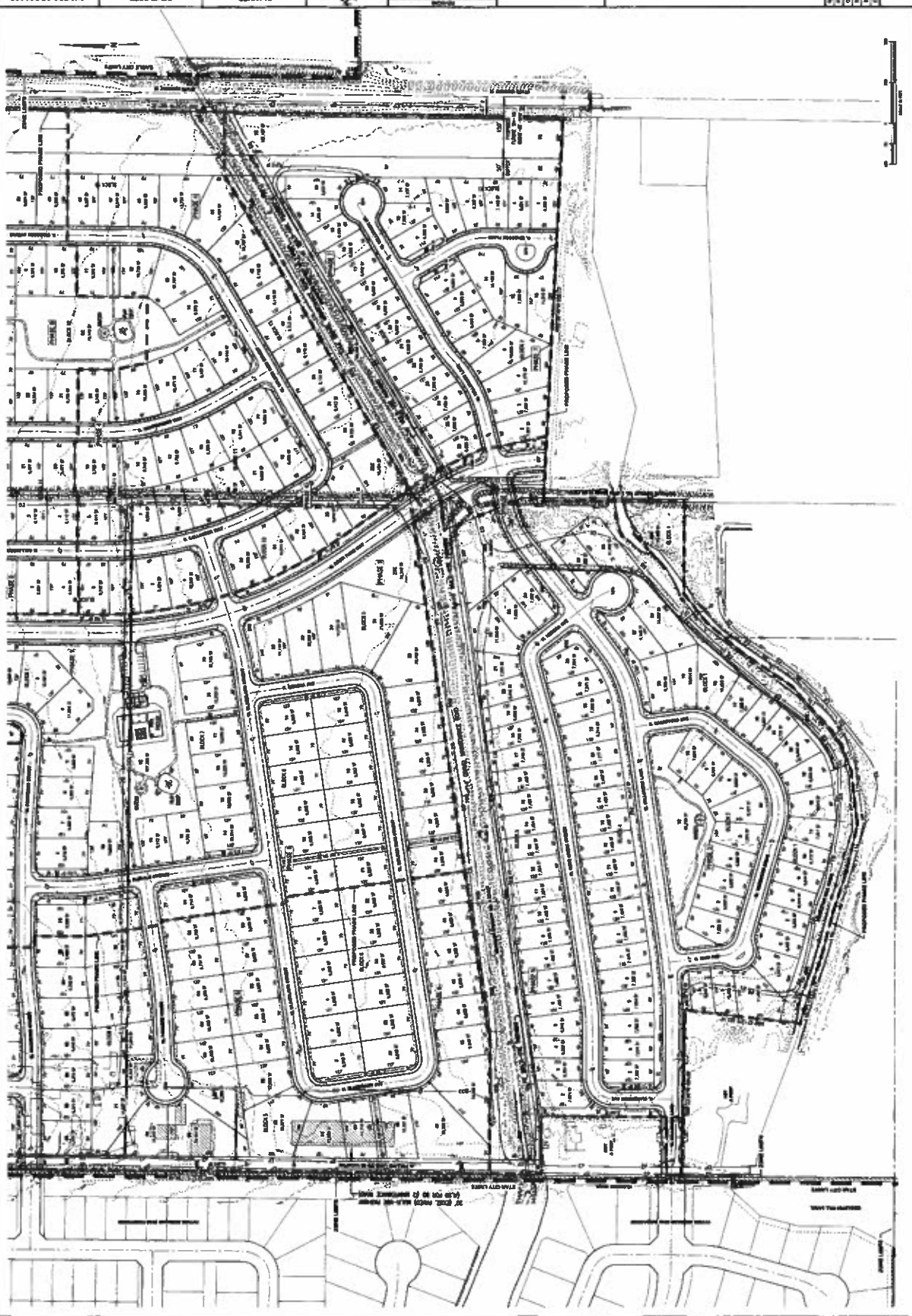


EXHIBIT D

USES APPROVED IN MIXED USE ZONE

Allowed Uses within the Rosti Farms Subdivision Mixed-Use/Neighborhood Commercial Area (Compliance with City of Star Unified Development Code is required; therefore, some uses may be allowed only with a conditional use permit)

Artist Studio

Arts, entertainment, or recreation facility

Automated Teller Machine (ATM)

Bakery

Bar/tavern/lounge/drinking establishment

Barbershop/styling salon

Brewery/Distillery

Brewpub/Wine Tasting

Building material, garden equipment and supplies

Child Care center (more than 12)

Child Care family (6 or fewer)

Child Care group (7-12)

Child Care-Preschool/Early learning

Church or place of religious worship

Civic, social or fraternal organizations

Convenience Store

Drive-through establishment/drive-up service window

Dwelling:

Multi-family apartments

Townhomes

Single-family attached

Single-family detached

Two-family duplex

Education institutions, private

Farm

Farmer's or Saturday market

Financial institution

Flex Space

Gasoline, fueling, and charging station with or without convenience store

Government office

Greenhouse, commercial

Healthcare and social services

Hotel/motel

Laboratory, medical

Laundry and dry cleaning

Library

Medical Clinic

Museum
Nursery, garden center and farm supply
Nursing or residential care facility
Office security facility
Personal and professional services
Pharmacy
Photographic studio
Professional offices
Public infrastructure; public utility major and minor
Research activities
Restaurant
Retail store/retail services
Retirement home
Service building
Shopping Center
Storage facility, outdoor (commercial)
Storage facility, self-service (commercial)
Swimming pool, commercial/public
Vehicle emission testing
Vehicle repair, major
Vehicle sales or rental service
Vehicle washing facility
Veterinarian office
Warehouse and storage
Wholesale sales
Winery
Wireless communication facility

