

**NOTICE OF
SPECIAL
STAR CITY
COUNCIL MEETING**

Star City Hall
July 28, 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. Findings of Fact & Conclusions of Law:
 - Canopi Estates Subdivision (AZ-20-07/PP-20-06/DA-20-06)
 - Rosti Farms Subdivision (AZ-20-03/PP/PUD-20-02)
 - Moon Valley Commons Subdivision (PP-20-06/DA-20-02)
 - Moon Valley Estates Subdivision (AZ-20-06/DA-20-02/MOD/PP-20-03)
5. OLD/NEW BUSINESS (**All Items Tabled From July 21, 2020**) **Action Items**
 - A. Public Hearing: Norterra Subdivision (Sample Property)
(AZ-20-05/DA-20-05/PP-20-07/PR-20-03)
 - B. Public Hearing: Whitener Property-10206 W State St. (RZ-20-04/PUD-20-05)
 - C. Public Hearing: Ridley's Heron River Commercial Sub (Les Schwab)
(RZ-20-06/DA-20-09/PP-20-09/CUP-20-03)
 - D. Public Hearing: 10040 W State St Annexation (Seneca Springs) (AZ-20-10/DA-20-08)
 - E. Request for Proposal (RFP) For Professional Services – South of the River Sub-Area Plan
7. ADJOURNMENT **Action Item**

FINDINGS OF FACT AND CONCLUSIONS OF LAW
CANOPI ESTATES SUBDIVISION
FILE NO. AZ-20-07/DA-20-06/PP-20-06

The above-entitled Annexation & Zoning, Development Agreement, and Preliminary Plat land use applications came before the Star City Council for their action on June 16, 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:

Mary Jane Marlow, 485 S. Winslow Bay Way, Star, Idaho 83669, the applicant, requested approval of an Annexation with Zoning to Residential (R-3-DA), Development Agreement and Preliminary Plat for Canopi Estates Subdivision, a residential subdivision consisting of 15 residential lots and 3 common lots. The property is located at 10609 W. New Hope Road and consists of 5 acres with a proposed density of 3 dwelling units per acre and is generally located on the south side of New Hope Road, east of Brandon Road in Star, Idaho. Ada County Parcel No. S0405244460.

B. Application Submittal:

A neighborhood meeting was held on October 29, 2019 in compliance with the application submittal requirement of the Star Unified Development Code (Section 8-1 A-6 C). The Land Use application was deemed complete on May 11, 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 May 12, 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 May 11, 2020. Notice was sent to agencies having jurisdiction in the City of Star on May 11, 2020. The property was posted in accordance with the Star Unified Development Code on June 2, 2020.

D. History of Previous Actions:

This property has not received any previous approvals from the City of Star.

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

Existing	Rural Urban Transitional (RUT)	Neighborhood Residential	Agricultural
Proposed	Residential (R-3-DA)	Neighborhood Residential	Residential Subdivision
North of site	Residential (R-3)	Neighborhood Residential	Approved Greendale Subdivision
South of site	Rural Urban Transitional (RUT)	Neighborhood Residential	Agricultural
East of site	Rural Urban Transitional (RUT)	Neighborhood Residential	Agricultural
West of site	Rural Urban Transitional (RUT)	Neighborhood Residential	Residential

F. *Site Data:*

Total Acreage of Site – 5 acres

G. *Development:*

The Applicant is seeking approval of an Annexation and Zoning (to Residential R-3-DA), a Development Agreement and a Preliminary Plat for a proposed residential subdivision consisting of 15 residential lots.

ANNEXATION & REZONE:

The annexation and zoning from County Rural Urban Transition (RUT) to Residential (R-3-DA) on the applicant's property will allow for the development and subdivision of the subject property into a residential subdivision that will be consistent with the Comprehensive Plan. The overall density of the proposed development as submitted is 3 dwelling units per acre. The current Comprehensive Plan Land Use Map designates this property as Neighborhood Residential. The requested land use of residential within the annexation and zoning application meets the intent of the zoning designation and Comprehensive Plan.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 15 single family residential lots and 3 common area lots. The residential lots range in size from 9,500 square feet to 10,600 square feet. All streets are proposed to be public, ACHD maintained roadways.

The applicant has indicated that the development will contain a total of 33,323 square feet (15.3%) total open space within the common lots, including a 21, 939 square foot (10.1%) park, 1,316 square feet (.6%) street landscaping buffer along New Hope Road, and 11,449 square feet (5.5%) of planting strips along the roadway. The development is required to provide a minimum of 15% open space, 10% usable. The open space provided by the applicant currently includes a large open space park with amenities including a pathway, benches and a proposed Osprey nesting pole on the west side of the park (subject to approval by Idaho Power). The open space and amenities provided exceeds the minimum requirements of the UDC. It doesn't appear from the plans submitted that drainage will be contained within the useable common area lots.

ADDITIONAL DEVELOPMENT FEATURES:

- Streetlights – Locations for decorative streetlights are not reflected within the application. Locations shall be addressed along with design and description of said lights in the final plat application. Dark sky lighting shall apply.
- Landscaping –The applicant has submitted a landscape plan meeting the requirements for residential subdivisions. All new trees within open space areas and buildable lots shall use the "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.
- Streets & Sidewalks – The applicant is proposing detached sidewalks with 8' planting strips and a 36' street section from back of curb to back of curb.
- Additional Items:
 - A subdivision sign location has not been designated for this development. A sign permit application shall be submitted prior to any sign installation.
 - The ingress/egress will be taken from W. New Hope Road. The frontage is part of the realignment of Beacon Light Road as part of the Greendale Subdivision located north of the subject site. ACHD has reclassified New Hope Road as a local street in front of the development.
 - Fencing is not shown on the submitted plat or landscape plan. A fencing plan shall be submitted with the final plat application. The applicant should be prepared to discuss fencing with the Council during the public hearing.
 - Irrigation to the property will be provided by the Middleton Mill Irrigation District.
 - If a pump house is proposed, a location needs to be called out on the site plans and identified in the "Notes".

- All block lengths are less than the maximum requirement of 750 feet.
- The applicant has not indicated if the subdivision will be built in multiple phase. If phasing is requested, the applicant must submit a phasing plan prior to the public hearing to be approved by Council.
- The application does not indicate location of mailbox clusters in the subdivision. The applicant should contact the postmaster in Star to coordinate location.

Sidewalks – The applicant is not proposing sidewalks within the development. With an adequate street width established and the small number of lots, staff is supportive of no sidewalks in the development. CHD4 is not requiring sidewalks along Foothill Road. 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 – None.
- ★ 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 9, 2020
Central District Health	May 14, 2020
ITD	No Response
Keller and Associates	May 19, 2020
ACHD	June 10, 2020
HRM Pipeline (Jerry Kiser)	May 13, 2020

J. Staff did not receive any letters from the public in opposition.

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

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Neighborhood Residential:

Suitable primarily for single family residential use. Densities in the majority of this land use area are to range from 3 units per acre to 5 units per acre. Densities not exceeding 1 to 2 units per acre are to be encouraged in areas of the floodplain, ridgeline developable areas, hillside developable areas, and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where those existing larger lots are not likely to be subdivided in the future.

8.3 Goal:

Encourage the development of a diverse community that provides a mix of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible, an assortment of amenities within walking distance of residential development.

8.4 Objectives:

- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.

8.5.3 Policies Related Mostly to the Urban Residential Planning Areas:

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

B. Low densities within the Neighborhood Residential Land Use are to be designed within the floodplain, ridgeline developable areas, hillside developable areas and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Work with Ada County Highway District (ACHD), Canyon Highway District #4 (CHD4), and Idaho Department of Transportation (ITD) for better coordination of roadway and access needs.
- Support well-planned, pedestrian-friendly developments.

- Dark sky provision should be adopted within the code to assure down style lighting in all developments and Star should consider joining the International Dark Sky Association.

Unified Development Code:

8-1B-1: ANNEXATION AND ZONING; REZONE:

B. Standards:

1. The subject property shall meet the minimum dimensional standards of the proper district.
2. The city may require a development agreement in conjunction with the annexation and zoning, or rezone, pursuant to Idaho Code section 67-6511A, which may include a concept plan. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through execution of a development agreement. A development agreement and concept plan shall be required for any rezone to a mixed-use zone, high density zone or land which includes steep slope (land over 25%) or floodway.
3. The termination of a development agreement shall result in the reversal of the official zoning map amendment approval and applicable development approval for any undeveloped portion of property subject to the development agreement. The undeveloped property subject to the development agreement shall be rezoned to the district classification as designated by the development agreement. When no designation is provided, the property shall revert to its original zoning or, if the original designation no longer exists, to the closest current equivalent zoning as determined by the current Comprehensive Plan Land Use Map designation.
4. An amendment or termination of a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.
5. An approved development agreement must be executed within ninety (90) days of the meeting at which the development agreement is approved by the city council. A one-time administrative extension of maximum thirty (30) days may be granted by the zoning administrator. Additional extensions may be approved by majority vote of the city council. Failure to execute the development agreement within the required timeframe will result in the denial of all related applications.

C. Required Findings: The council shall review the application at the public hearing. In order to grant an annexation and zoning or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;
2. The map amendment complies with the regulations outlined for the proposed district;
3. The map amendment shall not be materially detrimental to the public health, safety, and

welfare; and

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.

5. The annexation (as applicable) is in the best interest of city.

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

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

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

8-3A-3: USES WITHIN ZONING DISTRICTS

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

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

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

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

Notes:

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

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

A. Open Space and Site Amenity Requirement (see also Chapter 8 "Architectural Review"):

1. The total land area of all common open space shall equal or exceed fifteen percent (15%) of the gross land area of the development. Ten percent (10%) of that area shall be usable open space.
2. Each development is required to have at least one site amenity.

3. One additional site amenity shall be required for each additional twenty (20) acres of development area, plus one additional amenity per 75 residential units.
 4. Developments with a density of less than 1 dwelling units per acre may request a reduction in total required open space and amenities to the Council. Developments with a density of less than 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.
 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.

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

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

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

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

The goal of the Comprehensive Plan for Residential Districts is to encourage the development of a diverse community that provides a mixture of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible provides an assortment of amenities within walking distance of a residential development. The Council finds that this annexation and rezone is in compliance with the Comprehensive Plan.

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

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

Required Findings for Preliminary Plats (UDC §8-6B-6):

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 in previous agricultural production.

Public Hearing of the Council:

- a. A public hearing on the application was held before the City Council on June 16, 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:
Mary Jane Marlow, 485 S. Winslow Bay Way, Star, Idaho 83669, the applicant.
- c. Oral testimony to the application was further presented to the Council by:

None

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 fencing and open space, stub streets and future connection issues with New Hope Road.

Statement of Compliance:

Council finds the Applicant has met all requirements of the Unified Development Code and the intent and purpose of the Comprehensive Plan and Map requirements.

The Owner requested the annexation and rezone from Rural Transition (RUT-Ada County) to Residential (R-3-DA) with a Development Agreement, which fits within the neighboring properties.

Conditions of Approval:

1. The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. These fees will be collected by the City of Star, by phase, prior to final plat signature. The development agreement shall be signed and recorded as part of the ordinance for annexation and zoning.
2. The approved Preliminary Plat for Canopi Estates Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
3. The property with the approved Preliminary Plat shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
4. **Applicant/Owner shall submit a streetlight plan/design prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and shall be of the same design throughout the entire property.**
5. 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 Staff prior to start of construction.**

6. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
7. 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.
8. 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)
9. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
10. A 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.
11. 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.
12. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
13. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
14. 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.
15. All State, Federal and Local rules and regulations regarding development in the Special Hazard Areas (Floodplain/Floodway) shall be adhered to, if applicable.

Council Decision:

The Council voted unanimously to approve the Annexation and Zoning to Residential (R-3-DA), Development Agreement and Preliminary Plat for Canopi Estates Subdivision on June 16, 2020.

Dated this _____ day of _____, 2020.

Star, Idaho

By: _____

ATTEST:

Trevor A. Chadwick, Mayor

Cathy Ward, City Clerk

DRAFT
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** 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 as set forth in **Exhibit B**, which is attached hereto and incorporated herein by this reference.

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.

As to the Parcel shown on **Exhibit C**, Owner is allowed to develop 5 acres as follows:

- Zoning Classification: The zoning classification shall be a R-3-DA.
- A maximum of 15 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 D, 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

ATTEST:

Cathy Ward, City Clerk

[signatures continued on following page]

_____, LLC

By: _____
_____, Manager

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 _____, known or identified to me to be the Manager of _____, LLC, the Idaho limited liability company that executed the within and foregoing instrument, and acknowledged to me that such Idaho limited liability company executed the same.

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

EXHIBIT A-1

EXHIBIT A-2



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

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

MEETING DATE: July 28, 2020 – PUBLIC HEARING (**tabled from July 21, 2020**)

FILE(S) #: **AZ-20-05 Annexation and Zoning**
DA-20-05 Development Agreement
PP-20-07 Preliminary Plat for Norterra Subdivision
PR-20-03 Private Street

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Dan Sample
12080 W. State Street
Star, Idaho 83669

Representative:

Tamara Thompson, The Land Group, Inc.
462 E. Shore Drive #100
Eagle, ID 83669

Applicant:

TG Development
P.O. Box 910188
St. George, UT 84791

REQUEST

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

PROPERTY INFORMATION

Property Location: The subject property is generally located on the north side of W. State Street, at the northeast corner of Can Ada Road and State Street in Star, Idaho. Ada County Parcel Numbers S0407336010 & S0407347000.

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

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

Flood Zone: The development is located outside a special flood hazard zone per FEMA FIRM panel #16001C0125H. Zone X.

Special On-Site Features:

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No known areas.
- ✧ Fish Habitat – No known areas.
- ✧ Mature Trees – No.
- ✧ Riparian Vegetation – No known areas.
- ✧ Steep Slopes – No.
- ✧ Stream/Creek – None.
- ✧ Unique Animal Life – No unique animal life has been identified.
- ✧ Unique Plant Life – No unique plant life has been identified.
- ✧ Unstable Soils – No known issues.
- ✧ Wildlife Habitat – No wildlife habitat has been developed or will be destroyed.
- ✧ Historical Assets – No historical assets have been observed.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	July 24, 2019 & November 8, 2019
Neighborhood Meeting Held	November 2, 2019
Application Submitted & Fees Paid	May 8, 2020
Application Accepted	June 8, 2020
Residents within 300' Notified	June 9, 2020
Agencies Notified	June 9, 2020
Legal Notice Published	June 11, 2020
Property Posted	July 9, 2020

HISTORY

This property has always been in agricultural production.

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

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

ZONING ORDINANCE STANDARDS / COMPREHENSIVE PLAN

UNIFIED DEVELOPMENT CODE:

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

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

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.

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.

8-3A-3: USES WITHIN ZONING DISTRICTS

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

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

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

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

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

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

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

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

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

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

A. Design Standards:

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

private street shall be approved by the transportation authority.

3. Emergency Vehicle: The private street shall provide sufficient maneuvering area for emergency vehicles as determined and approved by the Star Fire District.

4. Gates: Gates or other obstacles shall not be allowed, unless approved by Council through a Planned Unit Development or Development Agreement.

B. Construction Standards:

1. Obtain approval from the county street naming committee for a private street name(s);

2. Contact the transportation authority to install an approved street name sign that complies with the regulations of the county street naming ordinance;

3. Roadway and Storm Drainage: The private street shall be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the city of Star based on plans submitted by a certified engineer.

4. Street Width: The private street shall be constructed within the easement and shall have a travel lane that meets ACHD width standards for the City of Star, or as determined by the Council and Star Fire District.

5. Sidewalks: A five foot (5') attached or detached sidewalk shall be provided on one side of the street in commercial districts. This requirement may be waived if the applicant can demonstrate that an alternative pedestrian path exists.

6. Fire Lanes: All drive aisles as determined by the Star Fire District to be fire lanes, shall be posted as fire lanes with no parking allowed. In addition, if a curb exists next to the drive aisle, it shall be painted red.

7. No building permit shall be issued for any structure using a private street for access to a public street until the private street has been approved.

C. The applicant or owner shall establish an on-going maintenance fund through the Owner's association with annual maintenance dues to ensure that funds are available for future repair and maintenance of all private streets. This shall be a requirement in a development agreement and/or as part of a planned unit development. A reserve account condition shall be included in the recorded CC&R's and shall be provided to the City for review. The condition of approval shall include the following:

1. Private Road Reserve Study Requirements.

- a. At least once every three years, the board shall cause to be conducted a reasonably competent and diligent visual inspection of the private road components that the association is obligated to repair, replace, restore, or maintain as part of a study of the reserve account requirements of the common interest development, if the current replacement value of the major

components is equal to or greater than one-half of the gross budget of the association, excluding the association's reserve account for that period. The board shall review this study, or cause it to be reviewed, annually and shall consider and implement necessary adjustments to the board's analysis of the reserve account requirements as a result of that review.

- b. The study required by this section shall at a minimum include:
 - i. Identification of the private road components that the association is obligated to repair, replace, restore, or maintain.
 - ii. Identification of the probable remaining useful life of the components identified in paragraph (1) as of the date of the study.
 - iii. An estimate of the cost of repair, replacement, restoration, or maintenance of the components identified in paragraph (1).
 - iv. An estimate of the total annual contribution necessary to defray the cost to repair, replace, restore, or maintain the components identified in paragraph (1) during and at the end of their useful life, after subtracting total reserve funds as of the date of the study.
 - v. A reserve funding plan that indicates how the association plans to fund the contribution identified in paragraph (4) to meet the association's obligation for the repair and replacement of all private road components.
- c. A copy of all studies and updates shall be provided to the City, to be included in the development application record.

8-4D-4: REQUIRED FINDINGS (PRIVATE STREETS):

In order to approve the application, the administrator and/or Council shall find the following:

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

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

A. Open Space and Site Amenity Requirement (see also Chapter 8 "Architectural Review"):

- 1. The total land area of all common open space shall equal or exceed fifteen percent (15%) of the gross land area of the development. Ten percent (10%) of that area shall be usable open space.
- 2. Each development is required to have at least one site amenity.
- 3. One additional site amenity shall be required for each additional twenty (20) acres of

development area, plus one additional amenity per 75 residential units.

4. Developments with a density of less than 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.

5. For multi-family developments, see Section 8-5-20 for additional standards.

B. Qualified Open Space: The following may qualify to meet the common open space requirements:

1. Any open space that is active or passive in its intended use, and accessible or visible by all residents of the development, including, but not limited to:

a. Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;

b. Qualified natural areas;

c. Ponds or water features where active fishing, paddle boarding or other activities are provided (50% qualifies towards total required open space, must be accessible by all residents to qualify.) ponds must be aerated;

d. A plaza.

2. Additions to a public park or other public open space area.

3. The buffer area along collector and arterial streets may be included in required overall common open space for residential subdivisions.

4. Parkways along local residential streets with detached sidewalks that meet all the following standards may count toward the common open space requirement:

a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk and includes street trees as specified otherwise herein.

b. Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.

c. Stormwater detention facilities do not qualify to meet the common area open space requirements, unless all of the following is met:

1. Must be at least fifty feet by one hundred feet (50' x 100') in area;
2. Specifically designed as a dual use facility, as determined by the administrator, to include minimal slopes, grass throughout, and guarantee of water percolation within 24 hours of storm event.
3. Is located in a development that has a second usable open space area that contains a qualified site amenity as herein defined.

5. Visual natural space, including open ditches, wetlands, slopes or other areas that may not be readily accessible to residents, and is provided with open style fencing, may qualify for up to 20% of the required open space total.

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

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

E. Maintenance:

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

8-6B-2: IMPROVEMENT STANDARDS:

B. Streets:

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

also be dedicated to public use.

2. Street Specifications: The design, location, and widths of all street and street intersections shall comply with the requirements of the transportation authority and Fire District, unless alternative standards are adopted by the city of Star. Public street widths shall be a minimum of thirty-six feet (36') unless specifically approved by Council.

3. Street Names: The naming of streets shall conform to the requirements of the county street naming committee, with the following exceptions:

a. The street name shall generally comply with this subsection.

b. Street names shall not duplicate any existing street name within the county, except where a new street is a continuation of an existing street.

c. Street names that may be spelled differently but sound the same as existing streets shall not be used.

d. All new streets shall be named as follows: streets having predominantly north-south direction shall be named "Avenue" or "Road"; streets having a predominantly east-west direction shall be named "Street" or "Way"; meandering streets shall be named "Drive", "Terrace", "Path", or "Trail"; and cul-de-sacs shall be named "Circle", "Court", and "Place". Private streets shall be named "Lane".

e. For streets that provide primary access to a subdivision or neighborhood and that align with an existing or planned street across an intersection that is not part of the same subdivision or neighborhood, the street name shall not duplicate the name of the subdivision or neighborhood.

f. Proposed streets which are a continuation of an existing street shall be given the same name as the existing street.

g. Street name signs shall be installed in the appropriate locations at each street intersection.

4. Cul-De-Sacs: No street that ends in a cul-de-sac or a dead end shall be longer than seven hundred fifty feet (750').

5. Alleys: All alleys shall be approved by the Fire District and shall have a minimum of twenty-foot (20') right of way and shall be paved, unless otherwise required.

6. Coving: Coving, or meandering design of roadways shall be encouraged, where reasonable, to provide a unique feel to a neighborhood versus a standard grid roadway system. The grid system may also be utilized where appropriate to provide for a variety of street designs within the overall project.

D. Common Driveways:

1. Maximum Dwelling Units Served: Common driveways shall serve a maximum of two (2) dwelling units and shall be approved by the Fire District.
2. 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:

Compact Residential

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

Central Business District

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

8.3 Goal:

Encourage the development of a diverse community that provides a mix of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible, an assortment of amenities within walking distance of residential development.

8.4 Objectives:

- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.

8.5.3 Policies Related Mostly to the Urban Residential Planning Areas:

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

B. Low densities within the Neighborhood Residential Land Use are to be designed within the floodplain, ridgeline developable areas, hillside developable areas and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where

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

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

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

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Encourage landscaping to enhance the appearance of subdivisions, structures, and parking areas.
- Require more open space and trees in subdivisions.
- Work with Ada County Highway District (ACHD), Canyon Highway District #4 (CHD4), and Idaho Department of Transportation (ITD) for better coordination of roadway and access needs.
- Support well-planned, pedestrian-friendly developments.

- Dark sky provision should be adopted within the code to assure down style lighting in all developments and Star should consider joining the International Dark Sky Association.
- The City should utilize the 2018 Treasure Valley Tree Selection Guide when requiring trees within developments.

18.4 Implementation Policies:

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

PROJECT OVERVIEW

ANNEXATION & REZONE:

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

PRELIMINARY PLAT:

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

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

COMMERCIAL USES:

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

ADDITIONAL DEVELOPMENT FEATURES:

- Sidewalks
Sidewalks are proposed at five-foot (5') widths and will be attached throughout the residential portion of the subdivision, along Highbrook Way, and along the entirety of N. Can Ada Road. W. State Street has a proposed sidewalk along the frontage of the commercial development. Section 8-4A-17 of the UDC requires sidewalks along State Street in the CBD to be a minimum of 8 feet.
- Lighting
Streetlights and parking lot lighting shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire portions of the residential and commercial developments.
- Street Names
Street names will be approved by the Ada Street Naming Committee prior to signature of final plat.
- Setbacks/Design/Dimensional Standards – Special setbacks and design standards have been requested by the applicant through the Development Agreement. The dimensional standards for the residential portion of the development requested include the following:

Minimum Street Frontage	24 Feet
Front Setbacks	15 Feet
Rear Setbacks	10 Feet**
Interior Side Setbacks	5 Feet
Street Side Setbacks	10 Feet (Local Streets)
Street Landscape Buffer	35 Feet (Collector Roadway)
Minimum Building Height	35 Feet

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

AGENCY RESPONSES

Star Fire District	July 13, 2020
Keller and Associates	June 9, 2020
Ada County Development Services	July 1, 2020
COMPASS	June 16, 2020
Central District Health Dept	June 17, 2020
DEQ	June 19, 2020
ITD	July 20, 2020
ACHD	July 14, 2020/Final Report Pending

PUBLIC RESPONSES

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

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of the design, layout and density of the residential and commercial components of this development application, with the proposed conditions of approval.

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed annexation and zoning, development agreement, and preliminary plat meets the requirements, standards and intent for development as they relate to the Unified Development Code and the Comprehensive Plan. The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the applications, either as presented or with added conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date.

FINDINGS

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

ANNEXATION/REZONE FINDINGS:

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

The purpose of the Star Comprehensive Plan is to promote the health, safety, and general welfare of the people of the City of Star and its Impact Area. Some of the prime objectives of the Comprehensive Plan include:

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

The goal of the Comprehensive Plan for Land Use is to encourage the development of a diverse community that provides a mixture of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible provides an assortment of amenities within walking distance of a residential development. The City must find compliance with the Comprehensive Plan.

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

The City must find that the proposal complies with the proposed district and purpose statement. The purpose of the residential districts is to provide regulations and districts for various residential neighborhoods with gross densities in compliance with the intent of the Comprehensive Plan designation. Housing shall be single family detached unless approved with a PUD or development agreement. Connection to municipal water and sewer facilities are required for all subdivision and lot split applications in all districts exceeding one dwelling unit per acre. Private streets may be approved in this district for access to newly subdivided or split property. The purpose of the central business district is to provide for commercial, retail, civic, office, and entertainment uses.

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

The City must find that there is no indication from the material submitted by any political agency stating that this annexation and zoning of this property will be materially detrimental to the public health, safety or welfare.

4. The map amendment shall not result in an adverse impact upon the delivery of services by

any political subdivision providing public services within the city including, but not limited to, school districts.

The City must find that it has not been presented with any information from agencies having jurisdiction that public services will be adversely impacted other than traffic, which will continue to be impacted as the City grows.

5. The annexation is in the best interest of the city.

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

PRELIMINARY PLAT FINDINGS:

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

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

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

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

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

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

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

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

The City must find that it has not been presented with any facts stating this Preliminary Plat will be materially detrimental to the public health, safety and welfare. Residential uses are a permitted use.

5. The development preserves significant natural, scenic or historic features;

The City must find that there are no known natural, scenic, or historic features that have been identified within this Preliminary Plat.

PRIVATE STREET FINDINGS:

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

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

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

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

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

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

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

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

CONDITIONS OF APPROVAL

1. The approved Preliminary Plat for Norterra Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. These fees will be collected by the City of Star, by residential phase prior to final plat signature, and as commercial uses are reviewed and approved by the City.
3. All private streets shall have a minimum street width of 30' and shall be constructed to ACHD standards. Common drives shall meet the requirements of the Star Fire District.
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. Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees.
6. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
7. 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.
8. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
9. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
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 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.

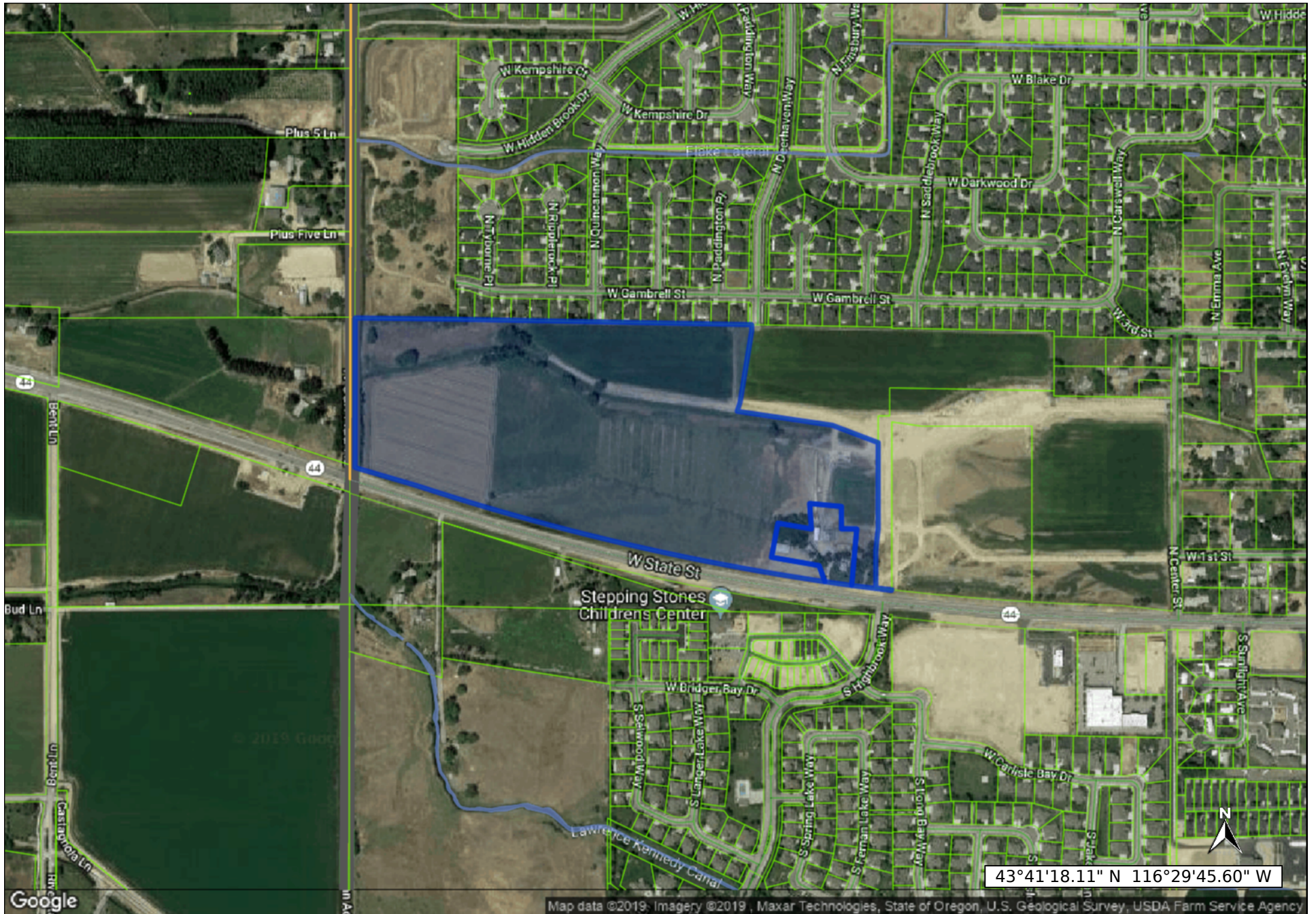
12. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
13. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Homeowners Association. Streetlights shall be installed prior to any building occupancy. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting.
14. All common areas shall be maintained by the Homeowners Association.
15. 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.**
16. A sign application is required for any subdivision signs.
17. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION

The Star City Council _____ File #AZ-20-05/ DA-20-05/PP-20-07 for Norterra Subdivision on _____, 2020.

