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April 24, 2023

Via email to: snickel@staridaho.org

City of Star Idaho
City Council
c/o Shawn Nickel, City Planning Director
10769 W. State Street
Star, Idaho 83669

Re: Annexation & Zoning – Rezone Application, File No. AZ-21-12 and
Development Agreement DA-21-20
Formal Comments

Dear Mr. Nickel:

We represent the Hillsdale Estates Homeowners' Association, Inc. ("Hillsdale HOA"), a non-profit corporation, with a mailing address of 8919 W. Ardene Street, Boise, Idaho 83709. The Hillsdale Estates are located in Star, Idaho, and are adjacent to the proposed Willowbrook Development ("Willowbrook"), the subject of these formal comments. The Hillsdale HOA has numerous concerns regarding the Application and File No. AZ-21-12 and DA-21-20 (collectively "Application") and the potential impacts it may have on Hillsdale Estates property and adjoining properties. The following provides an outline, but is not exhaustive, of the Hillsdale HOA's concerns and the issues they would like brought to the Star City Council's ("City Council") attention in considering this development:

1) Incomplete/Inaccurate Application

It is our understanding that Willowbrook is seeking approval of an Annexation and Rezoning (AZ-21-12) and Development Agreement (DA-21-20), and a public hearing is scheduled for the matter on May 9, 2023. It is presumed this is the approval being sought based on Willowbrook's amended Application, which revised the proposed development and sought-after approvals. This Application was resubmitted on June 23, 2022. Pursuant to the city of Star's ("City") correspondence dated September 27, 2022, to Nate Mitchell, with A+E Construction LLC, on behalf of Willowbrook, the revised Application seeks Annexation & Rezoning and approval of a Development Agreement but withdraws the Planned Unit Development (PUD-21-02) portion of the Application. The revisions also focus on the Ada County portion of the proposed project and a revised narrative with new conditional use verbiage for the development agreement.

Based on the information in the record, contained on the City's website, and the Willowbrook Development Information—Public Hearing information page—there is (a) a substantial lack of relevant information for the City or the public to ascertain serious questions of services, traffic, and infrastructure, including detailed information which would typically accompany conditional use applications; (b) many pages of irrelevant information to the Application and the criteria of determining whether an annexation and rezone should be approved; and (c) a lack of clarity as to whether Willowbrook is actually seeking approval at this time for the two hundred eighty-four (284) single family homes and forty-eight (48) condos or just the golf course.

The revised Application only includes seven (7) pages of actual narrative and a generic "Conceptual Master Plan" while the remainder of the Application contains thirty (30) pages of legal descriptions, almost forty (40) photos of irrelevant potential house designs, and typical lot sizes. Pursuant to Star City Code 8-1B-1: Annexation and Zoning; Rezone, a "development agreement, building elevations, including front and rear (when backing up to a collector or arterial street), and concept plan shall be required for any annexation or rezone to a commercial, mixed-use or residential zone or use" This information is lacking.

In fact, there is not even a map which shows what the new boundaries of the City would be, compared to where they are now, for the public to evaluate. The sewer and water plan is one page. There are no details on any of the conditional uses proposed as part of the development agreement. The Application contains information such as housing types, etc., which are not relevant to the Application as amended. If the City Council approves this Application, is it approving all of the almost forty (40) pages of housing types attached?

In addition, to the extent the Application also seeks approval of a Development Agreement (DA-21-20), the development agreement was actually not included in the submitted materials by the Applicant and was then posted on the website by City staff in December 2022, without any comment or negotiation to the proposed development agreement terms, and now contains the "Conceptual Master Plan" attached as Exhibit B, which is essentially asking for approval of several conditional uses in certain areas without adequate notice to the public that such uses are conditional (more discussion below). The Development Agreement, as a whole, appears completely inadequate, especially in providing the typical conditions for approval of several conditional uses which should be evaluated by the public, such as height and connectivity conditions.

Additionally, the Conceptual Master Plan attached as Exhibit B to the Application, shows lot lines, lot sizes, and densities. If City Council approves this Application, is it also approving the lot lines, lot sizes, and densities? The Applicant withdrew its original preliminary plat application, but appears to be attempting to receive preliminary approval of the lots by leaving this detail in its accompanying materials.