RESOLUTION NO. 2020-07

A RESOLUTION APPOINTING A PRIMARY AND ALTERNATE REPRESENTATIVE FROM THE CITY OF STAR, IDAHO, TO THE GOVERNING BOARD OF VALLEY RIDE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the State of Idaho has authorized the creation of regional public transportation authorities under Title 40, Chapter 21, Idaho Code, to “provide public transportation services, encourage private programs and coordinate both public and private transportation programs, services and support functions, and

WHEREAS, an election has been held in accordance with Idaho Code 40-2105 (1) and resulted in voter approval of a regional public transportation authority, now known as Valley Ride; and

WHEREAS, Idaho Code 40-2106 (1) mandate the creation of a governing board appointed by and serving at the pleasure of the governing bodies of counties, incorporated cities, and highway districts located wholly or partially within the authority; and

WHEREAS, Idaho Code 41-2106 (3) provides that board members shall be appointed by resolution of the appointing agency, which board members may be elected officials of the appointing agency or may be representatives empowered by the agency to act in its best interest; and

WHEREAS, the City Council of the City of Star desires to make an appointment of two representatives of the City of Star to the governing board of Valley Ride.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STAR, IDAHO, as follows:

Section 1: Pursuant to Idaho Code 40-2106, Councilman David Hershey is hereby appointed as the primary representative of the City of Star to the governing board of Valley Ride; Mayor Trevor Chadwick is hereby appointed as alternate to the governing board. These positions shall serve for a one-year period commencing upon the effective date of this Resolution.

Section 2: this Resolution shall take effect and be in force from and after its passage and approval.

DATED this ____ day of _____, 2020.

ATTEST:

Cathy Ward, City Clerk

City of Star
Ada County, Idaho

By: _____
Trevor A. Chadwick, Mayor



Software for Smarter Operations

PREPARED FOR

City of Star ID

Trevor Chadwick

Mayor

P O Box 130

Star, ID 83669-0130

PREPARED BY

Dude Solutions, Inc.

PUBLISHED ON

August 03, 2020



This SOW has been defined to leverage DSI's experience, while optimizing the use of resources, thereby maximizing cost efficiencies on behalf of Client.

Based on our current understanding of the complexity and scope of this effort and the expected involvement of the DSI team resources, the current estimated Fixed Price for this engagement is shown in the Investment table. This estimated cost breakdown is as follows:

Pricing is based on unlimited users, the public portal, parcel connector, merchant connector and financial connector.

Solutions - Subscription	
SmartGov Connector Merchant	
SmartGov Connector Financial	
SmartGov - Enterprise	
- SmartGov Permitting	
- SmartGov Code Enforcement	
- SmartGov Business License	
Subscription Term: 8 months	Subtotal: \$8,651.56
Implementation & Services	
Project Management	
Web-Based Training	
Merchant Connector Configuration	
Financial Connector Configuration	
Portal Configuration	
Parcel Connector Configuration	
	Subtotal: \$9,924.27
Total Initial Investment	\$18,575.83 USD
Credit applied*	(\$3,920.00)

**The value of the credit is estimated based upon the number of months remaining on Subscriber's prepaid, unused Subscription Fees (calculated as of the effective date of this proposal). For avoidance of doubt, the credit amount is subject to change if the proposal effective date is after 8/31/2020.*

Term to begin September 1, 2020.

Sourcewell/NJPA purchasing contract

- <https://www.sourcewell-mn.gov/cooperative-purchasing/110515-sdi> (<https://www.sourcewell-mn.gov/cooperative-purchasing/110515-sdi>)
- Contract #110515-SDI
- Maturity Date: 12/15/2020
- Sourcewell discount of 21% applied to subscription cost and 5% applied to implementation cost.

Pricing for the First Renewal Term is \$12,978.00.

The above level of effort and associated pricing is based on the SMARTGOV package selected by City of Star ID and is subject to change based on defined client requirements that may be discovered during project delivery. Any identified project scope or requirements changes will be addressed via DSI Change Control Authorization ("CCA") process.



Software for Smarter Operations



Introduction

Dude Solutions, Inc. ("DSI") is pleased to submit this Statement of Work ("SOW") to City of Star ID for SmartGov Professional Services. SmartGov streamlines permitting, planning/zoning, inspections, code enforcement, and business licensing, providing efficiency for your jurisdiction and enhanced customer service for your citizens. The package City of Star ID has chosen for implementation of SmartGov will be implemented using proven processes and methodologies managed by an experienced project manager dedicated to delivering a successful project.

DSI looks forward to the opportunity to deliver these services and the ever-lasting development of a strong business partnership.

Definitions

In addition to the terms defined elsewhere in this SOW, the following terms have the following meanings:

"Change Control Authorization" or "CCA" means any request by the client to modify the scope of work, schedule, or costs will require preparation of a Change Control Authorization ("CCA" or "change order") form detailing the work to be performed, as well as the associated costs and schedule impact. Additional work will be performed only after both parties have duly executed the CCA. Scope of work changes will impact the project schedule which will be updated to reflect such changes upon CCA approval.