Vicinity Map

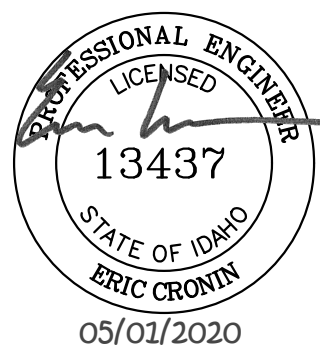
Sample Mixed Use



NORTERRA MIXED USE
TG Development, LLC

NE CORNER CAN ADA RD & SH 44
Star, Id

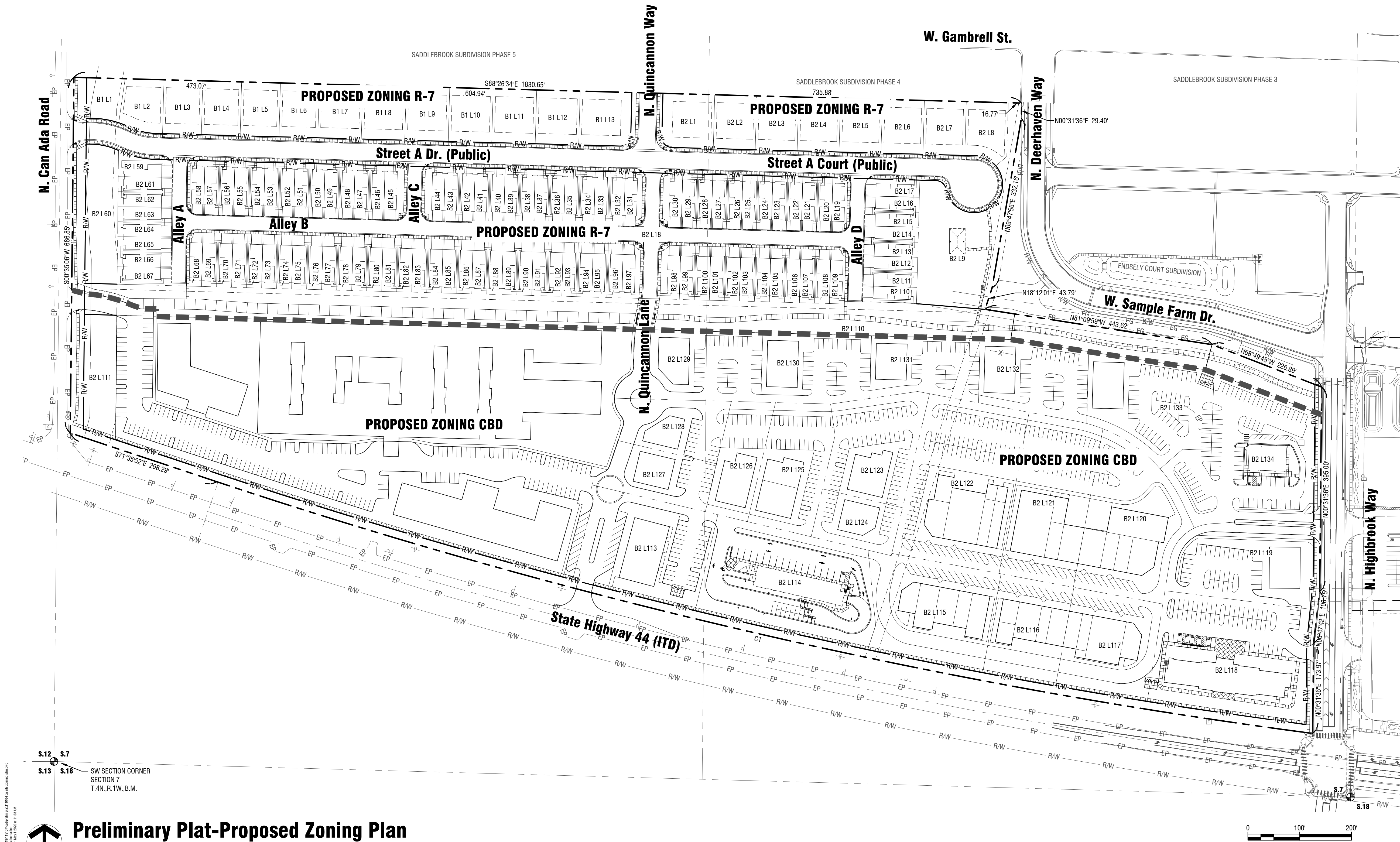
Revisions
1.



Project No.: 119104
Date of Issuance: 05.01.2020
Project Milestone: Pre Plat

Preliminary Plat
Proposed Zoning Plan

PP-01A



Preliminary Plat-Proposed Zoning Plan

Horizontal Scale: 1" = 100'

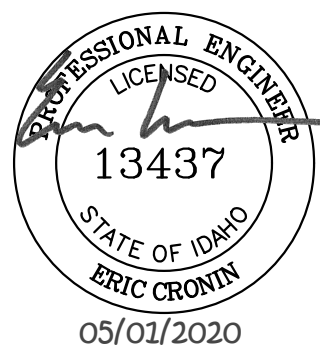
S.12 S.7
S.13 S.18
SW SECTION CORNER
SECTION 7
T.4N., R.1W., B.M.

File Location: c:\310119104\plan\set\19104a.dwg
User: jason@landgroup.com
Date: 05/01/2020
Time: 11:53 AM

NORTERRA MIXED USE
TG Development, LLC

NE CORNER CAN ADA RD & SH 44
Star, Id

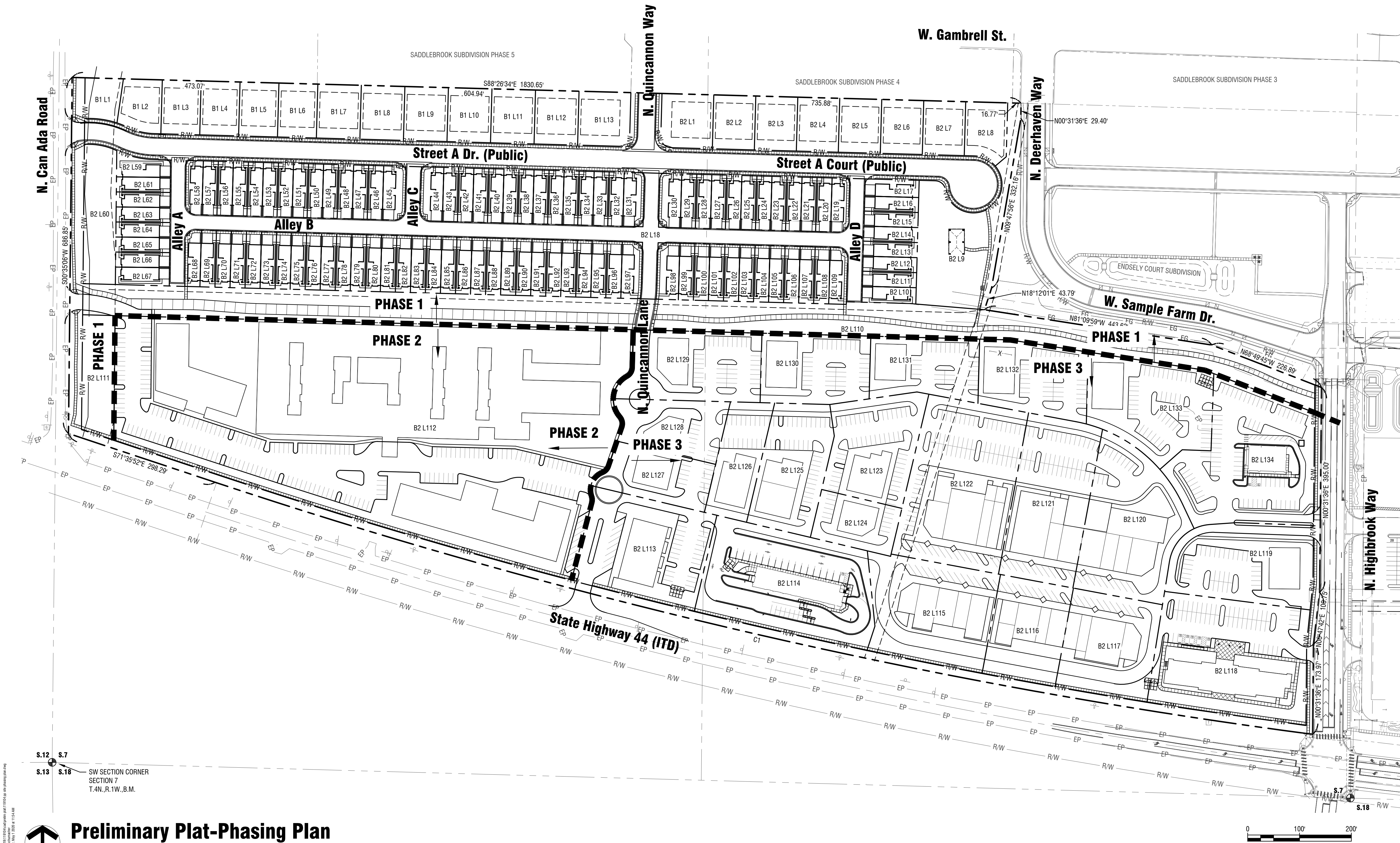
Revisions
1.



Project No.: 119104
Date of Issuance: 05.01.2020
Project Milestone: Pre Plat

Preliminary Plat
Phasing Plan

PP-01B



SW SECTION CORNER
SECTION 7
T.4N., R.1W., B.M.

Preliminary Plat-Phasing Plan

Horizontal Scale: 1" = 100'

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User: eric.cronin
Date: 05/01/2020
Time: 11:54 AM

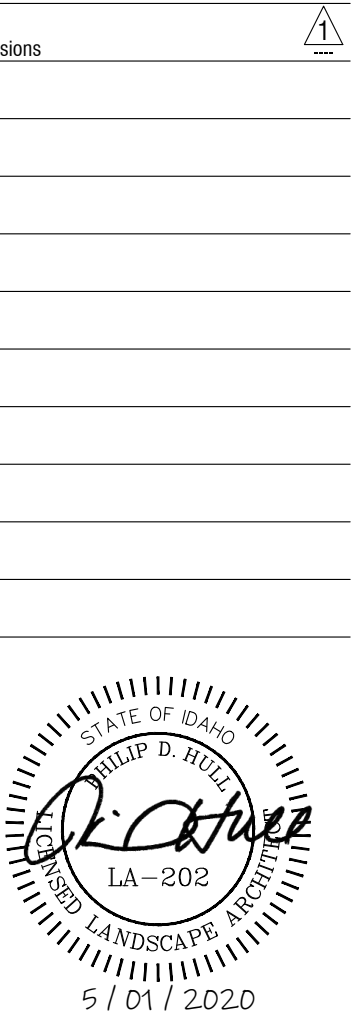


**NORTERRA MIXED USE
TG Development, LLC**

NE CORNER CAN ADA RD & SH 44
Star, Id

Revisions

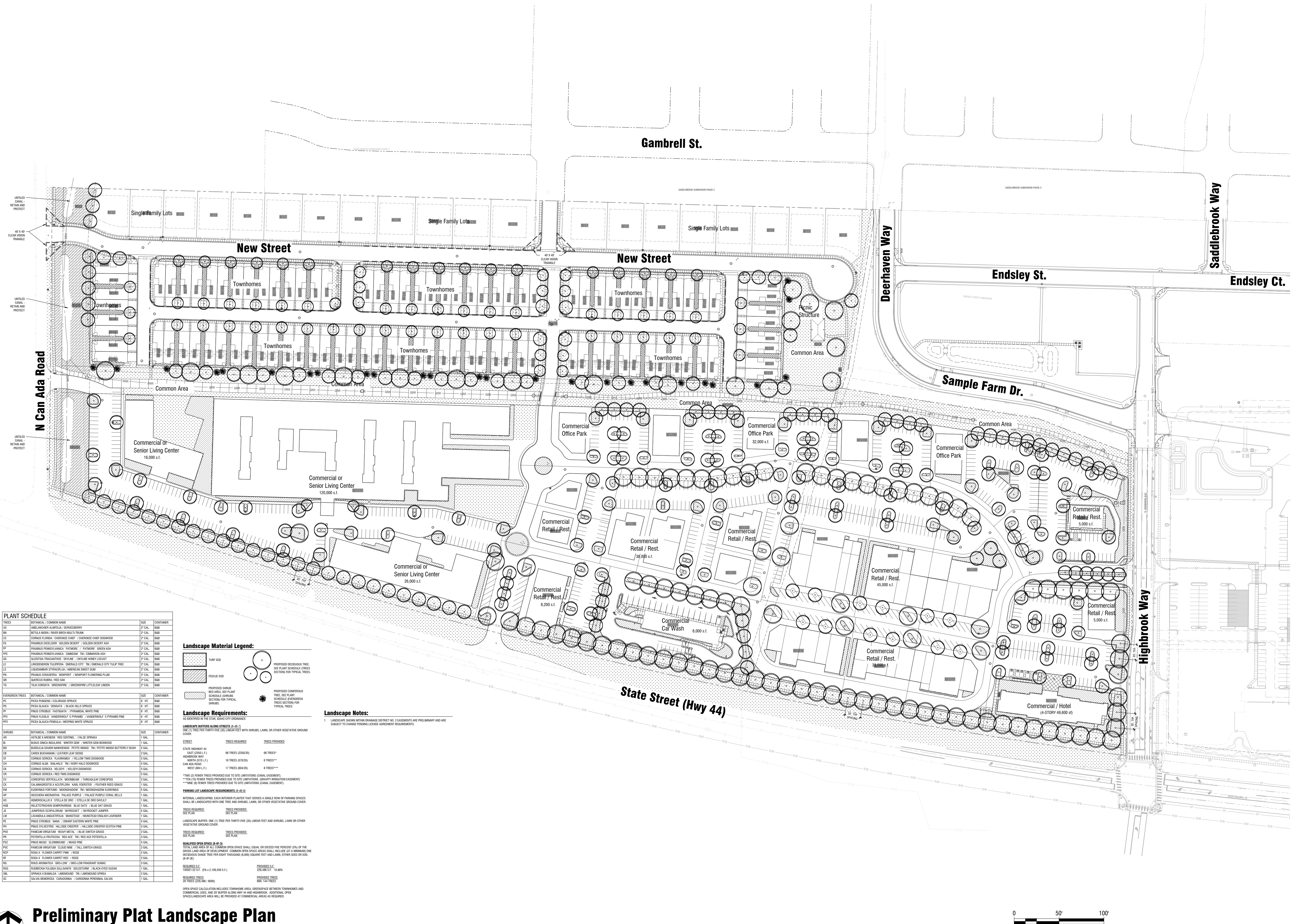
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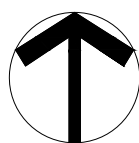
Project No.:	119104
Date of Issuance:	05.01.2020
Project Milestone:	Pre Plat

Preliminary Plat Landscape Plan

PP-40



File Location: g:\2019\119104\field\profile plain\119104 pp landscape (plain.vdw)
Last Plotted By: gary schumacher
Date Plotted: Friday, May 1 2020 at 10:47 AM





May 4, 2020

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

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

Dear Shawn,

Attached to this letter are applications for Annexation and Zoning (with Development Agreement), and preliminary plat for the Norterra Mixed Use development. This application includes parcels S0407336010 (46.43 acres) and S0407347000 (2 acres) for a total of 48.43 acres.

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

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

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

Current zoning and annexation area (site in grey):



Annexation Area Aerial (site in grey):

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

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

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

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

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

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

The proposed R-7 building setbacks are:

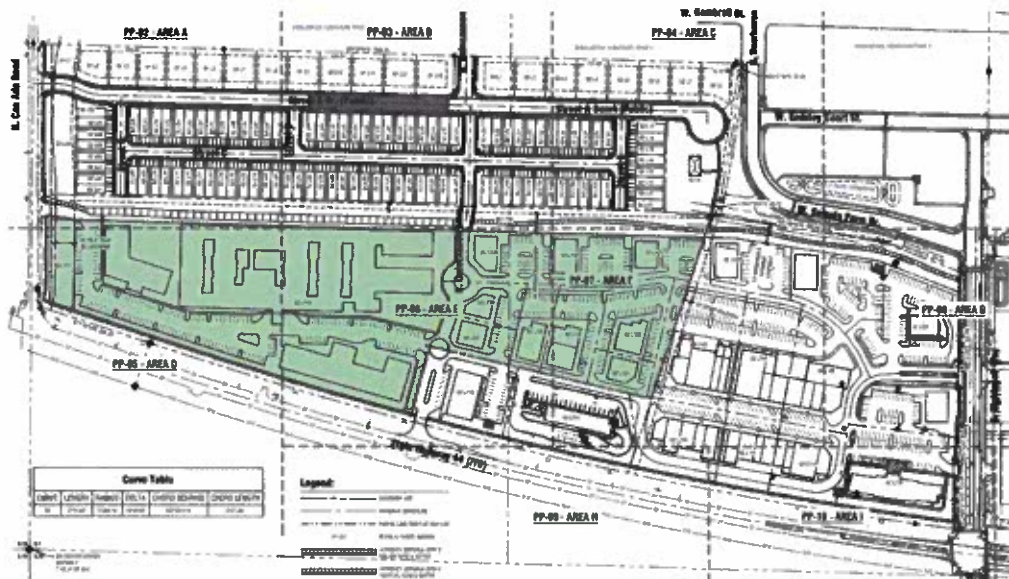
DIMENSIONAL STANDARDS:

<u>R-7 (Code)</u>	<u>PROPOSED:</u>
MINIMUM STREET FRONTAGE	35-FT
FRONT SETBACK:	15-FT
REAR SETBACK:	15-FT
INTERIOR SIDE SETBACK:	5-FT
STREET SIDE SETBACK:	20-FT (LOCAL)
STREET LANDSCAPE BUFFER:	35-FT (COLLECTOR)
MAXIMUM BUILDING HEIGHT:	35-FT

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

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

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



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

Contact information for the irrigation district and DD2 are:

Middleton Mill Irrigation District: mm_mi@juno.com

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

Preliminary Plat:

In total, the preliminary plat includes 149 lots.

Project Site: 48.43 total acres

New Public R/W: 3.73 acres

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

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

Single Family homes (north property line): 20 units

Townhouse: 98 units

Common Lots: 8

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

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

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

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

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

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

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

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

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

Sincerely,

A handwritten signature in black ink, reading "Tamara Thompson". The signature is fluid and cursive, with the first name "Tamara" written in a larger, more prominent script than the last name "Thompson".

Tamara Thompson
Director of Client Services

The Land Group, Inc.

Townhouse Concept Elevations









STAR FIRE PROTECTION DISTRICT

Office of the Fire Chief

Greg Timinsky

11665 W State St Suite B

Star, ID 83669

July 13, 2020

To: City of Star

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

Development: Norterra Subdivision

From: Chief Greg Timinsky

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

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

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

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

Cul-de-sac must be unobstructed 96' min

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

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

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

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

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

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

Sincerely,

Greg Timinsky,
Fire District Chief

Original to Requester/ Copy retained by Chief



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

(208) 288-1992

June 9, 2020

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

Re: Norterra Subdivision Preliminary Plat Application

Dear Mayor:

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

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

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

We recommend that the **conditions 1 through 7 listed above be addressed prior to approval of the Preliminary Plat**. Any variance or waivers to the City of Star standards, ordinances, or policies must be specifically approved in writing by the City. Approval of the above-referenced Preliminary Plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

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

Sincerely,

KELLER ASSOCIATES, INC.

DocuSigned by:



47A2F17B796F4EF

Ryan V. Morgan, P.E.
City Engineer

cc: File



Richard Beck
Interim Director

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

Department Divisions
Building
Community Planning
Engineering & Surveying
Permitting

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

ADA COUNTY Development Services Department

July 1, 2020

Via Email: snickel@staridaho.org

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

RE: Annexation / 10040 W State Street

Shawn,

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

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

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

Thank you for this opportunity to provide feedback.

Sincerely,

A handwritten signature in cursive script that reads "Brent Moore".

Brent Moore, MCMP, AICP
Community & Regional Planner
Ada County Development Services



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

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

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat PP-20-07

Norterra

- ☐ 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 CDHD.
- ☐ 14. _____

Reviewed By: [Signature]

Date: 6/17/2020

Communities in Motion 2040 2.0 Development Review

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

Development Name: Norterra






Agency: Star

CIM Vision Category: Future Neighborhoods

New households: 118

New jobs: ±380

Exceeds CIM forecast: No

	CIM Corridor: Highway 44 Pedestrian level of stress: R Bicycle level of stress: PG-13	Level of Stress considers facility type, number of vehicle lanes, and speed. Roads with G or PG ratings better support bicyclists and pedestrians of all ages and comfort levels.
	Housing within 1 mile: 1,320 Jobs within 1 mile: 300 Jobs/Housing Ratio: 0.2	A good jobs/housing balance – a ratio between 1 and 1.5 – reduces traffic congestion. Higher numbers indicate the need for more housing and lower numbers indicate an employment need.
	Nearest police station: 1.0 mile Nearest fire station: 1.0 mile	Developments within 1.5 miles of police and fire stations ensure that emergency services are more efficient and reduce the cost of these important public services.
	Farmland consumed: Yes Farmland within 1 mile: 833 acres	Farmland contributes to the local economy, creates additional jobs, and provides food security to the region. Development in farm areas decreases the productivity and sustainability of farmland.
	Nearest bus stop: 0.8 miles Nearest public school: 0.8 miles Nearest public park: 1.3 miles Nearest grocery store: 0.7 miles	Residents who live or work less than ½ mile from critical services have more transportation choices. Walking and biking reduces congestion by taking cars off the road, while supporting a healthy and active lifestyle.

Recommendations

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

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

Web: www.compassidaho.org

Email info@compassidaho.org

More information about the development review process:

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

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

Regionally Significant: ☒

Key #: 20266

Requesting Agency: ITD

Project Year: 2023

Total Previous Expenditures: \$413

Total Programmed Cost: \$8,600

Total Cost (Prev. + Prog.): \$9,013

Project Description : Add an additional westbound and eastbound lane to improve congestion and reduce crashes along SH-44 (State Street) from SH-16 to Linder Road near the City of Eagle.

COMPASS PM:

Congestion Reduction/System Reliability
Freight Movement and Economic Vitality
Transportation Safety
Community Infrastructure

Federal PM:



Funding Source TECM			Program State Hwy - Safety & Capacity (Safety)					Local Match 100.00%	
Cost Year*	Preliminary Engineering	Preliminary Engineering Consulting	Right-of-Way	Utilities	Construction Engineering	Construction	Total	Federal Share	Local Share
2020	0	50	50	0	0	0	100	0	100
2023	0	0	0	0	750	7,750	8,500	0	8,500
Fund Totals:	\$0	\$50	\$50	\$0	\$750	\$7,750	\$8,600	\$0	\$8,600

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

Regionally Significant: ☒

Key #: 20574

Requesting Agency: ITD

Project Year: 2024

Total Previous Expenditures: \$200

Total Programmed Cost: \$8,700

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

Project Description : Widen SH-44 (State Street) from Star Road to SH-16 in Ada County. An additional lane in both directions will alleviate congestion issues and improve safety.

COMPASS PM:

Congestion Reduction/System Reliability
Freight Movement and Economic Vitality
Transportation Safety
Community Infrastructure

Federal PM:



Funding Source TECM			Program State Hwy - Safety & Capacity (Capacity)					Local Match 100.00%	
Cost Year*	Preliminary Engineering	Preliminary Engineering Consulting	Right-of-Way	Utilities	Construction Engineering	Construction	Total	Federal Share	Local Share
2020	100	1,100	0	0	0	0	1,200	0	1,200
2021	0	0	1,000	0	0	0	1,000	0	1,000
2024	0	0	0	0	500	6,000	6,500	0	6,500
Fund Totals:	\$100	\$1,100	\$1,000	\$0	\$500	\$6,000	\$8,700	\$0	\$8,700



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
John H. Tippetts, Director

June 19, 2020

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

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

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.

DEQ recommends the city/county require the development and submittal of a dust prevention and control plan prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

Citizen complaints received by DEQ regarding fugitive dust from development and construction activities will be referred to the city or county to address under their ordinances.

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

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

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

2. Wastewater and Recycled Water

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.

All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. Drinking Water

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.

All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: deq.idaho.gov/water-quality/drinking-water.aspx). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for

protection of ground water resources.

- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. Surface Water

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.
- Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. A Construction General Permit from EPA may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource 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#2020AEK151



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Your Economic Opportunity**

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

July 20, 2020

Shawn Nickel
City Clerk
P.O. Box 130
Star, Idaho 83669

VIA EMAIL

Development Application	AZ-20-05, DA-20-05, PP-20-07
Project Name	NORTERRA SUBDIVISION
Project Location	12080 West State Street, north of SH-44 milepost 10.00
Project Description	Annexation and zoning (to Residential R-7 and Central Business District, a Development Agreement and Preliminary Plat for a proposed residential and commercial subdivision consisting of 118 residential lots, 23 commercial lots, and 8 common lots.
Applicant	Tamara Thompson

The Idaho Transportation Department (ITD) reviewed the referenced annexation, zoning, development agreement, and preliminary plat applications and has the following comments:

1. This project abuts the State Highway system.
2. ITD has received, reviewed, and accepted a Traffic Impact Study (TIS) for Noterra Subdivision. As stated in ITD's Staff Technical Report dated June 25, 2019, the TIS has shown the need for mitigation for traffic generated by the development (see attached).
3. Trips generated by this development impact the State Highway system in several locations. Based on the Traffic Impact Study mitigation shall be required in order to preserve the safety and mobility of the corridor. See attached Staff Technical Report for details of the analysis. Required mitigation is as follows:

Intersection of SH-44 and Proposed Approach

- Approach shall be limited to right in, right out, left in immediately upon construction and shall be constructed with the following:
 - A right turn lane shall be designed and constructed to meet the ITD Traffic Manual standards for a 55MPH speed zone.
 - Turn lane shall have 6ft shoulders
 - 12ft right-of-way dedication required for length of the turn lane



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- A two way left center turn lane shall be designed and constructed from Can Ada Road to the proposed approach. ○
 - The center turn lane shall be centered on SH-44
 - North side of SH-44 shall have 6ft shoulders
 - South side of SH-44 shall maintain existing shoulder width
 - Right-of-way dedication is needed to accommodate pavement widening and drainage.

Intersection of SH-44 and Highbrook Way

- If the signal at Highbrook Way is not in place at the start of the project, the applicant shall be responsible to design and construct the traffic signal at Highbrook Way. Signal cannot be installed until signal warrants are met. Noterra development shall provide ITD with an annual forecasted signal warrant.
- The signal modeled in the Traffic Impact Study required roadway improvements and additional lanes in order to function at an acceptable level.

2030 Total Intersection Operations from the TIS shows the Highbrook intersection fails for the SH-44 movements in the AM and PM peaks without an additional thru lane. ITD does not have a project programmed to widen SH-44 along this segment of the corridor.

ITD estimates the design, construction and R/W costs of widening SH-44 by adding an additional EB/WB thru lane in each direction from Can Ada Road to Star Road is approximately \$3,992,860.

ITD calculates a proportionate share cost of the SH-44 widening improvement as 6.4% based on total development trips vs 2045 intersection trips. ITD requests the developer contribute \$255,543 (6.4%) for widening SH-44 from Can Ada Road to Star Road.

Intersection of SH-44 and Star Road

- The SH-44 environmental study has determined that a quarter continuous flow intersection is required at Star Road/SH-44 in the future. The Noterra buildout at 2030 adds additional congestion to the intersection and will result in an additional 28-second delay and increase of the intersection's volume ration from 1.51 to 1.64.