There is an overall lack of transparency and clarity with this Application and process. For the City to approve it at this time without sufficient information would be contrary to the requirements of City code and state law.

2) Lack of Agency Review/Comments

The only notice to other jurisdictions for their comments in the public record for this Application (in its previous form) was on August 26, 2021, and the notice was stated for *initial* comments and no hearing had been set. Another notice was provided on November 7, 2022. The record also does not show which jurisdictions were notified. As discussed below, there are significant traffic, water, and other infrastructure issues with this Application affecting several jurisdictions and upon which their expertise is necessary to evaluate. There does not appear to be notice in the public record to the agencies of this new hearing date. Star City Code 8-1E-2b requires notice to such agencies at least thirty (30) days prior to a public hearing. Decisions made on these weighty matters without following the Code and soliciting further input and understanding from such jurisdictions are decisions which are unsupported by substantial evidence.

3) Traffic, ACHD, ITD, CHD4

The City required, pursuant to its correspondence dated September 27, 2022, that Willowbrook submit to the City and the Ada County Highway District (“ACHD”) the traffic impact study (“TIS”) that was previously requested by the City. In addition, a letter from ACHD stating that the study has been accepted by ACHD was required to be submitted to the City. The TIS appears to have been completed on October 28, 2022, and ACHD’s outside engineer provided comments on November 28, 2022, which do not appear as part of the public record on the website. The TIS was then updated on January 25, 2023. However, there does not appear to be any letter from ACHD accepting the study with a staff report containing the typical recommendations and conditions for approval. Pursuant to Star City Code, 8-1B-1, an “application for annexation or rezone shall not be accepted until any required traffic impact study is submitted and *accepted* by the appropriate transportation authority. A hearing date before the Council shall not be scheduled until the traffic impact study has been approved and the transportation authority has issued a staff report on the development application.” [*emphasis added*] A public hearing on this matter is not appropriate at this time because the ACHD staff report related to Willowbrook has not been provided to the public.

The City, Kittelson & Associates, Inc. (the author of the TIS) (“Kittelson”), and ACHD have all overlooked the infill aspect of this development. This is a very unique circumstance where a subdivision is being proposed not just adjacent to but within an existing neighborhood and where the new urban and commercial development will be required to use the existing rural roads within a rural development to gain access to the new development. As such the City should have directed the Applicant and Kittelson to review the impacts on the streets within Hillsdale Estates, Monument Ridge, and Star Ridge Estates. Had this study been performed, it would surely have revealed that several streets, including Deep Canyon, High Country, Star Ridge, Lanktree Gulch, and Golden View Court, all will be adversely impacted by this proposed development, not only for vehicle travel but also for pedestrians, school bus stops, bicycle riders, equestrian riders, parking, service vehicles, and the like. These streets will all be used by the new development to enter and exit Willowbrook as well as for pedestrian, bicycle riders, etc. Additionally, the findings by Kittelson and ACHD regarding Airee Road lack specific evidence that this road will carry the bulk of the traffic into and out of Willowbrook. In fact, once Airee

Road is completed and Willowbrook is granted access to Deep Canyon, Deep Canyon will become the most direct route in and out of the area. This is supported by GPS mapping which shows the quickest route to this area from Highway 16 and Highway 44 is Deep Canyon. GPS will not take a route that goes past the fastest route (Deep Canyon) to get to the final location. It should also be noted that ACHD did not evaluate the findings of the TIS regarding Wing Road. If Wing Road is to be connected to Lanktree Gulch, that will become the quickest route to Willowbrook. The result will likely cause adverse conditions on Lanktree Gulch, High Country, Star Ridge, and Golden View Court, not to mention to those that live along Wing Road. Finally, the trip distribution numbers are suspect. The TIS indicates twenty-five to thirty-three percent (25%-33%) of the traffic will head out of the development to Canyon County. Current traffic flow, as witnessed by area residents in this area, does not support that conclusion.

As a whole, the TIS and ACHD report relies on a great number of assumptions to make the roads work in this area for the density the Applicant is requesting. The Applicant should demonstrate that they have at least taken the first steps in securing the necessary rights of way required to add a road through the BLM and Wing Road, as well as determining the solution to work around the grade on Can Ada Road.

