

Audio Transcription

BEFORE THE CITY OF STAR CITY COUNCIL

IN RE:)
WILLOWBROOK DEVELOPMENT) FILE: AZ-21-12 &
MEDICI HILLS SUBDIVISION) DA-21-20
MEDICI HILLS SUBDIVISION) ORDINANCE 379-2023
ANNEXATION) ORDINANCE 380-2023
_____)

TRANSCRIPT OF RECORDED COUNCIL MEETING

TUESDAY, JUNE 20, 2023

COUNCILMEMBERS PRESENT:

TREVOR A. CHADWICK, MAYOR

DAVID HERSHEY, COUNCIL PRESIDENT

KEVIN NIELSEN, COUNCILMAN

JENNIFER SALMONSEN, COUNCILWOMAN

KEVAN WHEELLOCK, COUNCILMAN

DAVID HERSHEY, COUNCILMAN

TRANSCRIBED BY:

VICTORIA HILLES, RPR, CSR NO. 1173

Notary Public

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1 (Beginning of audio file.)
 2 MAYOR CHADWICK: Okay. I'm going to call the
 3 Star City Council meeting to order. It's 7:00 p.m. on
 4 Tuesday, June 20th, 2023, at the LifeSpring Church. And
 5 I'd just like to thank the LifeSpring Church again for
 6 allowing us to use this facility tonight.
 7 Can you all please join me in the pledge
 8 of allegiance.
 9 ALL: I pledge allegiance to the flag of the
 10 United States of America and to the Republic for which
 11 it stands, one Nation under God, indivisible, with
 12 liberty and justice for all.
 13 MAYOR CHADWICK: Thank you.
 14 Tonight's invocation is going to be by
 15 Pastor Michael Maglish. Pastor Tim Nay was going to do
 16 our invocation, but he hurt his back, so we'll do a
 17 little extra prayer for Pastor Nay.
 18 PASTOR MICHAEL MAGLISH: So please bow with me
 19 in a word of prayer.
 20 Heavenly Father, we invite you here
 21 tonight to be in the center of our space. We invite you
 22 to guide us and guide our Mayor, our City Councilmen,
 23 God -- that -- that clarity can be brought, that
 24 decisions can be made that are going to honor you. We
 25 pray for our country. God, we pray for our -- our

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1 state. We pray for what you are trying to do, and we
 2 pray that we give you the space to do that.
 3 In Jesus' name. Amen.
 4 ALL: Amen.
 5 MAYOR CHADWICK: Amen.
 6 Thank you, sir.
 7 Roll call.
 8 THE CLERK: Nielsen.
 9 COUNCILMAN NIELSEN: Present.
 10 THE CLERK: Salmonsens.
 11 COUNCILWOMAN SALMONSEN: Here.
 12 THE CLERK: Chadwick.
 13 MAYOR CHADWICK: Here.
 14 THE CLERK: Wheelock.
 15 COUNCILMAN WHEELLOCK: Here.
 16 THE CLERK: Hershey.
 17 COUNCILMAN HERSHEY: Here.
 18 MAYOR CHADWICK: All right. We'll move on to
 19 Item 4, the Consent Agenda.
 20 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 21 MAYOR CHADWICK: Councilwoman.
 22 COUNCILWOMAN SALMONSEN: I'll move to approve
 23 the Consent Agenda consisting of Item -- we didn't have
 24 claims so --
 25 MAYOR CHADWICK: Okay.

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1 COUNCILWOMAN SALMONSEN: -- I'll skip
 2 4A -- 4B, City Council Meeting Minutes from May 30th,
 3 2023; Item 4C, Findings of Fact/Conclusion of Law for
 4 the Garnet Subdivision Annexation & Preliminary Plat
 5 (FILE AZ-23-01/DA-23-01/PP-23-01/PR23-01); Item 4D, the
 6 Findings of Fact/Conclusion of Law for Red Barn Inn
 7 (FILE RZ-23-02/DA-23-03/CU-23-04); Item 4E, Findings of
 8 Fact/Conclusion of Law for Hood Rats Garage (FILE
 9 RZ-23-01/DA-23-02/CU-23-03); Item 4F, Findings of
 10 Fact/Conclusion of Law for Mink Crick -- Creek
 11 Subdivision (FILE No. PP-23-02); 4G, the Final Plat,
 12 Saunders Ridge Subdivision (FILE FP-23-06); Item 4H,
 13 Final Plat, Milestone Subdivision Phase 5 (FILE
 14 FP-23-05); and Item 4I, Final Plat for Edgefield at Star
 15 River Ranch Phase 1 (FILE No. 4 -- FP-23-07).
 16 MAYOR CHADWICK: Okay. We have a motion to
 17 approve the Consent Agenda, minus Item A, which -- we
 18 did not have any claims.
 19 Do we have a second?
 20 Anybody want to second?
 21 COUNCILMAN HERSHEY: I'll second that.
 22 MAYOR CHADWICK: We have a motion and a second
 23 by Councilman Hershey.
 24 Any further discussion?
 25 Hearing none.

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1 Roll call.
 2 THE CLERK: Nielsen.
 3 COUNCILMAN NIELSEN: Aye.
 4 THE CLERK: Salmonsens.
 5 COUNCILWOMAN SALMONSEN: Aye.
 6 THE CLERK: Wheelock.
 7 COUNCILMAN WHEELLOCK: Aye.
 8 THE CLERK: Hershey.
 9 COUNCILMAN HERSHEY: Aye.
 10 MAYOR CHADWICK: Okay. That motion carries.
 11 We're on to Item 5, the continued hearing
 12 for the Willowbrook Development Annexation & Development
 13 Agreement. It is 7:04, and I invite the applicant to
 14 come back up.
 15 We're continuing this -- this -- this is
 16 the continuation of the applicant rebuttal with the City
 17 Council questions at this time. Once this section is
 18 done, the Council will move into deliberations for a
 19 decision on the project.
 20 Okay. Are we good, Shawn?
 21 SHAWN NICKEL: We're good.
 22 MAYOR CHADWICK: Okay. All right.
 23 I know that it was late on May 9th.
 24 Anybody have questions they want to start with -- with
 25 asking the applicant?

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1 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 2 MAYOR CHADWICK: Councilwoman.
 3 COUNCILWOMAN SALMONSEN: Maybe -- first, could
 4 we just get a quick review, high level. I know that you
 5 had some slides here. If we can just -- just a quick
 6 review --
 7 MAYOR CHADWICK: Okay.
 8 COUNCILWOMAN SALMONSEN: -- from the
 9 applicant. That would be awesome.
 10 MAYOR CHADWICK: Very good.
 11 DEBORAH NELSON: Mayor and Council Members, I
 12 appreciate that.
 13 Deborah Nelson.
 14 MAYOR CHADWICK: Hey. If you don't mind, can
 15 you speak into that a little bit closer?
 16 UNIDENTIFIED SPEAKER: [Unintelligible]. I
 17 can't --
 18 MAYOR CHADWICK: Yeah.
 19 UNIDENTIFIED SPEAKER: -- hear anything.
 20 MAYOR CHADWICK: Yeah, because we can't hear
 21 it.
 22 DEBORAH NELSON: Maybe I could make it higher.
 23 Is that better?
 24 MAYOR CHADWICK: There we go.
 25 UNIDENTIFIED SPEAKER: Oh, there we go.

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1 DEBORAH NELSON: Deborah Nelson. I'm here on
 2 behalf of the applicant. Address is 601 West Bannock.
 3 Good evening, Mayor and Council Members.
 4 You might not have heard that part.
 5 So we have a couple slides just to provide
 6 a visual recap of what we heard the Council ask of us
 7 last time. We're not providing any new information.
 8 This is actually the slide that was presented in our
 9 presentation last time that had suggested additional
 10 conditions for the DA. And we've added for -- a visual
 11 for everyone to see our commentary back to you and the
 12 red underlining, answers to some of the questions that
 13 we heard at the last hearing and requests from the
 14 Council.
 15 So we just wanted to provide that, rather
 16 than just verbally -- so you could visually see how that
 17 would fit into the conditions that we had previously
 18 suggested. We heard a lot of asks of the Council, and
 19 so we wanted to respond to those, and I'll just capture
 20 them briefly and then welcome any further discussion you
 21 guys want to have about that.
 22 There was a request to reduce the density,
 23 and so the developer did look at that carefully and
 24 considered what they could bring that down to
 25 and -- could get down from 1,094 -- was -- the

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1 application asked to -- 1,000 units.
 2 There was also a request about transition,
 3 and we did have information about transition at the last
 4 hearing, but there was additional discussion
 5 that -- where there are one-acre lots that were already
 6 offered, that we would also match adjacent lot lines and
 7 the adjacent setbacks that are required in that adjacent
 8 rural zoning.
 9 We also already had offered one-acre lots,
 10 but we've just included that in the list here of the
 11 conditions, and I've got a -- that transition slide
 12 that's referenced in the condition language there. It
 13 was also in our presentation last time, and I've got
 14 that with us tonight just to repeat that so you could
 15 see that again.
 16 And then, finally, there was a request
 17 from the Mayor and Council about expediting, bringing
 18 forward a key roadway improvement, and that is the
 19 intersection improvements that were requested at Can Ada
 20 and Highway 44. And that is something that the
 21 developer is willing to do, even before the golf-course
 22 operation begins, rather than waiting for the subsequent
 23 phases, when additional TISs will be required and
 24 additional mitigation will be imposed.
 25 But we do need to -- to coordinate with

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1 the Highway District on available right-of-way to make
 2 sure that we can construct that. And then, also, we'd
 3 like to enter into a -- a cost-share agreement or a
 4 late-comer's agreement with the Highway District or the
 5 City, as appropriate, just to make sure that everything
 6 above the development's 18-percent share, there's an
 7 opportunity, at least, to try to recoup some of that.
 8 So those are -- and I'm happy to come back
 9 to this slide just to share it with you, but this
 10 is -- there we go.
 11 I can't get this to advance. Maybe Shawn
 12 can help me. That's not -- there we go.
 13 Thank you.
 14 UNIDENTIFIED SPEAKER: [Unintelligible].
 15 DEBORAH NELSON: Thank you.
 16 This was presented at the last hearing,
 17 and this is -- just illustrates the condition that I
 18 just shared with you about the transitional lots. The
 19 coloring is really faded in this visual, but the yellow
 20 exterior areas are where we've already agreed to a
 21 minimum, one-acre-lot transition.
 22 The red exterior areas are where we've
 23 agreed to the half-acre-lot transition and, also, to
 24 match the adjacent setbacks and lot lines. And then
 25 we've got a landscape buffer strip in the area shown

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1 just south of the golf course.
 2 And, Shawn, if you wouldn't mind advancing
 3 briefly.
 4 Again, this next slide also
 5 was -- that's -- you're having the same problem I did.
 6 There we go -- was also part of our last presentation.
 7 The -- those provisions that we just showed with the
 8 transition, the buffer strip, that may include setbacks
 9 that match or the provision of
 10 one-half-to-one-acre-sized lots is directly from your
 11 applicable City Code for this. And so I just wanted to
 12 show that.
 13 And finally -- Shawn, if you wouldn't
 14 mind, the very last slide -- again, a slide that was
 15 part of our presentation last time. This time the red
 16 lining was already in it. This isn't new. This was the
 17 change we had requested to the conditions. So I just
 18 wanted to bring that forward so you have all of the
 19 conditions that we're suggesting and requesting in
 20 addition to what staff had requested.
 21 And this was where we had just asked for
 22 the clarification that, based on your City Code, golf
 23 courses are already defined to include clubhouses with a
 24 restaurant and bar. And so that was just a reminder
 25 about that condition.

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1 So with that, I don't want to go further
 2 until you have -- have questions, but that's what we
 3 just wanted to bring forward for our -- what we can do
 4 in response to your specific questions at the last
 5 hearing.
 6 MAYOR CHADWICK: Okay. Any -- oh -- any
 7 questions of the applicant?
 8 I know we've got questions, I'm sure.
 9 COUNCILWOMAN SALMONSEN: Excuse me.
 10 MAYOR CHADWICK: I will ask a question here
 11 real quick.
 12 When we're talking about the setbacks on
 13 those half-acre lots, what are those setbacks, exactly?
 14 What's the number? It's not --
 15 DEBORAH NELSON: Mayor, they're 25 feet in the
 16 rural residential zone, which is the adjacent rural zone
 17 that we would be matching.
 18 MAYOR CHADWICK: So 25 feet from the back
 19 line?
 20 DEBORAH NELSON: That's right.
 21 MAYOR CHADWICK: Okay.
 22 DEBORAH NELSON: That's the rear setback in
 23 the County Code.
 24 MAYOR CHADWICK: Okay.
 25 COUNCILMAN NIELSEN: Mayor Chadwick.

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1 MAYOR CHADWICK: Councilman Nielsen.
 2 COUNCILMAN NIELSEN: So I -- you know, I -- I
 3 took -- I took the opportunity. It was really nice to
 4 actually have quite a bit of time between the -- the
 5 first part of this hearing and -- and what we're doing
 6 here tonight.
 7 I -- I took notes on everybody who
 8 testified, and -- and it was -- it was really helpful, I
 9 think, to go back and read through all of those notes
 10 and -- and to read through the packet again and really
 11 look for those elements of testimony that -- that are
 12 actionable or that we should -- or that we could really
 13 consider as part of -- of this application and make part
 14 of our decision here tonight.
 15 And I want to key in on -- on Richard
 16 Moore's testimony, where he -- he began, really,
 17 the -- the conversation that was kind of a theme
 18 throughout the evening around traffic. And -- and I'm
 19 summarizing here, but he -- he testified that traffic
 20 impacts are significant, local roads cannot be expanded,
 21 and that -- and a really significant concern about
 22 the -- the concept or the idea of -- of connecting Wing
 23 Road up into Hillsdale.
 24 And so I -- I'd like for the
 25 applicant -- or for you, as -- as the applicant -- your

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1 group to -- to kind of holistically address and maybe
 2 get into some significant detail because there isn't a
 3 lot of information about roadways at this time.
 4 And -- and that's natural for the state of where this
 5 application is.
 6 However, I -- I think that understanding
 7 the process of how -- how you work with ACHD and ITD
 8 over the course of -- of the anticipated life of a
 9 project of this size, to really understand what impacts
 10 there will be to roads, how those decisions are made,
 11 the timeline of when those decisions are made,
 12 and -- and the possibility of -- of -- of these local
 13 roads that exist being expanded.
 14 I -- as I look at the application, you
 15 know, I -- I have to agree with -- with Mr. Moore that
 16 it looks extremely difficult to expand those existing
 17 local roads. And -- and I have to agree that -- that
 18 the -- the idea of connecting Wing Road up into
 19 Hillsdale seems extremely problematic.
 20 And -- and so if you could address, again,
 21 kind of the -- the process, in general, but
 22 then -- specifically, what does this application look
 23 like without a Wing Road expansion?
 24 DEBORAH NELSON: Mr. Mayor, Council Members, I
 25 appreciate the question.