"Closing Phase" means the phase that represents the completion of a project where all metrics are finalized, all deliverables are complete and accepted by client, and all remaining billing/invoicing takes place prior to project closure and acceptance.

"Deliverable Acceptance Form" means the form that is a standard PMO form used for client to agree to accept a deliverable as complete and final.

"Escort" means the client provided resource/person to take Dude Solutions, Inc. ("DSI") resources around client facilities and provide access to restricted areas agreeable between client and DSI as needed.

"Executing Phase" means the phase of the project where deliverables are developed and completed.

"Fixed Price/Fixed Fee/Fixed Price Project" means the project pricing includes all services, tasks, and expenses associated with the client project.

"Monitoring and Controlling Phase" means the phase for measuring project progression and performance and ensuring that everything happening aligns with the project management plan.

"Onsite Services Completion" means onsite services have been completed and when necessary, the Deliverable Acceptance form will be used to document the completion of deliverables provided during the onsite services visit.

"Orientation Call" or "Project Kick-Off Call" means the call/meeting which begins the project and proper expectations are set between DSI and the client.

"Output Documents" standard or custom documents generated from SmartGov "e.g. permits, Certificates of Occupancy, violation letters, business licenses, receipts"

"Orientation Call Completion" means the Orientation Call or Project Kick-Off Call has been completed and the project has begun and proper expectations have been set between DSI and the client.

"Professional Services or Services" means professional, technical, consulting and/or other services.

"Project Completion" means the project completion occurs when all deliverables of the project have been completed and accepted by the client via the Project Completion Acceptance Form.

"Project Completion Acceptance Form" means the form that is a standard PMO form used for client to agree to accept a project as complete and final.

"Project Management Methodology" means the manner and process used to deliver services projects.

"Project Management Office" or "PMO" means the office that provides the oversight and standardized processes to consistently deliver projects in a concise, consistent, and standardized manner. The PMO manages and maintains the processes and standard templates utilized to manage DSI projects.

"SmartGov Modules" means the Permitting Module (permits for all departments), the code Enforcement Module, the Business Licensing Module, and the Recurring Inspection module.

"Software Component Configuration" means the components within the software have been configured per client specifications.

"Statement of Work Acceptance" means the signing and accepting of the terms of the Statement of Work document by client.

"Support Engagement" means the point in the project where implementation services end and product support begins.

"System Configuration Completion" means the configuration items within the software have been configured per client specifications.

"System Level Configuration Items" standard configurable items that are applied across departments and case templates.

"Training Completion" means the onsite or virtual training has been completed and when necessary, the Deliverable Acceptance form will be used to document the completion of deliverables provided for completion of the onsite or virtual training services.

"User Acceptance Testing – UAT" means that after the system is configured the client will have an opportunity to perform user level testing based on client developed test scripts. DSI will correct issues as documented and presented during this process.

Project Scope and Approach

Implementation Process Overview

In order to successfully implement the SmartGov application, DSI will work with City of Star ID to understand requirements necessary to configure and set up the SmartGov application to streamline processes related to permitting, planning/zoning, inspections, code enforcement and business licensing for your jurisdiction and citizens. Once the City of Star ID has reviewed, and approved these requirements and processes, DSI will configure and setup the application to support the City of Star ID's unique business rules.

Following the configuration and modeling work, DSI will train the City of Star ID's team using its jurisdiction-specific configuration. After training, DSI will work with City of Star ID to test the work performed and provide the necessary updates to successfully implement the solution. The system will then be ready to go live in production. If the City of Star ID purchases "Go-Live Support" packages, DSI will provide support for the period of time defined in the statement of work.

Customer Implementation Engagement Sessions ("CIES")

Client project team representatives and DSI project team representatives will dedicate time to meet in person or via teleconference to maintain communication and conduct coordination of project activities and tasks.

Deliverables

Dude Solutions will provide the following task deliverables:

- Project Management Meeting Schedule
- Data Migration and Technical Design Meeting Schedule
- Configuration Meeting Schedule
- Meeting notes or recordings for all scheduled meetings

The client will provide the following resources or task deliverables:

- A complete project team roster, including email addresses, phone numbers, and roles / titles
- Necessary communication / information to allow all project schedules to be finalized
- Timely response to task-related emails or phone calls to enable on-time completion of all assignments
- A minimum of 24-hour notice if all minimum required members for any scheduled meeting cannot attend the meeting. This will allow the meeting coordinator sufficient time to cancel or re-schedule the meeting as necessary

Assumptions and Constraints

- Initial proposed meeting plans from DSI will reflect the minimum recommended frequency, duration, participants (by job title or role), topics, and action items to address the full SOW
- Final meeting plan will be approved by the client key sponsor(s)
- Coordination and integration of the PM meeting, data migration, technical design meeting, and configuration meeting will align with the scope of the project, client organizational structure, and assigned resources
- The Client will provide dedicated knowledgeable technical resource available for questions
- The Client will provide a dedicated knowledgeable resource for mapping analysis

- The Client will provide read only access and screen shots for various permits/case types to provide context to DSI data migration specialists
- The Client will provide resources for validation throughout the process
- Client will provide side-by-side data entry for 2 weeks prior to go-live
- Response time for questions is one business day
- DSI may require up to 3 backups of data for each database throughout the process

Portal Configuration Setup

Configuration of required elements to enable in-scope functionality associated with the SmartGov online portal, as stated in the Configuration Plan.