Canyon Highway District No. 4 (“CHD4”) submitted their report for the roads they have jurisdiction over, Can Ada Road and Purple Sage Road. Their report was brief and lacking in detail to support their findings. CHD4 proposes to put in a 3-lane neighborhood arterial road through the portion of Purple Sage between Can Ada and Blessinger Road. Currently Purple Sage Road is a thirty foot (30’) wide rural road with no improvements and a right of way of sixty feet (60’). A three-lane arterial road requires eighty to ninety-seven feet (80’-97’) of right of way depending on the configuration. There are twenty-six (26) Hillsdale Estates homes that have direct access onto Purple Sage Road. Similarly, to Deep Canyon, due to a lack of right of way and terrain considerations, this option is infeasible. CHD4 reported that in regard to Can Ada Road they may have some options as a work around for the steep grade on Can Ada Road. What are they? This road will be a major access point to Willowbrook, the steep grade is a major work around, it should be expected that the solution should be arrived at prior to this project being annexed and rezoned.

Additionally, there is nothing in the record showing that the TIS was even provided to the Idaho Transportation Department (“ITD”), and there are no written comments by ITD with respect to the effect of the traffic proposed in this development and infrastructure requirements for state highways.

4) CUP Analysis for Each Use/Additional Notice to the Public

The Applicant is requesting a rezone to an R-2 residential zone. The revised Application narrative from June 2022 and the Conceptual Master Plan attached as Exhibit B to the proposed development agreement (which development agreement has not been included by the Applicant as part of the Application but was posted by the City in December 2022) identifies all of these uses in this *residential* zone:

- Golf course

- Golf clubhouse
- Restaurant
- Bar
- Pro shop retail
- Neighborhood commercial (unspecified)
- Municipal uses (fire, police, utilities)

Additionally, as would be part of a PUD application, the Conceptual Master Plan still identifies specific configurations and areas of patio homes and specific lot size approval, areas of clustering, and open space, which are appropriate for a PUD Application (which was withdrawn) and not for an application for annexation and rezone.

The public has not had sufficient notice that these uses are specifically conditional to the R-2 zone requested and that conditional uses are being considered as a part of the development agreement approval, including all of the factors and opportunity for conditions to address potential negative impacts which would normally be a part of a conditional use analysis and process.

Pursuant to Star City Code 8-3A-3(D), “when submitting a CUP, PUD or development agreement for a mixed-use zone, or for multiple conditional uses on one site, all uses that are contemplated for the development shall be identified with the application and shall be reviewed by the council to determine which may be permitted, which should remain as conditional uses and which should be prohibited. A development agreement may be used in lieu of a conditional use permit application or a PUD application if the council makes the findings as otherwise required.” [*emphasis added*]

Also pursuant to Star City Code 8-1B-1: Annexation and Zoning; Rezone, “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.” [*emphasis added*]

The requested conditional uses are not identified with specificity in the Application, and no notice to the public identifies that the Applicant is seeking development agreement approval in lieu of the conditional use process for approval of such uses. The only document with text that indicates what is contemplated in the development is the June 23, 2022, Updated Narrative for Willowbrook Golf Community (which was revised after all of the workshops), which adds conditional use verbiage to the Application previously submitted but provides no additional notice to any member of the public that the development is now seeking conditional use approvals for every use attached to the development agreement as part of the Conceptual Master Plan attached as Exhibit B.

Pursuant to Star City Code 8-3A-3(D) this is not sufficient to meet the requirements of approval of conditional uses via a CUP or by virtue of a development agreement in lieu of a CUP. The narrative only provides a basic description. which allows those reviewing the Application to know that the development contemplates a mixed-use concept, i.e., golf course, 1,094 residential homes, and neighborhood commercial and retail space and a Conceptual Master

Plan with no details regarding specific plans which would even allow a discussion of mitigation of potential adverse impacts on the neighborhoods affected.