ITD estimates the design, construction and R/W costs of a ¼ continuous flow intersection is approximately \$7,398,133.

ITD calculates a proportionate share cost of the future CFI intersection improvement as 5.5% based on total development trips vs 2045 intersection trips. ITD requests the developer contribute \$406,897 (5.5%) towards future improvements at the intersection of SH-44 / Star Road. Proportionate share needs to be provided prior to occupancy of the development.



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Intersection of SH-44 and Can Ada

- According to analysis from the TIS, the intersection of SH-44 and Can Ada Road fails as a stop controlled intersection for the southbound movements at 2030 buildout. The SH-44 environmental study has determined that an R/Cut is the future intersection treatment at this intersection.

ITD estimates the design, construction and R/W costs of an R/Cut at the intersection of SH-44 / Can Ada Road to be \$1,783,777.

ITD calculates a proportionate share cost of the future R/CUT as 4.8% based on total development trips vs 2045 intersection trips. ITD requests the developer pay a total proportionate share of \$85,621 (4.8%) towards future improvements at the intersection of SH-44 / Can Ada Road. Proportionate share needs to be provided prior to occupancy of the development.

4. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
5. The Idaho Administrative Procedures Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
6. ITD objects to this development. ITD will remove the objection if the governing board requires, and the applicant agrees to, the execution of a Development Agreement with the City of Star binding the contribution of the proportionate share amount of \$748,061 and construct the mitigations described.

If you have any questions, you may contact me at (208) 334-8338 or Erika Bowen (208) 265-4312 ext 7.

Sincerely,

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov



Mary May, President
Kent Goldthorpe, Vice-President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

July 14, 2020

Sonia Daleiden
Kittelson & Associates
101 S. Capitol Boulevard, STE 600
Boise, ID 83702

Subject: Norterra Mixed Use Traffic Impact Study

The Ada County Highway District (ACHD) staff has completed an initial review of the submitted traffic impact study (TIS) for the proposed Norterra Mixed Use project. Comments/recommendations provided by District Traffic Services and Planning Review staff are listed below:

1. The traffic impact study notes that for 2030 background conditions significant deficiencies are anticipated during the PM peak for SH-44 and the intersections of SH-44/Can Ada Road, SH-44/Highbrook Way, SH-44/Center Street, and SH 44/Star Road. These deficiencies were identified for background conditions, but the proposed development will worsen each of these deficiencies. Staff does not recommend the proposed mitigation of extension of center turn lane through Can Ada Road. If ITD does not complete or require mitigation, ACHD facilities north of the proposed site such as Gambrell Street, 3rd Street, Center Street, and Star Road and others may be negatively impacted as site traffic detours to avoid these intersections.
2. The traffic impact study states that access spacing requirements for Access B and Access C are met. Requirements are not met. Access B is proposed as a right-in/right-out access to Can Ada Road 300 feet north of SH 44. The minimum spacing for a right-in/right out access on a minor arterial is 330 feet from a future signalized intersection. Access C is proposed as a full access 630 feet north of SH 44. The minimum spacing for a right-in/right out access on a minor arterial is 660 feet from a future signalized intersection. The need for both accesses B and C should be justified in the study.
3. Proposed site access E is within the influence area of the SH-44 and Highbrook Way intersection and it's inclusion was not justified in the study. Staff recommends that this access be eliminated. Analysis of Access D, including turning lane analysis, should be revised to reflect this.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mindy Wallace".

Mindy Wallace, AICP
Planning Review Supervisor
Development Services

CC: ITD - Erika Bowen
The Land Group – Tamara Thompson
City of Star – Shawn Nickel

RECEIVED

JUL 13 2020

CITY OF STAR

DATE: July 10, 2020

TO: Star City Council

SUBJECT: Development of Norterra Subdivision

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

The changes we are concerned about are:

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

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

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

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

Sincerely the Residences of Saddlebrook on Gambrell Street,

Cheryl and Sof Calaycay
12293 W Gambrell St

Name Cl Rony

Address 12463 W. Gambrell St., Star, ID 83669

Name Car Ann Jaret

Address 12361 W. Gambrell St., Star, ID 83669

Name Ryllis Beck

Address 12497 W Gambrell St Star ID 83669

Name David F Beck

Address 12497 W Gambrell St Star, Id. 83669

Name Joseph Odell

Address 12327 W. GAMBRELL STAR, ID 83669

Name Don Boyce

Address 12259 W Gambrell STAR ID 83669

Name Kayla Kornegio

Address 473 N. Paddington Pl, Star, ID 83669

Name Thomas Kormylo
Address 473 N. Paddington Pl. 83669

Name Kate Ellen
Address 12429 W Gambrell 83669

Name Jeremy Shaw
Address 12509 W. GAMBRELL 83669

Name Holly Shaw (208) 703-0432
Address 12509 W. Gambrell 83669

Name Zach Hasse
Address 12575 W. Gambrell st. 83669

Name Andres Luna
Address 12423 W Gambrell st

Name Josh Biggs
Address 12553 W Gambrell st 83669

Name Eric S Jacobsen

Address 474 N. Paddington Place

Name MATT WILDER

Address 474 N. Paddington Place

Name Brian Bilheimer

Address 12395 W Gambrell St

Name Jacob Marshall

Address 12591 W Gambrell

Name Ruth Lange & Joseph Lange

Address 481 N Pringlewood Pl.

Name Cheryl Calaway

Address 12293 W. Gambrell St.

Name Cheryl L. Calaway

Address 12293 W. Gambrell St.

Gambrell St.

Endsley St.

Deerhaven Way

Sample Farm Dr.

New Street

State Street (Hwy 44)

* 1st Plan
Residences Liked

2nd plan letter
 ★ see letter



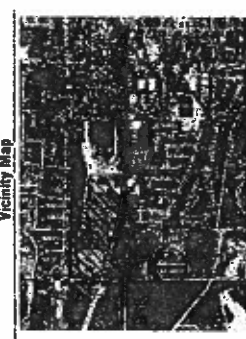
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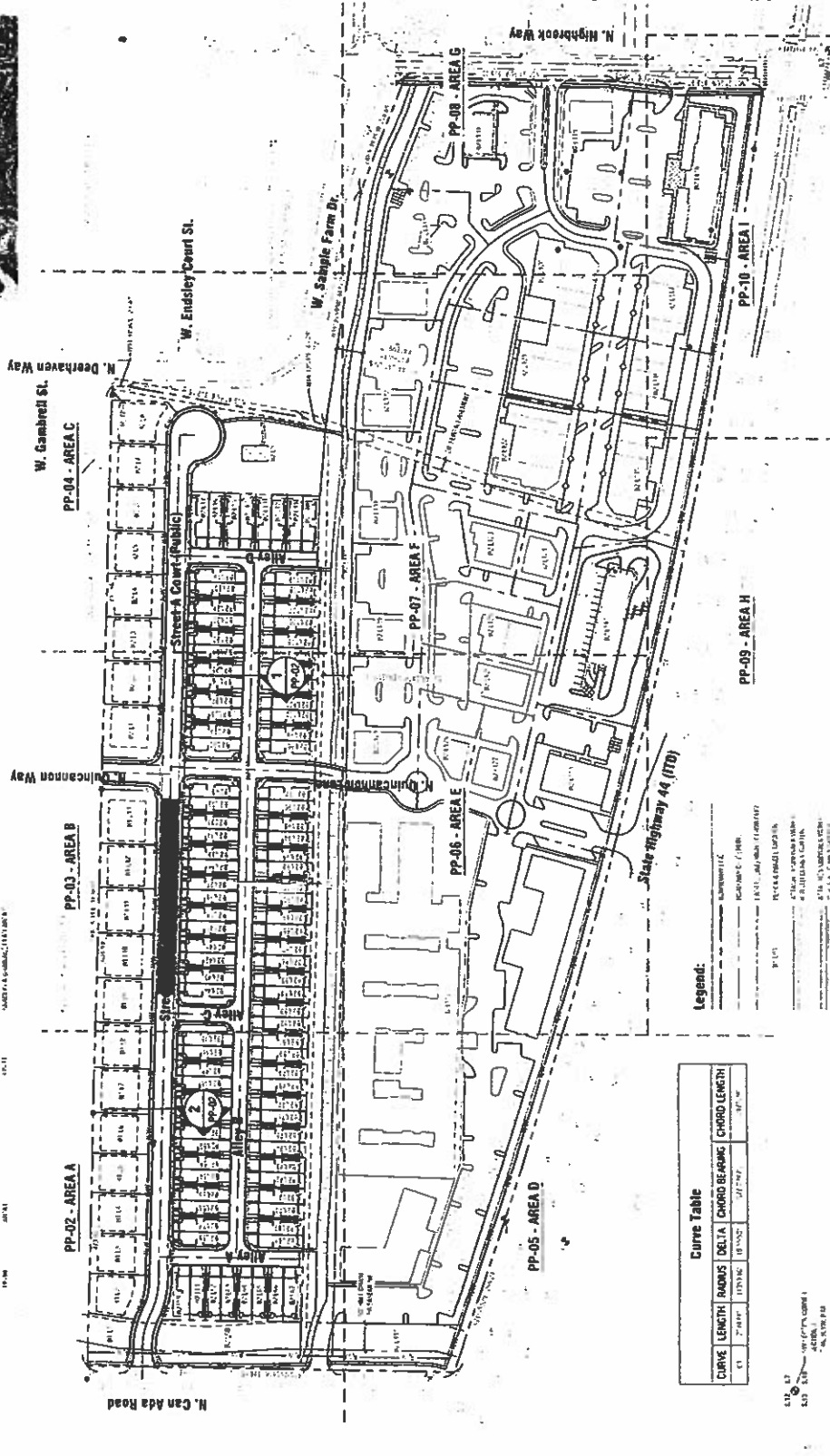
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Curve Table

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	21.44'	107.22'	10.00°	21.44'	21.44'

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Preliminary Plat-Project Overview

10.0000
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NORTERRA MIXED USE
 TG Development, LLC



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CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

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

MEETING DATE: July 28, 2020 – PUBLIC HEARING (**tabled from July 21, 2020**)

FILE(S) #: **RZ-20-04 Rezone**
PUD-20-05 Planned Unit Development
Whitener 10206 W. State Street

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Philip D. Whitener
198 Rooster Drive
Eagle, Idaho 83616

Applicant/Representative:

Jay Gibbons, South, Beck & Baird
2002 S. Vista Avenue
Boise, Idaho 83705

REQUEST

Request: The Applicant is seeking approval of a Rezone from Mixed Use (MU-DA) to Central Business District (CBD) and a Planned Unit Development for a commercial and single-family residential development consisting of 28 townhomes and approximately 22,164 square feet of commercial/retail space. The property is located at 10206 W. State Street in Star, Idaho, and consists of 4.76 acres with a proposed residential density of 5.88 dwelling units per acre.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the north side of W. State Street, east of N. Taurus Way in Star, Idaho. Ada County Parcel No. S0408438600.

Existing Site Characteristics: The property is currently in agricultural production and contains a single-family dwelling and associated agricultural and accessory structures.

Irrigation/Drainage District(s): Middleton Mill Ditch Co.

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

Special On-Site Features:

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No known areas.
- ✧ Fish Habitat – No known areas.
- ✧ Mature Trees – Yes
- ✧ Riparian Vegetation – No known areas.
- ✧ Steep Slopes – Slight elevation changes to the north.
- ✧ Stream/Creek – None.
- ✧ 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	November 14, 2019
Neighborhood Meeting Held	November 25, 2019
Application Submitted & Fees Paid	January 14, 2020
Residents within 300' Notified	February 03, 2020/ June 16, 2020
Agencies Notified	February 03, 2020
Legal Notice Published	February 07, 2020/ June 11, 2020
Property Posted	February 21, 2020/ July 8, 2020

HISTORY

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

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

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Mixed Use with Development Agreement (MU-DA)	Central Business District	Agricultural Single Family Dwelling
Proposed	CBD-PUD	No Change	Mixed Use Commercial & Residential
North of site	Residential (R-4)	Central Business District	Single Family Residential

South of site	Limited Office Transitional (RUT)	Central Business District	Single Family Dwelling Undeveloped
East of site	County Rural Transitional (RUT)	Central Business District	Agricultural Single Family Dwelling
West of site	Commercial (C-2)	Central Business District	Commercial – Undeveloped Ag

ZONING ORDINANCE / COMPREHENSIVE PLAN

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

Definitions (Section 8-2 B-1):

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

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

8-7-1: PURPOSE PLANNED UNIT DEVELOPMENTS:

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

1. Preserves natural, scenic and historic features of major importance;
2. Allows for innovative design that creates visually pleasing and cohesive patterns of development; and

3. Creates functionally integrated development that allows for a more efficient and cost-effective provision of public services.

B. It is not the intent that the PUD process be used solely for the purposes of deviation from the dimensional standards in the district. (Ord. 215, 11-2-2011)

8-7-4: STANDARDS:

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

A. General Use Standards:

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

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

3. Private Streets And Service Drives: The uses within the planned unit development are interconnected through a system of roadways and/or pathways as appropriate. Private streets and service drives may be permitted, if designed and constructed to the transportation authority standards and in accord with chapter 4, article E, "Private Street Requirements", of this title.

4. Buildings Clustered: Buildings shall be clustered to preserve scenic or environmentally sensitive areas in the natural state, or to consolidate small open spaces into larger, more usable areas for common use and enjoyment.

B. Private Open Space: In addition to the common open space and site amenity requirements as set forth in chapter 4, "Regulations Applicable To All Districts", of this title, a minimum of eighty (80) square feet of private, usable open space shall be provided for each residential unit. This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement.

C. Residential Use Standards:

1. Multi-Family: Notwithstanding the provisions of chapter 3, "District Regulations", of this title, multi-family dwellings may be an allowed use when approved through a planned unit development.

2. Housing Types: A variety of housing types shall be included within a single planned development, including attached units (townhouses, duplexes), detached units (patio homes),

single-family and multi-family units, regardless of the district classification of the site, provided that the overall density limit of the district is maintained.

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

A. Open Space And Site Amenity Requirement:

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

2. One additional site amenity shall be required for each additional twenty (20) acres of development area.

B. Qualified Open Space: The following may qualify to meet the common open space requirements:

1. Any open space that is active or passive in its intended use, and accessible by all residents of the development, including, but not limited to:

a. Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;

b. Community garden;

c. Ponds or water features; or

d. Plaza.

2. Additions to a public park or other public open space area.

3. The buffer area along collector streets may be included in required common open space for residential subdivisions.

4. A street buffer with a minimum of ten feet (10') in width and street trees planted in accord with section 8-4B-7, "Landscape Buffers Along Streets", of this chapter may count up to fifty percent (50%) of the requirement.

5. Parkways along local residential streets that meet all the following standards may count toward the common open space requirement:

a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk.

b. The parkway is planted with street trees in accord with section 8-4B-7, "Landscape Buffers Along Streets", of this chapter.

c. Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.

6. Parkways along collector and arterials that are a minimum of ten feet (10') in width from street curb to sidewalk can be counted toward the open space requirement.

7. Stormwater detention facilities when designed in accord with section 8-4B-11, "Stormwater Integration", of this chapter.

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

1. Quality of life amenities;

2. Clubhouse;

3. Fitness facilities;

4. Enclosed bike storage;

5. Public art;

6. Picnic area; or

7. Additional five percent (5%) open space;

8. Recreation amenities:

a. Swimming pool.

b. Children's play structures.

c. Sports courts.

d. Pedestrian or bicycle circulation system amenities meeting the following requirements:

(1) The system is not required for sidewalks adjacent to public right of way;

(2) The system connects to existing or planned pedestrian or bicycle routes outside the development; and

(3) The system is designed and constructed in accord with standards set forth by the city of Star;

9. Provision of transit stops, park and ride facilities or other multimodal facilities to encourage alternative automobile transportation.

D. Location:

1. The common open space and site amenities shall be located on a common lot or an area with a common maintenance agreement.

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

E. Required Improvements And Landscaping:

1. Common open space shall be suitably improved for its intended use, except that natural features such as wetlands, rock outcroppings, ponds, creeks, etc., may be left unimproved.

2. Common open space areas shall include (at a minimum) one deciduous shade tree per eight thousand (8,000) square feet and lawn, either seed or sod.

F. Maintenance:

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

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

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

Use	CBD			
Accessory structure	C ⁴			
Adult business/adult entertainment ¹	N			
Agriculture, forestry, fishing	N			
Airport	N			
Alley	P			
Animal care facility ¹	C			
Artist studio ¹	P			

Arts, entertainment, recreation facility ¹	C			
Asphalt plant ¹	N			
Auction facility	N			
Automated teller machine ^{1,2}	P			
Automotive hobby ¹	N			
Automotive mechanical/electrical repair and maintenance	C			
Bakery	P			
Bar/tavern/lounge/drinking establishment ¹	P			
Barbershop/styling salon	P			
Bed and breakfast	P			
Beverage bottling plant	N			
Boarding house	N			
Brewery	N			
Brewpub	C			
Building material, garden equipment and supplies ¹	N			
Campground/RV park ¹	C			
Cement or clay products manufacturing	N			
Cemetery ¹	N			
Chemical manufacturing plant	N			
Church or place of religious worship ¹	N			
Civic, social or fraternal organizations ¹	P			
Concrete batch plant	N			
Condominium	C			
Conference/convention center	P			
Contractor's yard ¹	N			
Convenience store	P			
Dairy farm	N			

Daycare center ¹ (more than 12)	P			
Daycare, family ¹ (6 or fewer)	P			
Daycare, group ¹ (7 - 12)	P			
Drive-through establishment/drive-up service window ¹	P			
Drugstore	P			
Dwelling:				
Multi-family ¹	C			
Secondary ¹	N			
Single-family attached	C			
Single-family detached ¹	N			
Townhouse	N			
Two-family duplex	N			
Educational institution, private ¹	C			
Educational institution, public ¹	C			
Equipment rental, sales, and services ¹	C			
Fabrication shop	N			
Farm	N			
Farmers' or Saturday market	P			
Feedlot	N			
Financial institution ¹	P			
Fireworks stand ³	C			
Flammable substance storage	N			
Food products processing ¹	N			
Food stand ³	P			
Gasoline station ^{1,2}	P			
Gasoline station with convenience store ^{1,2}	P			
Golf course ¹	N			

Government office	P			
Greenhouse	N			
Greenhouse, commercial ¹	P			
Guesthouse/granny flat ¹	N			
Healthcare and social services	P			
Heliport	N			
Home occupation ¹	P			
Hospital ¹	C			
Hotel/motel ¹	P			
Ice manufacturing plant	N			
Industry, information ¹	P			
Institution	C			
Junkyard ¹	N			
Kennel	N			
Laboratory	C			
Laboratory, medical	C			
Lagoon	N			
Laundromat ^{1,2}	P			
Laundry and dry clean	P			
Library	P			
Manufactured home ¹	N			
Manufactured home park ¹	N			
Manufacturing plant	N			
Meatpacking plant	N			
Medical clinic	P			
Mining (except accessory pit ¹)	N			
Mortuary	N			

Museum	P			
Nursery, garden center and farm supply ¹	C			
Nursing or residential care facility ¹	N			
Office security facility	P			
Parking lot/parking garage ²	P			
Parks, public and private ²	P			
Pawnshop	P			
Personal and professional services	P			
Photographic studio	P			
Portable classroom/modular building	C			
Power plant	N			
Processing plant	N			
Professional offices	P			
Public infrastructure	C			
Public or quasi-public use	P			
Public utility, major ¹	N			
Public utility, minor ¹	P			
Public utility yard ¹	N			
Recreational vehicle dump station ¹	P			
Recycling center ¹	N			
Research activities	C			
Restaurant	P			
Retail store/retail services	P			
Retirement home	C			
Salvage yard	N			
Sand and gravel yard	N			
Service building	P			

Shooting range ²	N			
Shopping center	P			
Solid waste transfer station	N			
Stable	N			
Storage facility, outdoor ¹	C			
Storage facility, self-service ^{1,2}	N			
Swimming pool, commercial/public	P			
Swimming pool, private	N			
Television station	C			
Temporary living quarters ¹	N			
Temporary use ³	P			
Terminal, freight or truck ¹	N			
Tower	N			
Truck stop	N			
Turf farm	N			
Vehicle emission testing ³	P			
Vehicle impound yard ¹	N			
Vehicle repair, major ¹	N			
Vehicle repair, minor ¹	C			
Vehicle sales or rental ¹	C			
Vehicle washing facility ^{1,2}	C			
Vehicle wrecking yard ¹	N			
Veterinarian office	P			
Vineyard	N			
Warehouse and storage ¹	N			
Wholesale sales	N			
Winery ¹	N			

Wireless communication facility ¹	C			
Yard sale	P			

Notes:

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

(Ord. 215, 11-2-2011; amd. Ord. 223, 2-21-2012; Ord. 236, 7-15-2014; Ord. 252, 11-2-2015; Ord. 255, 4-19-2016)

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.

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.

PROJECT OVERVIEW

REZONE:

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

PLANNED UNIT DEVELOPMENT:

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

The site layout consists of 22,164 square feet of retail/commercial space along W. State Street and extending northward into the site. The commercial element includes up to four building pads with accompanying parking and landscaping. Table 8-3C-2(a) Schedule of Uses In The Central Business District (CBD) lists the uses allowed within the commercial portion of the development (New Zoning Ordinance). A new, east-west, public street, meeting the intent of the previous, as well as newly adopted Economic Corridor Access Management Plan (ECAMP), splits and transitions the development into the residential component of the design. The northern half includes 28 townhomes with a public street and shared, private drives. Eight (8) of the units, located immediately north of "First Street" are intended to be a live/work concept,

which would increase the total overall commercial area in the development. The shared drives would need to be approved for use by the Star Fire District, or a redesign for access may be required. All streets are proposed to be public, ACHD maintained roadways, with final access onto W. State Street being approved by ITD.

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

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

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

Proposed Setbacks:

- Minimum Residential Lot Frontage: 30 feet
- Front Setbacks (Measured from the back of sidewalk or property line): 20 feet; 10' Living Area
- Rear Setbacks: 10 feet
- Interior Setbacks: 0' feet (for zero-lot lines) – Deviation from current standards
- Local Street Side Setbacks: 20 feet
- Street Landscape Buffers:
 - Arterial Roadway: 35 feet
 - State Highway 16: 50 feet
 - Residential Local: 10 feet
- Maximum Building Height: 35 feet

ADDITIONAL DEVELOPMENT FEATURES:

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

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

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

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

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

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

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

AGENCY RESPONSES

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

PUBLIC RESPONSES

No Public Responses Have Been Received to Date.

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of this application as submitted and designed within the conceptual plan proposed by the applicant. The applicant has taken into consideration an adequate transition from the commercial uses along W. State Street, the future collector roadway in the middle of the development, and the limited residential uses as they transition to the existing single-family subdivision to the north, including additional open space buffering. With the inclusion of the

live/work type units near the center of the development, the commercial to residential parcel coverage ratio for the development is 70:30 in favor of commercial. Further, attached single-family residential is an allowed use in the current CBD Zoning District.

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed rezone and planned unit development meets the requirements, standards and intent for development as they relate to the Zoning Ordinance and Comprehensive Plan and should be considered for approval. 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 prepare final conditions of approval and findings of fact and conclusions of law for the Council to consider at a future date. Staff would also request that a new development agreement be entered between the City and the owner to replace the existing agreement for the property.

UPDATED APPLICATION INFORMATION 7-28-20

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

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

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:

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 central business district purpose statement indicates small scale retail, public, quasi-public and adaptive reuse of residential structures within its uses. However, through the PUD process, deviations in uses may be allowed.

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.

8-7-5: PLANNED UNIT DEVELOPMENT FINDINGS:

Upon recommendation from the administrator, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant a planned development request, the council shall make the following findings:

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

- B. The planned unit development preserves the significant natural, scenic and/or historic features.*
- C. The arrangement of uses and/or structures in the development does not cause damage, hazard, or nuisance to persons or property in the vicinity.*
- D. The internal street, bike and pedestrian circulation system is designed for the efficient and safe flow of vehicles, bicyclists and pedestrians without having a disruptive influence upon the activities and functions contained within the development, nor place an undue burden upon existing transportation and other public services in the surrounding area.*
- E. Community facilities, such as a park, recreational, and dedicated open space areas are functionally related and accessible to all dwelling units via pedestrian and/or bicycle pathways.*
- F. The proposal complies with the density and use standards requirements in accord with chapter 3, "District Regulations", of this title.*
- G. The amenities provided are appropriate in number and scale to the proposed development.*
- H. The planned unit development is in conformance with the comprehensive plan. (Ord. 215, 11-2-2011)*

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.*

PROPOSED CONDITIONS OF APPROVAL
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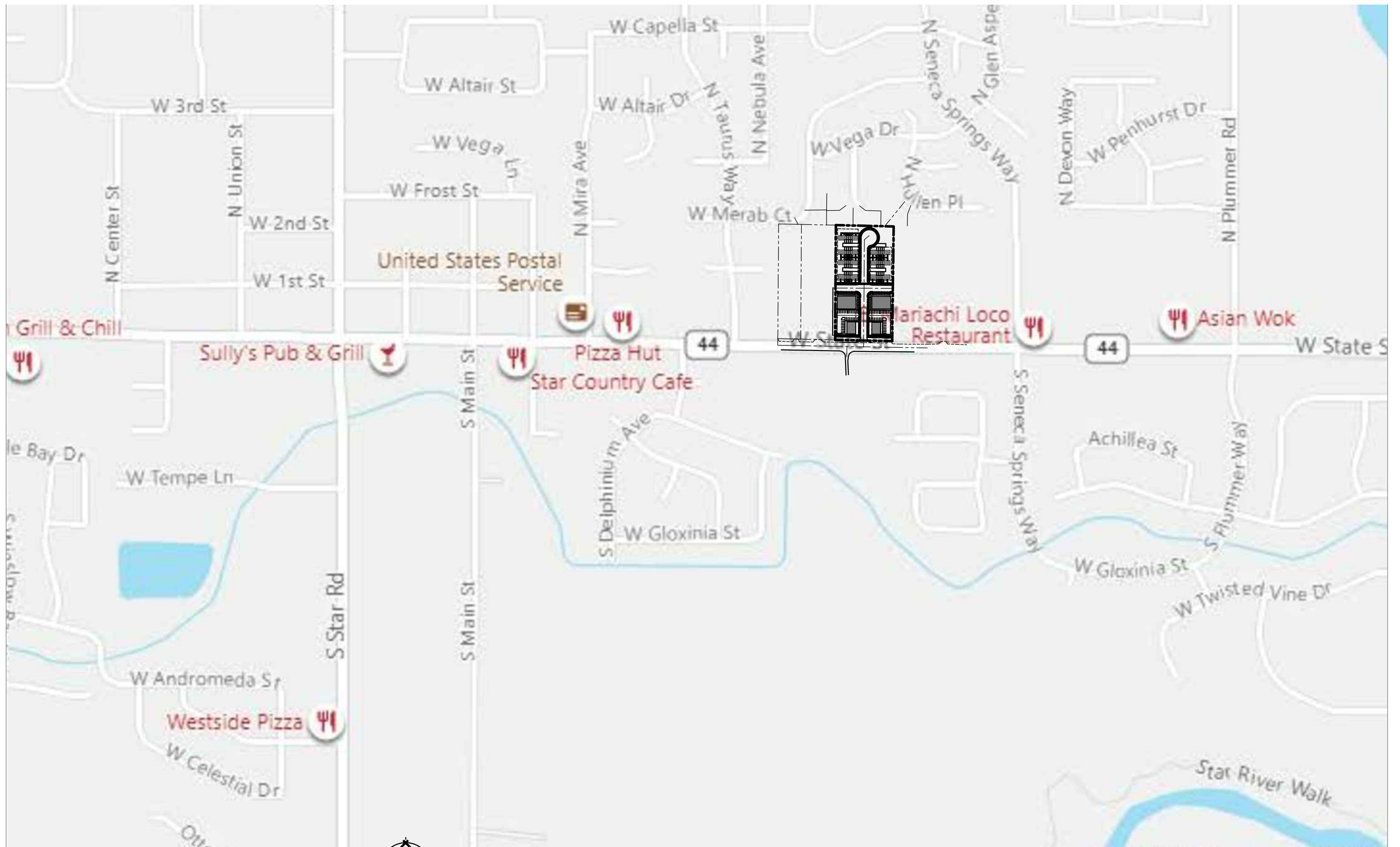
- 1. The development shall follow the specific details of the approved PUD site/development plan approved through this application. The approved PUD site/development plan shall further comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
- 2. The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. These fees will be collected by the City of Star, by residential phase prior to final plat signature, and as commercial uses are reviewed and approved by the City.
- 3. Prior to development of the first phase, a revised site/development plan and landscape plan shall be submitted to the administrator including the ACHD/ITD approved street sections and access points, landscaping and amenities, street trees, mailboxes, streetlights that meet

the standards of the current Unified Development Code. The plan shall indicate one (1) additional amenity for the residential portion of the development.