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1 So maybe the -- the first point to
 2 address -- you know, what is this application about? It
 3 is -- the initial phase will just include the golf
 4 course.
 5 COUNCILMAN NIELSEN: I understand.
 6 DEBORAH NELSON: The trip -- the trips from
 7 the golf course them -- itself will not overburden the
 8 existing roads or exceed the capacity of even the local
 9 roads.
 10 And so -- then we look to future phases.
 11 And the City did request and the applicant provided a
 12 traffic impact study that looked further and included
 13 all of the phases and a significant horizon. And so
 14 that's, really, more what you're getting at, so
 15 the -- the future phases of what will happen when
 16 additional phases are brought on, and there are
 17 additional trips added to the local roadways.
 18 The Wing Road extension was included in
 19 the traffic study because it is shown on ACHD's Master
 20 Street Map, and so that is a planned connection, based
 21 on ACHD's plan for the ultimate roadway build-out in
 22 this area. So we're obligated to evaluate that
 23 and -- and did.
 24 Whether -- if that turns out not to be
 25 desired, feasible, required by the transportation

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1 agencies when we get into these future phases, and we
 2 have to submit supplemental traffic impact studies, you
 3 know, we'll live with whatever is decided about that,
 4 and that's what we'll build out.
 5 The -- the desire, I think, from ACHD's
 6 Master Street Map, in general, is to provide
 7 connectivity. That's usually what ACHD's looking for.
 8 North/south connectivity, east/west connectivity in this
 9 area alleviates problems. Kind of the more ways you've
 10 got to get through, then it disperses the traffic. So
 11 that's -- I guess, specific to Wing Road --
 12 COUNCILMAN NIELSEN: Can I ask you a question
 13 about that.
 14 DEBORAH NELSON: Yes.
 15 COUNCILMAN NIELSEN: So my -- my recollection
 16 of -- of the presentation a couple of months ago was
 17 that Wing Road was considered because
 18 some -- there -- there were -- was another road that
 19 either could not be built or could not be built in a
 20 timely fashion. So then you went to ACHD and requested
 21 to consider Wing Road.
 22 DEBORAH NELSON: Mr. Mayor, Council Member, if
 23 that's the case, then I'll have to have the applicant
 24 and the -- the traffic engineer talk about that history
 25 because I wasn't involved in those specific meetings.

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1 COUNCILMAN NIELSEN: Sure.
 2 DEBORAH NELSON: It is shown -- I can tell you
 3 it is shown on the Master Street Map, so we are
 4 obligated to include it and evaluate it, as far as like
 5 the order of that.
 6 But I -- I think, maybe, what you're
 7 talking about is the Aerie -- Aerie Way extension is
 8 also part of the future improvements that will be needed
 9 and appropriate to serve trips in this area, that will
 10 also help protect trips from some of the local roadways,
 11 such as Deep Canyon. And so between Wing Road and the
 12 Aerie Way extension, those are two new roads that will
 13 help disperse trips in the area.
 14 And -- and there is capacity limitations
 15 on Deep Canyon of 2,000 trips per day. It's a local
 16 road. That's just the local-road limitation for just
 17 functional target capacities from ACHD's policy manual.
 18 And so either Aerie Way or Wing Road does offer relief
 19 from that. And we are conditioned, based on ACHD's
 20 comments at this point, to not be able to proceed with
 21 any of those phases until there is that relief from the
 22 local-road impacts.
 23 And so, at this point, it's not just that
 24 we're asking for the golf course. Like we cannot move
 25 forward with anything that would add impacts beyond the

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1 golf course until that is evaluated and the mitigation
 2 is provided. So that will happen with future phases,
 3 when they lay out, "Okay. This needs to happen at this
 4 timeline."
 5 COUNCILMAN NIELSEN: Yeah. Thank -- thank you
 6 for that.
 7 I -- I think it was that conversation
 8 about Deep Canyon and the limited capacity
 9 that -- that --
 10 DEBORAH NELSON: Yes.
 11 COUNCILMAN NIELSEN: -- led to the exploration
 12 of -- of Wing Road. So...
 13 MAYOR CHADWICK: Can I ask a follow-up
 14 there --
 15 COUNCILMAN NIELSEN: Please.
 16 MAYOR CHADWICK: -- on your question?
 17 So when I -- when I go back and I look at
 18 ACHD's comment on the most recent one, on April 27th, it
 19 says that, "No connection to Deep Canyon Drive" may "be
 20 considered until Aerie Way is constructed" and open to
 21 provide "access to the site," and that -- and that -- to
 22 provide access to the golf course. The applicant may
 23 "apply for a driveway approach permit for a driveway or
 24 private road onto Can Ada Road to provide access to the
 25 site."

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1 So they're not even bringing up Wing Road
 2 any further into this thing; right? So it -- it -- in
 3 my opinion, Wing Road, to me, is not a viable road to
 4 handle all that traffic that's intended to come down.
 5 And I'd be inclined to say that we don't even make that
 6 connection because of where they put Wing Road onto
 7 Beacon Light on the corner, which, to me, is
 8 providing -- is creating a -- a safety nightmare, you
 9 know, in the long term.
 10 DEBORAH NELSON: Mm-hmm.
 11 MAYOR CHADWICK: But what -- what are we
 12 doing, I guess, when we're talking about this Aerie Way
 13 and Canyon Drive, to get constructed -- I guess, is this
 14 an either/or in how they're wording this, whether -- you
 15 either have Aerie Way constructed for the golf course or
 16 you can apply for the private road permit for the -- for
 17 the golf course on the Can Ada --
 18 DEBORAH NELSON: Mr. --
 19 MAYOR CHADWICK: -- or how it's read?
 20 DEBORAH NELSON: Mr. Mayor, so ACHD was
 21 allowing the golf course to proceed, and that's why
 22 the -- the access onto Can Ada was appropriate, but they
 23 did not want to go forward with any residential until
 24 these future TISs are evaluated and Aerie Way was
 25 provided -- provided an outlet.

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1 We did provide analysis to ACHD about how
 2 there is existing capacity on local roads, including
 3 Deep Canyon, before that's -- before you need to
 4 get -- like you could allow some of the residential, in
 5 other words, before you needed to get to that next
 6 phase, and they drew the line more conservatively and
 7 said, "Let's just stop at the golf course before
 8 you've" -- "you're able to even move forward with any
 9 residential, even though some residential would have
 10 capacity there." So they were focused on Aerie Way.
 11 Wing Road does provide additional capacity
 12 in the interim if that were done before Aerie Way.
 13 Again, if -- you know, the City obviously gets to
 14 comment on your preferences for these roads, and
 15 we'll -- we're open to what needs to be done in this
 16 area. At this point, we're following what's on the
 17 Master Street Map. The -- the traffic impact study did
 18 evaluate all of the connectivity and the roadways and
 19 intersections that were defined and the scope that was
 20 set out by ITD, ACHD, and COMPASS.
 21 MAYOR CHADWICK: Okay. Sorry, Kevin.
 22 Go ahead.
 23 Thank you.
 24 COUNCILMAN NIELSEN: Thank -- thank you.
 25 So -- and -- and I -- again, I appreciate

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1 this little -- little detour that's specific to Wing
 2 Road and wonder if -- if, you know, the focus can
 3 continue on kind of how that -- that plan develops over
 4 time, you know, toward the end of the project, what sort
 5 of activities take place.
 6 And -- and, look, think -- think about it
 7 from the standpoint of what ACHD provided to the Council
 8 as -- as part of this packet, that -- they basically
 9 say, "Nothing has capacity today;" right?
 10 DEBORAH NELSON: Mm-hmm.
 11 COUNCILMAN NIELSEN: How do you go from no
 12 capacity to -- to fully-capable capacity at the end?
 13 DEBORAH NELSON: Mr. Mayor, Council Member,
 14 we -- we can't unless they agree that we can; right? So
 15 that does require these future studies, that does
 16 require the mitigation, but it's not completely unknown.
 17 I mean, because we've done this larger traffic study
 18 that they have reviewed, at least there's an indication
 19 that causes these
 20 questions -- right? -- about -- okay -- that Aerie Way
 21 needs to be extended, that the Wing Road extension would
 22 also serve trips.
 23 The Can Ada/Highway 44 intersection
 24 improvements that we've talked about, that came up
 25 because of looking forward to see, "Okay. Well, when we

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1 do have actual mitigation that's imposed on the project,
 2 what might that look like?"
 3 But until we get to a further
 4 approval -- so we have to come back, still, to this body
 5 for a plan -- a -- a planned unit development permit and
 6 a preliminary plat. So at this point, we can't do
 7 anything but the golf course, but that's significant
 8 because you have applications that will then be before
 9 you that are specific development applications.
 10 ACHD and ITD weigh in on those.
 11 They've -- this is our -- this one's already
 12 conditioned, if you approve it, on having to do
 13 subsequent TISs. That will outline the phasing plan and
 14 mitigation before anything can move forward.
 15 And so the mitigations you've got a scope of right now,
 16 basically, from this larger TIS, will have to be planned
 17 out so that it's -- it's in line with the development
 18 phasing.
 19 The one that we're expediting because of
 20 those comments that have come forward that -- and the
 21 concerns that have been raised, just the -- I mean, the
 22 level of service at the Can-Ada/Highway 44 is already
 23 Level F. Of course that's not our doing because we're
 24 not there yet, but the development will help correct
 25 that by stepping that one up.

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1 The others -- it's -- it's a little bit
 2 premature to know exactly where they might be. As
 3 you're pointing out, there may be some limitation on
 4 some of these options. Maybe it isn't the Wing Road
 5 extension. Maybe the Aerie Way is done first. Maybe
 6 there's different options that are evaluated at that
 7 time.
 8 So those -- those will have to be laid out
 9 with the residential, but what you have before you will
 10 at least mitigate more than our fair share with -- with
 11 stepping up that signalized intersection and will
 12 certainly mitigate the trips for the golf course, which
 13 do not exceed capacities.
 14 COUNCILMAN NIELSEN: So what is
 15 the -- what -- what is the likelihood of the development
 16 of Aerie Way to occur -- maybe "likelihood" is not the
 17 right -- right word. I guess, "possibility," maybe is a
 18 better one -- instead of and before that interim
 19 capacity that you mentioned could be considered for Wing
 20 Road?
 21 DEBORAH NELSON: At this point, based on
 22 ACHD's language, it has to be done. So there is no
 23 other option.
 24 COUNCILMAN NIELSEN: Okay.
 25 DEBORAH NELSON: And that's what the Mayor was

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1 just alluding to in the -- in their comment --
 2 COUNCILMAN NIELSEN: Right.
 3 DEBORAH NELSON: -- letter.
 4 COUNCILMAN NIELSEN: Okay. Thank you.
 5 Was there any other thoughts you wanted to
 6 share --
 7 DEBORAH NELSON: No, I'm --
 8 COUNCILMAN NIELSEN: -- on -- on that?
 9 DEBORAH NELSON: No.
 10 COUNCILMAN NIELSEN: Mayor Chadwick, may I
 11 continue to ask questions?
 12 MAYOR CHADWICK: You may continue, Councilman
 13 Nielsen.
 14 COUNCILMAN NIELSEN: Mr. Ben Pelka talked
 15 about a concern that he had regarding the potential for
 16 light pollution from a -- from a driving range. You
 17 know, the City of Star does have an ordinance -- a
 18 dark-sky -- an ordinance based on the common dark-sky
 19 initiative. The thing that came to my mind as he was
 20 talking was -- is the new Topgolf out on the freeway.
 21 DEBORAH NELSON: Mm-hmm.
 22 COUNCILMAN NIELSEN: And I -- you -- you may
 23 have all driven at night along that way, going -- going
 24 west. It is blinding. Now, I know that this isn't
 25 going -- going to be that, but that was the image that

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1 flashed into my mind; right?
 2 Can you talk a little bit about the
 3 possibilities of mitigation for light pollution onto
 4 existing -- I mean, existing properties that have
 5 enjoyed dark skies for years and -- and how that would
 6 comply with the City's ordinance?
 7 NATE MITCHELL: I don't think we have a
 8 problem at this point conditioning our driving-range
 9 operating hours to daylight hours.
 10 COUNCILMAN NIELSEN: Okay.
 11 UNIDENTIFIED SPEAKER: Dawn to dusk?
 12 NATE MITCHELL: Dawn to dusk, yeah.
 13 UNIDENTIFIED SPEAKER: Can you state your
 14 name.
 15 NATE MITCHELL: Let's call it "shooting
 16 hours."
 17 DEBORAH NELSON: State your name.
 18 MAYOR CHADWICK: Nate, just state your name.
 19 NATE MITCHELL: Sorry. Nate Mitchell.
 20 Willowbrook Development. 4 -- 1470 North Rook Way,
 21 Star, Idaho.
 22 COUNCILMAN NIELSEN: And I like the concept of
 23 shooting hours. That -- that way, we could actually
 24 follow what's in the -- the Fish and Game handbook.
 25 MAYOR CHADWICK: Yeah.