In order for a conditional use to be approved by the City Council, Star City Code 8-1B-4 outlines the findings that must be met for each and every use proposed by the Applicant:

- D. Standards: In approving any conditional use, the city council may prescribe appropriate conditions, bonds, and safeguards in conformity with this title that:
 - 1. Minimize adverse impact of the use on other property.
 - 2. Control the sequence and timing of the use.
 - 3. Control the duration of the use.
 - 4. Assure that the use and the property in which the use is located is maintained properly.
 - 5. Designate the location and nature of the use and the property development.
 - 6. Require the provision for on site or off-site public facilities or services.
 - 7. Require more restrictive standards than those generally required in this title.
 - 8. Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts that provide services within the city.

- E. Findings: The council shall base its determination on the conditional use permit request upon the following:
 - 1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.
 - 2. That the proposed use shall meet the intent of the Star comprehensive plan and be in compliance with the requirements of this title.
 - 3. That the design, construction, operation, and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity.
 - 4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.
 - 5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That the proposed use will not involve activities or processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
8. That the proposed use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature considered to be of major importance as determined by the City.

In addition, the City, prior to approving such conditional uses, “may require additional information, including studies, concerning the social, economic, fiscal or environmental effects of the proposed conditional use.” Star City Code 8-1B-4(C)(4).

Although Willowbrook attempts to assure the City that these criteria have been met, no evidence, studies, or information has been provided to ensure that such standards and requirements have been satisfied. Many of Willowbrook’s claims that the proposed development is compatible are made without any factual data to support such claims.

Furthermore, Willowbrook attempts to state that some of these issues will be resolved at a later date when the Preliminary Plat and Planned Unit Development is considered by the City. However, as the Applicant is requesting conditional use approval as part of this development agreement process, the City Code requires that these issues be addressed with specificity now, for each proposed use in the residential zone to be analyzed, not later after the annexation and development agreement have already been approved with the undefined and vague “Conceptual Master Plan.” City approval of these uses based on this Application does not allow sufficient notice of what each of these uses are and the opportunity for the public to meaningfully comment on details of such uses as would be permitted in a traditional conditional use application. In addition, the Application relies on and relates to the previous PUD Application, which was withdrawn, yet the details remain on the Conceptual Master Plan. The development is interrelated in such a way that the golf course and club house (which includes commercial and retail) cannot be carved out of the overall development plan and necessary approvals. This is a very unique circumstance where a subdivision is being proposed not just adjacent to but within an existing neighborhood. As contemplated, the new urban and commercial development will be required to use the existing rural roads within a rural development to gain access to the new development. As a result, it is imperative to reconsider public notice and input to evaluate and reduce impacts to the existing residents as much as possible.

Accordingly, the City should not approve any conditional uses as a part of this Application until the Applicant has gone through a properly noticed conditional use permit process which provides the City Council and the public sufficient information on each conditional use proposed and the opportunity to provide comments and propose conditions on meaningful use issues such as walking, biking and horse pathways, buffer areas, sidewalks, open

space, building heights, neighborhood amenities, matching lot lines and lot sizes (special transition overlay zone), hours of operation, CCR compatibility, and construction mitigation.

If this Application for annexation and rezone to R-2 is approved, the City Council should add a specific condition to the development agreement that only the R-2 rezone itself would be approved, and no specific conditional uses (or density or configuration) shown on the Conceptual Master Plan are approved, and that the Applicant is required to obtain CUPs and PUDs in the future for all such conditional uses and dimensions, setbacks, clustered areas, locations, and densities as is normally required in the R-2 zone. This permits the public the legal process of notice and an opportunity to request detailed conditions which will minimize negative impacts to their neighborhoods. Otherwise, it is certain the Applicant will attempt to later argue all of these conditional uses and configurations have already been approved in this Application with no opportunity for Star residents to participate in the detailed comment and feedback permitted on development plans in a typically noticed and approved CUP and PUD process.

5) Zoning

Less than a year ago, on June 7, 2022, the City approved the updated City of Star Comprehensive Plan. This updated Comprehensive Plan confirmed that zoning for the Willowbrook development area was planned to be R-1, which would require a density of 1 unit per acre. As communicated during the Comprehensive Plan discussions, the Hillsdale HOA has concerns that changing the zoning to R-2 will increase the density and will increase the impacts to the Hillsdale Estates. Considering the City just confirmed its intent to keep this area at an R-1 density, rezoning this area less than a year after the City's consideration of the matter is unreasonable. The supposition that the Application was submitted under a prior City Comprehensive Plan and, therefore, must be considered under those principles is unsupported. There was never a ruling of annexation and zoning at the time of the initial application, and subsequently, no work completed on the project. Therefore, there was no reasonable expectation when this Application was finalized that the zoning would be R-2. Further, the City Council should evaluate this Application against the current requirements and standards of the City, not an obsolete Comprehensive Plan that does not support the current and future goals of a growing city.