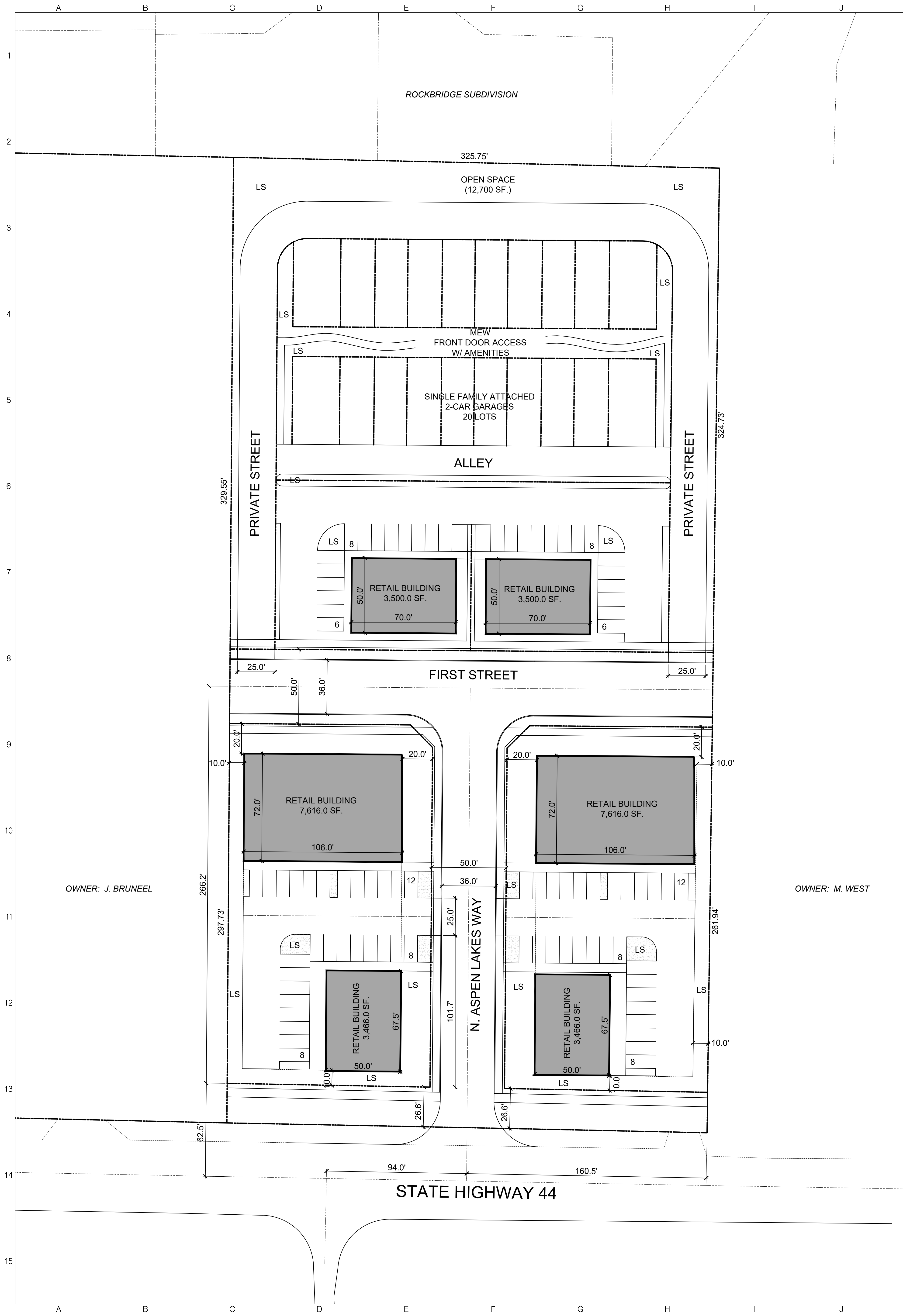
4. The property with the approved development plan shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
5. All private streets shall have a minimum street width of 30' and shall be constructed to ACHD standards. Common drives shall meet the requirements of the Star Fire District.
6. Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees.
7. The approved development plan shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages, including street trees.
8. Applicant/Owner/Developer shall submit a streetlight and parking lot lighting plan/design prior to Certificate of Zoning Compliance. All lighting shall comply with the Star City Code and the Dark Sky standards adopted by the City.
9. All new structures shall comply with the effective building and zoning requirements at time of building permit issuance, unless otherwise amended in the PUD or Development Agreement.
10. Any requirements from the Star Sewer & Water District shall be the responsibility of the applicant.
11. All State, Federal and Local rules and regulations regarding development in the Special Hazard Areas (Floodplain/Floodway) shall be adhered to, if applicable.
12. The applicant shall meet all requirements of the Star Fire District regarding emergency access to the property and fire flow.
13. All new structures and tenant improvements shall require a building permit.
14. A separate sign permit shall be approved for any signage for the proposed uses.
15. Prior to issuance of a Certificate of Zoning Compliance, a stormwater narrative, drainage calculations, and drainage section details shall be submitted and approved by the City Engineer. The development shall further meet all specific requirements of the City Engineer.
16. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of any construction.**
17. A sign application is required for any subdivision signs.
18. Any additional site-specific conditions and considerations as required by Staff or Council.

COUNCIL DECISION

The Star City Council _____ File #RZ-20-04/PUD-20-05 for Whitener 10206 W State Street on _____, 2020.



WHITENER - VICINTY MAP



Preliminary Development Statistics:

Address: 10206 W STATE ST STAR , ID 83669
Subdivision: 4N 1W 08
Township/Range/Section: 4N1W08

Parcel: S0408438600
Existing Zoning: MU Proposed Zoning: CBD
Total Acres: 4.76

Property Description:
E19.51 RODS OF W39.02
RODS OF S41 RODS OF S2SE4
SEC 8 4N 1W
#433500-R
#99034445 #97064731

**UPDATED
CONCEPT PLAN**

AREAS:

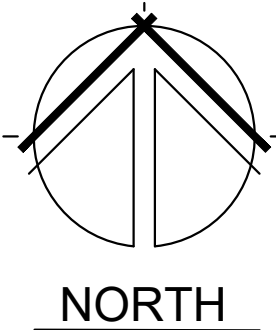
RIGHT OF WAY	
ACHD	28,556.10 SF. (.66 AC)
ITD	8,609.04 SF. (.20 AC)
RETAIL:	
TOTAL AREA:	102,795.18 SF. (2.36 AC) 60.36%
BUILDING AREA:	
BUILDING #1	7,500 SF.
BUILDING #2	3,466 SF.
BUILDING #3	7,500 SF.
BUILDING #4	3,466 SF.
BUILDING #5	3,500 SF.
BUILDING #6	3,500 SF.
TOTAL	28,932 SF. (21.47%)
PARKING REQUIRED:	116 SPACES AT 1 PER 250SF.
PARKING PROPOSED:	84 SPACES 4 ADA SPACES 88 TOTAL
TOWNHOMES	
TOTAL AREA:	67,353.89 SF. (1.55 AC) 39.64%
TOTAL UNITS:	20 TOTAL
DENSITY	12.58 DU/A
OPEN SPACE:	19,206.63 SF. (28.52%)

Owner:

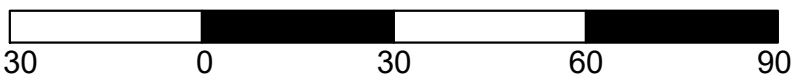
Philip Whitener
198 Rooster Dr,
Eagle, ID 83616

Planner:

Jay Gibbons, PLA, ASLA
South Beck & Baird
2002 S, Vista Ave.
Boise, ID 83705
(208) 342-2999



CONCEPTUAL SITE PLAN
SCALE: 1" = 30'-0"



STAMP:

DATE:
3-16-2020

South Landscape Architecture P.C.
Dba South Beck & Baird Landscape Architecture P.C.
SLE@SLODOISE.COM
WWW.SLODOISE.COM

CONSULTANT:

REVISIONS:

CONCEPTUAL
SITE PLAN
WHITENER PROPERTY

STAR

IDAHO

DRAWN BY:
J.A.G.

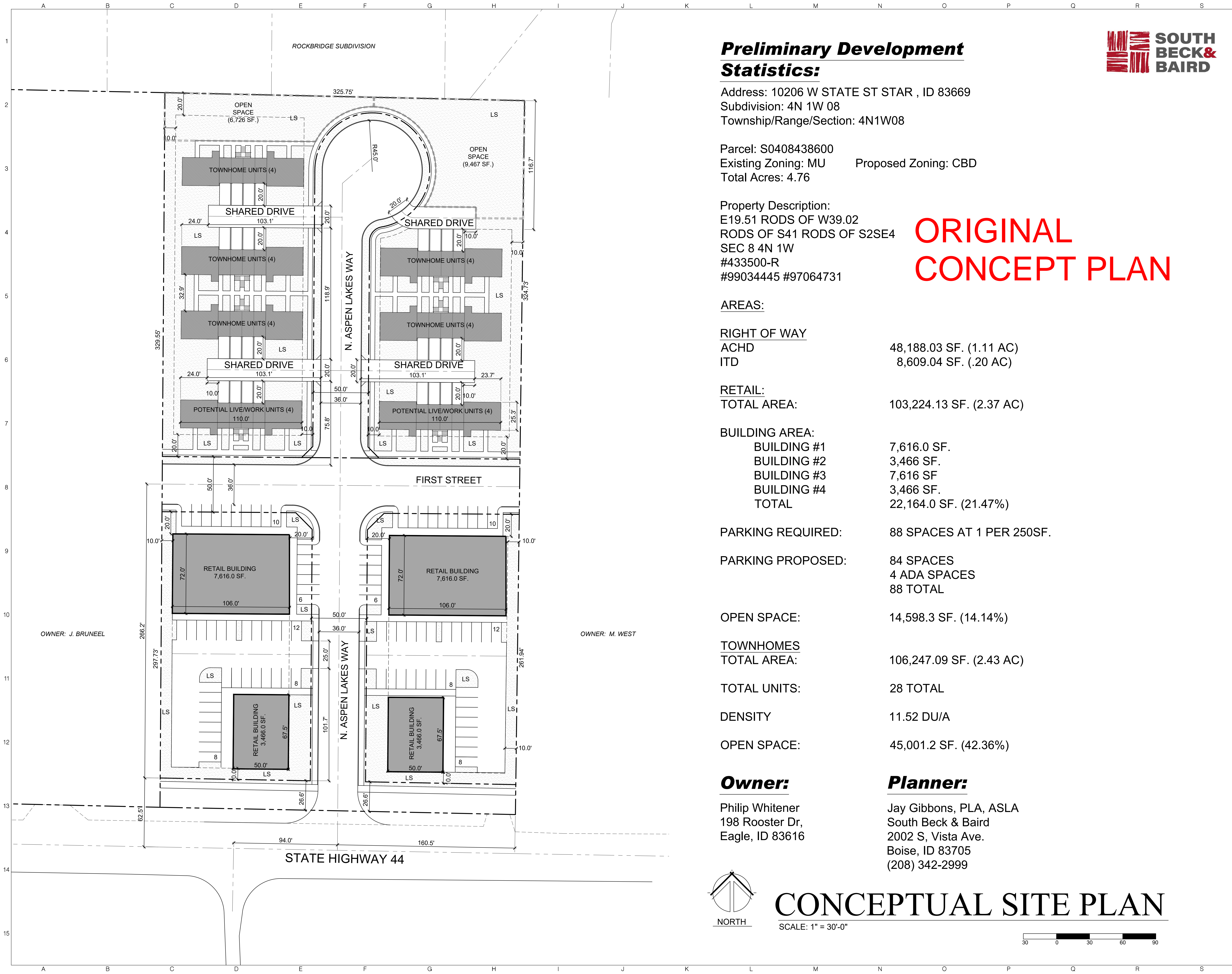
CHECKED BY:
J.D.R.

PROPERTY NUMBER:
-

DEVEL. NUMBER:

SHEET:

S1.0



Preliminary Development Statistics:

Address: 10206 W STATE ST STAR , ID 83669
Subdivision: 4N 1W 08
Township/Range/Section: 4N1W08

Parcel: S0408438600
Existing Zoning: MU Proposed Zoning: CBD
Total Acres: 4.76

Property Description:
E19.51 RODS OF W39.02
RODS OF S41 RODS OF S2SE4
SEC 8 4N 1W
#433500-R
#99034445 #97064731

ORIGINAL
CONCEPT PLAN

AREAS:

RIGHT OF WAY	
ACHD	48,188.03 SF. (1.11 AC)
ITD	8,609.04 SF. (.20 AC)

RETAIL:	
TOTAL AREA:	103,224.13 SF. (2.37 AC)

BUILDING AREA:	
BUILDING #1	7,616.0 SF.
BUILDING #2	3,466 SF.
BUILDING #3	7,616 SF
BUILDING #4	3,466 SF.
TOTAL	22,164.0 SF. (21.47%)

PARKING REQUIRED:	88 SPACES AT 1 PER 250SF.
-------------------	---------------------------

PARKING PROPOSED:	84 SPACES 4 ADA SPACES 88 TOTAL
-------------------	---------------------------------------

OPEN SPACE:	14,598.3 SF. (14.14%)
-------------	-----------------------

TOWNHOMES	
TOTAL AREA:	106,247.09 SF. (2.43 AC)

TOTAL UNITS:	28 TOTAL
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DENSITY	11.52 DU/A
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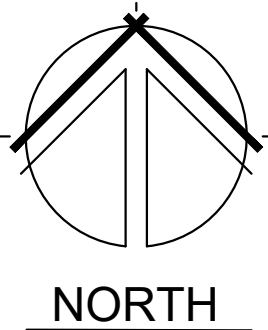
OPEN SPACE:	45,001.2 SF. (42.36%)
-------------	-----------------------

Owner:

Philip Whitener
198 Rooster Dr,
Eagle, ID 83616

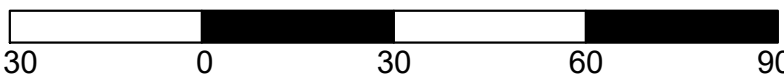
Planner:

Jay Gibbons, PLA, ASLA
South Beck & Baird
2002 S, Vista Ave.
Boise, ID 83705
(208) 342-2999



CONCEPTUAL SITE PLAN

SCALE: 1" = 30'-0"



STAMP:

DATE:
1-10-2020

South Landscape Architecture P.C.
Dba South Beck & Baird Landscape Architecture P.C.
SLE@SLBOOSE.COM
WWW.SLABOISE.COM

CONSULTANT:

REVISIONS:

CONCEPTUAL
SITE PLAN
WHITENER PROPERTY

STAR

IDAHO

DRAWN BY:
J.A.G.

CHECKED BY:
J.D.R.

PROPERTY NUMBER:
-

DEVEL. NUMBER:

SHEET:
S1.0



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
BOISE REGULATORY OFFICE
720 EAST PARK BOULEVARD, SUITE 245
BOISE, IDAHO 83712-7757**

February 14, 2020

Regulatory Division

SUBJECT: RZ-20-04 Rezone & PUD

Star City Hall
ATTN: Shawn L. Nickel; City Planner
P.O. Box 130
Star, Idaho 83669

This is in response to your February 3, 2020 Agency Notification, informing the U.S. Army Corps of Engineers (Corps) about a public hearing concerning applications received by the Valley County Planning & Zoning Commission. The applications include:

10206 W. State Street Rezone & PUD, File # RZ-20-04 Rezone PUD-20-05 Planned Unit Development.

The Department of the Army (DA) exerts regulatory jurisdiction over waters of the U.S., including wetlands, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). Section 404 of the Clean Water Act requires a DA permit be obtained prior to discharging dredged or fill material into waters of the U.S., which includes most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, irrigation and drainage canals and ditches that are tributaries to other waters, and wetlands. Section 10 requires that a DA permit be obtained prior to building structures or conducting work in or affecting navigable waters of the U.S.

All Clean Water Act DA authorizations must comply with the Environmental Protection Agency's 404(b)(1) Guidelines. Under the Guidelines, the applicant must show that all appropriate and practicable steps to minimize potential impacts of the discharge on the aquatic ecosystem have been considered, and that the current proposal represents the least environmentally damaging practicable alternative. The applicant must summarize the steps taken to avoid, minimize and mitigate for unavoidable impacts associated with the project. The burden of proof to demonstrate compliance with the Guidelines rests with the applicant. We encourage applicants to engage with this office well in advance to understand how avoidance, minimization and mitigation sequencing can be incorporated into a proposed project.

RECEIVED

FEB 18 2020

CITY OF STAR

We encourage applicants to contact this office prior to submitting a permit application, to assist with determining whether a project may qualify for a General Permit (e.g., Nationwide Permit), or will require an Individual Permit. For an overview of the Corps' permits, please visit: <http://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/Permit-Actions/>.

Sincerely,

Sarah Windham
Environmental Protection Assistant



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

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

Rezone # RZ-20-04

Conditional Use # _____

Preliminary / Final / Short Plat PUD-20-05

Whitener

- ☐ 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 CDHD.
- ☐ 14. _____

Reviewed By: [Signature]

Date: 2/12/2020

RECEIVED

FEB 18 2020

Boise Office

Golden Eagle Building
1101 W. River St., Ste. 110
P.O. Box 7985
Boise, Idaho 83707
Tel. (208) 629-7447
Fax (208) 629-7559

Challis Office

1301 E. Main Ave.
P.O. Box 36
Challis, Idaho 83226
Tel. (208) 879-4488
Fax (208) 629-7559

Twin Falls Office

236 River Vista Place
Suite 301
Twin Falls, Idaho 83301
Tel. (208) 969-9585
Fax (208) 629-7559



SAWTOOTH LAW

OFFICES, PLLC

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*

Monday, February 10, 2020

City of Star

Attn: Shawn L. Nickel

P.O. Box 130

Star, Idaho 83669

Re: File #RZ-20-04 Rezone and File #PUD-20-05 Planned Unit Development
located at 10206 W. State Street in Star, Idaho

Dear Mr. Nickel:

The Middleton Mill Ditch Company and Middleton Irrigation Association (collectively referred to as "MM-MI") have a lateral ditch, the Pollard Lateral, 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 MM-MI's attorneys, Sawtooth Law Offices, PLLC, for approval before any encroachment, change of easement, or any drainage discharge into MM-MI's facilities occur. MM-MI must review drainage plans and construction plans prior to any approval.

MM-MI generally requires 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 MM-MI does not approve of trees within their easement. Therefore, any existing trees within easement will need to be removed. On occasion, MM-MI may make exceptions on a case by case basis, which requires the developers/owners to obtain written permission from MM-MI 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". The signature is fluid and cursive, with a long horizontal stroke at the end.

S. Bryce Farris

SBF:krk

cc: MM-MI



STAR FIRE PROTECTION DISTRICT

Office of the Fire Chief

Greg Timinsky

11665 W State Street Suite B

Star, ID 83669

December 26, 2019

To: City of Star

File#:

Development: Whitener

From: Chief Greg Timinsky

The Star Fire Protection District has reviewed and approved with conditions listed below on the above referenced development.

1. All access roads to be 36' TBC to TBC
 2. 20' wide shared driveways have to be posted no parking on either side designated parking stalls only.
 3. Two story townhouses to have 13 D sprinkler system.
 4. Potential live/work units may be required to be sprinkled separately
 5. The Min. inside turning radius for our fire apparatus is 28' with the outside radius of 48'. Ensure that all radiuses for the street curves and intersections meet this requirement.
 6. The min. fire flow and flow duration for multifamily dwellings shall be as specified in Appendix B of the 2015 IFC.
 7. All commercial building will be equipped with KNOX boxes and proper address posting
 8. Hydrants no less than 400' while driving on public roadway.
- NOTE: All fire department access roadways in the development shall remain clear and unobstructed during construction of homes in the development. Additional parking restrictions may be required as to maintain access for emergency vehicles at all times.

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

Sincerely,

A handwritten signature in blue ink, appearing to be 'Greg Timinsky', written over a horizontal line.

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



Mary May, President
Kent Goldthorpe, Vice-President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

DATE, 2020

To: South, Beck & Baird
Jay Gibbons
2002 S Vista Avenue
Boise, ID 83705

Subject: **Whitener/ STAR20-0001/ RZ-20-04/ PUD20-05**
10206 W State Street
This is a Rezone to CBD and a Planned Unit Development application consisting of 28 townhomes and approximately 22,164 square feet of commercial/retail space on 4.76-acres.

In response to your request for comment, the Ada County Highway District has reviewed the submitted application and site plan for the item referenced above. It has been determined that ACHD has site specific conditions of approval for this application.

A. Findings of Fact

1. State Highway 44/ State Street

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

2. Internal Streets

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

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

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

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

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

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

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

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

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

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

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

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

Stub Street Policy: District policy 7207.2.4 (local) states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.5.4 (local), except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign

shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: District policy 7207.2.4 (local) requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

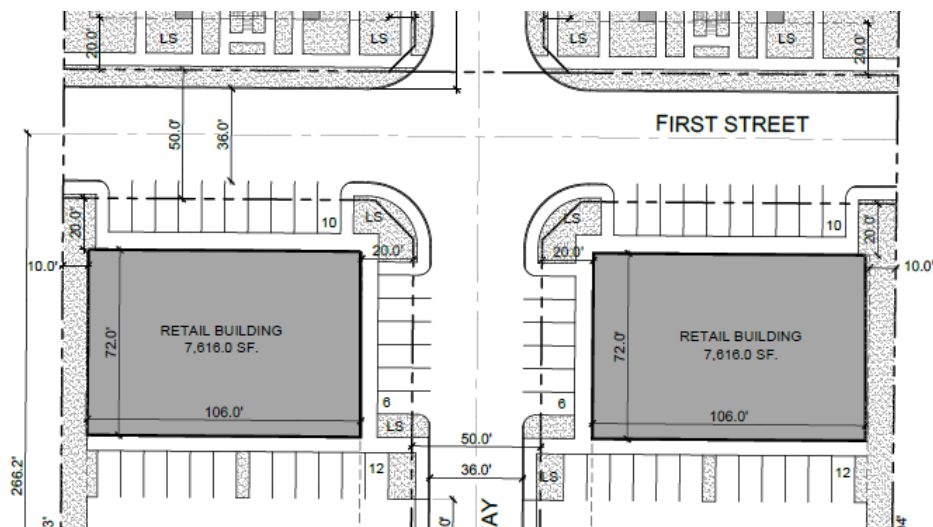
- b. **Applicant's Proposal:** The applicant is proposing to construct the internal streets as 36-foot street sections with curb, gutter, and 5-foot wide sidewalk within 50-feet of right-of-way.

The applicant is proposing to construct a cul-de-sac at the terminus of Aspen Lakes Way with a 45-degree turning radius.

The applicant is proposing two stub streets as follows (measured centerline to property line):

- First Street, 150-feet in length to the east property line.
- First Street, 150-feet in length to the west property line.

The applicant is proposing to construct parking stalls to be utilized for the two northern retail buildings to be partially located within the proposed right-of-way of both First Street and Aspen Lakes Way.



- c. **Staff Comments/Recommendations:** The applicant's proposal to construct the internal local streets as 36-foot street sections with curb, gutter, and sidewalk within 50-feet of right-of-way; to construct a cul-de-sac at the terminus of Aspen Lakes Way with a 45-degree turning radius; and to construct a stub street, First Street, 150-feet to the east property line; construct a stub street, First Street, 150-feet to the west property line meets District policy. However, the proposed on-street parking within the right-of-way does not meet District policy and is not approved, as proposed.

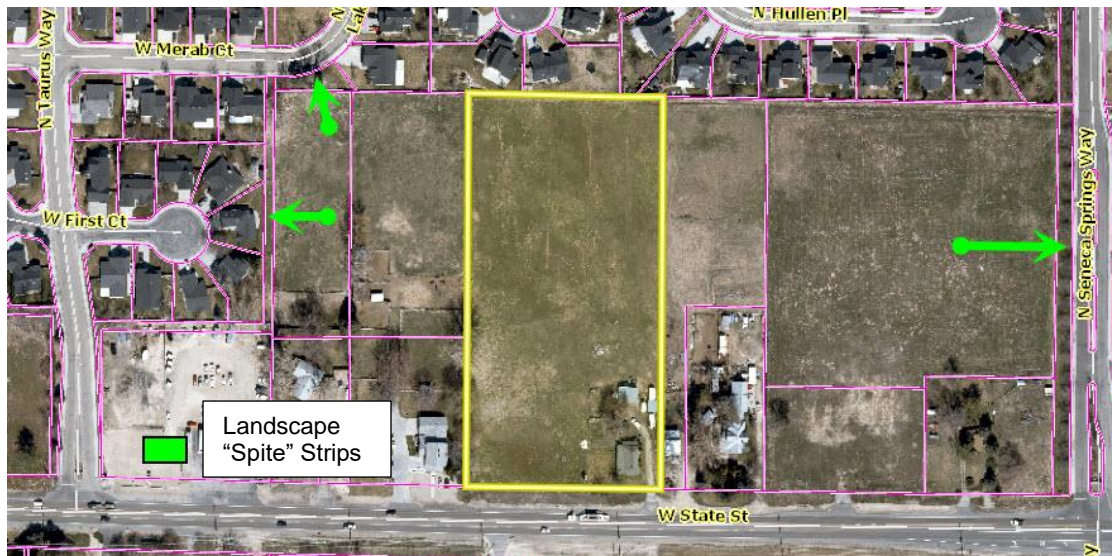
The applicant is proposing 32 on-street parking stalls that are located partially within the right-of-way to accommodate the parking necessitated for the two northern retail buildings located at the First Street/ Aspen Lakes Way intersection. ACHD does not allow this type of parking within the right-of-way and has concerns regarding pedestrian safety in parking areas. The City of Star should verify that there is adequate guest and tenant parking on-site to accommodate the proposed land uses. On-street parking should not be counted toward the required on-site parking requirements as on-street parking may be removed in the future at the discretion of the District. The parking needs generated by this development should be provided on-site and not within the public right-of-way; and the applicant should be required to redesign the site to provide the required on-site parking for this development.

Or, if the this type of on-street parking is desired by the City of Star then the roadways within the development should be constructed as private streets.

The type of retail business to be located within the proposed buildings has not been determined as yet. Based on the Institute of Transportation Engineers Parking Manual, 4th Edition the following are estimates for the required parking stalls for potential uses.

Use	Parking Stalls per 1,000 Square Feet
High-Turnover Restaurant	14.3 to 17.3
Free Standing Discount Store	5.0
Medical/Dental Office Building	4.0
General Office Building	2.84

Further, staff is not in support of the applicant's proposal to construct public streets internal to the site. Public streets in this location do not appear to be in the public's best interest, as commercial development is planned in this area and ACHD would be maintaining public streets acting as drive aisels and due to the fact that future connectivity to public streets to the east and west is prohibited by landscape "spite" strips owned by other property owners or homeowner associations, thus preventing the connectivity to other public streets. Therefore, staff recommends that the internal streets be constructed as private streets with cross access easements to the properties east and west of the site.



IF the City of Star approves this application with public streets, the applicant should be required to:

- Construct the internal local streets as 36-foot street sections with curb, gutter, and sidewalk within 50-feet of right-of-way
- Construct a cul-de-sac at the terminus of Aspen Lakes Way with a 45-degree turning radius
- Construct a stub street, First Street, 150-feet to the east property line
- Construct a stub street, First Street, 150-feet to the west property line
- Provide signage at the terminus of the two stub streets stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."
- Redesign the site to provide the necessary on-site parking for the development.
- On-street parking is prohibited within 75-feet of the intersection.

3. Private Roads

a. Policy

Private Road Policy: District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:

- Designed to discourage through traffic between two public streets,
- Graded to drain away from the public street intersection, and
- If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

- b. Staff Comments/Recommendations:** If the City of Star approves use of private roads, the applicant should be required to pave the private roadway a minimum of 20 to 24-feet wide 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.

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

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

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

B. Site Specific Conditions of Approval for Public Streets

1. Construct the internal local streets as 36-foot street sections with curb, gutter, and sidewalk within 50-feet of right-of-way.
2. Construct a cul-de-sac at the terminus of Aspen Lakes Way with a 45-degree turning radius.
3. Construct a stub street, First Street, 150-feet to the east property line.
4. Construct a stub street, First Street, 150-feet to the west property line.
5. Install signage at the terminus of the two stub streets stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."
6. Redesign the site to provide the necessary on-site parking for the development. The on-street parking shown on page 3 is not approved.
7. On-street parking is prohibited within 75-feet of the intersection.
8. A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
9. Plans shall be submitted to the ACHD Development Services Department for plans acceptance, and impact fee assessment (if an assessment is applicable).
10. Comply with the Standard Conditions of Approval as noted below.

C. Site Specific Conditions of Approval for Private Road

1. Pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of State Street.
2. Install a street sign and a stop sign for the private road.
3. A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
4. Plans shall be submitted to the ACHD Development Services Department for plans acceptance, and impact fee assessment (if an assessment is applicable).
5. Comply with the Standard Conditions of Approval as noted below.

D. Traffic Information

Trip Generation

This development is estimated to generate 1,603 additional vehicle trips per day (9 existing); and 167 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

Condition of Area Roadways: *Traffic Count is based on Vehicles per hour (VPH)*

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
**State Highway 44/ State Street	322-feet	Principal Arterial	1,128	N/A

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

Average Daily Traffic Count (VDT): *Average daily traffic counts are based on ACHD's most current traffic counts*

- The average daily traffic count for SH-44/ State Street west of SH-16 was 19,485 on 07/24/2019.