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1 UNIDENTIFIED SPEAKER: [Unintelligible].
 2 MAYOR CHADWICK: So I -- I just kind of -- I'm
 3 going to follow up -- for the remainder of that project,
 4 how are we going to maintain dark sky for the
 5 residential components of this as well?
 6 I know we're having, currently, a
 7 challenge with ACHD on what they anticipate using for
 8 streetlights, versus what we want for streetlights on
 9 collectors, which is an interesting thing. But how are
 10 we going to mitigate the light pollution, like he was
 11 talking about, on the remainder of that, not just on the
 12 golf course?
 13 DEBORAH NELSON: Mayor, we agree with
 14 what -- the City's preferences there for down-lighting.
 15 MAYOR CHADWICK: Down-lighting?
 16 DEBORAH NELSON: Yes.
 17 MAYOR CHADWICK: And then on the eaves and
 18 stuff of the houses, instead of a -- a sconce light or
 19 whatever, it's in the soffits, where it shines it down.
 20 I mean, it's just trying to find ways to maintain
 21 that -- that feel if this should get approved up there
 22 in that area -- right? -- so we're not blinding out
 23 everybody.
 24 DEBORAH NELSON: We're in agreement and prefer
 25 that as well.

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1 MAYOR CHADWICK: Okay. Thank you.
 2 Councilman Nielsen, sorry. The floor is
 3 yours again.
 4 COUNCILMAN NIELSEN: Yeah. Thank you.
 5 I -- I'll yield for now.
 6 MAYOR CHADWICK: Okay. Any further questions
 7 here of the Council to the applicant?
 8 COUNCILMAN HERSHEY: Yeah, Mr. Mayor. I've
 9 got a -- just a couple.
 10 There -- there --
 11 MAYOR CHADWICK: Is his mic on?
 12 Okay. Go ahead.
 13 COUNCILMAN HERSHEY: Don't say anything if you
 14 can hear me.
 15 Perfect. All right.
 16 Man, I -- I'm having a hard time seeing
 17 this thing.
 18 The red are half-acre and transitions.
 19 The yellow are full-acre and transitions.
 20 Can you tell me what the brown are again and -- just for
 21 reference. They're really hard to see. So it's --
 22 DEBORAH NELSON: [Unintelligible].
 23 COUNCILMAN HERSHEY: -- it's up at the north
 24 side, more towards the west --
 25 NATE MITCHELL: [Unintelligible].

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1 COUNCILMAN HERSHEY: -- and south side.
 2 DEBORAH NELSON: [Unintelligible].
 3 COUNCILMAN HERSHEY: -- specifically on the
 4 borders. I'm not concerned about the infield.
 5 NATE MITCHELL: Yeah. A minimum of 12,000
 6 square feet is what those show.
 7 COUNCILMAN HERSHEY: Okay. And -- and what do
 8 they -- they don't -- do they abut with anything up
 9 there, or is it all --
 10 NATE MITCHELL: Are you talking on the north
 11 side or on the south side?
 12 COUNCILMAN HERSHEY: North side, more towards
 13 the west.
 14 NATE MITCHELL: They butt up to Deep -- Deep
 15 Canyon Road [sic].
 16 COUNCILMAN HERSHEY: All righty. And you said
 17 you went to 1,000 lots instead of the 985? Can you get
 18 those other 15 in?
 19 DEBORAH NELSON: 1090 -- yeah.
 20 NATE MITCHELL: From 10 -- yeah, we -- so we
 21 did some land planning based off of the proposed
 22 conditions and stuff, and -- and we're hovering right
 23 there at that 1,000-lot mark that we think we could make
 24 work.
 25 COUNCILMAN HERSHEY: All right.

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1 [Unintelligible]. All right. Thank you.
 2 I am trying to think.
 3 That's all I've got on that for now.
 4 MAYOR CHADWICK: Okay.
 5 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 6 MAYOR CHADWICK: Councilwoman.
 7 COUNCILWOMAN SALMONSEN: So I believe, when we
 8 heard -- you know, in the public hearing before, you
 9 mentioned that the density was really needed to
 10 help -- like the density that you have was needed to
 11 help with -- like to cover the cost of building the golf
 12 course.
 13 So I'm curious to know, just
 14 long-term-planning-wise -- so if the golf course is
 15 going to be built first, it sounds like -- I mean,
 16 there's going to be a lot of -- a lot of things that
 17 have -- you know, a lot of phases, a lot of, you know,
 18 investment that has to come for the residential
 19 components to come in. So, I mean, what happens if
 20 the -- you know, you -- you have to reduce the density,
 21 or if you can't make those improvements?
 22 DEBORAH NELSON: Mr. Mayor, Council Member,
 23 it -- it's a fair question. That's part of the phasing
 24 that comes in because, of course, the -- the density
 25 isn't just needed to pay for one amenity. The density's

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1 needed to pay for the whole project. I mean, the whole
 2 project has to pencil at some level; right?
 3 So we have to balance the cost of
 4 construction, which includes all the off-site
 5 infrastructure, including all the road mitigation, which
 6 is going to be expensive. We've got the -- the civic
 7 site donation. You've got extension of sewer and water
 8 lines to and through the property. You've got a
 9 significant upgrade to the waste-water treatment, so
 10 there's a lot of expensive infrastructure on site and
 11 off site that goes into serving such a large project.
 12 And so all of it, just as a whole, has to be planned out
 13 pretty well.
 14 Now, the cost of the construction
 15 associated with the residential and the infrastructure
 16 will come along with that residential, and so that is
 17 planned out, but that is -- part of the evaluation, as
 18 Nate was just mentioning, is they're looking at
 19 the -- the threshold of kind of what will work here to
 20 think about the total costs of everything that can come
 21 in and the total density that could be -- benefit from
 22 and serve that -- all those costs. So it's a -- it's a
 23 complete balance.
 24 There are a lot of up-front costs that
 25 will just happen, that will be expensive, and -- and

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1 that's part of why we're asking for the -- the density
 2 that we're asking for. So we do have an expectation
 3 that we'll be able to build the project.
 4 That's -- that's part of the investment
 5 risk -- right? --
 6 COUNCILWOMAN SALMONSEN: Mm-hmm.
 7 DEBORAH NELSON: -- of doing things like the
 8 Can Ada and 44 intersection. That's a big investment.
 9 It is an expectation of being able to forward with
 10 further development.
 11 COUNCILWOMAN SALMONSEN: And so if the density
 12 is reduced -- or is that even an option, to reduce the
 13 density and have this project with the golf course work?
 14 DEBORAH NELSON: Not below what we're offering
 15 here.
 16 COUNCILWOMAN SALMONSEN: Okay.
 17 DEBORAH NELSON: I'll let Nate jump into that
 18 if he wants to add more.
 19 NATE MITCHELL: Yeah. No. And I understand
 20 the -- the struggle with the density. I -- I mean,
 21 we're at -- at 1,000 units on 726 acres. I think we're
 22 1.3 units to the acre.
 23 UNIDENTIFIED SPEAKER: 1.38.
 24 NATE MITCHELL: It -- it simply comes down to
 25 the math of -- of -- okay. So we just -- we just

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1 offered 94 lots -- not a huge number -- 8.6 percent of
 2 the overall density, something like that. We're working
 3 a -- a fiscal analysis on this, so
 4 if -- if -- let's -- let's call it an average lot-sales
 5 price, a gross revenue, not the cost of it, not what we
 6 make in profit, but a gross sales price. Let's average
 7 \$200,000 a lot up there. 94 lots times 200,000 bucks is
 8 \$18,800,000.
 9 So we're taking that revenue off the table
 10 to do -- balance our cost -- balance our off-site costs;
 11 right? So we still have to do the intersection. We
 12 still have to fix Can Ada. We still have to build Aerie
 13 Way. We still have to bring the reuse water up. We've
 14 still got to do everything we still have to do, and now
 15 I've got 18-and-a-half million dollars less to do it
 16 with.
 17 So we're basically -- that's where we came
 18 up with the magic number of 1,000. We can still make a
 19 profit at that number. When we start going below that
 20 number, we get to the point where it just doesn't make
 21 sense to take the risk --
 22 COUNCILWOMAN SALMONSEN: Yeah.
 23 NATE MITCHELL: -- right? And those
 24 are -- I -- I mean, the -- the numbers we're throwing
 25 around with densities and things, they all seem like

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1 pretty small numbers, but when you get into the actual
 2 revenue produced by that, it's -- it's a significant
 3 financial impact; right? We've -- we -- I could do it a
 4 lot better at 1,000. If you give me the
 5 1,094 units -- let me go to 1,094, and I can do
 6 that much more off-site costs. There's another
 7 \$18 million I've got to spend to make the same profit I
 8 can make at 1,000 units.
 9 COUNCILWOMAN SALMONSEN: Yeah. All right.
 10 Thank you.
 11 And I'll ask another question kind of
 12 along the same lines. So about the school. I think
 13 West Ada -- their response was, "The project would add
 14 like 1,000" -- and I can't remember -- "a little over
 15 1,000 students."
 16 And I appreciate the offer to donate the
 17 land, but we have a real struggle with getting the
 18 school built. And, you know, I -- I see the -- you
 19 know, like you are investing a lot of money into this
 20 project. It's a big risk of -- and -- but there's no
 21 guarantee that a school will be built. And so I'm
 22 having a hard time, you know, without any sort of
 23 investment made into the actual school -- school
 24 building.
 25 So I -- I guess that's not really a

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1 question and more of a statement, but I will just --
 2 DEBORAH NELSON: Mayor.
 3 COUNCILWOMAN SALMONSEN: If you want to
 4 respond to that...
 5 DEBORAH NELSON: Yeah. If I could, I -- I
 6 will.
 7 Yes, I mean, the -- the way schools are
 8 funded and facilities are funded here in West Ada, you
 9 know, they're always having to go out for bonds. But
 10 the -- the reason that system generally works, is it
 11 allows the property taxes that are paid towards
 12 facilities to be time-limited; right? So for the life
 13 of that facility, when it's needed, there's taxes that
 14 go to pay for it, rather than general-fund property
 15 taxes going to it forever. That piece gets paid for.
 16 It moves on. That's why they do bonds the way they do.
 17 And so there is always a risk because they
 18 have to go out. Under State law, they have to go out
 19 for an election, and when they fail, they come back
 20 again, and they restructure it, and they ask again
 21 because West Ada School District and every other school
 22 district plans their facilities out to meet growth, to
 23 meet children's educational needs, as it happens. They
 24 don't build empty school buildings in advance; right?
 25 So they have to respond. So they have a

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1 plan. They've got sites already ready. We've offered
 2 another one if they need it, but they've already got
 3 sites planned. They'll go out for another bond, and
 4 they'll do that.
 5 This property, this project, will
 6 contribute tax dollars like anybody else who's
 7 developing in Star; right? And -- and based on the
 8 average value of the homes that we expect in this
 9 development, even at 1,000 units, we expect that to be
 10 over a million dollars, based on current levy rates,
 11 contributed to the school district every year.
 12 So that's the annual property tax
 13 associated with an average \$800,000 home for 1,000
 14 units, based on their current levy. So that's -- I
 15 mean, so there is money going to the school district to
 16 cover our kids' costs.
 17 And -- but -- but it's an issue for any
 18 development; right? I mean, you have people that want
 19 to live in Star. They're going to move to Star wherever
 20 they can get a home. If it's not here, if this project
 21 isn't a place where they're going to live, they're going
 22 to live somewhere else, and the same issues will be
 23 happening.
 24 This one adds two benefits, I guess, I
 25 would just ask you to consider with schools. One, it

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1 has a higher-average-value home that's planned than in
 2 your average homes in -- in Star, and so the amount of
 3 property tax contributed on average is higher, and yet
 4 the impacts to the school are the same for -- per -- per
 5 household. And the second one is that, likely, we will
 6 have fewer kids because this is a golf community, and so
 7 the expectation is there will be fewer kids than the
 8 average number.
 9 So it's an issue wherever you've got
 10 residential development, but those are some special
 11 considerations here.
 12 COUNCILWOMAN SALMONSEN: Thank you. I
 13 appreciate that.
 14 But I did think that, you know,
 15 those -- the West Ada taxes that we pay from our
 16 property tax, that goes more towards like ongoing
 17 maintenance, not towards building the school; is that
 18 correct?
 19 DEBORAH NELSON: Mayor, Council Member -- oh,
 20 go ahead.
 21 MAYOR CHADWICK: [Unintelligible]. Go ahead.
 22 You can explain it.
 23 DEBORAH NELSON: So the money goes to the
 24 school district, and then, because they
 25 want -- they -- and often need, for their budgeting

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1 reasons, additional money for facilities, they can go
 2 out to bond for the additional property taxes to be
 3 levied for the facilities.
 4 COUNCILWOMAN SALMONSEN: Right. And that's
 5 what we've seen in the past. I -- I don't know if any
 6 school has -- I -- I -- I've been here for a while.
 7 Yeah, anyway. Maybe someone else knows if
 8 a school has been built with funds that West Ada already
 9 had, and they --
 10 MAYOR CHADWICK: No.
 11 COUNCILWOMAN SALMONSEN: -- didn't have to go
 12 out to a bond.
 13 MAYOR CHADWICK: Everything's been built with
 14 a bond.
 15 DEBORAH NELSON: That's the way they finance
 16 them, exactly.
 17 MAYOR CHADWICK: Yeah.
 18 DEBORAH NELSON: Charter schools, for example,
 19 don't get --
 20 COUNCILWOMAN SALMONSEN: Right. Private.
 21 DEBORAH NELSON: -- that opportunity, so they
 22 have to use their -- the same amount of per-student cash
 23 they get from the State general fund for education on
 24 both, but school districts that are not charter schools
 25 have the opportunity to go out for bond financing for