The Hillsdale HOA believes Willowbrook's statement within its narrative that "the housing variety will be aligned to be compatible with surrounding residential development" is vague, unsupported, untrue, and inaccurate. Willowbrook is proposing a mix of lot sizes ranging from 3,600 square feet to 1 acre with a majority of the lots being between 3,600 square feet and 12,000 square feet. This is not at all compatible with the surrounding area and the existing homes which are approximately 20 years old. The existing area is a minimum of 1 acre up to 10 acre lots. If the development is to be compatible with the existing development, the lot sizes should be an average of 1 acre in size. This would be "compatible with the surrounding residential area." In reviewing the typical lot sizes and housing types the Applicant provided, most look nothing like what is existing in the Hillsdale Estates development. The proposed net density of 3.48 dwelling units per acre is not compatible with the existing neighborhood.

6) Open Space/Golf Course

The Application's narrative states that there are thirty-one (31) acres of open space. This is only 5.6% of the project. The Application narrative additionally states that the planned golf course "will be privately owned and maintained, and the public will be welcome to enjoy it" The narrative seems to imply that the golf course will serve as the development's main "open space" amenity and may be used by the public. Is the Applicant suggesting that all of this golf course area is considered "useable" even though it is to be used daily for golfing and is located on private property? In addition, Star City Code 8-4E-1 requires all open space and amenities must be owned and maintained by the applicable HOA:

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 owned by and be the responsibility of an owners' association for the purpose of maintaining the common area and improvements thereon.

Star City Code 8-4E-1(D), (E).

The narrative also implies that additional acres of usable natural areas, buffers, and grassy areas will be included in the development; "[d]etails about the open space area and amenities will be considered within the PUD and preliminary plat applications." However, no specifics have been provided and these details must be considered before the uses and golf course are approved as part of a conditional use process.

In addition, what precautions have been required to ensure that the golf course will remain open space into the future should the commercial operation fail or cease to exist? In the event the golf course ceases to be operated by the private entity, assurances should be provided that the golf course will be conveyed to the City or another public entity for continued use. Under no circumstances should the golf course be permitted to be rezoned or approved for additional residential development. There is nothing in the public record to address these types of use issues.

7) **Water**

This Application covers not only a 175-acre golf course but also 1,094 homes.

Representatives of Hillsdale Estates also continue to have concerns regarding what appear to be confusing, and sometimes misleading, statements regarding the development's water situation and its impact on the proposed homes and uses in the project.

Overall, the Application implies it is a foregone certainty that domestic water will be provided to the development by the Star Sewer and Water District ("SSWD"). However, the project area is not within the current authorized place of use for any SSWD water rights, a fact which is reflected in the Capital Improvement Plan map included with the Application materials.

This means that SSWD must either file an application with IDWR for a new water permit to appropriate water for the project or file an application with IDWR to transfer one of its existing water rights to the project. In either scenario, the Application is subject to public review, comment, and opposition, and a detailed evaluation by IDWR to ensure, among other things, that there is an adequate water supply and that other water rights will not be injured.

Page 4 of the updated narrative accompanying the Application states that “Willowbrook will dedicate potable water rights the developer owns to SSWD to serve the Project.” Similarly, in its August 31, 2021, memorandum to the City, Willowbrook stated it “currently owns approximately 4.0 cfs of potable water rights”

According to IDWR’s records, Willowbrook Development Inc. is the titled owner of one water right with a domestic use component, 63-7131A. While the total diversion rate of that right is 3.65 cfs and, therefore, arguably “approximately 4.0 cfs,” the vast majority of that right is dedicated to irrigation use—not domestic. In fact, the domestic component of that right is only 0.2 cfs and 0.6 acre-feet per year. Moreover, the right contains the following remark: “Domestic use is for 1 home” *[emphasis added]*

Willowbrook also appears to overstate the amount of irrigation water rights that it would be able to dedicate to the project. For one thing, much of Willowbrook’s irrigation rights are actually used to irrigate individual privately owned lots in portions of the Hillsdale Estates. In fact, the vast majority of Willowbrook’s irrigation rights based on irrigated acreage (63-3079, 63-7131A, and 63-8376E) contain the condition that the “[p]roperty is also known as Hillsdale Estates.”