E. Attachments

1. Vicinity Map
2. Site Plan
3. Standard Conditions of Approval
4. Appeal Guidelines

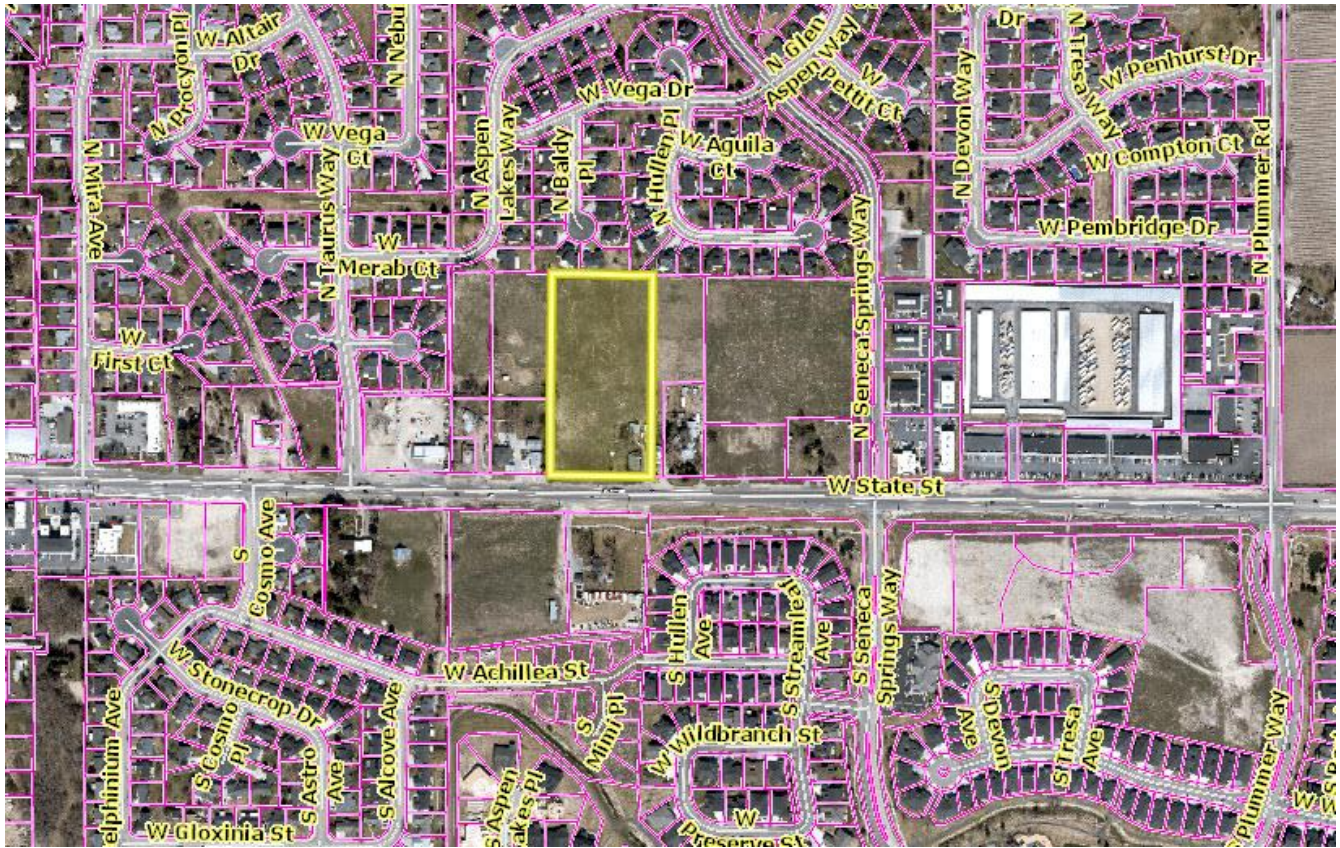
If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

Stacey Yarrington
Planner III
Development Services

cc: Project File
City of Star
Philip D Whitener (via email)

VICINITY MAP



SITE PLAN



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, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

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.



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IDAHO TRANSPORTATION DEPARTMENT

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

March 3, 2020

Shawn Nickel
City Clerk
P.O. Box 130
Star, Idaho 83669

VIA EMAIL

Development Application	RZ-20-04, PUD-20-05
Project Name	WHITENER PROPERTY
Project Location	10206 West State Street, north of SH-44 milepost 11.14
Project Description	Rezone from Mixed Use (MU-DA) to Central Business District (CBD) and a planned unit development for a commercial and single family residential development consisting of 28 townhomes and approximately 22,164 square feet of commercial/ retail space.
Applicant	Jay Gibbons

The Idaho Transportation Department (ITD) reviewed the referenced rezone and planned unit development applications and has the following comments:

1. This project abuts the State Highway system.
2. Applicant has contacted ITD to discuss the proposed access to the State Highway system. SH-44 is classified as a statewide route under the Idaho Administrative Procedure Act. The proposed access does not meet the 500 foot spacing requirement between approaches or the 2,640 feet required between local roads. ITD is willing to consider the proposed approach as a private commercial access with the submittal of a Traffic Impact Study (TIS). The TIS will determine appropriate mitigation and level of access based on trip generation numbers and analysis.

If the TIS is received, reviewed, and accepted, the applicant will need to submit an ITD Right-of-Way Encroachment Application and Permit – Approaches or Public Streets in order to have it properly documented. This application can be found on the ITD website at www.itd.idaho.gov by selecting “click for more topics” in the purple Business box, then selecting “Form Finder” from



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the drop down menu, and finally scrolling down to form number 2109 and clicking on the blue number. For assistance please contact Ken Couch at (208) 332-7190 or Ken.Couch@itd.idaho.gov. Connection to or modification of an existing access to the State Highway system will require a permit from ITD. Once permitted, should the use of the parcel change causing any increase in trip generation, or the parcel be split, property owner will need to re-apply for access at that time.

3. A corridor study for SH-44 is currently underway A future right-of-way width of 70 feet each side of center line is being considered. ITD requests the City's assistance in keeping structures out of the potential future right-of-way to help reduce the expense of improving the highway.
4. ITD recommends the applicant collaborate with ITD while designing the site plan for their buildings as the environmental study for SH-44 is currently ongoing and future right-of-way needs have not been officially determined.
5. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
6. The Idaho Administrative Procedures Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
7. ITD does not object to the rezone of the parcel, but objects to the planned unit development application due to traffic and access concerns as noted in item 2.
8. Once a Traffic Impact Study has been received, reviewed, and accepted and the appropriate ITD permit has been obtained, ITD will withdraw any objection to the proposed application.

If you have any questions, you may contact me at (208) 334-8338 or Erika Bowen (208) 265-4312 ext 7.

Sincerely,

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

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

MEETING DATE: July 28, 2020 – PUBLIC HEARING (**tabled from July 21, 2020**)

FILE(S) #: **RZ-20-06-DA Rezone**
DA-20-09 Development Agreement
PP-20-09 Preliminary Plat for Ridley's Heron River Commercial Subdivision
CUP-20-03 Les Schwab Tire Center

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

CJM Limited Liability Limited Partnership
621 Washington St South
Twin Falls, ID 83301

Applicant:

Mark Ridley
621 Washington St South
Twin Falls, ID 83301

Applicant:

Michael White
303 East 17th Ave Suite 105
Denver, CO 80203

REQUEST

Request: The Applicants seek 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, 9651, 9687, 9759, 9803, 9781, 9839 & 9911 W. State Street, and consists of 11.39 acres.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the south side of W. State Street, between S. Plummer Road and S Seneca Springs Way in Star, Idaho. Ada Co. Parcel #'s R6925810080, R6925810070, R6925810060,

R6925810050, R6925810040, R6925810030, R6925810020 & R6925810010.

Existing Site Characteristics: The majority of the property is currently vacant, with the Ridley's Market under construction as part of Certificate of Zoning Compliance approval (ZC-20-08).

Irrigation/Drainage District(s): - Pioneer Ditch Company

Flood Zone: The development is located outside a special flood hazard zone per FEMA FIRM panel #16001C0130H. Zone X.

Special On-Site Features:

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No known areas.
- ✧ Fish Habitat – No known areas.
- ✧ Mature Trees – No.
- ✧ Riparian Vegetation – No known areas.
- ✧ Steep Slopes – No.
- ✧ Stream/Creek – None.
- ✧ Unique Animal Life – No unique animal life has been identified.
- ✧ 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 21, 2020
Neighborhood Meeting Held	June 18, 2020
Application Submitted & Fees Paid	June 22, 2020
Application Accepted	June 22, 2020
Residents within 300' Notified	June 22, 2020
Agencies Notified	June 22, 2020
Legal Notice Published	July 1, 2020
Property Posted	July 17, 2020

HISTORY

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

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS
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	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

ZONING ORDINANCE STANDARDS / COMPREHENSIVE PLAN

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.

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.

PROJECT OVERVIEW

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).

AGENCY RESPONSES

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

PUBLIC RESPONSES

None

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of the design and layout of the commercial components of this development application, with the proposed conditions of approval.

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed rezone, development agreement, preliminary plat and conditional use permit 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:

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 central business district is to provide for commercial, retail, civic, office, and entertainment uses.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and
The City must find that there is no indication from the material submitted by any political agency stating that the annexation and/or 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 and/or zoning 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. Commercial uses are allowed in this zoning district.
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 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 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. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION

The Star City Council _____ File #RZ-20-06/DA-20-09/PP-20-09 for Ridley's Heron River Commercial Subdivision and CUP-20-03 for Les Schwab Tire Center on _____, 2020.

Rezone-Ridley's Heron River Commercial Subdivision Preliminary Plat Vicinity Map

Site

400ft



ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Vicinity Map

Proposed Heron River Commercial Subdivision

145 South Plummer Way
Star, Idaho

Designed by: SY
Drafted by: SY
Client Name: Ridley's Family Markets
Job No.: Vicinity Map Rezone
Date: 18 Jun, 2020

Not to Scale

Sheet No.

1

1	DATE	DESCRIPTION



VICINITY MAP



SCALE: 1" = 1000'

DENVER, CO
p 720.359.1416
f 720.359.1417

**Cushing
Terrell**

9911 WEST STATE STREET
STAR, IDAHO 83669

LES SCHWAB TIRE CENTER

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04.09.2020
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CHECKED BY
DESPER

TAG

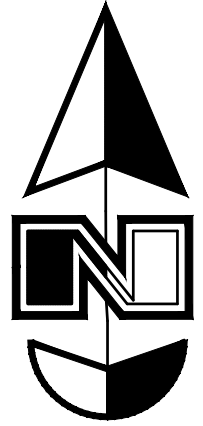
REVISION

REF SHEET
C100

SHEET NAME
VM02

Heron River Commercial Subdivision

A Resubdivision of Parkstone Subdivision No. 5 located in the Northeast Quarter of Section 17
and the Northwest Quarter of Section 16, T4N, R1W, Boise Meridian, Star, ADA County, Idaho
2020

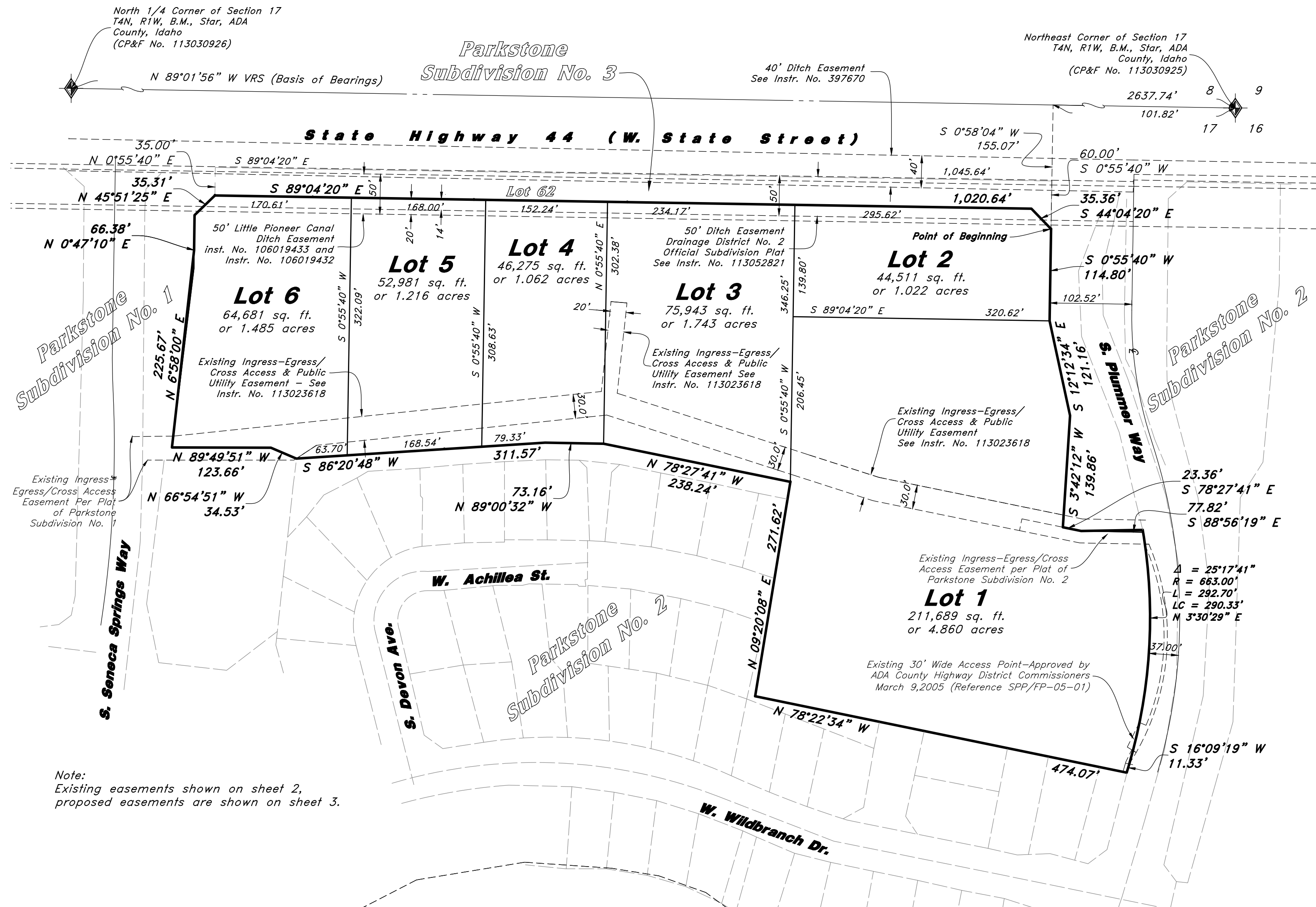


Scale: 1" = 100'



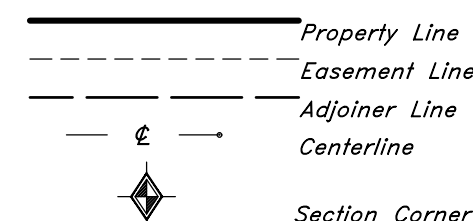
Notes

1. The boundary and existing conditions for this subdivision were surveyed by Anderson Wahlen & Associates on October 8, 2019 as Reference No. 19-104AS.
2. Conditions, restrictions, easements, and cross access agreements will be stated in declaration by separate document.



Note:
Existing easements shown on sheet 2,
proposed easements are shown on sheet 3.

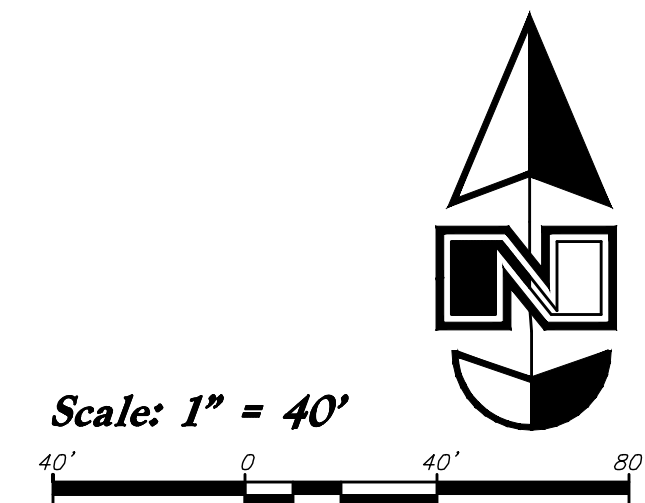
Legend



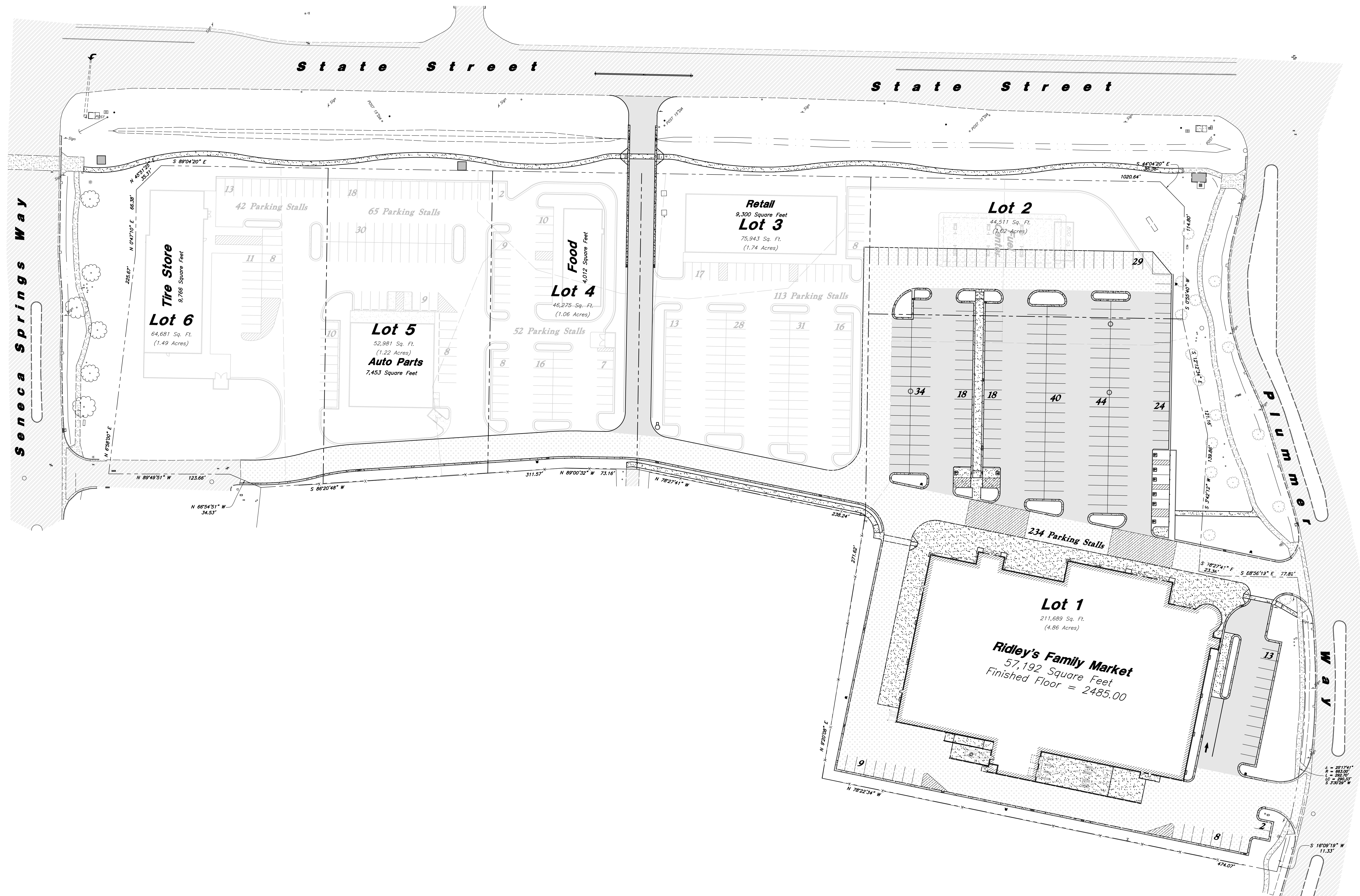
ANDERSON WAHLEN & ASSOCIATES

2010 North Redwood Road, Salt Lake City, Utah 84116
801 521-8529 - AWAengineering.net





Site Data
Site Area = 496,080 s.f. (11.388 ac.)
Building Area = 57,192 s.f. (11.53%)
Parking Required = 4/1,000 s.f. = 229 stalls
Parking Provided = 234 stalls (4.09/1,000)



ANNA ANDERSON WAHLEN & ASSOCIATES 2010 North Riverside Road, Salt Lake City, Utah 84116 (801) 261-9225 - www.andersonwahlengroup.com	
Overall Site Plan Ridley's Family Market 9718-9776 West State Street Salt Lake City, Utah 84163	
PROFESSIONAL ENGINEER LICENSED 17871 STATE OF UTAH SHAWN YOUNG	
29 Jan, 2020 SHEET NO. C1.0	

CONSTRUCTION NOTES

1. THE CONTRACTOR SHALL REFER TO BUILDING PLANS FOR LOCATION AND DIMENSIONS OF SLOPED PAVING, EXIT PORCHES, TRUCK DOCKS, BUILDING DIMENSIONS, BUILDING ENTRANCE LOCATIONS, TOTAL NUMBER, LOCATIONS AND SIZES OF ROOF DOWNSPOUTS.
2. ALL TRAFFIC CONTROL SIGNS SHALL BE FABRICATED AS SHOWN IN THE NATIONAL MANUAL ON UNIFORM CONTROL DEVICES FOR STREETS AND HIGHWAYS EXCEPT AS NOTED ON THE PLANS.
3. ALL CURB RADII SHOWN ARE TO FACE OF CURB.
4. ALL PAVING DIMENSIONS ARE TO FACE OF CURB, WHERE APPLICABLE, UNLESS OTHERWISE NOTED.
5. ALL COORDINATES SHOWN ARE TO FACE OF CURB OR OUTSIDE OF WALL.
6. THE CONTRACTOR SHALL MATCH EXISTING PAVEMENT IN GRADE AND ALIGNMENT.
7. THE CONTRACTOR SHALL MATCH EXISTING CURB AND GUTTER IN GRADE, SIZE, TYPE AND ALIGNMENT AT ADJACENT ROADWAYS, UNLESS OTHERWISE NOTED.
8. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING IMPROVEMENTS DURING CONSTRUCTION, SUCH AS, BUT NOT LIMITED TO, DRAINAGE, UTILITIES, PAVEMENT, STRIPING, CURB, ETC. REPAIRS SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS.
9. ALL WORK ON THIS PLAN SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
10. SEE ARCHITECTURAL PLANS FOR DETAILS ON BUILDING, TRASH ENCLOSURE AND BULLPEN.

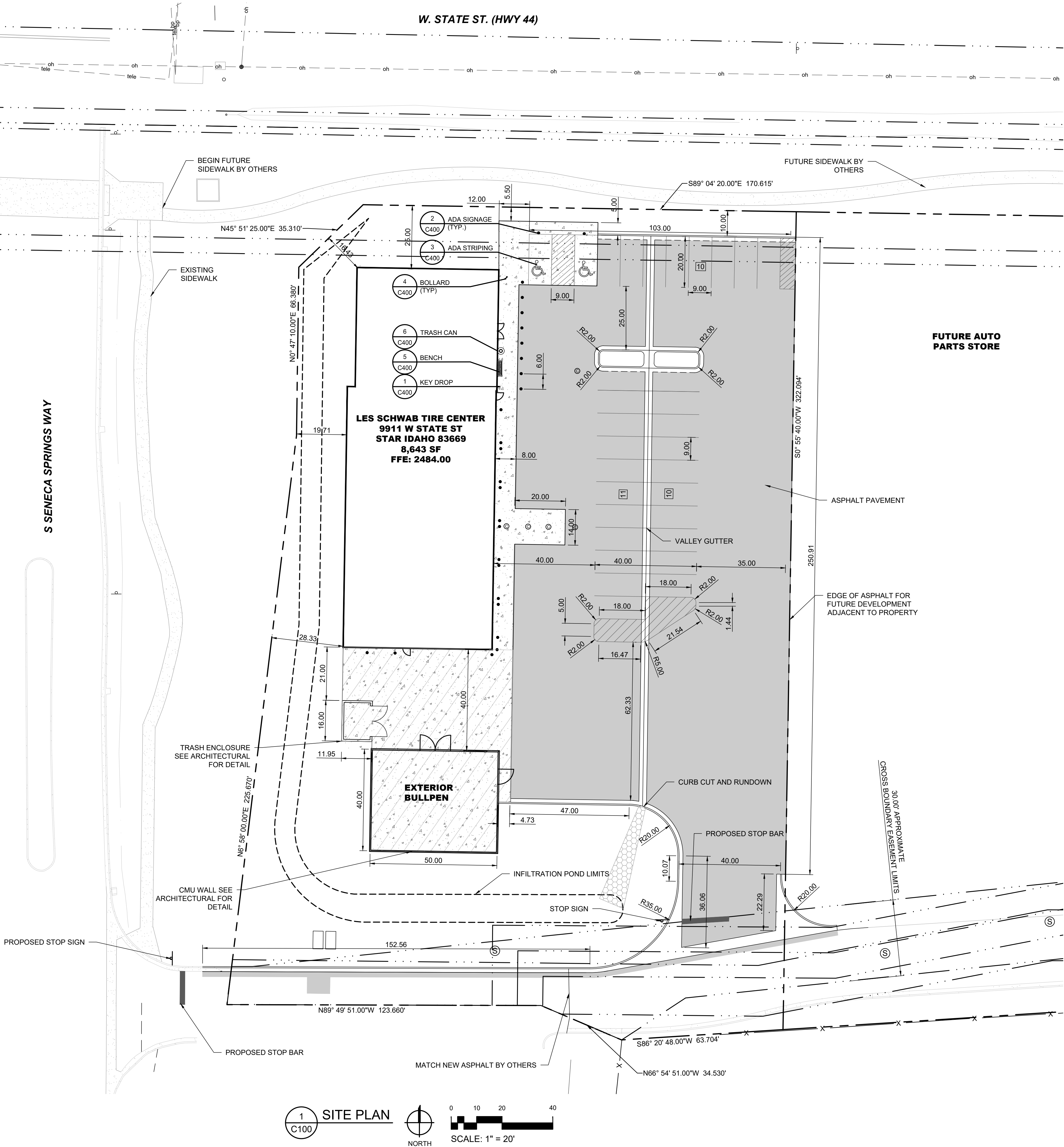
PAVING NOTES

1. PAVEMENT SHALL BE PLACED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND GEOTECHNICAL REPORT.
2. PAVEMENT SECTION RECOMMENDATIONS WERE TAKEN FROM THE GEOTECHNICAL INVESTIGATION DATED FEBRUARY 27, 2020 BY TERRACON CONSULTING, INC.