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1 facilities, and so that's what they do.
 2 COUNCILWOMAN SALMONSEN: Yeah. That's all for
 3 now.
 4 MAYOR CHADWICK: Okay.
 5 COUNCILWOMAN SALMONSEN: Thank you.
 6 MAYOR CHADWICK: Councilman Wheelock.
 7 COUNCILMAN WHEELOCK: Yeah. I have some
 8 questions regarding Aerie Way and some of the roadway
 9 issues that have been brought up.
 10 On -- on Can Ada, they -- you talked a lot
 11 about the -- the light at State and -- and Can Ada Road
 12 and -- and that funding. Is there any plan for you to
 13 help with Can Ada at the hill, where it hits into New
 14 Hope? Has that been discussed?
 15 Because that's a hill that -- if you're
 16 going to bring all the construction trucks from this
 17 project down that road because Aerie's not open and Deep
 18 Canyon isn't an option that I'm aware of, then it's all
 19 coming down Can Ada Road or Purple Sage.
 20 DEBORAH NELSON: Mayor and Council Member, at
 21 this point, we are just looking at the intersection
 22 improvements. Of course we understand that Can Ada is
 23 on the list of projects that have been identified for
 24 off-site mitigation beyond the golf course. The golf
 25 course trips alone and -- and understand the

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1 construction point you're making too -- wouldn't trigger
 2 those -- that need, but practically, I understand your
 3 point.
 4 COUNCILMAN WHEELOCK: Let -- let me -- let me
 5 come back to January 25th of 2022, and -- and I'm going
 6 to put Nate on the -- on the hot seat for a second.
 7 And it says -- and this is from that meeting of -- that
 8 we had --
 9 MAYOR CHADWICK: It was our workshop. The
 10 workshop, yeah.
 11 NATE MITCHELL: It's the workshop with the
 12 traffic agencies.
 13 COUNCILMAN WHEELOCK: Call it what you will.
 14 It was about this same development.
 15 So Willowbrook is asking for some land-use
 16 entitlements, but the developers want to make sure they
 17 are restricted properly in a development agreement to
 18 ensure the transportation authorities have the leverage
 19 they need over the development process to ensure various
 20 phases build out, that the proper improvements are made
 21 to support what the Highway Districts and City need.
 22 And if we're saying, "We may need something on Can Ada
 23 and Hill Road," what does that -- what does that answer
 24 from you look like?
 25 NATE MITCHELL: The same as it did in January

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1 of 2022. If we need to improve something at the
 2 intersection of -- of New Hope, Foothill, Can Ada for
 3 temporary construction access, I -- I -- so -- so
 4 here's -- here's where I'm at.
 5 We -- not knowing what you want -- not
 6 knowing -- what -- what do you want me to do to the
 7 intersection? If you want me to make it five lanes each
 8 direction and you want a signal there, I'm probably not
 9 going to agree to that tonight.
 10 If we want some -- some improvements to
 11 widen so that -- so that -- but we had a -- a -- a box
 12 van with a trailer pull off into the ditch on the -- the
 13 southeast corner the other night, scraped stuff up for a
 14 little while. I -- we can widen those corners. We can
 15 make more room at that intersection.
 16 The real improvement, in our mind, that
 17 needs to be made to Can Ada -- the hill needs
 18 to -- the -- the -- the grade needs to be shallower. It
 19 needs to be less --
 20 COUNCILMAN WHEELOCK: Maybe that's -- maybe
 21 that's what I'm talking about.
 22 NATE MITCHELL: Okay. Which -- so we will
 23 participate in our proportionate share for that. I'm
 24 happy to -- same as we're doing at Can Ada and the
 25 intersection. We're happy to look at fronting some of

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1 those costs.
 2 I'm not going to -- I -- the problem
 3 you're going to run into is -- I don't want to be in a
 4 spot where you want me to go build something and hold
 5 development up. Canyon Highway District Number No. 4
 6 doesn't have the right-of-way for me to do it, and
 7 you'd put me in a spot where I've got to go negotiate
 8 with the neighbor, who thinks my -- his ground's worth a
 9 million dollars a square foot; right? So it's got to be
 10 a -- a group effort.
 11 We can -- we can look at restricting
 12 construction traffic to wherever we want to do it.
 13 I -- I don't -- one of the benefits, I -- I think,
 14 actually, of as large a project as this is like we've
 15 got a grading plan, construction drawings for the golf
 16 course. So I've got to move big equipment in there
 17 once. They're going to spend a lot of time on site,
 18 moving dirt around. I end up with an extra
 19 500,000 yards of material on site, so I'm not bringing
 20 anything to the site.
 21 I don't have to have -- I don't have to
 22 have gravel trucks, one after the other, in 10-minute
 23 intervals, bringing gravel from Emmett or from -- from
 24 Parma or from somewhere -- you -- you guys see the
 25 trucks all day, every day on the -- the roads. We're

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1 moving tons and tons and tons and tons of gravel around
 2 the Valley.
 3 This project actually has enough area,
 4 where we produce a lot of that material on site and end
 5 up with enough excess after the golf course to go build
 6 lot pads, to build some roads, to build some stuff like
 7 that. So we're not importing things until Aerie Way's
 8 built; right?
 9 Like so -- so -- I -- I -- I -- if I had a
 10 specific improvement -- like you asked -- you asked to
 11 build a -- a signalized intersection at 44 and -- and
 12 Can Ada. We know what that looks like because an
 13 engineer's drawn it. We don't know what it looks like
 14 for Foothill up over the hill to Can Ada. We just don't
 15 know what it looks like.
 16 There's a plat going on right now on Tommy
 17 Foster's [phonetic] property to the west of Can Ada, all
 18 the way up. I've been working with Highway -- or I've
 19 been plugging in Highway District 4 to fix part of that
 20 problem in that plat because we can use the draw in that
 21 grade that you can't build houses in anyway to build a
 22 lot shallower road, the same thing we're doing on
 23 Kingsbury to the west. We've engineered that ourselves.
 24 It -- it just has to be a little bit more specific of
 25 a -- a request of what we're looking at.

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1 MAYOR CHADWICK: So I just want to -- can I
 2 just follow-up real quick on here.
 3 So I just want to go to the Canyon Highway
 4 District 4's comments on this. On No. 4 they do
 5 specifically say, "The existing alignment and grade of
 6 Can Ada Road between New Hope and Lanktree Gulch is not
 7 suitable for increases in development traffic, including
 8 construction haul trucks. CHD4 recommends this segment
 9 be improved coincident with development of the site.
 10 CHD4 has developed a concept for re-alignment and
 11 regrading" -- "portions of this segment that may be
 12 useful to the developer."
 13 And so that -- that information is there.
 14 So if we're getting specific, I mean, that's --
 15 NATE MITCHELL: Yeah, that's fine.
 16 MAYOR CHADWICK: Great. That's --
 17 NATE MITCHELL: I --
 18 MAYOR CHADWICK: That's the specificity, I
 19 think, that --
 20 NATE MITCHELL: I --
 21 MAYOR CHADWICK: -- we're looking for because
 22 that -- that 8-percent grade's not feasible for, really,
 23 anybody to actually live there right now.
 24 NATE MITCHELL: If it was 8-percent grade,
 25 it'd be reasonable. There's parts of that that are --

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1 MAYOR CHADWICK: Right.
 2 NATE MITCHELL: -- 23 percent.
 3 I -- so -- so I would offer two things.
 4 I -- I -- I would obviously participate. They're
 5 showing us that 34 percent of that -- our traffic at
 6 34 percent of that improvement, that's a condition we
 7 have to comply with.
 8 I don't want to jump out and say -- I
 9 haven't seen the engineered drawings or the concept
 10 alignment plans -- that we would build the whole thing
 11 up front, but let's figure out how to restrict our
 12 construction traffic, otherwise, if we -- if we don't go
 13 build it up front. We can't use Can Ada.
 14 MAYOR CHADWICK: Okay.
 15 COUNCILMAN WHEELLOCK: Okay.
 16 MAYOR CHADWICK: Got your question answered?
 17 COUNCILMAN WHEELLOCK: As good as I'm going to
 18 get it, I would bet.
 19 MAYOR CHADWICK: Okay. You got more
 20 questions?
 21 COUNCILMAN HERSHEY: I've got a follow-up to
 22 that.
 23 MAYOR CHADWICK: Okay.
 24 COUNCILMAN HERSHEY: You -- you mentioned
 25 the -- pay your fair share. You're talking about the

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1 ITT [sic] proportionate share? You're amenable to that?
 2 NATE MITCHELL: Sorry. Can you restate that.
 3 COUNCILMAN HERSHEY: The ITT --
 4 NATE MITCHELL: ITD proportionate share?
 5 COUNCILMAN HERSHEY: Yes. Thank you.
 6 NATE MITCHELL: Do I have a choice?
 7 COUNCILMAN HERSHEY: No. I'm just making
 8 sure.
 9 NATE MITCHELL: Okay. Okay.
 10 COUNCILMAN HERSHEY: And also, one other
 11 mitigation fee is our Star police and fire -- is
 12 that -- that is --
 13 NATE MITCHELL: I -- if they're fees you've
 14 adopted by ordinance, we're going to pay them.
 15 COUNCILMAN HERSHEY: Okay. Just making
 16 sure --
 17 NATE MITCHELL: Yeah.
 18 COUNCILMAN HERSHEY: -- because that one is
 19 new.
 20 NATE MITCHELL: Yeah.
 21 MAYOR CHADWICK: And -- and we're going to
 22 build them into the Development Agreement so they're
 23 part of the development forever. I'm -- I'm just -- I'm
 24 just going to tell you that too. I mean --
 25 NATE MITCHELL: So --

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1 MAYOR CHADWICK: -- any fees that we come up
 2 with --
 3 NATE MITCHELL: So I -- no. So I'm going
 4 to -- I -- the only thing -- the only caution I'm going
 5 to say on that is we're fine building them into the
 6 Development Agreement because I don't think they're
 7 going to get cheaper in the future.
 8 MAYOR CHADWICK: No.
 9 NATE MITCHELL: So when you build them into my
 10 development agreement, they're going to be built in.
 11 And when you raise your fees 500 bucks for the police
 12 mitigation fee, I'm going to look at my development
 13 agreement and tell you that's what I'm going to pay --
 14 MAYOR CHADWICK: Right.
 15 NATE MITCHELL: -- is what we put in the
 16 Development Agreement.
 17 MAYOR CHADWICK: Or we can figure out a rate
 18 of increase for the next 25 years.
 19 NATE MITCHELL: Or we could set them; right?
 20 It -- it -- I -- it's -- it's appropriate
 21 to build them into the Development Agreement. It's also
 22 appropriate to -- to put language in there that
 23 determines those fees at the time of our building
 24 permit, not at the time of this application.
 25 If you're charging a greater fee 10 years

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1 from now, you need us to pay the greater fee. If you're
 2 charging a lesser fee, we need to pay the lesser fee.
 3 We don't need to set a number on that fee today and say,
 4 "We're going to pay \$1,286 a house in police
 5 mitigation," when, 10 years down the road, you're going
 6 to be charging three times that.
 7 MAYOR CHADWICK: Okay. And we can -- we can
 8 set it up to where it says that -- that --
 9 COUNCILWOMAN SALMONSEN: That time.
 10 MAYOR CHADWICK: -- the -- the -- the cost of
 11 the fees at the time of -- whatever.
 12 Do -- do you have more questions?
 13 DEBORAH NELSON: And -- and, Mayor, I'll just
 14 note quickly -- that's what the statute requires
 15 to -- the amount that's in place at the time the
 16 building permit -- currently, it's even at
 17 1,000 -- 1,000 units. It's still close to 10 million in
 18 fees with all of those that are listed in the staff
 19 report.
 20 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 21 MAYOR CHADWICK: Councilwoman.
 22 COUNCILWOMAN SALMONSEN: Back to the last
 23 question about Can Ada and using that road for
 24 construction. So if I understood correctly -- and CHD4
 25 says, "No, you can't use it for construction." What

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1 road would you use?
 2 DEBORAH NELSON: Mr. Mayor, Council Member,
 3 Canyon County Highway District hasn't restricted that
 4 from use for construction. So they do describe in their
 5 comment letter that there is -- improvements that will
 6 be needed in the development share of Can Ada
 7 improvements is 34 percent. They talk about -- that
 8 they've developed a concept for realignment and
 9 regrading for portions of that road.
 10 So they've -- are moving forward with some
 11 pieces of it and plans that there -- it sounds like
 12 they're willing to share, but they're -- they're not
 13 saying that no construction can take place on that road
 14 now.
 15 MAYOR CHADWICK: Well, okay. But I read it
 16 differently, based on what this is saying from them, the
 17 six conditions.
 18 On Condition 4, it says, "The existing
 19 alignment and grade of Can Ada Road between New Hope and
 20 Lanktree" -- "is not suitable for increases in
 21 development traffic, including construction haul trucks.
 22 CHD4 recommends this segment be improved coincident with
 23 development of the site. CHD4 has developed" -- "has
 24 developed a concept for re-alignment and regard" -- "and
 25 regrading" -- "portions of this segment that may be

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1 useful to the developer."
 2 So they are saying that no construction
 3 traffic can go up this road unless it's improved. Do
 4 you see what I'm saying? I mean, so that question she's
 5 asking, I think, is very valid. How in the world are
 6 you getting stuff in there if you can't use Deep Canyon,
 7 New Hope, Lanktree Gulch? How are you getting stuff in
 8 there?
 9 DEBORAH NELSON: And -- and, Mayor, Council
 10 Member, that's a -- that's a fair comment. I don't know
 11 the alternative, and so, you know, I'd welcome others to
 12 jump in with that.
 13 The current -- the current access, though,
 14 the -- there is legal access on this road; right? I
 15 mean, everybody is using this road now. And the -- the
 16 way that I understood Canyon County Highway District's
 17 comments to the developer is that we need to contribute
 18 our fair share of this. So they're asking to -- us to
 19 provide this 34 percent.
 20 Now, obviously, as Nate said, we need to
 21 be working with them to see what the opportunities are
 22 for what their plans show. We don't know what they show
 23 or what their progress is on those.
 24 I don't know if you've got alternatives to
 25 add that.