We understand that water rights for the project will be more directly addressed in proceedings that have yet to occur before IDWR. However, the City and members of the public should be provided with accurate information regarding significant water issues and uncertainty and that these issues are considered before the City agrees to annex the property into the City and makes it an issue for the residents of Star.

To date, no hydrology study has been conducted to determine any effects these consumptive uses and proposed developments, including a 175-acre golf course and 1,094 homes, will have on the existing groundwater and aquifer supplies. This must be evaluated prior to annexation.

8) Wastewater/Water Reuse

Willowbrook’s Application narrative describes substantial wastewater treatment improvements that will need to be conducted by the SSWD. This will include a new lift station and main lines. No details are provided related to the funding or engineering specific to these infrastructure improvements that will be required. Prior to annexation into the City, Willowbrook should be required to provide a detailed capital improvement plan outlining the engineered wastewater requirements and the proposed funding mechanism for such improvements. City residents should not be burdened with the significant cost of wastewater improvements that will be needed to serve the Willowbrook development.

In addition, Willowbrook alludes to the proposition that an on-site wastewater reuse treatment facility may be implemented within the project. A water reuse project of this kind would require approvals from Idaho Department of Environmental Quality in addition to significant monetary resources to develop this treatment plant. No specifics have been provided as it relates to this project. To the extent that this project is relied upon or contemplated in the overall water portfolio of the project, these plans and approvals should be obtained prior to approval of the rezone and annexation.

9) Commercial/Retail Use

The Application references 13 acres or 110,000 square feet of neighborhood commercial. Beyond the clubhouse, bar, and pro shop, the Application does not identify what commercial uses are contemplated. Numerous concerns exist related to the commercial/retail aspects of this project, and the public has no information and no way to evaluate this *conditional use* for this project in an R-2 zone. For example, given the current and future roadway and traffic issues, it does not seem that a commercial/retail aspect of this project is at all viable. As identified above, this should all be considered separately as part of CUP and PUD applications as the development moves forward.

10) Conclusion

The City should deny this Application based on the complete lack of information, specificity, and transparency to support the requested approvals and the Applicant's failure to satisfy the conditions and requirements for annexation in the City, rezoning of the property, and approval of a development agreement and each conditional use proposed. There are significant procedural issues with the Application, including, but not limited to, lack of notice to the public and information of the conditional use approvals embedded in the revised Application, notice to other jurisdictions, and receipt and evaluation of their comments. Moreover, there are significant substantive issues such as necessary future traffic infrastructure, water infrastructure, and costs of services, which have not been addressed at all by the Applicant, much less in a manner which can assure the Council or the public that the residents of Star will not be left holding the bag on a half-baked development incompatible with its surroundings.

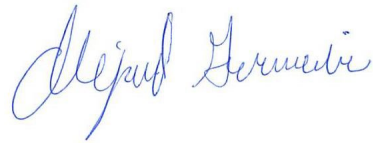
The Hillsdale HOA understands that Willowbrook proposes this project as a phased development, but the lack of specificity related to the project in this Application is a disservice to the residents of Star and the potential impacts on their lives. Accordingly, the City should not approve the Application until the developer submits the additional information and assurances provided that if this property is annexed and rezoned, the City and its citizens will not be negatively impacted. Furthermore, the City should clarify that any lot specifics related to density, sizes, configurations, heights, etc., are not inadvertently approved by consideration of this Development Agreement and Conceptual Master Plan. These elements must come back for consideration before the City Council as part of a Applicants preliminary plat application.

Thank you for your consideration of this matter. We are hopeful the City Council will be mindful of the concerns raised and ensure that precautions are taken to protect the neighboring property owner's safety and interests.

Hold the Vision so that the citizens of Star can Trust the Process.

Sincerely,

ELAM & BURKE
A Professional Association



Abigail R. Germaine