SITE PLAN LEGEND

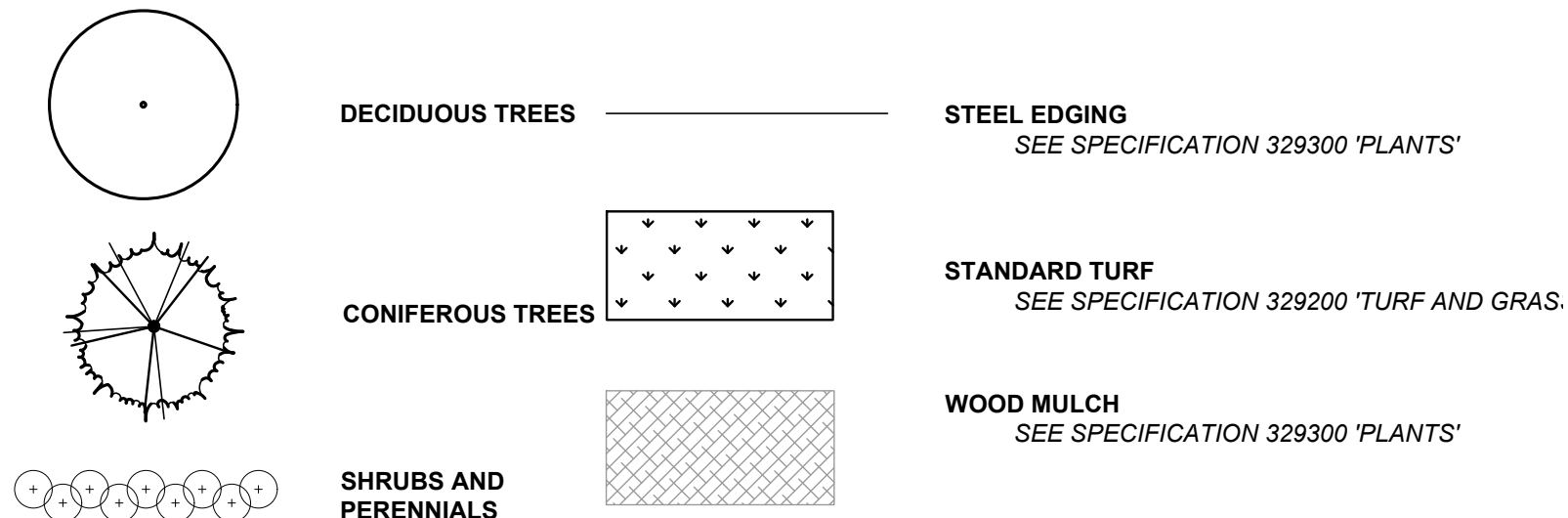
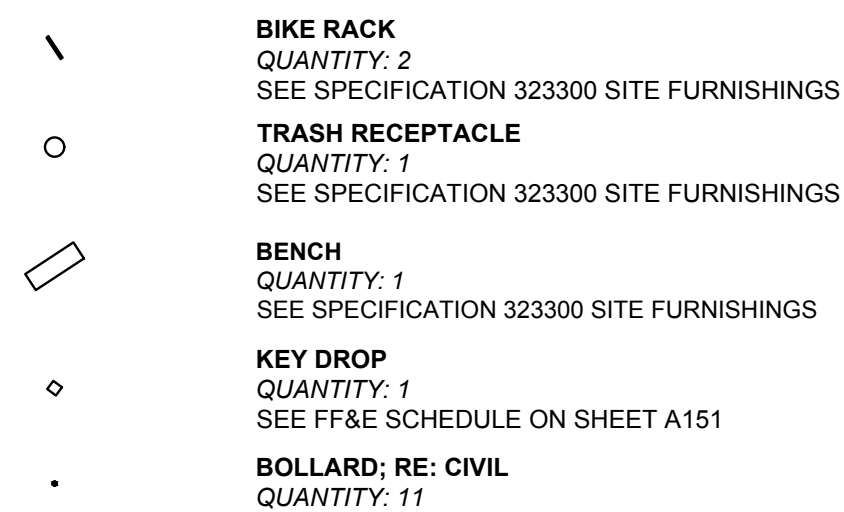
- ⊙ SANITARY SEWER CLEANOUT
- Ⓢ SANITARY SEWER MANHOLE
- ⊗ WATER VALVE
- ⊕ FIRE HYDRANT / CONTROL POINT
- ⊙ LIGHT POLE - ONE LIGHT AND DIRECTION
- ⊙ UTILITY POLE
- ⊙ GUYWIRE
- ⊙ SINGLE POLE SIGN
- EXISTING CONCRETE
- PROPOSED CONCRETE
- PROPOSED REINFORCED CONCRETE
- EXISTING ASPHALT
- PROPOSED ASPHALT - LIGHT DUTY
- PROPOSED LANDSCAPING
- PROPOSED RIP RAP

- PROPOSED CATCH CURB
- PROPOSED SPILL CURB
- PROPERTY BOUNDARY
- EASEMENT
- PROPOSED STRIPING
- FENCE





PLANTING LEGEND



PLANTING NOTES:

1. LANDSCAPE / IRRIGATION CONTRACTOR SHALL COORDINATE INSTALLATION OF ALL LANDSCAPE AND IRRIGATION MATERIALS WITH GENERAL CONTRACTOR.
2. CONTRACTOR TO EVALUATE EXISTING SITE CONDITIONS AND REMEDY AS REQUIRED TO PROVIDE FOR HEALTHY PLANT GROWTH AND MITIGATE UNSIGHTLY CONDITIONS.
3. CONTRACTOR TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH OTHER TRADES.
4. PLANT, PLACE TOPSOIL AND RE-GRADE ALL PROPOSED LAWN / DRYLAND GRASS AREAS DISTURBED BY CONTRACTOR'S OPERATIONS AS PER PLANS AND SPECIFICATIONS. DISTURBED AREAS SHALL BE WHERE CONSTRUCTION ACTIVITIES INCLUDING TRENCHING, DEMOLITION, EARTHWORK, MATERIAL STORAGE, STAGING, PARKING OR ANY OTHER FORM OF EXCAVATION, COMPACTION, OR TRAFFIC RESULTS IN THE REMOVAL OR DISPLACEMENT OF EXISTING GROUND COVER OR GRADE. PROVIDE SMOOTH CLEAN TRANSITION FROM EXISTING TO DISTURBED AREA.
5. SEE ALL SPECIFICATIONS, ALL DEMO SHEETS FOR LANDSCAPE TO BE REMOVED AND TO REMAIN.
6. ANY DEVIATIONS IN UTILITIES FROM THIS PLAN MUST BE SUPPLIED TO THE PROJECT MANAGER & OWNER IN AS-BUILT DRAWINGS.
7. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES. THE ILLUSTRATED LOCATIONS SHALL DICTATE FINAL COUNT.
8. PRIOR TO PLANTING, IRRIGATION SYSTEM SHALL BE FULLY OPERATIONAL AND ALL PLANTS SHALL BE AREA SHALL BE SOAKED.
10. ALL LANDSCAPE AREAS TO HAVE PERMANENT IRRIGATION. REFER TO IRRIGATION PLAN.
11. IN THE EVENT OF ANY DISCREPANCIES, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.
12. PLANT MATERIAL SHALL NOT BE ROOT BOUND. ALL PLANTS SHALL EXHIBIT HEALTHY GROWTH AND BE FREE OF DISEASES AND PESTS.
13. DURING INSTALLATION OF ALL LANDSCAPE AND IRRIGATION WORK, CONTRACTOR SHALL KEEP ALL PLANTING AND HARDSCAPE AREAS, INCLUDING ALL WORK AREAS AND WALKING AND DRIVEWAY SURFACES, CLEAN OF DEBRIS. PROTECT ALL PLANT MATERIALS FROM DAMAGE DUE TO CONSTRUCTION ACTIVITIES BY ALL TRADES. MAINTAIN PROTECTION THROUGHOUT INSTALLATION AND MAINTENANCE PERIOD. TREAT, REPAIR, OR REPLACE ANY DAMAGED OR UNHEALTHY PLANT MATERIALS, AS WELL AS ALL OTHER LANDSCAPE WORK IMMEDIATELY.

TREE, SHRUB, AND PERENNIAL NOTES:

1. ALL PLANT MATERIAL SHALL BE INSTALLED AS DETAILED AND SPECIFIED AND CONFORM TO THE CURRENT AMERICAN NURSERY AND LANDSCAPE ARCHITECTURE STANDARD.
2. NO PLANT SUBSTITUTIONS WILL BE ALLOWED WITHOUT WRITTEN CONSENT FROM THE LANDSCAPE ARCHITECT.
3. ALL PLANTERS ARE TO BE MULCHED AS SPECIFIED. MODIFY FINISH GRADE ADJACENT TO WALKING SURFACES TO PREVENT MULCH FROM MIGRATING OR WASHING OFF SURFACES DURING RAIN EVENTS.
4. TOP SOIL TO BE INSTALLED AS DESCRIBED IN SPECIFICATION 329115 "SOIL PREPARATION - PERFORMANCE SPECIFICATION".
5. IF SUBSOIL CONDITIONS SHOW EVIDENCE OF UNEXPECTED WATER SEEPAGE OR RETENTION NOTIFY LANDSCAPE ARCHITECT IMMEDIATELY AND MITIGATE AS REQUIRED.

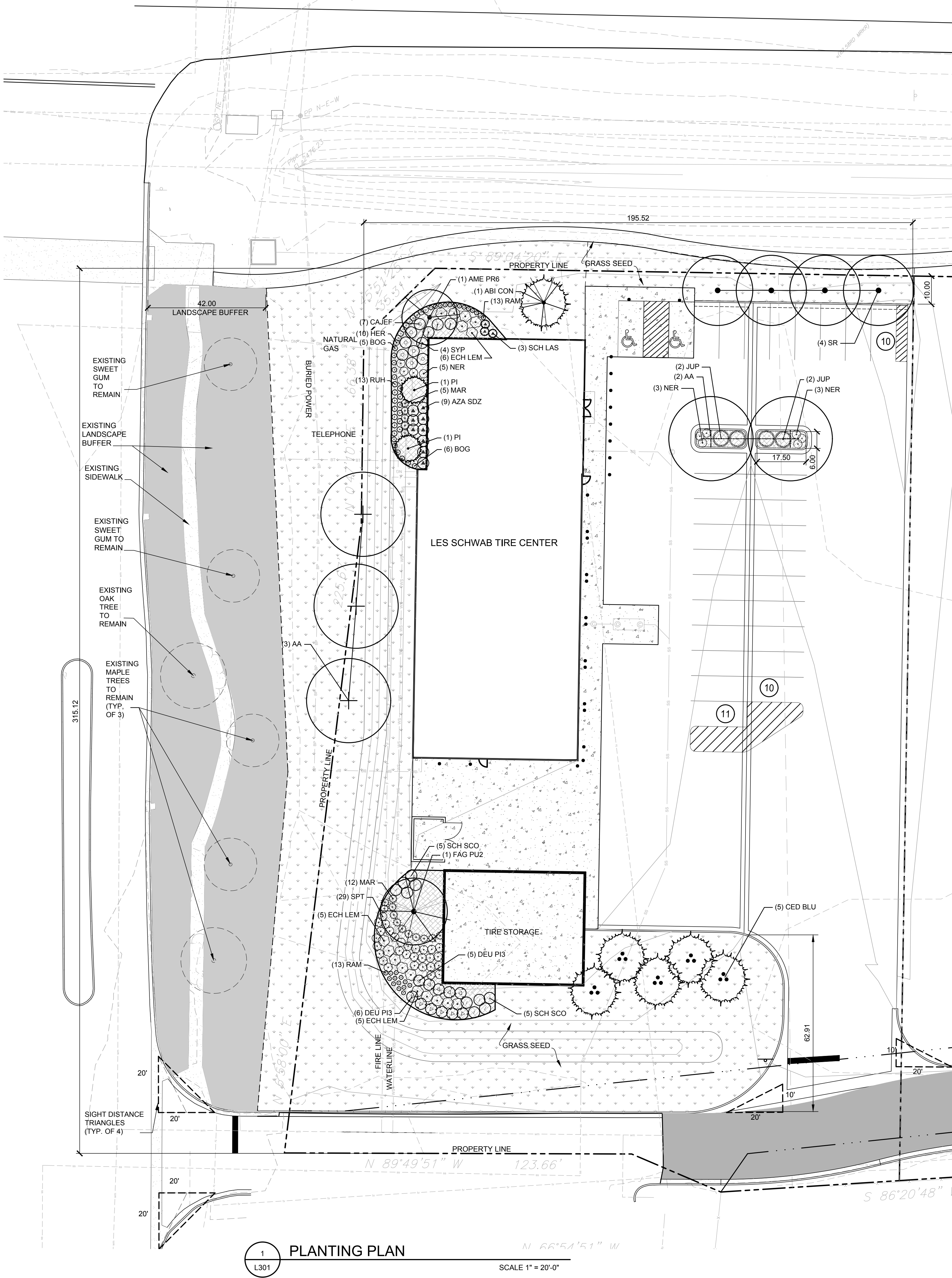
MULCH NOTES:

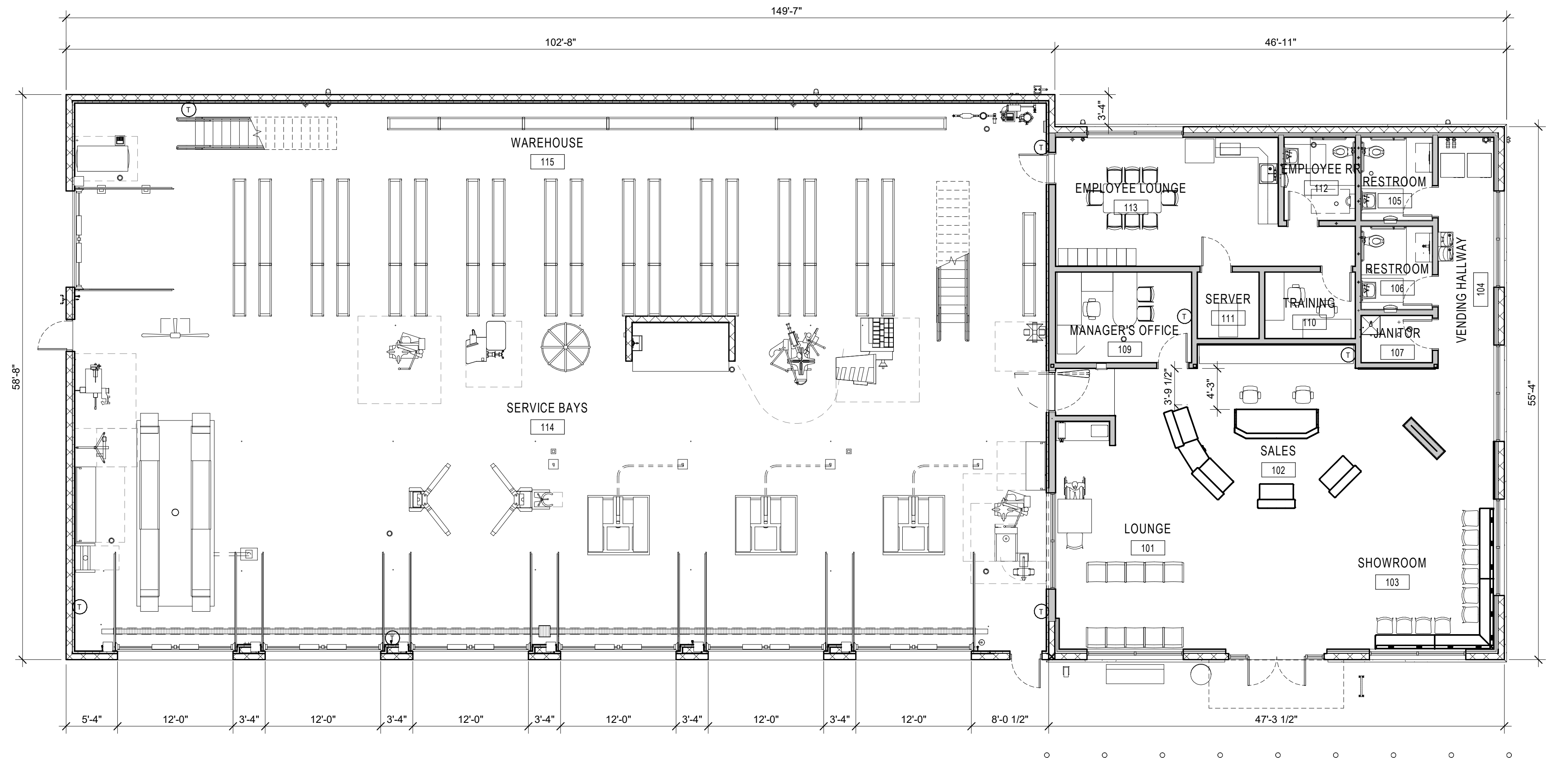
1. **ORGANIC MULCH:** PLANTING AREAS TO RECEIVE ORGANIC MULCH AS NOTED ON PLANS AND AS DESCRIBED IN SPECIFICATION 329300 PLANTS.
2. **MINERAL MULCH:** PLANTING AREAS TO RECEIVE ORGANIC MULCH AS NOTED ON PLANS AND AS DESCRIBED IN SPECIFICATION 329300 PLANTS.
3. EDGING LOCATION AS NOTED ON DRAWINGS AND DETAILS. EDGING IS NOT REQUIRED BETWEEN ORGANIC AND STONE MULCH.
4. MINERAL MULCH IS TO BE PLACED ON WEED BARRIER FABRIC. ORGANIC MULCH TO OMIT WEED BARRIER FABRIC.
5. SUBMIT SAMPLE OF MULCH PRODUCT INTENDED FOR USE ON PROJECT TO LANDSCAPE ARCHITECT FOR REVIEW PRIOR TO INSTALLATION AS SPECIFIED.

PARKING AREA	TOTAL BUILDING SQ. FT.	TOTAL PARKING REQUIRED	TOTAL # OF PARKING STALLS PROVIDED	REQUIRED LANDSCAPING	LANDSCAPE PROVIDED
1 STALL PER 250 SF. OF BUILDING	8650 S. F.	34.6 (35) STALLS	31	50 SF. + 1 TREE PER 12 VEHICLE STALLS OF PARKING	6 TREES + 1761.42 SF OF LANDSCAPE

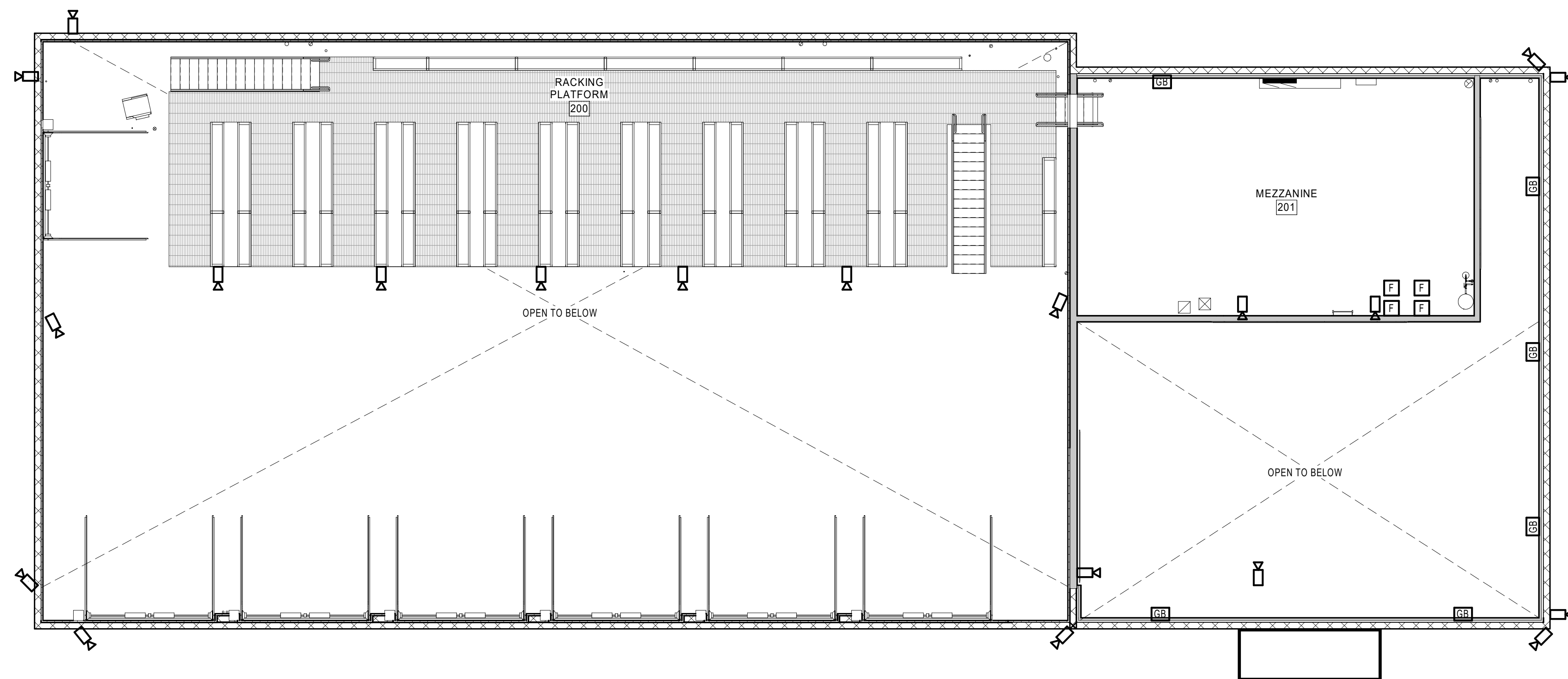
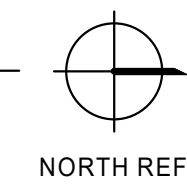
PLANT SCHEDULE

CONIFEROUS TREES		QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	REMARKS
ABI CON	2	5	Abies concolor	White Fir	8' Ht.	B&B	35'-40" H x 15-20" W	
CEI BLU	5	2	Cedrus atlantica 'Glaucia'	Blue Atlas Cedar	8' Ht.	B&B	40-55" H x 30-40" W	
PD	2	2	Picea glauca 'Pendula'	Weeping White Spruce	8' Ht.	B&B	15-30" H x 5-10" W	Deer Res.
THREE VARIETIES OF CONIFERS FOR A TOTAL NUMBER OF 9 TREES								
DECIDUOUS TREES		QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	REMARKS
AA	5	1	Acer freemanii 'Autumn Blaze'	Autumn Blaze Maple	2" Cal.	B&B	40-55" H x 30-40" W	Deer Res.
AME PR6	1	1	Amelanchier laevis 'Prince Charles'	Prince Charles Allegheny Serviceberry	1.5" Cal.	B&B	15-20" H x 15-20" W	
FAG PU2	1	1	Fagus sylvatica 'Purpurea Tricolor'	European Beech	2" Cal.	B&B	20-30" H x 15-25" W	
THREE VARIETIES OF DECIDUOUS TREES FOR A TOTAL NUMBER OF 7 TREES								
ORNAMENTAL TREES		QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	REMARKS
SR	4	1	Syringa reticulata	Japanese Tree Lilac	1.5" Cal.	B&B	20-30" H x 15-25" W	Deer Res.
CONIFEROUS SHRUB		QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	REMARKS
JUP	4	1	Juniperus horizontalis 'Prince of Wales'	Prince Of Wales Juniper	5 gal.	Pot	0.25-0.5' H x 3-6' W	Deer Res.
MAR	17	1	Mahonia repens	Creeping Mahonia	5 gal.	Pot	1-1.5' H x 2-3' W	Deer Res.
DECIDUOUS SHRUB		QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	REMARKS
CAJEF	7	1	Cornus alba 'Jefreb' TM	Little Rebel Tatarian Dogwood	2 gal.	Pot	3-4' H x 3-4' W	
AZA SDZ	9	1	Rhododendron azalea 'Fragrant Star'	Fragrant Star Azalea	2 gal.	Pot	3-5' H x 4-5' W	
SPT	29	1	Spiraea petiolaris 'Tor'	Birchleaf Spiraea	5 gal.	Pot	2-3' H x 2-3' W	Deer Res.
SYP	4	1	Syringa x 'Pendula' TM	Black-eyed Susan	5 gal.	Pot	3-4' H x 3-4' W	
GRASSES		QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	REMARKS
BOG	189	1	Bouteloua gracilis	Blue Grama Grass	1 gal.	Pot	0.75-2.5' H x 0.75-1.5' W	
SCH LAS	3	1	Schizachyrium scoparium 'Las Vegas Blues'	Little Bluestem Grass	1 gal.	Pot	4-6" H x 4-6" W	
SCH SCO	11	1	Schizachyrium scoparium 'The Blues'	The Blues Little Bluestem Grass	1 gal.	Pot	4-6" H x 4-6" W	
PERENNIALS		QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	REMARKS
DEU PI3	11	1	Deutzia gracilis 'Pink Minor'	Slender Deutzia	---			
ECH LEM	16	1	Echinacea x 'Balsomeminy' TM	Sombrero Lemon Yellow Improved Coneflower	1 gal.	Pot	1-1.5' H x 2-3' W	
HER	10	1	Heuchera sanguinea 'Splendens'	Red Coral Bells	1 gal.	Pot	1-1.5' H x 1-1.5' W	
NER	11	1	Nepeta racemosa 'Walker's Low'	Catmint	1 gal.	Pot	2-2.5' H x 2.5-3' W	Deer Res.
RAM	26	1	Ratibida columnifera 'Mexican Hat'	Prairie Coneflower	1 gal.	Pot		
RUH	13	1	Rudbeckia hirta	Black-eyed Susan	1 gal.	Pot	2-3' H x 1-2' W	Deer Res.

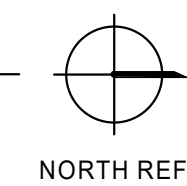




1 FLOOR PLAN - MAIN LEVEL
A1.1 1/8" = 1'-0"



2 FLOOR PLAN - MEZZANINE RACKING PLATFORM
A1.1 1/8" = 1'-0"



Cushing
Terrell

cushingterrell.com
800.757.9522



LES SCHWAB TIRE CENTER

9911 WEST STATE STREET
STAR, IDAHO 83669

NOT FOR CONSTRUCTION - PRELIMINARY DESIGN

© 2020 | ALL RIGHTS RESERVED

SITE DEVELOPMENT
PLAN

06.16.2020
DRAWN BY | JONES
REVISIONS

FLOOR PLAN

A1.1



1
A2.0
FRONT PERSPECTIVE
N.T.S.



2
A2.0
FRONT PERSPECTIVE @ SERVICE BAYS
N.T.S.



3
A2.0
REAR PERSPECTIVE
N.T.S.

9911 WEST STATE STREET
STAR, IDAHO 83669

LES SCHWAB TIRE CENTER

NOT FOR CONSTRUCTION - PRELIMINARY DESIGN

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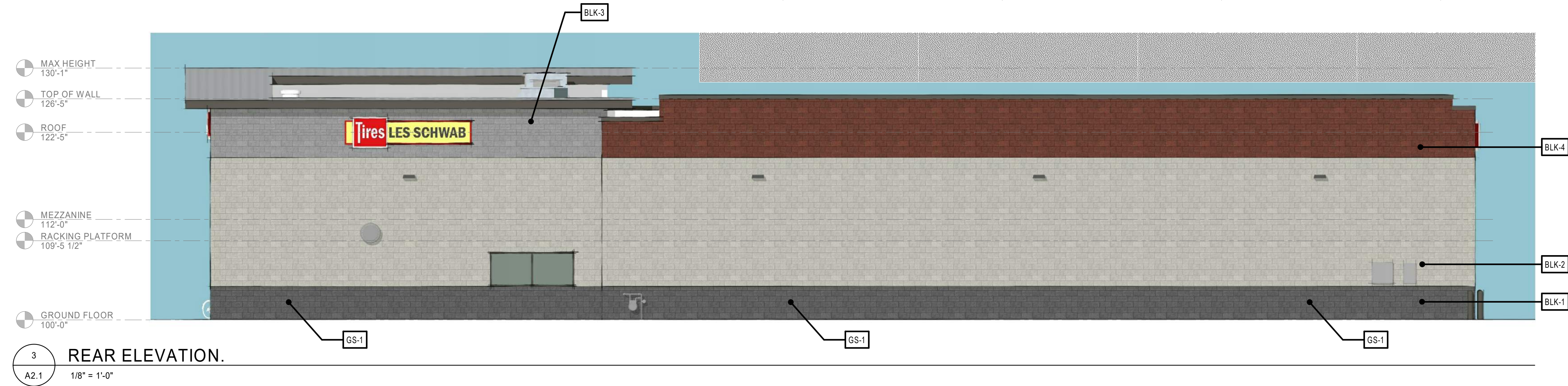
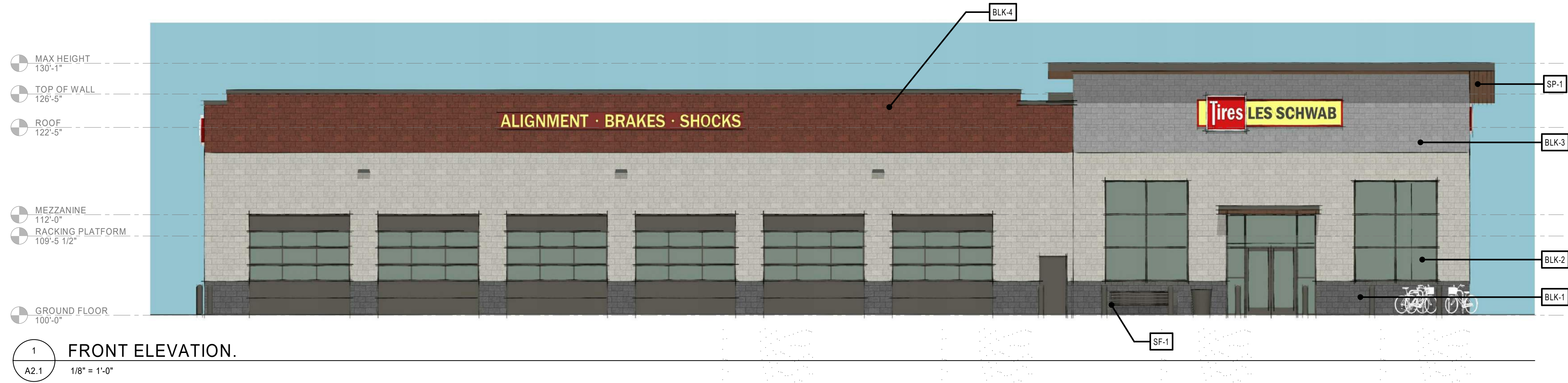
SITE DEVELOPMENT
PLAN

06.16.2020

DRAWN BY | JONES
REVISIONS

EXTERIOR VIEWS

A2.0



ELEVATION GENERAL NOTES:

- A. ANY SIGNAGE DEPICTED ON ELEVATIONS IS TO BE PERMITTED SEPARATELY, BY OWNER.
- B. ALL VERTICAL DIMENSIONS SHOWN ARE FROM FINISH FLOOR.
- C. REF CIVIL AND STRUCTURAL DRAWINGS FOR GRADE CHANGES AND RETAINING WALL DIMENSIONS AND LOCATIONS.
- D. CONNECT ALL ROOF DRAINS AND DOWNSPOUTS TO SUBGRADE DRAINAGE SYSTEM. REF CIVIL DRAWINGS
- E. COORDINATE WITH SIGNAGE PLANS REQUIRED STRUCTURAL BACKING IN CMU AND REQUIRED ELECTRICAL ROUGH-IN LOCATIONS
- F. VERIFY LOCAL FIRE DEPARTMENT REQUIREMENTS FOR ADDRESS NUMBER LOCATION

MATERIAL LEGEND:

- BLK-1 ANGELUS CMU SPLIT FACE, (ONYX)
- BLK-2 ANGELUS CMU SPLIT BURNISHED, (MISSION WHITE)
- BLK-3 ANGELUS CMU PRECISION, (GREYSTONE)
- BLK-4 ANGELUS CMU SPLIT FACE, (LANERA RED)
- SP-1 SOFFIT PANEL 6" V-GROOVE PLANKS (WHITE OAK NATURAL)
- SF-1 SITE FURNISHINGS IN DARK BRONZE, TRASH RECEPTACLE AND BENCH
- EP-2 EXTERIOR PAINT TYPE-2 (TO MATCH VALSPAR 397B792 FLUOROPON EXTRA DARK BRONZE) (PPC-EP2)

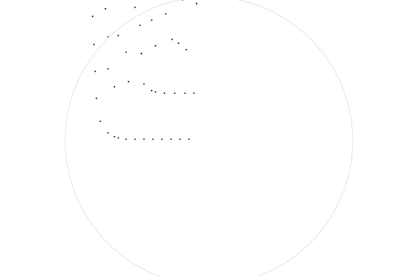
Cushing
Terrell

cushingterrell.com
800.757.9522



9911 WEST STATE STREET
STAR, IDAHO 83669

LES SCHWAB TIRE CENTER



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SITE DEVELOPMENT
PLAN

06.16.2020

DRAWN BY JONES
REVISIONS

EXTERIOR
ELEVATIONS

A2.1

To Whom it May Concern,

CJM Limited Liability Limited Partnership owns Lots 65 through 72 within the Parkstone Subdivision No. 5. All lots are zoned R2DA. The development agreement allows for the construction of a grocery store on Lot 72; however, each remaining lot is zoned only for residential use. It is the desire of the ownership to submit a new plat which would create commercial lots and to rezone the property such that each lot within the subdivision is zoned for commercial use rather than residential. The new plat is titled "Ridley's Heron River Commercial Subdivision" and would create 6 lots. The new lots are labeled 1 through 6; with the grocery store being on Lot 1. This will be a single phase project and will require each lot to gain separate site plan approval as tenants become available.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Ridley". The signature is fluid and cursive, with the first name "Mark" and last name "Ridley" clearly distinguishable.