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1 MAYOR CHADWICK: Okay. Did you want to
 2 follow-up on that, Mr. Nate?
 3 NATE MITCHELL: No. I -- I guess -- well,
 4 the -- the -- obviously, knowing the area, the only
 5 other alternative if you can't use Can Ada and you can't
 6 use Deep Canyon -- both public roads that have existing
 7 capacity on them that, legally, anybody can drive
 8 on -- you're sending everything down Purple Sage.
 9 One of the things -- I guess the only
 10 thing I'd point out in our concerns about a specific
 11 traffic -- traffic problem in one spot versus
 12 another -- you cut me off at Deep Canyon. You cut me
 13 off at New Hope. You cut me off at Can Ada. All you're
 14 doing is putting all of the pressure onto one access
 15 point. You're creating a bigger problem in front of
 16 somebody else's house to make somebody else over here
 17 have less traffic in front of their house.
 18 I -- I don't know that we can -- if -- if
 19 a road's got capacity, I don't think we can
 20 legally -- I -- I can't tell somebody they can't drive
 21 down that road. It's a public road that we all pay for.
 22 Very sensitive to the construction
 23 traffic. Very happy to produce a construction-traffic
 24 plan, when we get to building, that's suitable
 25 for -- for the City, suitable for the neighbors. I

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1 can't -- I can't not tell somebody there's not going to
 2 be a gravel truck going past in front of their house.
 3 Let's make it as safe as we can, but if we
 4 choke everything to Purple Sage -- right? -- I -- I -- I
 5 don't even care about truck time. I don't care about
 6 cost associated with that. We're going to get there one
 7 way or another. So everybody goes up Highway 16, turns
 8 left on Chaparral, comes back around, down Purple Sage.
 9 MAYOR CHADWICK: Well, and I --
 10 NATE MITCHELL: [Unintelligible].
 11 MAYOR CHADWICK: And I think that's all to be
 12 discussed with the traffic agency, in reality, because
 13 they're the ones that are creating these conditions.
 14 NATE MITCHELL: For sure.
 15 MAYOR CHADWICK: We don't create those
 16 conditions on there. So...
 17 NATE MITCHELL: No. And -- and -- and we're
 18 happy to comply with -- I -- I mean, we understand the
 19 proportionate share -- our proportionate share that the
 20 TIS put out. We have no choice but to comply with
 21 those; right?
 22 Like Councilman Hershey asked, am -- am I
 23 okay with the ITD proportionate share? I don't like
 24 them. I think they're pretty big numbers, but I don't
 25 have a choice. And I'm not going to have a choice with

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1 Canyon Highway District No. 4, and I'm not going to have
 2 a choice with Ada County Highway District. They -- they
 3 say it; we do it, or we don't do what we're asking for.
 4 MAYOR CHADWICK: So it is -- so just -- okay.
 5 I'm going to bring this up now then.
 6 So it is very possible, even with the
 7 1,000s approved units that you had -- that you're asking
 8 for today, that you're not -- may not ever get to the
 9 1,000 units, based on what these conditions from these
 10 traffic agencies say; correct?
 11 NATE MITCHELL: The current conditions from
 12 the traffic agencies -- I can build those 1,000 units.
 13 I can fit those 1,000 units on the ground.
 14 MAYOR CHADWICK: With all these conditions
 15 of -- all these intersections and --
 16 NATE MITCHELL: I have --
 17 MAYOR CHADWICK: -- roadways to be improved?
 18 NATE MITCHELL: Yes, I
 19 have -- that's -- that's where -- when we talk about
 20 density levels, when we talk about acceptable housing
 21 units, I'm -- I'm doing math every day, trying to figure
 22 out if, at the end of the day --
 23 MAYOR CHADWICK: Right.
 24 NATE MITCHELL: -- we're a nonprofit or a
 25 profit. And now, at this point, yeah, the 1,000

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1 units -- we think we can comply with the mitigation that
 2 our TIS has pointed out.
 3 MAYOR CHADWICK: All right. Okay.
 4 COUNCILMAN WHEELLOCK: Mr. Mayor.
 5 MAYOR CHADWICK: Councilman.
 6 COUNCILMAN WHEELLOCK: So I have another
 7 question with Aerie Way, and this has more to do with
 8 the BLM side of that.
 9 Currently, there is -- if we go back to
 10 the work -- workshops that we did, it shows you having
 11 ownership of land all the way across Deep Canyon
 12 that -- that has access to the BLM.
 13 NATE MITCHELL: We have an access point to the
 14 BLM that we own, yes.
 15 COUNCILMAN WHEELLOCK: Yes. Then, currently,
 16 it's got railroad ties and has restricted its access.
 17 Is that something you'd be willing to open back up so
 18 that pickups could reuse the roads that had been used
 19 traditionally?
 20 NATE MITCHELL: I --
 21 COUNCILMAN WHEELLOCK: And would you provide
 22 access along Aerie Way to the BLM? Is that part -- if
 23 you could make that part of your application --
 24 NATE MITCHELL: Yeah. So --
 25 COUNCILMAN WHEELLOCK: -- to the BLM?

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1 NATE MITCHELL: So, with BLM, we're -- we're
 2 talking about building some -- some parking areas,
 3 trailheads, making sure connectivity to whatever trails
 4 exist still exist.
 5 As far as the railroad ties and the
 6 restriction point on our property, I -- I would actually
 7 tell you that -- that those -- we put the -- those
 8 railroad ties up and the no-trespassing signs up at the
 9 request of the Hillsdale -- Hillsdale Homeowners
 10 Association. We didn't have them there until we were
 11 asked to have them there. I -- I'll take them out
 12 tomorrow.
 13 I don't think that's going to make the
 14 Hillsdale area happy with -- they -- they -- there was a
 15 negotiation that took place six or seven -- eight years
 16 ago, I think, that they asked us to restrict the
 17 trespassing because traffic was coming both directions;
 18 right? They've got their equestrian center right there,
 19 and we were having problems with --
 20 COUNCILMAN WHEELLOCK: I'm farther up
 21 the -- towards Can Ada more, there's another place that
 22 has railroad ties that are cutting it off. It's west of
 23 that inner -- of the corrals up on the top of the hill.
 24 NATE MITCHELL: I'm not familiar with it.
 25 I -- I can take a look at it, for sure. I don't think

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1 we're trying to restrict access. I -- I mean, a lot of
 2 that ground's not suitable for anything other than foot
 3 traffic anyway, but --
 4 COUNCILMAN WHEELOCK: Thank you.
 5 MAYOR CHADWICK: Okay. I'm -- I just -- I
 6 want to go through some notes that I put together, some
 7 conditions of approval for the Development Agreement if
 8 the Council chooses to approve this. I want to make
 9 sure that these things are included.
 10 So are you -- you ready?
 11 Is Council ready for what I'm about to say
 12 on here?
 13 With the golf course and associated
 14 facility amenities -- would be approved, including the
 15 clubhouse and accessory structures, restaurant, bar, and
 16 driving range, and of course, the driving range and
 17 whatnot would have hours of operation of dusk
 18 to day -- daylight -- or dawn to dusk -- right? -- on
 19 that.
 20 Prior to approval of any additional
 21 commercial uses, the applicant shall submit and receive
 22 a preliminary -- or an approval of a planned unit
 23 development or preliminary plat. This approval shall be
 24 part of a new public hearing through the City Council on
 25 any of the other commercial aspects up there if they

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1 choose to do that.
 2 The golf course shall be hooked onto the
 3 Star Sewer & Water District to reclaim water for
 4 application to the course within five years of the
 5 completion of the course because -- I don't think you're
 6 intending to hook that up right away; correct?
 7 NATE MITCHELL: Correct. I think we intend to
 8 start up with our existing water right.
 9 MAYOR CHADWICK: Water right.
 10 So -- but within five years of the
 11 completion of that course, we need to have that hooked
 12 up to the Star Sewer & Water's reclamation project
 13 because -- so -- with -- with the concerns about water
 14 and stuff, to me, the reclamation water going up on that
 15 area helps with aquifer issues in the future.
 16 So let me just read them all, and you can
 17 write down your notes and stuff on there, I guess.
 18 All golf-course details shall receive
 19 further review and approval through a Design Review
 20 Committee. The architects for the clubhouse and
 21 restaurant shall meet current City design review
 22 standards.
 23 The applicant shall provide a minimum of a
 24 10-acre, public-school site and a future fire station
 25 site -- site within the development. The applicant

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1 shall work with the Star Fire District on the location
 2 of that station. The fire station and school site shall
 3 be deeded to the appropriate agency with the first phase
 4 of the residential development. Far too often we have
 5 guys waiting until the end to deed these sites, so we
 6 want to get that done right away.
 7 This development shall meet all the
 8 requirements of the Star Fire District and Star Sewer &
 9 Water District.
 10 We need to also adopt all recommended
 11 conditions of approval from ITD, ACHD, and CHD4,
 12 including, but not limited to, the following: an access
 13 connection of the development of -- to Aerie Way and
 14 Highway 16 prior to the first residential building
 15 permit issued; improvements to Can Ada Road, like we
 16 have been discussing tonight; no direct connections to
 17 Lanktree -- Lanktree Gulch Road and Deep Canyon; have an
 18 updated TIS with every phase of this project within the
 19 preliminary plat; and we would like to see a -- a phase
 20 schedule put in there with the preliminary plat; and any
 21 additional off-site improvements, per the agencies'
 22 request.
 23 Based on what we discussed tonight, we
 24 have a maximum density of 1.38 units per acre with 1,000
 25 number of lots, as -- as approved, if this gets annexed.

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1 I also have the -- I know we've -- we're
 2 going to go back and forth probably more, but a
 3 half-acre-to-one-acre-minimum-required lot size adjacent
 4 to all existing residential lots, an agreement from you
 5 to pay all the proportionate shares and mitigation fees
 6 in place at the time of recordation of the DA to include
 7 the following: any ITD proportionate shares will be
 8 based on final-plat phasing, and those costs will be
 9 determined in the future, like we discussed.
 10 The Star fire mitigation fees of 1,200 per
 11 lot can be -- is going to probably change at the time of
 12 the building permit, so that's not something you pay up
 13 front. It's at the time of the building permit, along
 14 with Star police mitigation fees.
 15 The Development Agreement will be
 16 revisited during the preliminary plat and planned unit
 17 development in order to update or add any new conditions
 18 of approval that may be required by the City Council at
 19 the time or other reviewing agencies.
 20 And Wing Road will not be connected to the
 21 development from Beacon Light Road because, in our
 22 opinion, that's a hazard and a safety concern.
 23 And a traffic signal light at Highway 44
 24 and Can Ada Road shall be constructed by the
 25 applicant -- applicant, as we discussed tonight.

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1 And any latecomer's agreements shall be
 2 entered in between the applicant and the City for future
 3 reimbursement with that.
 4 So those are items that I've had
 5 with -- going through this project on here. So I want
 6 to -- if you want to address any of those or if you have
 7 any concerns with them, we can talk about them now, but
 8 I -- I would encourage the Council to include all of
 9 those if they choose to approve this tonight.
 10 NATE MITCHELL: Yeah. So the -- I guess the
 11 first one we'll address -- your -- your condition about
 12 connecting to the Star Sewer & Water District reclaimed
 13 water within five years of completion of the golf
 14 course. I -- my only -- I -- my only hesitation is
 15 that -- is the Star Sewer & Water District has to be
 16 ready. And if they're not ready, I still have a legal
 17 water right that I can use.
 18 MAYOR CHADWICK: So if -- if we adjust that to
 19 indicate at -- within five years --
 20 NATE MITCHELL: I -- I guess the way I
 21 would -- I -- I would simply state it is that we will
 22 take their reclaimed water as soon as it's available.
 23 MAYOR CHADWICK: Well, as soon as Star Sewer &
 24 Water is ready for the hookup for that --
 25 NATE MITCHELL: Yes.

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1 MAYOR CHADWICK: -- you'll have that in place?
 2 NATE MITCHELL: Yeah.
 3 MAYOR CHADWICK: Okay.
 4 NATE MITCHELL: We want to use that water. We
 5 think it's great for the City. We think it's --
 6 MAYOR CHADWICK: Sure.
 7 NATE MITCHELL: I -- I think it's great for
 8 the [unintelligible] at Star Sewer & Water District.
 9 I -- I don't see us having any reason to delay in using
 10 that water. We've just got to make sure that DAQ
 11 and -- and the EPA say that water's ready to be put on
 12 that ground and safe for everybody to have it applied
 13 directly to the ground.
 14 COUNCILMAN WHEELOCK: What does -- what does
 15 that line look like as far as size? Do you have any
 16 projections of that?
 17 NATE MITCHELL: As far as pipe --
 18 COUNCILMAN WHEELOCK: Yeah.
 19 NATE MITCHELL: -- size?
 20 COUNCILMAN WHEELOCK: Yeah.
 21 NATE MITCHELL: Hank [phonetic] and I have
 22 discussed it a little bit -- probably a -- a -- either a
 23 12 or a 14-inch line -- but I -- maybe, Ryan, you
 24 can --
 25 MAYOR CHADWICK: Is Ryan Morgan down here?