Deliverables

Dude Solutions will provide the following task deliverables:

- A Portal Validation site to demonstrate and test Portal configuration
- Information regarding Portal set up options
- A Portal set up workbook template

The client will provide the following resources or task deliverables:

- A fully completed and approved Portal Set up workbook
- Any written content to be visible in portal that is not configurable
- Resources to test Portal configuration

Assumptions and Constraints

- The client will be responsible for taking steps to integrate the SmartGov portal into existing online sites
- Online payments will not be enabled without also purchasing the Merchant Services connector
- The client will be able to determine the level of online integration with their business processes, within existing product design
- Portal configuration will occur along with configuration of module case templates.
- Validation tasks will include distinct tasks to approve Portal set up
- Portal user security will be defined using existing product functionality
- Super Admin training will include information about options for the client to maintain / update portal configuration

Parcel Connector Setup

The parcel connector is an optional feature that is used to keep the parcel repository in SmartGov up to date. Parcel data that is typically maintained in a county assessor's system is used as the primary reference for modules in the SmartGov application. Parcel profile information, such as Parcel Number, Site Addresses, Current Owner, Legal Description, Section, Township, Range, Quarter, Subdivision, Block, Lot, and Neighborhood, is accommodated in standard data fields. Additional attribute data may also be stored in our custom detail area. Additionally, if the associated latitude and longitude data is available, those coordinates can be added to the parcel record to allow users to geographically locate information on the map.

Deliverables

Dude Solutions will provide the following task deliverables:

- A tested, working parcel connector along with a list of unresolvable errors to be addressed

Assumptions and Constraints

- Parcel Connector required fields supplied

Financial Connector Setup

The receipt extract for the Financial Connector is a job process that allows SmartGov to export data in electronic file format that can then be imported into an external financial management system ("FMS"). The purpose of receipt extract is to automate the export process and allows users to update their preferred FMS with the selected receipt data generated in SmartGov. The extract is provided in a comma delimited file format that is run as an on-demand job within the SmartGov application. The file format and export settings are fully customizable depending on the needs of the client FMS. These export setting will be defined early on during the planning phase, so all stakeholders have a clear understanding on the type of data that needs to be included in the extract file.

Deliverables

- Financial Reports with summary and detail information processed in the system:
- Receipt detail
- Reconciliation Reports
- Financial reports for daily extract validation

Assumptions and Constraints

- Client will provide Financial Management System ("FMS") data access for extracts
- Client to provide list of data elements for the connector integration
- FMS data will be extracted into a .txt file for SmartGov consumption
- Extract jobs can be scheduled or run manually

Merchant Service Connector Setup

SmartGov's public portal can be configured to interface with 3rd party payment gateways to accept credit card transactions. SmartGov does not store any credit card information or other sensitive information relating to credit card transactions processed via the portal. Most payment gateway providers will transition the user from the SmartGov site to their own secure site in order to complete the transaction before redirecting the user back to SmartGov. This allows the payment gateway provider to maintain the secure information and pass only necessary information, such as a confirmation or transaction reports, to SmartGov.

The first step to implement the connector is for DSI to build the interface between SmartGov and the selected payment provider. If the provider is new, DSI will first need to build the technical backend process to enable electronic transactions to/from SmartGov. Once the initial backend setup is complete, SmartGov can be configured to process payments.

Each payment gateway provider has different sets of specifications that they require to be sent to their system to authenticate payment information. When DSI builds a connector to a payment gateway provider, a new option will become available in the Payment Vendor drop down menu on the Administration Portal Payment Configuration page. If a payment gateway provider does not have a connector to SmartGov, no option will be

available in the drop down menu. The payment gateway provider should provide the necessary information to the Jurisdiction in order to complete the setup process. Administrators may be asked to provide additional URLs to SmartGov pages for navigation purposes.

Deliverables

- Configure the Merchant Service connector to process payments for client services and transactions processed in SmartGov
- Configure the 3rd party payment gateway to accept credit card transactions

Assumptions and Constraints

- SmartGov does not store any credit card information or other sensitive information relating to credit card transactions processed via the portal
- Merchant Services Gateway Payment Provider Partners include:
 - ACI Universal (Official Payments) – Integrated Level 1 Payment Process - Postback v2.4
 - Authorize.NET Service Integration method (SIM)
 - BridgePay
 - ETS Corporation – Hosted E-Com Payment Page Service v1.50<
 - First Data Global Gateway Connect v1.3
 - First Data Global Gateway E4
 - FISGlobal – PayDirect Web
 - GovPay
 - PACE Technology Engine
 - PayPal – Pay Flow Pro
 - Point & Pay – Parameter Passing v3.0
 - PayGov
 - Paymentus
 - Reliant Pay
 - TransFirst
 - US Bank – E-Payment Service v12.1 (Elavon)
 - Wells Fargo
 - XpressBillPay

Standard Reports (70 Reports Included)

DSI will provide the client reports (reports and output documents) that includes 70 standard reports. Normal modifications to these reports to entail updating client specific information and logos not related to data output.

- Custom Reports: SmartGov comes with 70 standard reports and output documents. Using tools in SmartGov, client staff can add the client's logo and modify header and footer information.