Mark Ridley

CJM Limited Liability Limited Partnership



June 18, 2020

City of Star Planning and Zoning
10769 W. State Street
Star, Idaho 83669

To whom it may concern,

This letter serves as the narrative for the Les Schwab Tire Center Conditional Use Application proposed at 9911 W State St. The proposed zoning for the site is CBD (Central Business District) and the proposed use is Tire Sales and Service.

Project Summary:

This project consists of a proposed Les Schwab Tire Store located at 911 W State St. The property is 1.48 acres and the proposed building footprint is 8,643 square feet. The property is a single lot that is part of a larger development anchored by Ridley's Grocery.

Conditional Use:

The property is located in the City of Star and is currently zoned R-2-DA but will be modified to a CBD zone by the zone change for the larger Ridley's Grocery development. Per the Unified Development Code (UDC) Tire Sales and Service are a Conditional Use for the CBD zone. The tire store use is appropriate for the site as it falls in line with the larger development which is currently slated to include grocery, fuel center, dining, retail, and auto parts uses. In addition, the location along State Highway 44 makes the location well suited for automotive focused retail.

Existing Conditions

The existing ground cover consists of bare earth with some sparse native vegetation. The site contains a partially developed access on the south that is being extended as part of the Ridley's development. In addition, an irrigation ditch is located beyond the north property line that will not be impacted as part of this development.

Site Improvements

Proposed site improvements include the construction of the proposed Les Schwab Tire Center, utility connections, stormwater treatment & storage, new landscaping, and associated site access and parking. The site includes both asphalt and concrete parking in addition to a concrete loading area for deliveries. The proposed landscaping is designed for conformance with the City of Star standards and aesthetic appeal.

A sewer service from the building will connect to the sewer extension being constructed as part of the Ridley's development. Water services providing domestic and fire flows to the proposed building will connect to the city line located near the southern site access.

A bike rack is located adjacent to the main building entrance in addition to a bench and trashcan.

An infiltration pond for this site is proposed to capture and infiltrate the additional runoff created by the development. The infiltration pond runs along the west and south ends of the Les Schwab Development.

Site Access

Access to the site is from two locations, the first is on the development access road located at the south of the site. The second is from the neighboring lot located to the east which will have a connected parking lot. Coordination of the cross-boundary connection is currently underway with Ridley's development team.

Operations

The Star, ID Les Schwab store is a linear design with six service bays and showroom. The service bays will be used for tire and brake repair. The showroom is used for customer service and the sale of tires and associated products.

Conclusion

We look forward the approval of the Conditional Use Application and our continued work with the City of Star. Please feel free to reach out with any questions or if you would like any additional information to help you in your review.

Sincerely,

Michael White, PE.

Denver Civil Department Manager



STAR FIRE PROTECTION DISTRICT

Office of the Fire Chief

Greg Timinsky

11665 West State Suite B

Star, ID 83669

June 23, 2020

To: City of Star

Application: Ridley's Heron River Subdivision/ Les Schwab Tire Center

File #'s RZ-20-06 Annexation & Development Agreement

CU-20-03 Conditional Use Permit

PP-20-09 Preliminary Plat

From: Chief Greg Timinsky

The Star Fire Protection District has reviewed and approved with conditions listed below on the above referenced Subdivision.

The min. fire flow and flow duration for Commercial shall be as specified in Appendix B of the 2015 IFC.

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

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

It would be for the helpful for fire responses to have a right in right out on to Hwy 44. We will make it work without but would help out when all the parcels are filled.

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

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Timinsky", with a long horizontal flourish extending to the right.

Greg Timinsky,
Fire District Chief

Original to Requester/ Copy retained by Chief



131 SW 5th Ave, Suite A
Meridian, ID 83642
(208) 388-1992

July 17, 2020

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

Re: Ridley's Herron River Commercial Subdivision Preliminary Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Ridley's Heron River Commercial Subdivision dated June 22, 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. 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.
2. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
3. Potable water cannot be used for irrigation purposes. A separate pressure irrigation system will be required.
4. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
5. 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.
6. Landscape plans including fencing, buffer areas, and street trees will have to conform to the City subdivision ordinance.
7. Easements for sewer/water facilities will be required where placed outside of public right of way.

We recommend that the preliminary plat be **APPROVED with the conditions listed above**. Any variance or waivers to the City of Star standards, ordinances, or policies must be specifically approved in writing by the City. Approval of the above referenced preliminary plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

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

Sincerely,

KELLER ASSOCIATES, INC.

DocuSigned by:

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

7A2E17B709C4EE
Ryan V. Morgan, P.E.

City Engineer

cc: File



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-20-09

Ridley's Heron River Commercial

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

Reviewed By: [Signature]

Date: 7/6/2020



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
John H. Tippets, Director

July 6, 2020

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

RE: Ridley's Heron River Commercial Subdivision/Les Schwab Tire Center, RZ-20-06, CU-20-03, and PP-20-09

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.

DEQ recommends the city/county require the development and submittal of a dust prevention and control plan prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites. Information on fugitive dust control plans can be found at: http://www.deq.idaho.gov/media/61833-dust_control_plan.pdf

- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

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

2. Wastewater and Recycled Water

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.

All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. Drinking Water

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.

All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: deq.idaho.gov/water-quality/drinking-water.aspx). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for

protection of ground water resources.

- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. Surface Water

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.
- Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. A Construction General Permit from EPA may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource 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#2020AEK172



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Your Economic Opportunity**

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

July 20, 2020

Shawn Nickel
City Clerk
P.O. Box 130
Star, Idaho 83669

VIA EMAIL

Development Application	RZ-20-06, CU-20-03, PP-20-09
Project Name	RIDLEY'S HERON RIVER COMMERCIAL SUBDIVISION/ LES SCWHAB
Project Location	Southwest corner of SH-44 and Plummer Road, south of SH-44 milepost 11.28
Project Description	Rezone (to Central Business District) with a Development Agreement, Conditional Use Permit for a Tire Center and preliminary plat for proposed commercial subdivision consisting of 6 lots
Applicant	Mark Ridley

The Idaho Transportation Department (ITD) reviewed the referenced rezone, conditional use permit, and preliminary plat applications and has the following comments:

1. This project abuts the State Highway system.
 2. Applicant has discussed the proposed approach on SH-44 with ITD. An approach permit has not been submitted or approved as of this date. Consideration of the proposed approach is dependent upon the following conditions:
 - A Traffic Impact Study shall be required reflecting full build out of the development and all commercial lots utilizing the proposed approach. Any necessary mitigation for traffic impacts identified by the Traffic Impact Study shall be the responsibility of the applicant to install. ITD reserves the right to make further comments upon review of any submitted traffic generation data or other documents.
 - Approach shall be limited to right in, right out. A right turn lane warrant shall be required by ITD in order to consider the right in, right out. Should the warrant identify the need for a right turn lane, applicant will need to design and construct the needed mitigation to ITD standards.
 - Applicant would be responsible for constructing a type 1 concrete separator to limit the approach that does not limit the approaches on the north side of the road. Design specifics will be determined once a permit application has been submitted.
-



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3. ITD has entered into an Interagency Agreement with the City of Star to collect proportionate share contributions from all developers within Star's impact area to mitigate for added congestion on the State Highway System. ITD will use the trip generation numbers provided by the developer to determine a proportionate share contribution for the future interchange at SH-16 / SH-44. The applicant may provide a site traffic diagram at the intersection of SH-16 / SH-44 so that the proportionate share contribution is specific to the exact trips anticipated traveling through the intersection.
4. A corridor study for SH-44 is currently underway. A future right-of-way width of 70 feet each side of center line is being considered. ITD requests the City's assistance in keeping structures out of the potential future right-of-way to help reduce the expense of improving the highway.
5. ITD recommends the applicant collaborate with ITD while designing the site plan for their buildings as the environmental study for SH-44 is currently ongoing and future right-of-way needs have not been officially determined.
6. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
7. The Idaho Administrative Procedures Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
8. ITD object to the proposed approach shown on the landscape plan as noted in item 2.
9. Once the applicant has obtained an approved ITD permit, ITD will not object to the development as presented in the application.

If you have any questions, you may contact me at (208) 334-8338 or Erika Bowen (208) 265-4312 ext 7.

Sincerely,

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov



Mary May, President
Kent Goldthorpe, Vice-President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

July 9, 2020

To: Mark Ridley (via email)
621 Washington Street South
Twin Falls, ID 83301
&
Michael White (via email)
303 E 17th Avenue, Ste. 105
Denver, CO 80203

Subject: Ridley's Heron River Commercial Subdivision/ Les Schwab Tire Center/ SPP20-0007/ RZ-20-06/ CU-20-03/ PP-20-09
145 S Plummer Way, 9651, 9687, 9759, 9803, 9781, 9839, & 9911 W State Street

This is a rezone from R-2 to CBD, a conditional use permit for a tire store, and a preliminary plat application to replat 8 commercial lots into 6 commercial lots on 11.39-acres

The Ada County Highway District has reviewed the submitted application for the preliminary plat referenced above and has determined that there are no improvements required to the adjacent street(s). The proposed preliminary plat is approved without conditions. Improvements were constructed previously as required by Parkstone Subdivision in March 2005 (SPP/FP-05-01).

The applicant will be required to:

1. Pay all platting and review fees prior to final plat approval.
2. Pay a traffic impact fee. If applicable, a traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant's responsibility to submit plans directly to ACHD.
3. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any improvements or work in the right-of-way.
4. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).

If you have any questions, please contact me at (208) 387-6171.

Sincerely,

Stacey Yarrington

Stacey Yarrington
Planner III
Development Services

cc: Project File
City of Star (via email)
Anderson Wahlen & Associates (via email)

Traffic Information

This development is estimated to generate 246 vehicle trips per day; and 34 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

Condition of Area Roadways:

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
**State Highway 44/ State Street	1,138-feet	Principal Arterial	823	N/A
Plummer Way 2/3 lanes	750-feet	Collector	38	Better than "D"
Seneca Springs Way	330-feet	Local	N/A	N/A

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

* Acceptable level of service for a three-lane collector is "D" (530 VPH).

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

Average Daily Traffic Count (VDT):

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

- The average daily traffic count for SH-44/ State Street east of Star Road was 15,282 on 03/08/2019.
- The average daily traffic count for Plummer Way south of SH-44/ State Street was 1,238 on 06/11/2019.
- There are no current traffic counts for Seneca Springs Way south of SH-44/ State Street.



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

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

MEETING DATE: July 28, 2020 – PUBLIC HEARING (**tabled from July 21, 2020**)

FILE(S) #: AZ-20-10 Annexation and Zoning
DA-20-08 Development Agreement

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Northwest Development Company LLC
1980 S. Meridian Road #140
Meridian, Idaho 83642

Applicant:

Travis Stroud
Northwest Development Company LLC
1980 S. Meridian Road
Meridian, Idaho 83642

Representative:

Brad Marczuk
Larson Architects
210 Murray Street
Boise, Idaho, 83714

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (to Central Business District – CBD-DA) and a Development Agreement. The property is located at 10040 W. State Street and consists of .93 acres.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the northwest corner of W. State Street and N. Seneca Springs Way in Star, Idaho. Ada County Parcel No. S0408438955.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	County (RUT)		Residential/SFD
Proposed	CBD	Central Business District	Mixed Use Development
North of site	Mixed Use (MU)	Central Business District	Vacant
South of site	Residential (R-2-DA)	Neighborhood Residential	Single Family Residential Heron River Subdivision
East of site	Commercial (C-1)	Central Business District	Office/Commercial/Retail
West of site	Commercial (C-2)	Central Business District	Vacant

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'

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

Irrigation/Drainage District(s): Middleton Mill Ditch Co.

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

Special On-Site Features:

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No known areas.
- ✧ Fish Habitat – No known areas.
- ✧ Mature Trees – Yes
- ✧ Riparian Vegetation – No known areas.
- ✧ Steep Slopes – None.
- ✧ 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	June 4, 2020
Neighborhood Meeting Held	June 16, 2020
Application Submitted & Fees Paid	June 25, 2020 – Fees Waived Per Council
Application Accepted	June 25, 2020
Residents within 300' Notified	June 30, 2020
Agencies Notified	June 30, 2020
Legal Notice Published	July 2, 2020
Property Posted	July 8, 2020

HISTORY

This property was part of an annexation/zoning and conditional use permit (AZ-20-02/DA-20-01/CU-20-02) application that was denied by City Council in early 2020.

CODE DEFINITIONS / COMPREHENSIVE PLAN

UNIFIED DEVELOPMENT CODE:

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.

8-3C-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.

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.

PROJECT OVERVIEW

The applicant is requesting annexation and zoning approval for the corner parcel at 10040 W. State Street with a zoning designation of CBD-DA with a Development Agreement. Upon annexation, the applicant will submit a development application for the property with uses allowed for in the CBD zone.

LAND USE:

The submitted conceptual site plan shows a single user on the property with an 8,400 square foot building with access directly onto W. State Street. Staff will include a conditional within the Development Agreement requiring a cross-access agreement/easement to accommodate future access points to the adjacent properties. All future commercial/office/retail uses will be subject to Table 8-3A-3 Schedule of Uses In The Central Business District (CBD), or any updated City codes in effect at the time of submittal of Certificate of Zoning Compliance and building permits. These future uses may be subject to additional land use applications and public hearings depending on the use as it is recognized in the Table.

ANNEXATION/REZONE:

The annexation and zoning to Central Business District (CBD-DA) on the applicant's property will allow for the property zoning to be consistent with the current Comprehensive Plan. The current Comprehensive Plan Land Use Map designates this property as Central Business District.

DEVELOPMENT AGREEMENT

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

- Cross access to adjacent properties;
- ITD Proportionate Share Fees

AGENCY RESPONSES

Star Fire District	June 30, 2020
ITD	July 14, 2020
Ada County Development Services	July 1, 2020

PUBLIC RESPONSES

No public responses received.

STAFF RECOMMENDATION

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

The 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:

ANNEXATION/REZONE FINDINGS: (Applies only to the two southern parcels)

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 central business district is to provide for commercial, retail, civic, office, and entertainment uses.

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

The City must find that there is no indication from the material submitted by any political agency stating that this annexation and zoning of this property will be materially detrimental to the public health, safety or welfare.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts.

The City must find that it has not been presented with any information from agencies having jurisdiction that public services will be adversely impacted other than traffic,

which will continue to be impacted as the City grows.

5. The annexation is in the best interest of the city.

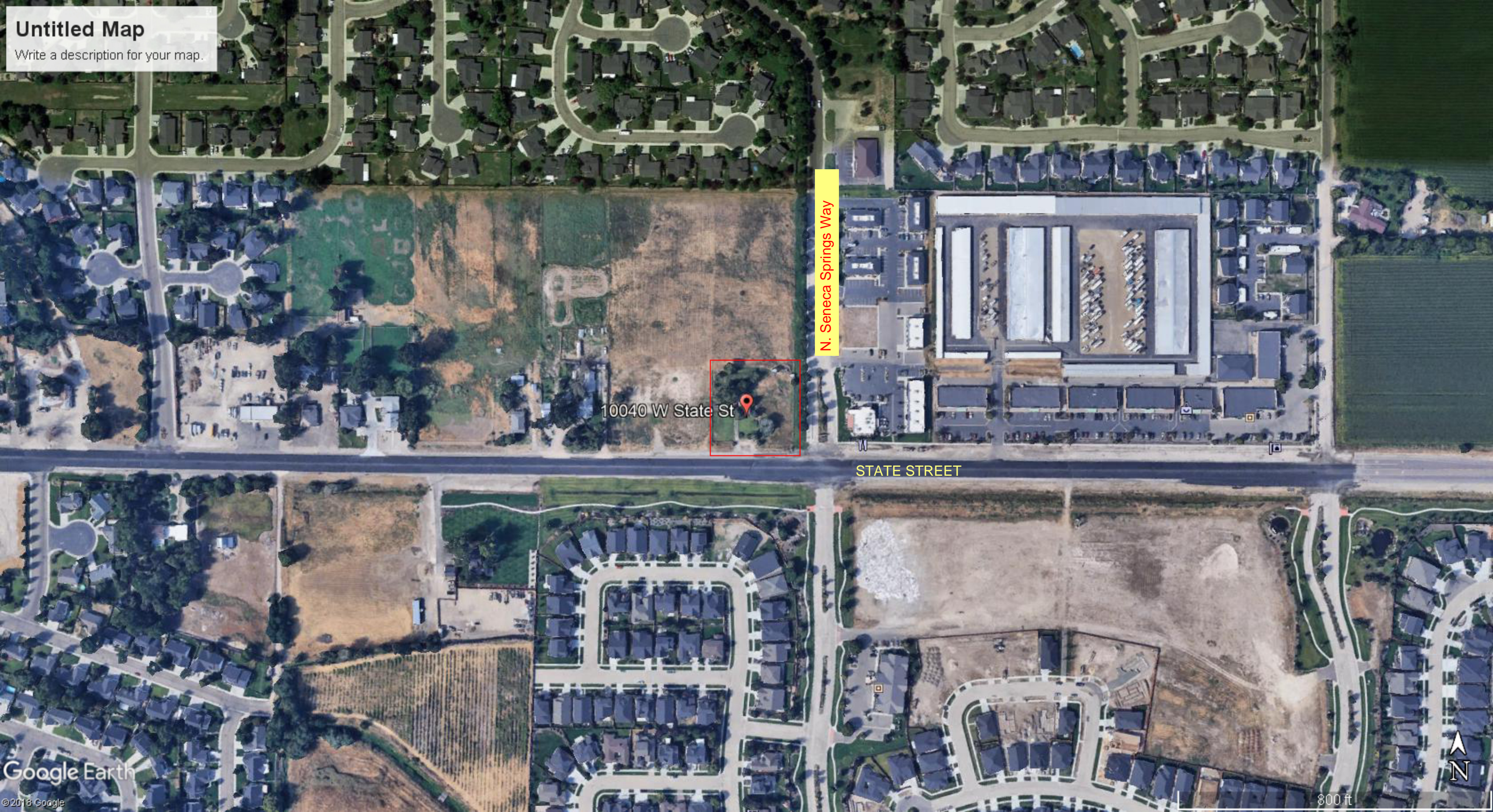
The City must find that this annexation is reasonably necessary for the orderly development of the City.

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

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

COUNCIL DECISION

The Star City Council _____ File #AZ-20-010/DA-20-08 10040 W. State Street
Annexation on _____, 2020.



Untitled Map

Write a description for your map.

10040 W State St

N. Seneca Springs Way

STATE STREET



June 23, 2020

10040 West State Street
Annexation and rezone Narrative

The parcel of property comprising this annexation and rezone request S0408438955 is currently zoned Rural Transition (RUT). This application is to have the property annexed into the city of Star and have the zoning changed to CBD- Central Business district. The proposed CBD designation is in accordance with the comprehensive plan designation.

Site

The project is located at the NW corner of State Street and N. Seneca Springs Way. The property is accessible only by State Street. Private ownership of a landscape strip along N. Seneca Spring way prevents any access to the west.

To access the site a driveway is proposed off State Street. This driveway access was designed in conjunction with the Idaho Transportation Department. In the future when a new access road is developed abutting the north property line we will connect our cross circulation with this. In addition when the property to the west is developed across access drive aisle will be used.

Buildings

A commercial retail building is proposed for the site. The commercial building could also incorporate a drive up window. Parking and landscaping will be developed in accordance with planning and zoning requirements.

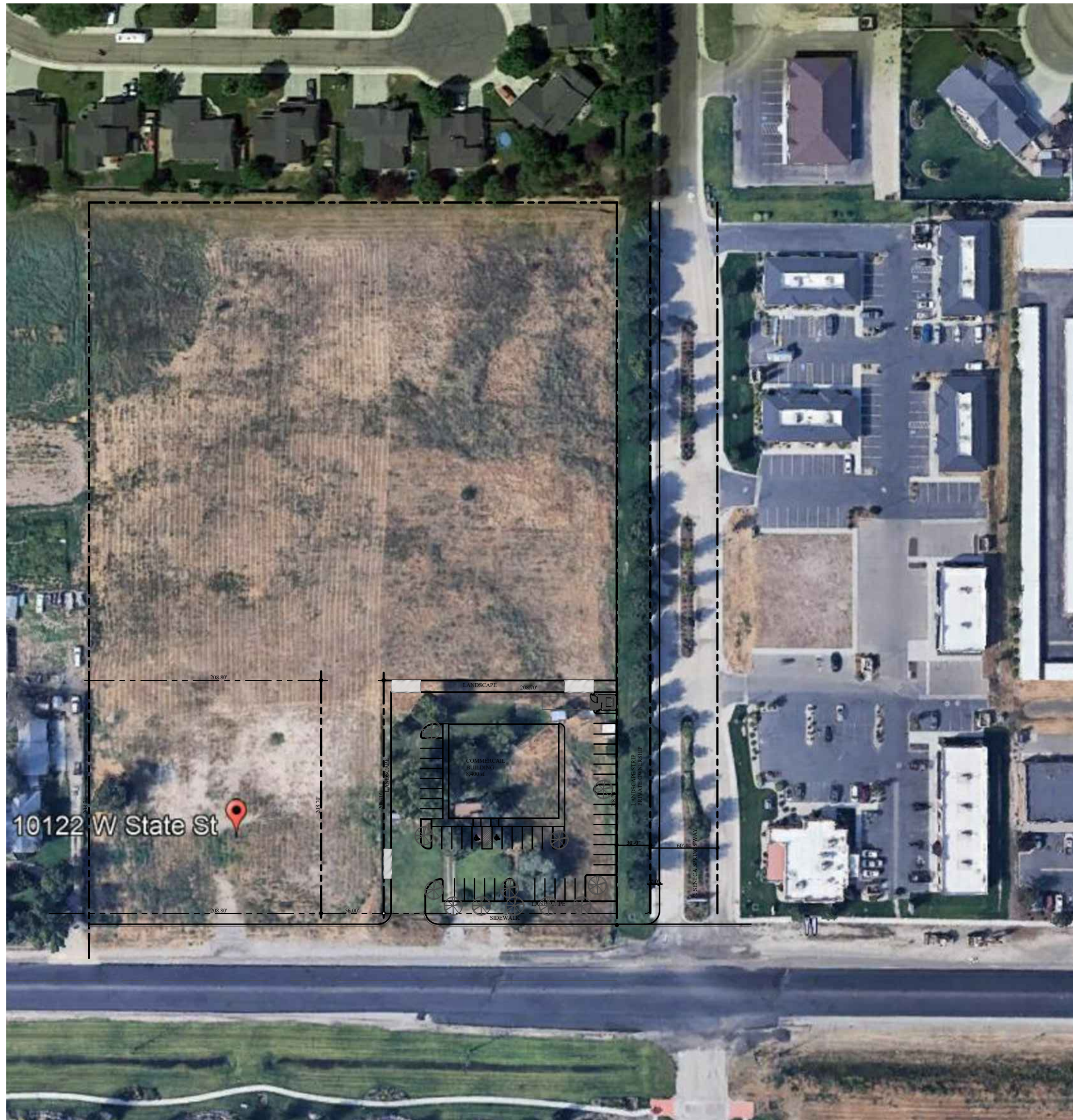
A Development Agreement between the developer and the City of Star will comprise one aspect of this submittal. The Development agreement will describe in more detail the criteria of:

- Allowed commercial building uses.
- Shared drive access
- Access onto the new road

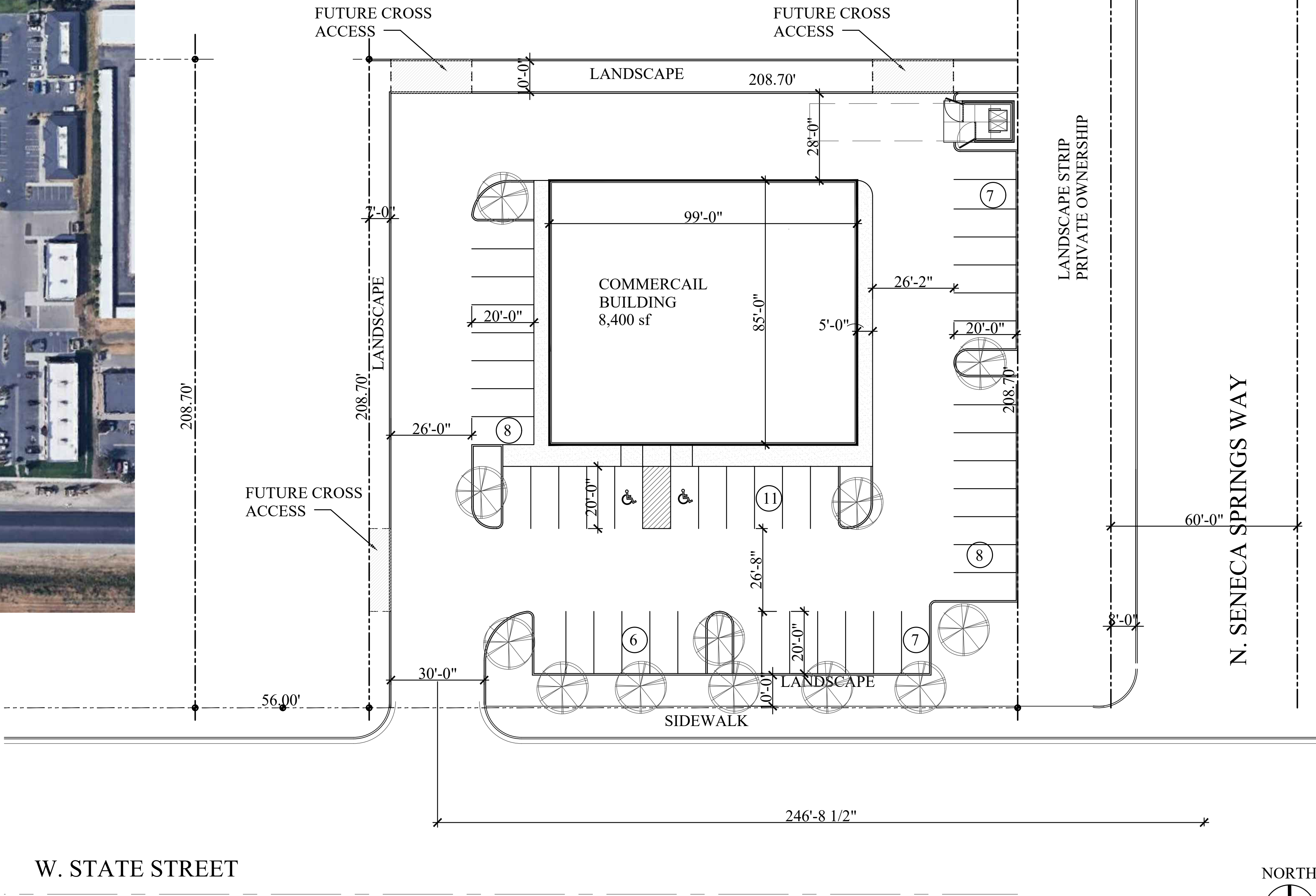
Regards,



Travis Stroud



SITE PLAN & OVERLAY
NO SCALE



SITE PLAN

1" = 20'

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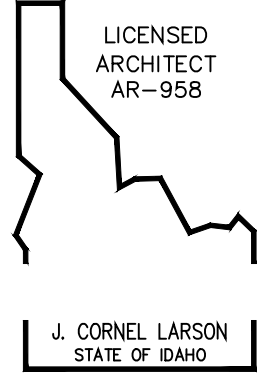
Larson Architects, P.A.
Architecture and Real Estate Planning
210 Murray Street
Boise, Idaho 83714
(208) 376-7502

ANNEXATION & REZONE
10040 W. STATE STREET
STAR, IDAHO 83669

DATE 6-23-2020
ANNEXATION & REZONE

SHEET NUMBER

SP-1.0





From the Office of Deputy Chief Victor Islas

June 30, 2020

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

Reference: Northwest Development Companies- Annexation/Zoning 10040 W. State St

To Whom It May Concern:

The Star Fire Protection District has reviewed the above referenced.