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1 NATE MITCHELL: He is.
 2 MAYOR CHADWICK: Oh, I can't see him.
 3 RYAN MORGAN: I'm --
 4 MAYOR CHADWICK: [Unintelligible] --
 5 RYAN MORGAN: I'm sitting right here,
 6 Mr. Mayor.
 7 MAYOR CHADWICK: -- Ryan, please, and what you
 8 do.
 9 RYAN MORGAN: Hello, Mr. Mayor. Over here.
 10 Other way.
 11 MAYOR CHADWICK: I -- I hear you over there,
 12 yeah. I see you.
 13 COUNCILMAN HERSHEY: Where is he?
 14 COUNCILMAN WHEELOCK: [Unintelligible].
 15 RYAN MORGAN: I would not go with 14. I would
 16 say a 12 or a 15-inch line. 14-inch pipe is very hard
 17 to come by these days. But, yes, a 12-or-15-inch line
 18 is what we anticipate that being.
 19 MAYOR CHADWICK: Did you hear that?
 20 COUNCILMAN WHEELOCK: 12-or-15-inch something.
 21 MAYOR CHADWICK: 12-to-15-inch line?
 22 NATE MITCHELL: Yes. Yeah.
 23 COUNCILMAN WHEELOCK: My -- my question
 24 is -- we -- we talked in the -- in the workshops about
 25 putting all that stuff up in the original -- open the

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1 trench one time, limiting the amount of road
 2 construction -- that we have to reopen the road over and
 3 over and over. Can that be put in as we go up the hill
 4 with all the other amenities?
 5 NATE MITCHELL: Yes. So -- so the driver on
 6 that is -- I'm going to come up over the hill with the
 7 pressurized sewer line. I'm going to send our waste
 8 water to their treatment plant. I've got to get it
 9 there. At the same time we do that, we'll get it back;
 10 right?
 11 While we're running our pressure waste
 12 line down, we'll bring the -- the reclaimed water line
 13 with it so that we're not tearing up Can Ada Road or
 14 whatever route we take --
 15 MAYOR CHADWICK: So you'll --
 16 NATE MITCHELL: -- more than once.
 17 MAYOR CHADWICK: -- have a dry line for a
 18 while, basically; right?
 19 NATE MITCHELL: Pardon?
 20 MAYOR CHADWICK: It'll be a dry line --
 21 NATE MITCHELL: Yes.
 22 MAYOR CHADWICK: -- for a while?
 23 NATE MITCHELL: Yeah. But we've already got
 24 portions of that. I mean, the Sewer & Water District
 25 already have portions of that pipe in place across the

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1 front of Pinewood Lakes and sleeved in different roads.
 2 We've got dry lines that exist that we have to go tie
 3 to.
 4 COUNCILMAN WHEELOCK: It just -- if we can
 5 eliminate opening up the road one more time --
 6 NATE MITCHELL: True, yeah.
 7 COUNCILMAN WHEELOCK: -- the whole world would
 8 be happier.
 9 NATE MITCHELL: Councilman, we like completely
 10 agree with you and understand from our standpoint.
 11 I -- we'd rather do it over the first time. It costs us
 12 less money. Every time we tear that road up to put our
 13 infrastructure in, we've got to pay to rebuild the road.
 14 We're not going to do it more than we have to.
 15 MAYOR CHADWICK: Okay.
 16 DEBORAH NELSON: Mr. Mayor.
 17 MAYOR CHADWICK: Yes, ma'am.
 18 DEBORAH NELSON: Can we offer additional
 19 comments --
 20 MAYOR CHADWICK: Yep.
 21 DEBORAH NELSON: -- questions on your list?
 22 On the school site, I -- you know, that
 23 would just be -- we can't force a school district to
 24 accept, so it does need to fit into their plans.
 25 And then --

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1 MAYOR CHADWICK: But we are -- but we are
 2 going to provide a 10-acre site on the plat for them;
 3 correct?
 4 DEBORAH NELSON: A 10-acre site is what
 5 the -- we -- and we've offered a condition of
 6 approval --
 7 MAYOR CHADWICK: Yeah. Okay.
 8 DEBORAH NELSON: -- to that effect as well.
 9 MAYOR CHADWICK: All right.
 10 DEBORAH NELSON: On the transition, your
 11 language for -- it was for a half-acre to one-acre
 12 minimum. We have one section, as shown here, that is
 13 accommodated by a landscape-buffer strip, which is also
 14 allowed under your Code as a transition.
 15 MAYOR CHADWICK: Oh, the -- the 100-foot
 16 buffer strip --
 17 DEBORAH NELSON: Mm-hmm.
 18 MAYOR CHADWICK: -- along the --
 19 DEBORAH NELSON: And so we have a -- those
 20 three, and we would accept the plan being put into the
 21 DA to show where things have to be half-acre, where they
 22 have to be one-acre, and where the buffer strip is.
 23 And then no connection on Wing Road. I
 24 mean, as we talked about --
 25 NATE MITCHELL: So --

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1 DEBORAH NELSON: Do you want to jump in on
 2 that?
 3 NATE MITCHELL: Yeah, let me -- talking about
 4 no connection to Wing Road, no connection to Lanktree
 5 Gulch -- our plan shows connections to Lanktree Gulch.
 6 I -- I'm uncomfortable restricting connectivity without
 7 the Highway District's approval to restrict that
 8 connectivity. I do think we've got a Highway District
 9 liaison here that could speak to the policy for ACHD.
 10 I just -- I -- I guess the way I would
 11 like to word that -- or the way I would like to go about
 12 that is, "If ACHD tells me not to connect it, we won't
 13 connect it." If they tell me to connect it, I don't
 14 want to be stuck between you and them.
 15 MAYOR CHADWICK: Well, I'm going to just say
 16 this, and I'm going to put this on the record, and it's
 17 going to cause a fight with ACHD. I'm just going to
 18 tell you that right now.
 19 You have a Commissioner with ACHD that
 20 continues to yell at the City of Star for improvements
 21 and these road closures, and they continue to say that
 22 we do have -- he does -- that we do have the right to do
 23 this stuff. So I'm going to put my money where my mouth
 24 is, and I'm going to put it on there and tell ACHD that
 25 we're not going to accept a Wing Road connection; right?

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1 I mean, it's as simple as that.
 2 So -- but, guys, please. Hey. None of
 3 that, please. We're not doing any of that in here.
 4 It's just -- it's the most frustrating --
 5 NATE MITCHELL: I --
 6 MAYOR CHADWICK: -- thing, that we're dealing
 7 with all these traffic issues in the City of Star, but
 8 we can't get the -- the simple impact fees that you all
 9 pay on all these houses to come back to the City of
 10 Star. We're, right now, trying to work on that and get
 11 that done, but it's -- it's a frustrating
 12 point -- point. So I'm -- I would prefer just to put it
 13 in the Development Agreement and let them know we're not
 14 making that connection. Simple as that, for me.
 15 UNIDENTIFIED SPEAKER: It's in there now.
 16 MAYOR CHADWICK: I don't know what you're
 17 going to say to that, Nate, but -- but that's --
 18 NATE MITCHELL: Well, I -- I --
 19 MAYOR CHADWICK: -- that's just my --
 20 NATE MITCHELL: I --
 21 MAYOR CHADWICK: -- my frustration on that.
 22 NATE MITCHELL: I guess I -- I
 23 understand -- I -- I understand your frustration
 24 with -- with different commissioners and different
 25 boards and everybody that you guys have to deal with in

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1 the transportation world. I -- I understand this
 2 is -- we've got -- we've got ITD, we've got ACHD, we've
 3 got CHD4, we've got COMPASS that we're all --
 4 MAYOR CHADWICK: Right.
 5 NATE MITCHELL: -- trying to coordinate on a
 6 project of this size. I -- I totally understand the
 7 frustration. I've sat there long enough to
 8 understand --
 9 MAYOR CHADWICK: Yep.
 10 NATE MITCHELL: -- what you're dealing with.
 11 I -- I guess I'm hesitant to agree to
 12 conditions that current -- that currently would be in
 13 direct conflict with ACHD's policy because I'm going to
 14 end up in a situation where I'm trying to plat a final
 15 plat somewhere, and I've got ACHD telling me -- so -- so
 16 what ACHD does have is plat-signing authority; right?
 17 And -- and if you -- if you tell me to send a Mylar to
 18 them with a road that doesn't connect where it should
 19 connect, they're not going to sign it for me.
 20 MAYOR CHADWICK: But they -- but they also
 21 tell us that we can put these things in development
 22 agreements and that they would follow those. So, again,
 23 I'd like to throw this back at them and say, "This is
 24 what we're choosing."
 25 Now, Aerie Way. If Aerie Way gets built,

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1 all that traffic is going to be funneled out Aerie Way,
 2 and we don't have an issue; right? Wing Road is not
 3 necessary at that point.
 4 NATE MITCHELL: Wing Road's another option to
 5 disperse traffic. We're not looking for Wing Road to be
 6 a major collector road. We're looking for another
 7 option, just like every other option in your town, for
 8 people to have a choice to drive somewhere else.
 9 MAYOR CHADWICK: The unfortunate part, though,
 10 is -- just in the -- in the realistic world, if you
 11 build that road, that's where they're going to go.
 12 That's the easiest -- that's going to be the route
 13 straight down the center, along -- along a road, and
 14 onto Beacon Light. That's not safe. It's that -- that
 15 corner's not safe.
 16 If -- if they really wanted this in their
 17 Functional Classification map, in my opinion, they would
 18 have never designed that road to connect onto the corner
 19 of Beacon Light, where you're coming around each
 20 direction. You're not going to see it. I think we're
 21 just setting people up in the future for failure and
 22 potential deaths by doing that.
 23 I -- I would rather just say that we're
 24 not doing it, and we're going to force everything out
 25 Aerie Way or the improvements that you make on Can-Ada,

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1 on the other side, or another direction if we can find
 2 that. I just --
 3 NATE MITCHELL: Sure.
 4 MAYOR CHADWICK: It's just not -- to me,
 5 I -- I know what we want to try to do, and we'll try to
 6 utilize that. But when I -- I see that, I drive it, I
 7 see the near accidents that happen on that corner --
 8 NATE MITCHELL: Well, I -- I --
 9 MAYOR CHADWICK: -- with the current folks
 10 that live there, which blows me away; right? So I don't
 11 want to add to that problem.
 12 COUNCILMAN HERSHEY: Yeah, Mr. Mayor. If I
 13 can add one thing...
 14 MAYOR CHADWICK: Councilman Hershey.
 15 COUNCILMAN HERSHEY: Now, one thing I've
 16 learned is temporary becomes permanent, and that's one
 17 thing I've been worrying about the whole time with this,
 18 is using something temporarily --
 19 NATE MITCHELL: I --
 20 COUNCILMAN HERSHEY: It becomes permanent.
 21 NATE MITCHELL: Yeah. Let's be clear. I'm
 22 not -- we're not suggesting a temporary Wing Road
 23 connection. In our vision, it's been
 24 a -- if -- if -- if it's going to get built, it's going
 25 to be a road. It -- it's -- it -- it is permanent.

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1 We're not suggesting any kind of temporary construction
 2 access or any of that kind of stuff with that. It's
 3 just another connection to disperse traffic.
 4 If you condition us to not connect,
 5 we'll -- we'll sort out the weeds with the Highway
 6 District when we get to that point.
 7 MAYOR CHADWICK: Yeah. And I just don't know
 8 how Wing Road connecting there doesn't prevent people
 9 from going onto Lanktree Gulch and those other areas
 10 because you have to run right through that to get to
 11 most of your development; right?
 12 I mean, I -- I just -- I look at that as
 13 a -- as a problematic approach to try to alleviate the
 14 traffic concerns that has been brought up by all these
 15 folks on Lanktree Gulch and -- and Deep Canyon. So...
 16 NATE MITCHELL: We'll have to work -- so,
 17 yeah. Yeah. I -- again, the other -- I -- so what are
 18 we talk -- from a land-planning standpoint, you've
 19 got -- I guess we can work with the Fire District to
 20 figure out secondary access on all those roads that are
 21 using Lanktree Gulch as secondary access. I mean,
 22 I -- it's -- it's --
 23 MAYOR CHADWICK: And that's -- I think that's
 24 part of the challenge we have in -- in the traffic
 25 things, is their -- they continue to say, "There'll be

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1 no access on these roads or limited access," but every
 2 time you put a connection [unintelligible] that makes it
 3 a major access, and people are going to go up and down
 4 those roads. So how do you -- how do we make all the
 5 traffic internally flow in two different directions to
 6 get in and out?
 7 And if you're building a fire station up
 8 inside that project, you're creating your internal
 9 connection points to that fire station that's going to
 10 service that in the future. I know it's not going to be
 11 that way initially, but in the future...
 12 NATE MITCHELL: Yeah. I -- I guess the only
 13 way I'm going to respond to that is -- I -- I -- I
 14 can -- we -- we'll deal with -- with a lack of Wing Road
 15 connection. I -- I just think that not connecting any
 16 of that to Lanktree Gulch is -- is short-sighted from a
 17 safety standpoint.
 18 MAYOR CHADWICK: And we can discuss -- I mean,
 19 we can discuss that, but it's going to have to come out
 20 with ACHD involvement as well, I would believe.
 21 NATE MITCHELL: So --
 22 MAYOR CHADWICK: And --
 23 NATE MITCHELL: So --
 24 MAYOR CHADWICK: -- not Wing Road --
 25 NATE MITCHELL: Okay.