Deliverables

- 70 standard reports
- Edits will be made to add client specific logo and information i.e. company name, address, phone

Assumption and Constraints

- Modification to standard reports will be related to Client branding and logos

Post Go-Live Support

DSI will provide the client with "Post Go-Live Support" which includes additional training, configuration support, reporting assistance, transaction based support, and work with the client on basic production related issues or questions for utilizing the system.

Deliverables

Provide production related post go-live support for 30 days after go-live date.

Assumptions and Constraints

- System configuration and all implementation tasks have been completed and client is using the SmartGov system in production

User Acceptance Testing "UAT"

DSI will work with the client to conduct User Acceptance Testing ("UAT") upon the completion of configuration and development tasks to confirm SmartGov functionality using the client's UAT Test scripts, developed by the client. The client will execute their test scripts and communicate the results of the test scenario as either pass or fail. DSI will review the UAT test log for issues and will assign these issues to the appropriate resource for resolution. DSI will have up to ten (10) days to correct any functional item that fails a test, or provide a mutually acceptable written explanation of when the failed item will be corrected. In the event a bug is identified, the bug issue will be assigned to the DSI Engineering Team for assessment. DSI Engineering will then provide an estimated time frame for resolution. The client has the right to conduct additional UAT Testing for items within project scope.

Deliverables

DSI will provide the following task deliverables

- SmartGov Validation environment ready for system User Acceptance Testing
- Review any discrepancies found by the client during UAT Testing
- Correct any functional item that fails a test within 10 days, or provide a mutually acceptable written explanation of when DSI will correct the failed item
- Identified software bugs will be addressed by DSI Engineering for assessment. DSI Engineering will then provide an estimated time frame for resolution
- Provide tools for documenting UAT test scripts in the UAT testing Plan and issue tracking log as needed, client may use their own UAT Testing Plan document if available

The client will provide the following resources or task deliverables

- Create a User Acceptance Test Plan with scenario based test scripts to include end-to-end system and client business process functionality, system workflow, system configuration, data migration, interfaces, reports, etc
- Execute UAT Testing Plan
- Track and document test results

- Written acceptance of System User Acceptance Testing complete via the DSI Deliverable Acceptance Form

Assumptions and Constraints

- The client will develop a UAT Test Plan
- The client will provide resources for User Acceptance Testing throughout the process
- The client will track and document test results in a mutually agreed format
- DSI will provide resources to address discrepancies

Upon successful completion of UAT Testing, Client will sign a DSI Deliverable Acceptance form, provided by the DSI Project Manager, to document their acceptance of UAT Testing and acknowledgement that UAT Testing has been completed successfully

Project Management / Engagement Management

The Project Manager's primary goal is to deliver the project within defined constraints through planning, scheduling, and controlling those activities required to achieve the project's objectives and meet customer expectations. The Project Manager strives to deliver on schedule, within budget, within scope, and at the desired performance level.

DSI assigns a professional Project Manager and/or a professional Engagement Manager for every consulting engagement. DSI's Project Management Office ("PMO") and Project Management Methodology provides Project Managers with a formal framework that is used in initiating, planning, managing (executing, monitoring, and controlling), and closing DSI's customer projects. DSI's Project Manager will have the primary responsibility for coordinating all activities for this SOW including scheduling resources, confirming project activities and that all project deliverable and defined activities are executed within the scope of this SOW. DSI's Project Manager will serve as the single point of contact for the project related to this SOW.

DSI's Project Management Methodology provides a defined set of phases and deliverables per Project Management Institute Best Practices which include a series of planning phase activities, including initial alignment meetings to prepare for the kickoff meeting to enable all project participants to understand the project scope, project plan, and objectives. The project kickoff meeting will allow all participants to be introduced, review and understand the delivery methodology, define team roles and responsibilities, review the communications and risk management plans, review documentation templates, review the SOW and project schedule. The Executing phase allows DSI Project Managers to direct and manage project progress through task execution, distribute project related information per the Communications plan, Quality Assurance per the SOW guidelines, project team development and coaching, and checkpoint meetings to review project progress during each work week, and weekly status meetings. The Monitoring and Controlling phase provides the DSI PM with the toolset to manage the triple constraint triangle of scope, cost, and schedule through integrated change control, quality assurance, deliverable validation, risk monitoring and control, performance monitoring to plan and schedule, and initiating corrective action measures. In the Closing phase, the Project Manager will verify product and deliverable acceptance, perform final financial audits, lessons learned, project archive delivery and updates, and formal project completion acceptance from the customer.

Project Management activities include:

- Project planning and kickoff meetings

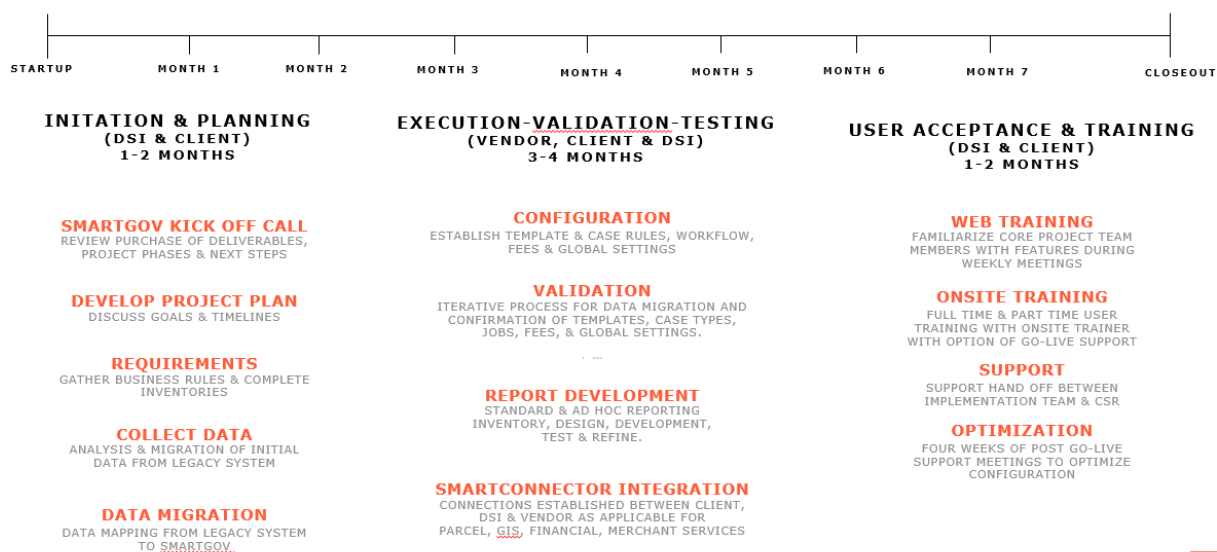
- Project schedule developed per SOW tasks, deliverables, and resource assignments
- Status reporting and status meeting
- Continuously communicating, planning, and scheduling updates
- Schedule and budget monitoring, and scope management
- Risk Management planning to continuously identify, analyze, and mitigate risks
- Action Item and decision tracking, as well as resolving and escalating issues
- Quality Control
- Change control management
- DSI project resource management
- Work product completion and deliverable acceptance management
- Project Completion Acceptance execution

Project Timeline

DSI anticipates commencing this project on a mutually agreeable start date upon receipt of an executed SOW acceptance page ("Acceptance") found at the conclusion of this document. Within two weeks of the Orientation Call, the DSI Project Manager will schedule a mutually agreeable date and time for the project kick-off meeting. As a deliverable of the kick-off meeting, the DSI Project Manager will develop a project schedule to be shared with the clients' project manager for review and agreement. As a deliverable of the kick-off meeting, the DSI Project Manager will develop a project schedule to be shared with the clients' project manager for review and agreement.

The following generic process will be followed for the implementation of this project. Below is a depiction of the generic process the DSI Project Manager/Engagement Manager will follow for the implementation, DSI reserves the right to modify this process to reflect the scope of this project.

SMARTGOV High Level Process



Professional Services Invoicing / Billing

Invoicing Terms

DSI will generate project invoices when the above product codes are completed for the value of the product code as shown in the Investment table.

Travel Expenses

Travel expenses are inclusive in Dude Solutions pricing for your project.

DSI understands there are extenuating circumstances that require a change in scheduling. DSI will make every attempt to accommodate cancellation/rescheduling requests on an as-needed basis. Rescheduling requests will be subject to resource availability and every attempt will be made to meet requested timeframes and timelines, however, no guarantee can be made for requested dates or times. Client accepts that DSI will reschedule based upon our resources' next availability that meets the project duration requirement to complete the scope of work.

Cancellation Policy

Cancellation and Rescheduling requests will be managed per the below policy:

Cancellation/Rescheduling Fees: In the event that the Client requests to reschedule their onsite work date(s), Client must reschedule 14 days in advance of the scheduled onsite work. Any requests for rescheduling onsite work within the 14-day window prior to the scheduled onsite date, will require the Client to reimburse DSI the full cost of any **Cancellation Fees** and **Re-booking Fees** incurred.

Definitions:

- **Cancellation Fees:** Any actual fees incurred by DSI from its travel providers which are the result of the Client canceling work for scheduled date(s) which are not immediately rescheduled, including, but not limited to fees charged for airfare, train, rental car, and hotel.
- **Re-booking Fees:** Any change fees associated with changing travel arrangements to accommodate a rescheduled date requested by Client including, but not limited to, any difference in reasonable travel costs (airfare increase, hotel increase, rental car increase) incurred when re-booking for requested dates.
- **Force Majeure:** Client will not be held liable for Cancellation or Re-booking Fees incurred by DSI as a result of an act of God, such as an earthquake, hurricane, tornado, flooding, winter super storm, winter weather that shuts down a facility, or other natural disaster, or in the case of war, action of foreign enemies, terrorist activities, labor dispute or strike, government sanction, blockage, embargo, or failure of electrical service within a facility's power grid.

DSI Project Team Roles and Responsibilities

The roles listed below comprise the DSI team supporting this project. The team brings a wealth of experience and knowledge that will provide you with the highest caliber of expertise, thought leadership, and project management. *Due to the size and scope of the project, one person may play multiple roles, to be determined by DSI as appropriate.*

- **Senior Implementation Consultant:** The Senior Technical Consultant ("STC") will develop and deploy the solution and ensure that it meets the business requirements for the project. The STC's goal is to deliver a responsive system that complies with the functional specification. The STC defines, designs, and implements the features or products that meet the client's functional expectations.
- **Implementation Consultant:** The Implementation Consultants ("IS") primary role is to provide project implementation support by setting up a client's account, performing system configuration as defined in the scope of the project, creating/modifying templates as defined in the scope of the project, and creating or modifying standard or custom reports as defined in the scope of the project or requirements discovered during requirements gathering sessions.
- **Project Manager / Engagement Manager:** The Project Manager's ("Project Manager" or "PM") / Engagement Manager's ("Engagement Manager" or "EM") primary role is to deliver the project within the project's defined constraints through planning, scheduling, monitoring progress, controlling scope, and managing client expectations. The PM/EM manages the process to release the correct product on schedule and within budget.