Star Fire protection District approves the annex and rezone for Northwest Development Companies- Annexation/Zoning 10040 W. State St. Any future building on this site will require full fire code review by the fire district.

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

Sincerely,

Victor Islas
Deputy Chief
vislas@starfirerescue.org

Middleton Rural Fire District
302 E. Main Street
Middleton, Idaho 83644

Star Fire Protection District
11665 State Street, Suite B
Star, Idaho 83669



Richard Beck
Interim Director

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

Department Divisions
Building
Community Planning
Engineering & Surveying
Permitting

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

ADA COUNTY Development Services Department

July 1, 2020

Via Email: snickel@staridaho.org

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

RE: Annexation / 10040 W State Street

Shawn,

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

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

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

Thank you for this opportunity to provide feedback.

Sincerely,

A handwritten signature in cursive script that reads "Brent Moore".

Brent Moore, MCMP, AICP
Community & Regional Planner
Ada County Development Services



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

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

July 14, 2020

Shawn Nickel
City Clerk
P.O. Box 130
Star, Idaho 83669

VIA EMAIL

Project Name	NORTHWEST DEVELOPMENT COMPANIES
Project Location	1040 West State Street, north of SH-44 milepost 11.28
Project Description	Annexation and zoning (to Central Business District –CBD)
Applicant	Brad Marczuk, Larson Architects

The Idaho Transportation Department (ITD) reviewed the referenced annexation and rezone application and has the following comments:

1. This project abuts the State Highway system.
 2. Applicant has discussed the proposed approach with ITD. An approach permit has not been submitted as of this date. Consideration of the proposed approach is dependent upon the following conditions:
 - Approach shall be placed on the western edge of the parcel to maximize distance from Seneca Springs Way.
 - Approach shall be limited to right in, right out due to pavement striping on SH-44. The approach is proposed in front of the eastbound left turn lane for Seneca Springs Way. Left turn movements into or out of the approach would result in safety issues and turning conflicts.
 - Trip generation numbers and a right turn lane warrant shall be required by ITD in order to consider the right in, right out. If a turn lane is warranted, an approach at this location cannot be approved as there is not enough frontage to construct a westbound deceleration lane that complies with ITD's current standards.
 - Applicant would be responsible for constructing a type 1 concrete separator to limit the approach. Design specifics will be determined once a permit application has been submitted.
 - The approach would be considered temporary until the parcel to west is developed (and cross access is provided) or a backage road to Seneca Springs is constructed. Once alternate access is available, the
-



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proposed right in, right out shall be removed. The site is configured in a manner that it shall still function once the right in, right out is removed in the future as shown on the site plan.

3. ITD has entered into an Interagency Agreement with the City of Star to collect proportionate share contributions from all developers within Star's impact area to mitigate for added congestion on the State Highway System. ITD will use the trip generation numbers provided by the developer to determine a proportionate share contribution for the future interchange at SH-16 / SH-44. The applicant may provide a site traffic diagram at the intersection of SH-16 / SH-44 so that the proportionate share contribution is specific to the exact trips anticipated to travel through the intersection.
4. A corridor study for SH-44 is currently underway. A future right-of-way width of 70 feet each side of center line is being considered. ITD requests the City's assistance in keeping structures out of the potential future right-of-way to help reduce the expense of improving the highway.
5. ITD recommends the applicant collaborate with ITD while designing the site plan for their buildings as the environmental study for SH-44 is currently ongoing and future right-of-way needs have not been officially determined.
6. The Idaho Administrative Procedures Act (IDAPA) 39.03.42.08.a states "*a minimum setback of 14 feet from state highway right-of-way line is recommended, unless a greater minimum is established by an engineering study.*"
7. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
8. The Idaho Administrative Procedures Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
9. Once the applicant has obtained an approved ITD permit, ITD will not object to the development as presented in the application.

If you have any questions, you may contact me at (208) 334-8338 or Erika Bowen (208) 265-4312 ext 7.

Sincerely,

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov



Project/File: **State Street & Seneca Springs/ STAR19-0012/ AZ-20-12/ DA-20-01/ CU-20-02**
 This is an annexation, rezone, development agreement and conditional use permit for a mixed-use development on 7 acres. The site is located at the northwest corner of State Street and Seneca Springs Way.

Lead Agency: City of Star

Site address: 10040 & 10122 W State Street

Staff Approval: December 13, 2019

Applicant: Brad Marczuk
 Larson Architects
 210 Murray Street
 Boise, ID 83642

Owner: Northwest Development Company
 1980 Meridian Road, Ste 140
 Meridian, ID 83642

Staff Contact: Dawn Battles
 Phone: 387-6218
 E-mail: dbattles@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting approval for annexation, rezone from MU (Mixed-Use), C-2 (General Business) and RUT (Rural-Urban Transition) to CBD (Central Business District), a development agreement and a conditional use permit to allow for a mixed-use development that will provide 13,595 square feet of commercial/office and 96 apartment units. The applicant's proposal to rezone to CBD is consistent with the City of Star's comprehensive plan.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Medium Low Density Residential	R-4
South	Low Density Residential	R-2-DA
East	Mixed Use & Neighborhood Business	MU & C-1
West	Rural-Urban Transition (Ada County)	RUT

- Site History:** ACHD has not previously reviewed this site for a development application.
- Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
 - Archway, a 19-lot residential subdivision located south of the site was approved by ACHD in August 2018.

5. **Transit:** Transit services are not available to serve this site.
6. **New Center Lane Miles:** The proposed development includes 0 centerline miles of new public road.
7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
 - Star Road is listed in the CIP to be widened to 5-lanes from Chinden Boulevard (SH-20/26) to State Street (SH-44) between 2031 and 2035.
 - The intersection of State Street (SH-44) and Star Road is listed in the CIP to be widened to 4-lanes on the north leg, 5-lanes on the south, 5-lanes east, and 5-lanes on the west leg, and signalized between 2031 and 2035.

B. Traffic Findings for Consideration

1. **Trip Generation:** Below is a list of land uses and estimated trip generation rates for the uses that may be included within the site, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

Use	Avg. Daily Trips	Avg. PM Peak Hour
Multi-family Housing (Mid-rise) (per unit)	5.44	0.44
General Office (per 1,000 sf)	9.74	1.15
Medical/Dental Office Building (per 1,000 sf)	34.80	3.46
Automobile Parts Sales (per 1,000 sf)	55.34	4.91

2. **Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count
**State Highway 44 State Street	472-feet	Principal Arterial	1,128
Seneca Springs Way	0-feet	Local	133

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

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 State Street (SH-44) west of SH-16 was 19,485 on July 24, 2019.
- The average daily traffic count for Seneca Springs Way north of State Street (SH-44) was 2,339 on March 5, 2019.

C. Findings for Consideration

1. State Highway SH-44 /State Street

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

2. Seneca Springs Way

a. **Existing Conditions:** Seneca Springs Way is improved with 2-travel lanes, vertical curb, gutter, 5-foot wide concrete sidewalk and a landscape strip abutting the site. There is 68-feet of right-of-way for Seneca Springs Way (35-feet from centerline).

b. **Staff Comments/Recommendations:** There is a landscape strip abutting the site's east property line adjacent to Seneca Springs Way owned by the Rockbridge Subdivision Homeowner's Association. Therefore, the site does not have frontage on Seneca Springs Way and the applicant is not required to make any frontage improvements.

Typically, access should come from a lesser classified street abutting the site. In this case the site has frontage on Seneca Springs Way, a local street. However, direct access to Seneca Springs Way is not feasible due to a common lot owned by the Rockbridge Homeowner's Association between the site and Seneca Springs Way that was platted in 2002 as part of the Rockbridge Subdivision Phase 1; and is not owned by the developer. Therefore, a waiver is not required as part of this application.

ACHD would encourage the developer to work with the Rockbridge Subdivision Homeowner's Association to obtain access through the common lot, thereby providing additional ingress/egress to the site for residents and emergency services.

3. 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.

4. 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.

D. Site Specific Conditions of Approval

1. Payment of impact fees is due prior to issuance of a building permit.
2. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).

2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

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

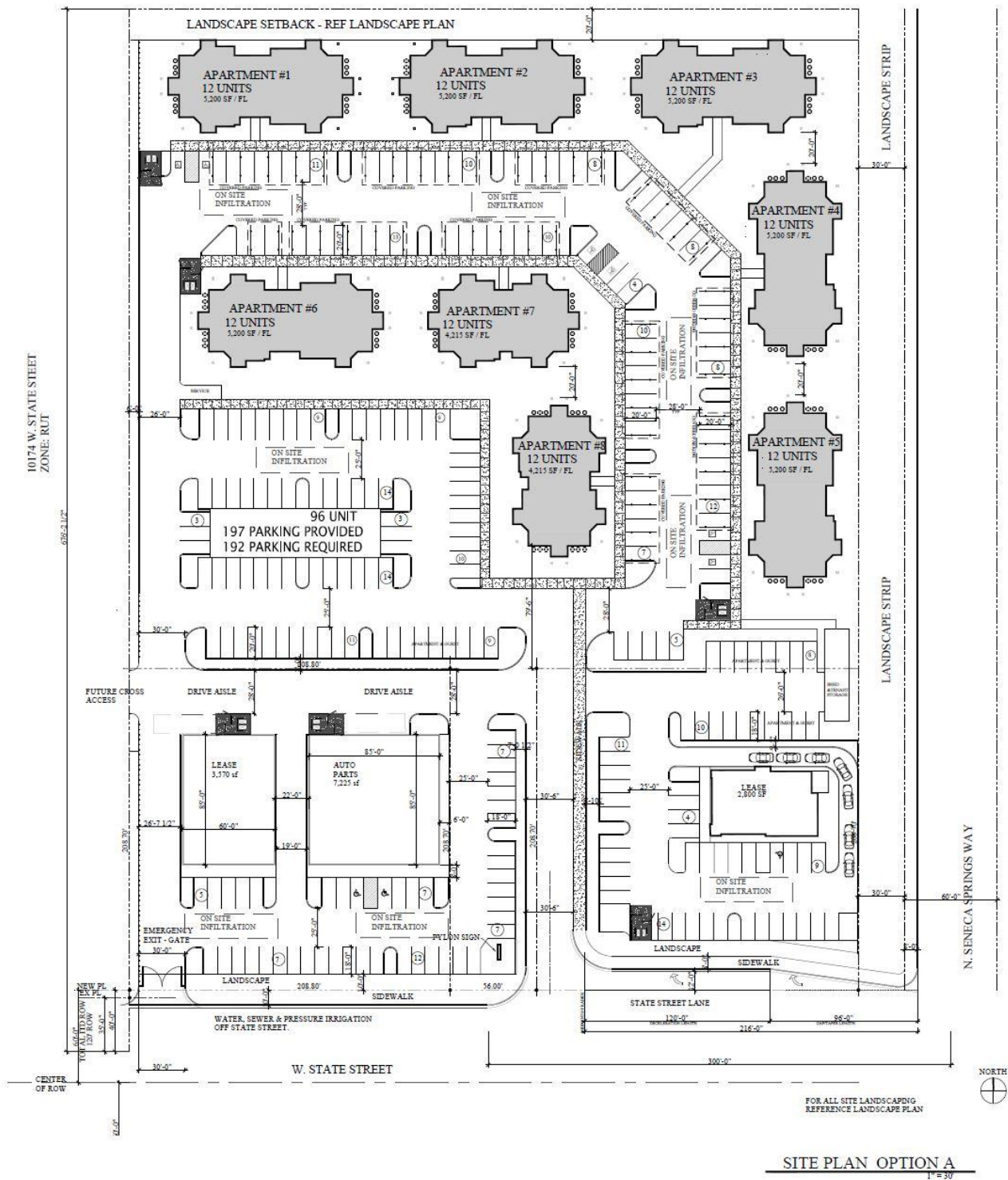
G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Appeal Guidelines

VICINITY MAP



SITE PLAN



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

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

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

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

Development Process Checklist

Items 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 PROPOSAL (RFP) For Professional Services

South of the River Sub-Area Plan

The City of Star requests proposals to provide professional planning services from consultants for management and administrative services for the development of a Sub-Area Plan which is intended to be adopted as a subsection of our current Comprehensive Plan.

Proposals will be accepted until 5:00 p.m., August 14, 2020. Proposals received after that date and time will not be considered. The proposals will be reviewed by a City evaluation team. Firms selected as finalists may expect to be interviewed during business hours the week of August 24th.

All proposals should be sealed and identified on the outside as:

"SUB-AREA PLAN RFP RESPONSE"

All proposals will be scored and ranked with the highest rated firm being awarded a contract. Two copies of the proposal and the required supplemental information should be provided.

PURPOSE

The purpose of this Request for Proposal is to seek proposals from qualified planning consultants to prepare a Sub-Area Plan for the Comprehensive Plan for the City of Star.

SCOPE OF SERVICES/DELIVERABLES/PRODUCT

Please refer to the ***South of the River Sub-Area Plan Scope Of Work***. Hereafter referred to as the "Scope".

PROPOSALS

The following information should be included under the title "Professional Services Administrative Consultant RFP":

1. Name of Proposer
2. Proposer address

3. Proposer telephone number
4. Proposer federal tax identification number
5. Name, title address, telephone number, fax number, and email address of contact person authorized to contractually obligate the Proposer on behalf of the Proposer.

Contents of Proposal

Proposers should letter and number responses exactly as the questions are presented herein. Interested Proposers are invited to submit proposals that contain the following information:

1. Introduction (transmittal letter)
2. Background and Experience
3. Personnel/Professional Qualifications
4. Approach
5. Project Schedule
6. Proposed Compensation/Budget

1. Introduction (transmittal letter)

By signing the letter and/or offer, the Proposer certifies that the signatory is authorized to bind the Proposer. The proposal should include:

- a. A brief statement of the Proposer's understanding of the scope of the work to be performed.
- b. A confirmation that the Proposer meets the appropriate state licensing requirements to practice in the State of Idaho, if applicable.
- c. A confirmation that, if awarded the contract, the Proposer acknowledges its complete responsibility for the entire contract, including payment of any and all charges resulting from the contract.
- d. Any other information that the Proposer feels appropriate.
- e. The signature of an individual who is authorized to make offers of this nature in the name of the proper submitting the proposal.

2. Background and Experience

Proposers should:

- a. Describe Proposer's firm by providing its full legal name, date of establishment, type of entity and business expertise, short history, current ownership structure and any recent or materially significant proposed change in ownership.

- b. Describe any prior engagements in which Proposer's firm assisted a governmental entity with any other projects relating to planning. Proposer should include all examples of work on similar projects as described in the scope of services. Proposer should provide the names, phone numbers, and emails of contact persons in the organizations for whom any projects referenced in this section were conducted. Proposer should include written references (letters or forms are acceptable) from previous clients attesting to the quality of work Proposer cites in this section.
- c. Describe any issue the characteristics of which would be uniquely relevant in evaluating the experience of Proposer's firm to handle the proposed project.
- d. Provide current information on professional errors and omissions coverage carried by Proposer's firm, including amount of coverage.
- e. Describe any relevant specialized knowledge in planning.

3. Personnel/Professional Qualifications

Proposers should:

- a. Identify staff members who would be assigned to act for Proposer's firm in key management and field positions providing the services described in Scope of Services, and the functions to be performed by each.
- b. Include resumes or curriculum vitae of each such staff member designed above, including name, position, telephone number, fax number, email address, education, and years and type of experience. Describe, for each such person, the relevant planning projects on which they have worked. Provide "relevant planning" names, telephone numbers, and email addresses of contact persons with the firms or organizations with whom these staff members worked on similar or related type planning projects.

4. Approach

Proposers should:

- a. Clearly describe the unique approach, methodologies, knowledge and capability to be employed in the performance of the Scope.
- b. Present innovative concepts, approaches, and methodologies, if any, not discussed in the Scope for consideration.

5. Project Schedule

The City is interested in moving forward as quickly as possible with the Sub-Area Plan and expects the consultant to be able to meet within the month of the

contract award to set an aggressive time frame for completion. The City estimates that this project will take approximately 7 months to complete once the final consultant is approved.

6. Proposed Compensation

The selected Consultant will be compensated on a not-to-exceed price basis for each deliverable of definable work product delivered. Any additional services/payments must first be approved by the City.

- a. Provide the firm's general fee structure for providing identified services. Where applicable, provide unit prices for deliverable items described in the Scope of Services. Any final price per task will be subject to a cost reasonableness determination and final negotiation.
- b. For tasks that lack a definable work product, provide fully loaded hourly rates for responsible personnel. The estimate of costs and person hours per work item must be an exhibit in the consultant proposal and must be represented as a "cost not to exceed".
- c. Provide other pricing information, if applicable.
- d. The City is not liable for any cost incurred by any Proposers prior to the execution of an agreement or contract created as a result of this RFP. The City shall not be liable for any costs incurred by the selected consultant that are not specified in the contract.

SELECTION CRITERIA

The City of Star reserves the right to accept or reject any or all proposals. All proposals become the property of the City. The City shall evaluate each potential contractor in terms of:

1. Professional qualifications necessary for satisfactory performance of required services.
2. Specialized experience and technical competence in the type of work required.
3. Capacity to accomplish the work in the required timeframe.
4. Past performance on contract with government agencies and private industry in terms of cost control, quality of work, and compliance with performance schedules.
5. Cost.

Respondents will be evaluated on the basis of the written material submitted and according to the following factors:

1. Cost. 30%
2. Reference from other clients attesting to firm's: 25%
 - a. Quality of work.
 - b. Compliance with performance schedules.
3. Experience of the firm with this particular type of project. 25%
4. Experience of the firm with other type Comprehensive Plan projects. 10%
5. Current capacity to accomplish the work in the required time. 10%

In the event of a tie, oral interviews will be held with those firms. As a result of the interviews, the City will determine which firm will be selected to enter into contract negotiations. Unsuccessful firms will be notified as soon as possible.

CONTRACT DEVELOPMENT

Contract discussion and negotiation will follow award selection. Respondents must be amenable to inclusion, in a contract, of any information provided whether herein, or in response to this RFP, or developed subsequently during the selection process.

The agreement will be based on a not-to-exceed price basis, with payment terms to be negotiated with the selected respondent.

The contract shall not be considered executed unless signed by the authorizing representative of the City and the successful respondent. The contract may be extended beyond the original term by agreement of both parties.

COMPLIANCE WITH LAWS

The selected firm agrees to be bound by all applicable Federal, State and Local laws, regulations and directives as they pertain to the performance of the contract.

QUESTIONS

Questions concerning this proposal should be addressed to City Planner Shawn Nickel at 208-286-7247 or snickel@staridaho.org. Proposals can be hand-delivered to City Hall at 10769 W. State Street Star, Idaho 83669 during business hours of 9 a.m. to 5:00 p.m. (DO NOT MAIL TO THIS ADDRESS). Proposals may be mailed to Shawn Nickel at Star City Hall P.O. Box 130 Star, ID 83669.



City of Star, Idaho

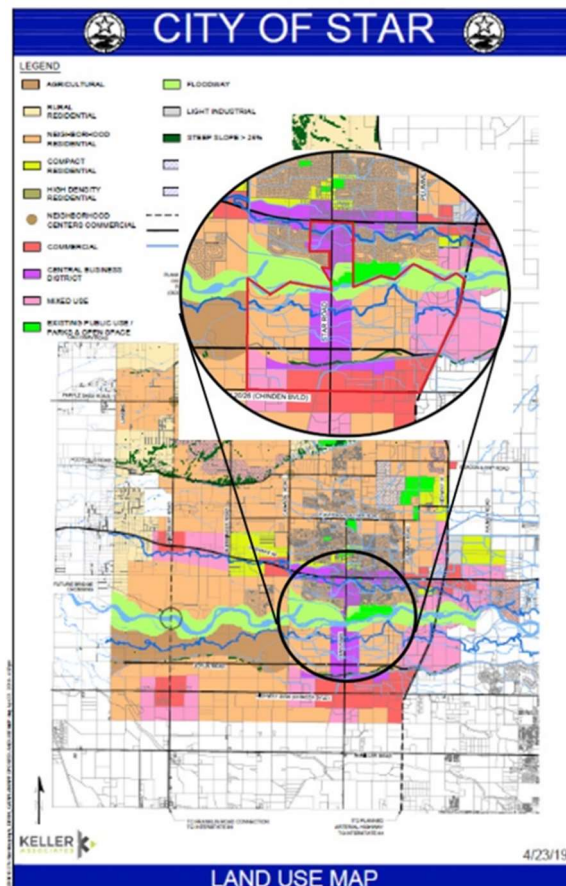
“Heart of the City” Sub Area Plan Scope of Work

July 2020

INTRODUCTION

The Comprehensive Plan describes the long-term vision for Star, looking ahead to set direction for the city's growth in the coming decades. It contains common goals that guide development within the city, including in the areas of land use, environment, transportation, public health, economic development and more.

The City of Star most recently updated its Comprehensive Plan in May of 2019. One Implementation Policy calls for the development and adoption of a “Heart of the City” Sub Area Plan for the area planned to be the future downtown of Star and its future supporting periphery. This area includes the CBD (Central Business District) shown on the Land Use Map and the area between the Boise River and the Chinden Bench spanning from Highway 16 to the Can-Ada Road section line. See Sub Area Plan boundary outlined in **RED**.



This area is critical for master planning to provide Star a sense of place in its downtown, understanding that the current small central business district area has served well for many years, but as development occurs, and State Highway 44 is widened an expansion of the activity center of the city will be needed. Expanding south incorporates the beautiful Boise River with a significant amount of floodway area which can serve the new Heart of the City well with many acres of parkland and public access to the river, understanding that existing property owner property rights are not to be infringed.

The CBD area of old town has many development constraints due to the small lots created in years past and the lack of a roadway grid system needed for commercial type uses. Compact development, as outlined by the CBD implementation policies within this plan, are critical for the vibrancy of the future downtown of Star. Highway 44 and Star Road south of Highway 44 are to be planned in this area as key commercial corridors. Collector roadways and land use goals, objectives and policies need to be adopted for the area south of the river to avoid urban sprawl, limit development in the flood plain, and to provide for compatible land uses supporting and enhancing the vitality of the historic central business district area. Until the Sub Area Plan is adopted by the city, development will be permitted in accordance with the other sections of this Plan, understanding that existing property owner property rights are not to be infringed. The Sub Area Plan will take precedence over the land uses shown within this Comprehensive Plan.

Within the “Heart of the City” Sub Area Plan recommended, the Main Street area needs to be studied to provide for special care guiding future development, understanding that the rights consisting of the existing rural use of residential lots are not to be infringed. Furthermore, Main Street is to be studied for the provision of traffic calming measures and to provide for a connection for horseback riders to access an equestrian trail which should be planned along the Boise River.

VISION

The City envisions part of this area as the future downtown of Star, incorporating elements in the Sub Area Plan to create a unique area in the Treasure Valley reminiscent of the River Walk in San Antonio, Texas with an Idaho twist. The closest areas to the periphery of this core area should be uses compatible with a downtown area. The inclusion of Mixed-Use buildings with commercial on the ground level and housing above is to be encouraged.

Most of the remainder of the housing in the Sub Area Plan area should be single family detached in a variety of sizes. The areas along US-20/26 should be a mix of commercial and residential, with multifamily residential having the most direct access to the highway. The roadway system for this area should be designed to

take into account the adjacency to the highway system and include a focus on acceptance by the Ada County Highway District (ACHD), Canyon Highway District #4 (CHD4), and the Idaho Transportation Department (ITD).

APPROACH

The City of Star wishes to take a targeted approach to developing and implementing the Sub Area Plan with the assumption that it will be included as an amendment to Comprehensive Plan. Focus on completing elements of the Sub Area Plan to ensure compliance with state law. Although it is expected that this work will result in some text amendments to the Comprehensive Plan, the primary feature should be a Detailed Concept Plan along with amendments to the Future Land Use Map and the Economic Corridors Access and Roadway Connection Management Plan (ECAMP).

The 2019 Comprehensive Plan provides the basis for population and development estimates that will be used to inform the Sub Area Plan. The Sub Area Plan must also be guided by significant public input.

In addition, the Sub Area Plan will be guided by the following principles:

- Focus on completing the Sub Area Plan in compliance with state law
- Capitalize on existing resources in the region such as The Community Planning Association of Southwest Idaho (COMPASS) and the Western Alliance for Economic Development rather than re-developing data and information
- Create accountability for included goals and policies, by establishing performance measures to track the Sub Area Plan's implementation
- Consider the value of the Boise River ecosystem in both development and policy decisions
- Consider and address impacts from the floodplain and floodway
- Encourage creative public facilities and uses in the floodway
- Communicate broadly; reach out to groups in all segments of the city
- Provide information throughout the update that is engaging and readily understandable
- Consider growth over a 20-year planning horizon, projecting out to 2040

WORK PROGRAM

This section outlines the basic tasks included in the Sub Area Plan creation. The deliverables and timelines are based on estimates to complete required elements of the Sub Area Plan and are subject to change depending on the final work plan approved by the City.

The Sub Area Plan will follow three general phases:

Phase 1 Initial Outreach and Public Review, September 2020 – November 2020

Solicit input from the public, community groups, and interested parties on elements of the Sub Area Plan, and review planning documents and development regulations for compliance consistent with the tasks outlined in this Scope of Work. Develop a Draft Sub Area Plan. The Draft Sub Area Plan will be presented to the Public for comment at a duly noticed Open House.

Phase 2 City Council Review, December 2020 – January 2021

The Draft Sub Area Plan will be reviewed and edited by the Star City Council at one or more duly noticed public workshops. (All City Council meetings are open to the public.)

Phase 3 City Council Review and Adoption, February 2021

Final Sub Area Plan will be adopted as an amendment to the Comprehensive Plan by resolution of the Star City Council, following a duly noticed public hearing.

TASKS

1. Project Management:

This task includes oversight and direction of the entire planning process, including each of the below stated tasks. This task ensures consistent coordination and communication throughout the project and provides for the public interface for the update. This task will be on-going through adoption of the Sub Area Plan.

2. Public Outreach

The City desires early and continuous public participation in the Sub Area Plan development. This task includes the development of a Public Participation Plan, and the implementation of that plan. The public input should include at least one Open House.

Deliverables:

- Public Participation Plan, September/October 2020
- Public Participation Reports/Updates, Ongoing

3. Goal and Policy Review and Revision

This task includes review of existing goals and policies to ensure that those included in the Sub Area Plan are based on the most current information and are relevant and meaningful.

Deliverables:

- Internal review of Goals and Policies for fitness, October 2020
- Revised Goals and Policies for City review, Early November 2020
- Final Goals and Policies for City Council review, Late November 2020

4. Concept Plan Development

This task includes development of a detailed full color Concept Plan.

Deliverables:

- Preliminary Concept Plan for Public review and comment, November 2020
- Preliminary Concept Plan for City review, December 2020
- Final Concept Plan for City Council adoption, February 2021

5. Comprehensive Plan Review and Revisions

This task includes review of the 2019 Comprehensive Plan.

Deliverables:

- Preliminary text revisions for Public review and comment, November 2020
- Preliminary text revisions for City review, December 2020
- Final text revisions for City Council adoption, February 2021

6. Code Review and Revision

This task includes review of relevant development codes.

Deliverables:

- Revised codes for Public review, November 2020
- Revised codes for City review, December 2020
- Final codes for City Council adoption, February 2021

7. Map Revisions

This task includes coordination with GIS staff to update both the Comprehensive Plan and Zoning maps to correspond with the Sub Area Plan.

Deliverables:

- Revised Future Land Use Map and ECAMP Map for Public review, November 2020
- Revised Future Land Use Map and ECAMP Map for City review, December 2020
- Revised Future Land Use Map and ECAMP Map for City Council adoption, February 2021

8. Capital Facilities Plan

This task updates Star's Capital Investment Plan (CIP) and its components. The CIP update will have several elements, including the inventory of existing public facilities within the Sub Area Plan boundaries, forecast of future needs for public facilities within the Sub Area Plan boundaries, proposed capital improvements with financing plan within the Sub Area Plan boundaries, and recommended goals and policies within the Sub Area Plan boundaries.

Deliverables:

- CIP updates, December 2020