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1 MAYOR CHADWICK: -- but your internal
 2 stuff --
 3 NATE MITCHELL: Yeah.
 4 MAYOR CHADWICK: -- with -- with some of
 5 those --
 6 NATE MITCHELL: The internal stuff just
 7 seems --
 8 MAYOR CHADWICK: -- with some of those
 9 secondary accesses for life-safety issues; right?
 10 NATE MITCHELL: Right.
 11 MAYOR CHADWICK: Yeah. [Unintelligible] --
 12 NATE MITCHELL: [Unintelligible].
 13 I -- I -- I -- I don't think any of these guys sitting
 14 over here are going to tell me they want less
 15 connectivity in their roadways. They've got to get
 16 to --
 17 MAYOR CHADWICK: They got to get there.
 18 NATE MITCHELL: -- somebody having a heart
 19 attack or --
 20 MAYOR CHADWICK: Sure.
 21 NATE MITCHELL: -- they got to
 22 get -- they -- they want every option available to them
 23 to get there.
 24 MAYOR CHADWICK: Right. And not just that,
 25 but if we have a catastrophic event, get people out. I

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1 get it; right? I understand that.
 2 So -- okay. All right.
 3 Go ahead, Deb [phonetic] -- sorry -- or
 4 Nate.
 5 NATE MITCHELL: I can't read that.
 6 MAYOR CHADWICK: She's an attorney. You can't
 7 read any attorney writing.
 8 DEBORAH NELSON: I'm showing him my chicken
 9 scratch.
 10 I don't think we had any other comments or
 11 questions on your list, Mayor. Thank you.
 12 MAYOR CHADWICK: Okay. Any further questions?
 13 COUNCILMAN NIELSEN: Mayor Chadwick.
 14 MAYOR CHADWICK: Councilman Nielsen.
 15 COUNCILMAN NIELSEN: Let's mix it up a little
 16 bit.
 17 MAYOR CHADWICK: Okay.
 18 COUNCILMAN NIELSEN: You know, there were a
 19 couple of folks that -- that brought up concerns about
 20 the -- the economic viability of the golf course. I
 21 think somebody even wanted a -- a Harvard Business
 22 review of it, and -- and we -- we don't -- weren't that
 23 way here.
 24 But -- if the golf course isn't
 25 economically viable, what -- what would the plan

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1 be -- look like? And I would imagine that would be
 2 over -- over the course of a number of years, but
 3 we're -- we're putting a -- a restriction on -- over
 4 this entire property, -- you know, potentially, if -- if
 5 this is annexed -- of 1,000 units, which would make
 6 that -- that land un-developable without some
 7 significant changes.
 8 So let -- let's -- let's say that forever
 9 that golf course -- you don't put houses on it. What
 10 does -- what does Plan B look like?
 11 DEBORAH NELSON: Well, Mayor, Council Member,
 12 we -- we aren't proposing an alternative because that is
 13 what we plan there, and so, I mean, we -- we also
 14 presented testimony about the, you know, in -- increased
 15 interest in golf and the lack -- the in -- incredible
 16 demand, the lack of supply in the valley. So we have a
 17 different opinion about the likely success of the golf
 18 course.
 19 But as far as just an entitlement
 20 standpoint, it will be entitled for a -- a golf course
 21 and nothing else until you allow differently. And so if
 22 at some point in the future it's not viable, we would
 23 have to come back to you. We'd have to develop that
 24 plan and come back to you, but there is no other plan
 25 for that area right now, except the golf course.

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1 COUNCILMAN NIELSEN: So in -- in perpetuity,
 2 it would remain a golf course. Somebody would have to
 3 maintain it, going forward.
 4 DEBORAH NELSON: Certainly, we would have to
 5 keep it maintained to avoid being a nuisance. Anything
 6 that's not operated there would certainly have to, you
 7 know, meet that standard, and --
 8 COUNCILMAN NIELSEN: Is -- is it property --
 9 DEBORAH NELSON: -- and any --
 10 COUNCILMAN NIELSEN: Is it property of the HOA
 11 at that point? Is it deeded to another organization?
 12 DEBORAH NELSON: No. It'll be a -- a
 13 commercial operation owned by the -- the -- owned by the
 14 golf-course operator. So they -- that will be separate
 15 from the HOA so it won't burden the HOA on having to
 16 maintain that. It'll -- it's -- it's like approving a
 17 commercial enterprise; right? They -- they will have to
 18 make that viable.
 19 COUNCILMAN NIELSEN: Yeah, okay.
 20 Thank you.
 21 COUNCILWOMAN SALMONSEN: So --
 22 MAYOR CHADWICK: Councilwoman.
 23 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 24 So I guess, maybe, for us --
 25 MAYOR CHADWICK: Can you talk into the

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1 microphone, though, for --
 2 COUNCILWOMAN SALMONSEN: Yeah, sorry.
 3 Or -- would it -- would you be willing to
 4 include in the condition that, -- if it fails, that the
 5 City would have like the first right of refusal to take
 6 over that property --
 7 MAYOR CHADWICK: As open space?
 8 COUNCILWOMAN SALMONSEN: -- or to do with
 9 it -- however we would need to handle it?
 10 DEBORAH NELSON: Well, Nate can jump in on --
 11 COUNCILWOMAN SALMONSEN: And hopefully that
 12 doesn't happen, but, you know, I think it has happened
 13 in other areas. And so --
 14 COUNCILMAN NIELSEN: That -- that's a big
 15 commitment to the City.
 16 COUNCILWOMAN SALMONSEN: I know.
 17 DEBORAH NELSON: It --
 18 COUNCILWOMAN SALMONSEN: It is.
 19 DEBORAH NELSON: Exactly.
 20 COUNCILMAN NIELSEN: That's what I was --
 21 COUNCILWOMAN SALMONSEN: Yeah, but that's why
 22 I said "first right of refusal."
 23 COUNCILMAN NIELSEN: First right of refusal.
 24 DEBORAH NELSON: I -- I think, at that
 25 point -- and, you know, Nate, you can correct me if this

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1 isn't the case -- that, you know, we would -- we'd need
 2 to come back to you and ask for permission to do
 3 something different. And if that involves approaching
 4 the City to acquire the golf course, then that can
 5 certainly be on the table, but not as
 6 a -- a -- a -- the -- the only legal option the
 7 developer is allowed to consider -- the owner of the
 8 golf course is allowed to consider.
 9 They need to be able to develop an
 10 alternative and come back to the City and ask for
 11 permission to do something different at that point.
 12 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 13 MAYOR CHADWICK: Councilwoman.
 14 COUNCILWOMAN SALMONSEN: I -- I'll -- did you
 15 want to have more --
 16 COUNCILMAN NIELSEN: No, go ahead.
 17 COUNCILWOMAN SALMONSEN: -- questions?
 18 So regarding the open space, can you
 19 refresh my memory. I was trying to go through my notes.
 20 What is the usable open space with these changes
 21 that --
 22 MAYOR CHADWICK: Gosh darn it. I'm sorry.
 23 COUNCILWOMAN SALMONSEN: -- we've made?
 24 DEBORAH NELSON: Mayor and Council Member, so
 25 we exceed the 15 percent that's required for open space

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1 and the 10-percent active without the golf course.
 2 COUNCILWOMAN SALMONSEN: Okay.
 3 DEBORAH NELSON: And so that is still met with
 4 open space within the development, and the exact
 5 percentage -- I mean, right now the -- I think the last
 6 land plan -- it was about 18 percent, but that'll have
 7 to come in through the PUD and the preliminary plat with
 8 exactly how that shakes out. But we will meet, without
 9 the golf course, the 15 percent and 10 percent, and we
 10 will meet the 15 amenities required by your Code --
 11 COUNCILWOMAN SALMONSEN: Okay.
 12 DEBORAH NELSON: -- aside from the golf
 13 course.
 14 COUNCILWOMAN SALMONSEN: And does that
 15 include -- would -- would one of those amenities be like
 16 some sort of clubhouse, pool --
 17 DEBORAH NELSON: Residential, yes.
 18 Residential clubhouse, pocket parks, those -- those
 19 types of --
 20 COUNCILWOMAN SALMONSEN: Okay.
 21 DEBORAH NELSON: -- amenities. Trails, of
 22 course.
 23 MAYOR CHADWICK: Okay.
 24 COUNCILWOMAN SALMONSEN: Yep. Thank you.
 25 MAYOR CHADWICK: Good.

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1 Councilman Nielsen, did you have
 2 further --
 3 COUNCILMAN NIELSEN: Not at this point.
 4 MAYOR CHADWICK: This is the time to ask
 5 the -- there's one more thing I -- I failed to put on
 6 here.
 7 And we would run fiber-connection conduit
 8 throughout the whole development -- correct? -- as we're
 9 doing in the rest of the city --
 10 DEBORAH NELSON: Yes. That's already
 11 in -- yes.
 12 MAYOR CHADWICK: -- as -- as part of the
 13 conditions? Okay.
 14 Councilman Wheelock.
 15 COUNCILMAN WHEELOCK: Yeah, Mr. Mayor.
 16 We're -- we're talking about approving a
 17 commercial use for the golf course. Clubhouse,
 18 restaurant, bar, and that's all in this original
 19 application; correct?
 20 DEBORAH NELSON: Mayor.
 21 And the golf-course operations and
 22 whatever retail is in that clubhouse. The -- the
 23 additional commercial that's out on Can-Ada would not be
 24 part of any initial golf course.
 25 COUNCILMAN WHEELOCK: What are you proposing

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1 to have as the commercial entity of the golf course? I
 2 guess, what is that entailing?
 3 NATE MITCHELL: When we -- when we talk about
 4 the retail associated with the golf course -- so we want
 5 to be able to sell a polo shirt and some golf shoes and
 6 some clubs -- type stuff. We're not talking about
 7 putting a retail mall inside of our golf course or
 8 clubhouse, but we're just talking about typical
 9 commercial uses that you see inside golf courses
 10 everywhere.
 11 If you don't approve that use --
 12 COUNCILMAN WHEELOCK: I -- I don't golf.
 13 NATE MITCHELL: -- for me, then I can't --
 14 COUNCILMAN WHEELOCK: So I don't know what
 15 that is.
 16 NATE MITCHELL: I understand.
 17 COUNCILMAN WHEELOCK: That's why I'm asking.
 18 NATE MITCHELL: The -- the -- the reason we're
 19 asking it that way is if -- if you don't approve it the
 20 way we've asked, then I can't set up my pro shop
 21 with -- with some shirts and some shorts and some shoes
 22 and some golf clubs and things like that to be able to
 23 sell to the golfers; right? Somebody shows up in -- in
 24 a white T-shirt, and we say, "You have to have a colored
 25 shirt on."

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1 COUNCILMAN WHEELOCK: You -- you -- you
 2 answered my question when you said you didn't want to
 3 make it into a mall. That's what --
 4 NATE MITCHELL: Okay.
 5 COUNCILMAN WHEELOCK: -- I want to make sure
 6 we're not doing.
 7 NATE MITCHELL: Any uses outside of
 8 traditional golf retail --
 9 COUNCILMAN WHEELOCK: All right.
 10 NATE MITCHELL: -- uses inside that clubhouse
 11 have to come back to you guys, before the -- through the
 12 PUD process.
 13 COUNCILMAN WHEELOCK: And -- and with
 14 that -- with that approval, are we going through the
 15 design review for a modern, mountain look in that
 16 clubhouse or -- what are we doing, as far as its
 17 look --
 18 NATE MITCHELL: That's --
 19 COUNCILMAN WHEELOCK: -- elevations?
 20 UNIDENTIFIED SPEAKER: That was a recommended
 21 condition.
 22 COUNCILMAN WHEELOCK: That's what I wanted to
 23 know.
 24 MAYOR CHADWICK: Yep. That's -- that's in --
 25 COUNCILMAN WHEELOCK: I don't want a glass

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1 tower --
 2 MAYOR CHADWICK: -- my [unintelligible].
 3 COUNCILMAN WHEELOCK: -- out in the middle of
 4 Hillsdale or Willowbrook, whatever you want to call it.
 5 MAYOR CHADWICK: Shawn.
 6 SHAWN NICKEL: Mr. Mayor, just to -- just
 7 to -- to clarify and get on the record.
 8 So you would be approving the golf-course use.
 9 The details on the golf course, specifically, the
 10 clubhouse, the look of the clubhouse, parking, lighting,
 11 netting, hours of operation, elevations of the
 12 clubhouse, things like that would all come back through
 13 staff as a zoning certificate and go through our Design
 14 Review Commission for approval.
 15 MAYOR CHADWICK: But we can set --
 16 SHAWN NICKEL: At that time, we can set those
 17 condition --
 18 MAYOR CHADWICK: But we can set --
 19 SHAWN NICKEL: -- the conditions.
 20 MAYOR CHADWICK: -- certain things that we
 21 don't want or want --
 22 SHAWN NICKEL: Yes, you can --
 23 MAYOR CHADWICK: -- in this --
 24 SHAWN NICKEL: -- set certain conditions --
 25 MAYOR CHADWICK: -- [unintelligible] --

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1 SHAWN NICKEL: -- within the Development
 2 Agreement that --
 3 COUNCILMAN WHEELOCK: -- [unintelligible]
 4 development agreement --
 5 SHAWN NICKEL: -- you do or don't want --
 6 COUNCILMAN WHEELOCK: To eliminate them --
 7 SHAWN NICKEL: -- tonight.
 8 COUNCILMAN WHEELOCK: -- from having to go
 9 through the question and answer. I'm trying to divide
 10 it out without us saying, "That's not what we're
 11 interested in." We'd like -- not to have a
 12 Top -- Topgolf out in the middle of the --
 13 SHAWN NICKEL: Correct.
 14 COUNCILMAN WHEELOCK: -- area.
 15 SHAWN NICKEL: Correct. But they are asking
 16 for the approval of the golf facility tonight, which
 17 includes the retail, the restaurant and bar, driving
 18 range, and clubhouse associated with the golf course
 19 itself.
 20 MAYOR CHADWICK: Okay.
 21 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 22 MAYOR CHADWICK: Councilwoman.
 23 COUNCILWOMAN SALMONSEN: Another question, and
 24 this is for the Fire staff.
 25 So in the Development Agreement, you know,

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1 there's a line in there that says "Provisions for
 2 Potential Fire Station." So I'm wondering, from the
 3 Fire Department, if that would -- like if there's any
 4 special other needs that you would need for that site.
 5 So, for example, water. Like can you have
 6 the water put in at the time of -- as our -- as our
 7 development's going in -- I don't know -- or whatever
 8 you might have?
 9 DEPUTY CHIEF ISLAS: Councilwoman. Deputy
 10 Chief Islas, Fire Marshal.
 11 Yeah. So per Fire Code, it does state
 12 that water will be available when combustible material
 13 arrives on site. And so what we'll do is we'll work
 14 with the applicant to make sure that they go through our
 15 review, to make sure that life safety is met, and
 16 that -- before we start building vertically, that we do
 17 have our hydrants that have been tested, meet the
 18 standards of the Fire District, along with Star Sewer &
 19 Water, that they're charged, tested, we have fire flow
 20 before they start building.
 21 COUNCILWOMAN SALMONSEN: Yeah. So I think my
 22 question was more towards a future Fire building site.
 23 So would you like to see anything included in -- that
 24 the applicant could provide, that we could include in
 25 the DA for building that site?