Project Assumptions and Constraints

DSI has made the following general assumptions in this SOW to derive the estimated cost for this project. It is the responsibility of City of Star ID to validate these assumptions and responsibilities before signing the Acceptance. Deviations from these assumptions may impact DSI's ability to successfully complete the project and will be addressed via a CCA process, as appropriate. Any changes in scope, schedule, or costs will be documented via the CCA process, whether there is a cost impact or not. Zero dollar CCA's will be used as mutual agreement documentation for scope and schedule changes.

Project Assumptions

- Client business stakeholders must be available for onsite visits and working phone conversations.
- DSI resources will be onsite as planned and scheduled.
- Prerequisite data gathering, related to an orientation call or requirements gathering session onsite, must be completed prior to scheduled onsite or orientation call date in order to maximize onsite consulting time and resource productivity.
- DSI is not responsible for delays caused by missing data or other configuration information that is required to be available prior to the onsite visit. Having the requested data and configuration information available prior to the onsite visit may minimize delays so progress can be made quickly.

- Regarding requested enhancements or new feature development, the request will be fully documented and delivered to the DSI software engineering team for review for product inclusion, definition, development, prioritization, and sprint release development and confirmation.

General, Administrative, and Cost

- DSI must be in receipt of this SOW, signed by an authorized Client representative, prior to initiation of services including orientation calls or onsite visits.
- As applicable, designated deliverables must be approved in writing using the *DSI Deliverable Acceptance form*.
- Upon satisfactory completion of project, Client must provide project sign-off using the *DSI Project Completion Acceptance form*.
- DSI is not responsible for delays caused by Client, its contractors, or any third party vendors or third party service providers.
- All project documentation will be prepared in DSI standard format in Microsoft Word, Excel, PowerPoint, Project, Visio, and/or PDF.
- This document could include technical inaccuracies and/or typographical errors.
- **Any request** by City of Star ID to modify the scope of work, schedule, or costs will require preparation of a CCA form detailing the work to be performed, as well as the associated costs. Additional work will be performed only after both parties have duly executed the CCA. Scope of work changes will impact the project schedule which will be updated to reflect such changes upon CCA approval.
- All on-site work will be conducted at Client's physical location. As required, appropriate Client personnel will be made available either at that location or via alternate means (e.g., conference call) for in-person meetings, tours, and ad-hoc meetings with appropriate personnel for additional fact finding, data gathering, and reiteration demos.

Client's Support

- Client will provide the needed input, resources, and documentation to support the tasks contained herein.
- Client will assign a project manager/leader to coordinate activities, reviews, and the collection of information in support of this project and to act as a point of contact.
- Client team members will be identified and be part of the decision-making process as it relates to changes in process, applications, technology, etc.
- Client will provide assistance in the development of functional requirements and will confirm those requirements meet the project's overall business objective.
- Client business and technical staff must be available for team workshops, requirements gathering, data gathering, and/or consulting sessions.

- Client will be responsible for scheduling and coordinating all meetings and interviews involving other teams, departments, jurisdictions, management teams, or other necessary resources required for the success of this project.
- Client will provide access to resources in a manner consistent with the proposed schedule and provide suitable designees in the absence of required resources.
- Client will provide adequate working facilities (i.e., desk, computer, telephone, contractor identification, access badge, parking pass, etc.) for DSI to perform any portion of this project that must be conducted at Client's facility and access to all applicable software, databases, tools, and systems at their facilities.
- Client will ensure that the consultant(s) are granted access to the facilities and/or systems required to conduct the necessary work defined in this SOW.
- Client will provide a knowledgeable Escort for data gathering, requirements gathering, tours, and access to restricted personnel as necessary.
- A minimum of 24-hour notice if all minimum required members for any scheduled meeting cannot attend the meeting. This will allow the meeting coordinator sufficient time to cancel or re-schedule the meeting.
- Advance notice if there is to be any additional incurred travel expenses above and beyond the contract. DSI will confirm approval of all travel dates and expenses in email from the appropriate project sponsors prior to being on site.

Client Engagement Responsibilities

The below table demonstrates the anticipated client engagement responsibilities and level of effort involvement to ensure the success of the project.

Role	Time (% FTE)	Responsibilities
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Implementation Project Lead	30-40%	<ul style="list-style-type: none"> • Serve as primary Person of Contact • Work with Dude PM to plan and schedule client resources • Manage the scope of the paid services in SOW • Coordinate Client staff assignments • Manage Client activities to meet schedule commitments • Mitigate all implementation risks • Define requirement/layouts of reports purchased • Identify requirements for any connectors purchased • Sign-off on completion of all implementation services delivered
Subject Matter Experts (Multiple)	40-60%	<ul style="list-style-type: none"> • Attend Implementation/configuration meetings • Define and provide input into configuration • Attend User Acceptance and validation Training • Validate data and configuration • Develop UAT Test Scripts
IT Lead	5-10%	<ul style="list-style-type: none"> • Manage infrastructure changes to support SmartGov • Provide the data to be migrated from systems • Mitigate any technical issues • Coordinate technical assignments required to implement • SMARTConnectors, including GIS and parcel data
Data Validator / UAT Testing	20-30%	<ul style="list-style-type: none"> • Validate all data migrated • Comprehend the data in the prior system and how it translates to Community Development • Verify the data that was validated • Participate in UAT Testing, execute test scripts and provide feedback

System Administrator	10-15%	<ul style="list-style-type: none"> • Manage SmartGov Configuration • Create user accounts • Handle user access/privileges • Reset passwords • Supervise organization information changes • Regulate system values • Customize attributes • Generate ad hoc reports • Support internal usage of SmartGov
Training Coordinator	10%	<ul style="list-style-type: none"> • Manage data within SmartGov, specifically: • Accreditations • Task lists • Training Tracks • Assessments • Training Items • Training Location (conference room, off-site, etc.)
User	Case-by-Case	<ul style="list-style-type: none"> • Participate in SmartGov training • Participate in UAT Testing, execute Test Scripts

Change Control Authorization Process

In order to maintain a positive relationship with our clients and to complete all services and deliverables of a project on a timely basis, all facets of the project must be agreed upon, and any changes to the project must be requested and evaluated for impacts. Change control is an essential mechanism to monitor and document all project changes and deviations from the original scope and objectives of the project. All project changes must be requested via the project CCA process. The basic steps for a change are:

- The client team or DSI team discovers a need to change the project.
- The authorized client project manager or DSI Project Manager is notified and a CCA is initiated.
- The written project change request is reviewed by all necessary parties and either accepted or rejected.
- If rejected, the change request is maintained in the project file for reference purposes.
- If the written change request is accepted, then:
 - All necessary signatures are recorded on the change request
 - All affected documentation is revised to reflect the change(s)

- Any adjustments to schedule, scope, and/or cost are made to the overall project plan
- Signatures are required for all change requests
- Copies of the official approved and signed CCA are forwarded to the customer project manager and DSI Project Manager for the documentation archive. DSI will forward a copy to the Project Accounting Team in the office to update the project information and budget (if necessary).

Change Control Authorizations Process Steps

Step	Type	Description
1	Request	A request is made for a change to the agreed upon scope baseline. The request may be internally or externally generated, must be formally written and communicated to the project manager, and may have been prompted by any number of reasons or events.
2	Evaluate	The project manager facilitates an evaluation to confirm that the requested change is in fact a change to the agreed upon scope baseline. If so, the project manager implements the request as described below.
3	Assess	If the request is in fact a change to the scope baseline, the project manager assesses the impact on project schedule, budget and work products, using a similar approach as the original project planning process, utilizing team member expertise as needed.
4	Document	The project manager documents the project impact and other critical information in a CCA form. A summary of the change is recorded in a change order log. This log is required, and is a very useful tracking tool, and is included in the project status report.
5	Decide	The change order is presented to the project's governing authority, typically a steering committee, stakeholder's, or equivalent. In some cases, the project may have a separate change management board to process change requests. The governing authority decides whether or not to implement the change, and obtains approval for any needed additional resources (if it does not itself have the authority to authorize resource changes).
6	Incorporate	The project manager incorporates changes into the project's scope baseline in the form of such artifacts as contracts, statements of work, project plans, requirements and design documents per the approved CCA document.
7	Implement	The project team implements the changes.

Proposal terms

- Proposal has been prepared for City of Star ID ("Subscriber")
- Proposal expires in sixty (60) days
- Initial Term: 8 months

Order Form terms

- This Order Form and its Services are governed by the terms of the Dude Solutions, Inc. Subscription Agreement found at <https://www.dudesolutions.com/terms> (<https://www.dudesolutions.com/terms>) ("Terms"), unless Subscriber has a separate written agreement executed by Dude Solutions, Inc. ("DSI") for the Services, in which case the separate written agreement will govern. Acceptance is expressly limited to these Terms. Any additional or different terms proposed by Subscriber (including, without limitation, any terms contained in any Subscriber purchase order) are objected to and rejected and will be deemed a material alteration hereof.
- Acceptance of this Order Form on behalf of a company or legal entity represents that you have authority to bind such entity and its affiliates to the order, terms and conditions herein. If you do not have such authority, or you do not agree with the Terms set forth herein, you must not accept this Order Form and may not use the Service.
- The Effective Date of the Agreement between Subscriber and DSI is the date Subscriber accepts this Order Form.

Additional information

- DSI fees do not include any taxes, levies, duties, or similar government assessments for which Subscriber may be responsible. Tax exemption certifications can be sent to accountsreceivable@dudesolutions.com (<mailto:accountsreceivable@dudesolutions.com>).
- Billing frequency other than annual is subject to additional processing fees.
- Please reference Q-197283 on any applicable purchase order; address purchase order to: Dude Solutions, 11000 Regency Parkway, Suite 110, Cary, NC 27518
- Dude Solutions, Inc. maintains the necessary liability coverage for its products and professional services. Proof of insurance can be provided upon request.



Signature

Presented to:

Q-197283

August 03, 2020, 10:53:54 AM

Accepted by:

Printed Name

Signed Name

Title

Date