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1 I don't know if that --
 2 DEPUTY CHIEF ISLAS: If -- if I can --
 3 COUNCILWOMAN SALMONSEN: -- if we can do that
 4 or not, but --
 5 DEPUTY CHIEF ISLAS: Yeah.
 6 COUNCILWOMAN SALMONSEN: -- I'm asking.
 7 DEPUTY CHIEF ISLAS: And so what -- for us,
 8 the -- you know, for that, if we're looking, in
 9 particular, for that future site -- obviously is to make
 10 sure that we have, you know, utilities stubbed to the
 11 site, ready to go, so that way, when we build -- that
 12 we're able to -- to build without having to bring those
 13 on -- so gas, water, sewer -- that we have those
 14 available for us at that site.
 15 COUNCILWOMAN SALMONSEN: Okay.
 16 NATE MITCHELL: And we have no issue with that
 17 at all.
 18 COUNCILWOMAN SALMONSEN: Okay.
 19 NATE MITCHELL: That -- that's anticipated.
 20 COUNCILWOMAN SALMONSEN: Okay.
 21 COUNCILMAN WHEELOCK: Mr. Mayor.
 22 COUNCILWOMAN SALMONSEN: Thank you.
 23 MAYOR CHADWICK: Okay. You good?
 24 COUNCILWOMAN SALMONSEN: Yep.
 25 MAYOR CHADWICK: Councilman Wheelock.

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1 COUNCILMAN WHEELOCK: So you talked about
 2 processing your own land up there so you didn't have
 3 construction trucks running everywhere. Are you able to
 4 limit the hours of processing that dirt? I know it's
 5 not quiet when they're doing all the rock crushing
 6 that's going to be required to --
 7 NATE MITCHELL: We don't need to -- we
 8 don't -- we're not authorized to do any crushing on
 9 site. All -- all we're doing is Earth moving.
 10 COUNCILMAN WHEELOCK: They'll be limited to
 11 our Star City Code --
 12 NATE MITCHELL: Correct.
 13 COUNCILMAN WHEELOCK: -- which is --
 14 NATE MITCHELL: We'll comply with your --
 15 COUNCILMAN WHEELOCK: Yeah.
 16 NATE MITCHELL: -- nuisance ordinance and
 17 your -- your time restriction, your -- your noise hours,
 18 and dust mitigation -- everything else that goes along
 19 with construction, but we're not asking to -- to crush
 20 gravel on site.
 21 COUNCILMAN WHEELOCK: Okay. I assumed that
 22 that would be part of the road construction.
 23 NATE MITCHELL: Well, it's --
 24 COUNCILMAN WHEELOCK: If you're talking about
 25 not bringing in construction trucks --

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1 NATE MITCHELL: We're talking about creating a
 2 pit run, six-inch minus. There will be a point in
 3 construction, when we start on residential and
 4 road-building stuff, that there's -- is some material
 5 that needs to be imported, crushed gravel -- either that
 6 or we'd have to come back to you for a conditional use
 7 permit -- for a crushing permit.
 8 COUNCILMAN WHEELOCK: Thank you.
 9 MAYOR CHADWICK: Okay. Any further questions
 10 of the applicant or staff?
 11 COUNCILMAN HERSHEY: I just have one,
 12 Mr. Mayor.
 13 MAYOR CHADWICK: Councilman Hershey.
 14 COUNCILMAN HERSHEY: It's -- it's Aerie
 15 Way -- correct? -- or Aerie? Oh, it --
 16 NATE MITCHELL: Aerie Way; correct.
 17 COUNCILMAN HERSHEY: -- doesn't matter.
 18 NATE MITCHELL: A-E-R-I-E.
 19 COUNCILMAN HERSHEY: When -- when would you be
 20 building that?
 21 NATE MITCHELL: Before we have the ability
 22 to -- to build a single residential lot.
 23 COUNCILMAN HERSHEY: So a golf course, yes,
 24 but housing, no?
 25 NATE MITCHELL: That's the way the condition's

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1 written, yeah.
 2 COUNCILMAN HERSHEY: Okay. Just making sure.
 3 NATE MITCHELL: Yep.
 4 MAYOR CHADWICK: So I'm going to -- I'm going
 5 to bring up one more thing here, real quick, too on our
 6 police-safety stuff.
 7 You know, we've determined that, with
 8 every 370 houses, roughly, we need a new officer, but
 9 we're adding 700 -- how many acres is that? 780 or
 10 something like that? 90?
 11 NATE MITCHELL: 726.
 12 MAYOR CHADWICK: Oh, okay. 726. I'm trying
 13 to give you more.
 14 So that increases our -- our areas, even
 15 during the construction phase and stuff like that, for
 16 us to be able to -- to handle police response times up
 17 in that area. That's going to require our officers to
 18 go up there and be further away from our farthest
 19 southern border, and we have minimal officers right now.
 20 So I need to try to figure out a way -- I
 21 know we're going to do some police mitigation fees. Is
 22 there a way that we can pay those up front to add two
 23 additional officers to our shifts so we have one in each
 24 shift that provides us with additional officer capacity?
 25 I think that's what we're about -- what we need,

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1 probably, two.
 2 COUNCILMAN NIELSEN: Mayor Chadwick.
 3 NATE MITCHELL: Define "up front."
 4 MAYOR CHADWICK: Councilman Nielsen.
 5 COUNCILMAN NIELSEN: I think, along with that,
 6 you know, that -- that area's part of North County
 7 [phonetic] currently --
 8 MAYOR CHADWICK: Right.
 9 COUNCILMAN NIELSEN: -- and patrolled by an
 10 officer that sometimes is in that area. So annexation
 11 would put our officers as the closest ones to respond to
 12 North County calls, as well?
 13 MAYOR CHADWICK: Correct.
 14 COUNCILMAN NIELSEN: Right.
 15 MAYOR CHADWICK: So -- yeah. So we'll be
 16 responding to more Hillsdale calls as well in that.
 17 Do you want to say anything to that,
 18 Chief, before -- you don't have to. I'm putting you on
 19 the spot.
 20 POLICE CHIEF HESSING: Chief Zach Hessing,
 21 Star Police Department.
 22 Hoping you can hear me here.
 23 So, I -- I mean, you're correct. So this
 24 adds about a -- a mile north and south to
 25 our -- we're -- the City of Star, right now, is about 5

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1 miles by 5 miles in size. This would add another mile
 2 north and south and about 2 miles east and west. What
 3 Councilman Nielsen brought up is, if we're up there in
 4 that area, kind of checking the construction of this
 5 golf course.
 6 If a Code-3 call comes out of Hillsdale,
 7 they will -- dispatch will give it to us, no
 8 matter -- it doesn't matter what your jurisdiction is.
 9 It's the same way, as if we're the closest Star unit,
 10 and we're going to Meridian; right? Because Code-3
 11 calls are lights and sirens, that means somebody's
 12 life's in danger, and we're -- we're headed there
 13 directly. So an increased call volume would impact the
 14 City of Star or Star Police Department.
 15 MAYOR CHADWICK: Okay. So could we up-front
 16 the funds to pay for the two police officers on this as
 17 part of this agreement for the annexation because
 18 they're going to have to do construction-site checks.
 19 They're going to have to do all this stuff as well up
 20 there.
 21 NATE MITCHELL: Where do you collect your
 22 mitigation fees from everybody else now?
 23 MAYOR CHADWICK: We collect them at the
 24 building-permit stage. However, we're adding 720 acres
 25 in the foothills. That's going to -- what -- what

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1 that's going to do here -- here -- and just hear me out
 2 here. What that's going to do is increase our
 3 call-response times.
 4 UNIDENTIFIED SPEAKER: Mm-hmm.
 5 MAYOR CHADWICK: Let's say my officer's up
 6 there, and we have something -- a crash or something
 7 down here, and we only had the one on duty at the time.
 8 That's going to increase his call response time. If we
 9 can get the two additional officers, that almost gives
 10 us two officers through all shifts throughout the day,
 11 and it allows us to have response times that are going
 12 to be better.
 13 NATE MITCHELL: Can I have my 94 lots back?
 14 MAYOR CHADWICK: Well, no, but you're paying
 15 them anyway. If we up-front it, you just add it to the
 16 cost of your lot.
 17 NATE MITCHELL: Well, I mean, but it's out of
 18 my pocket.
 19 MAYOR CHADWICK: No, I understand.
 20 NATE MITCHELL: You understand; right?
 21 Like -- like that's a -- that's a typical -- typically a
 22 builder-borne cost. When they buy a lot, they know they
 23 have to pay that mitigation fee, just like everybody
 24 else in your town does now. So do the math.
 25 MAYOR CHADWICK: I'm doing math right now.

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1 And I'm not asking for the Fire at this time
 2 because they would have to -- yeah, that's -- \$1,120 is
 3 what that fee would be.
 4 NATE MITCHELL: It's -- it -- it's \$1,120 per
 5 house.
 6 MAYOR CHADWICK: Correct.
 7 NATE MITCHELL: So multiply that by 1,000.
 8 MAYOR CHADWICK: Okay.
 9 NATE MITCHELL: Well, then how does it end up
 10 being the same number?
 11 MAYOR CHADWICK: Yeah, 1,120,000.
 12 NATE MITCHELL: Yeah, it's just a million
 13 bucks --
 14 MAYOR CHADWICK: That's what I was -- yeah.
 15 NATE MITCHELL: -- and 2 million for the
 16 intersection.
 17 MAYOR CHADWICK: That's four lots.
 18 NATE MITCHELL: It's five lots.
 19 MAYOR CHADWICK: Okay. Five lots.
 20 NATE MITCHELL: We use 200,000, and I
 21 can't --
 22 MAYOR CHADWICK: But at the same time, though,
 23 the -- the -- the annexation of the property is creating
 24 an undue burden on the existing citizens of Star if my
 25 people are up there. So we've got to look at ways to

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1 mitigate that so we're not running into a situation
 2 where my officers are stuck --
 3 NATE MITCHELL: As soon as you annex me --
 4 MAYOR CHADWICK: -- [unintelligible].
 5 NATE MITCHELL: -- I'm going to pay the same
 6 property taxes everybody else is.
 7 MAYOR CHADWICK: Exactly. And -- and you know
 8 that we can't collect all the new --
 9 NATE MITCHELL: I --
 10 MAYOR CHADWICK: -- annex -- new -- new growth
 11 on that to help pay for that. So, I mean, we can go
 12 round and round and round on this. I'm just trying to
 13 find a way to make this work so we're not impacting the
 14 existing levels of service for our citizens on that.
 15 That's all.
 16 COUNCILMAN NIELSEN: Mayor Chadwick.
 17 MAYOR CHADWICK: Councilman Nielsen.
 18 COUNCILMAN NIELSEN: Just for everybody's
 19 information, what he's referring to is -- is House Bill
 20 389 that limits our ability to collect taxes on new
 21 construction.
 22 MAYOR CHADWICK: So -- but I --
 23 COUNCILWOMAN SALMONSEN: But --
 24 MAYOR CHADWICK: If we -- if we could figure
 25 out a way to make this work --

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1 COUNCILWOMAN SALMONSEN: Would it be possible
 2 to say, "Okay. This is how much it will cost to
 3 spend to" -- "for the two officers" --
 4 NATE MITCHELL: [Unintelligible].
 5 COUNCILWOMAN SALMONSEN: -- and then, you
 6 know, they pay that up front?
 7 MAYOR CHADWICK: Well, that's the -- the start
 8 is -- it's 150 -- about \$155,000 per officer, per year,
 9 and then a car; right? And so for us to get to that
 10 \$1.1-million mark, we would have to utilize those over
 11 the next -- what is that? -- 300,000 -- four years,
 12 until such a time that our revenues can increase to
 13 cover those officers in the long term. That's what
 14 we're trying to figure out.
 15 I -- I need to -- I -- I guess -- we just
 16 got to figure out how to make this work with everything
 17 else we've got going on to make sure that our -- that
 18 our city is not suffering, that our citizens are not
 19 being impacted.
 20 COUNCILMAN NIELSEN: Mayor Chadwick.
 21 MAYOR CHADWICK: Councilman Nielsen.
 22 COUNCILMAN NIELSEN: Sorry. I keep
 23 interrupting you.
 24 MAYOR CHADWICK: No. You can. That's fine.
 25 COUNCILMAN NIELSEN: You keep giving me ideas,

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1 though.

2 No. Look, one of the -- one of the

3 thoughts to -- to consider here, normally, with

4 a -- with a project, Nate, we'd be looking at -- at

5 developing houses up front, which would then start those

6 builders coming in and pulling permits and paying for

7 those. Where you're building the golf course, you're

8 adding the whole property to the city of Star, but

9 without the ability for any of those building permits to

10 come over the course of the next -- what? -- three to

11 four years -- five years -- whatever it is.

12 NATE MITCHELL: So I -- I guess -- a couple of

13 things I -- I want to ask. Grading a golf course out

14 and building a golf course -- I -- I don't -- I -- I'm

15 going to disagree with the fact that that's going to

16 increase your call volume. Once the golf course is

17 operational, maybe, it'd increase call volume. Building

18 houses, adding people, yes, it'll increase call volume.

19 The -- do -- do you have a commercial

20 police mitigation fee?

21 MAYOR CHADWICK: No.

22 NATE MITCHELL: Why not?

23 MAYOR CHADWICK: Because the commercial

24 doesn't apply nearly as much with the calls as the

25 residential does at this time.

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1 NATE MITCHELL: Then why is my commercial a

2 problem while nobody else's is?

3 MAYOR CHADWICK: I'm not calling -- asking you

4 to put it on your commercial. I'm asking you to put

5 it -- to put it towards your residential. And

6 I'm -- I'm -- I'm simply asking that -- we're adding

7 720 acres, 1 mile by 2 miles, into our -- into our

8 impact area in the foothills with very crazy access

9 right now -- to have to respond to these calls.

10 I -- there's going to be calls up there. I promise you.

11 I -- I guarantee you that he's --

12 NATE MITCHELL: There's always -- there --

13 MAYOR CHADWICK: -- going to get calls.

14 NATE MITCHELL: -- there's already calls up

15 there --

16 MAYOR CHADWICK: Right.

17 NATE MITCHELL: -- that they already respond

18 to. I understand that.

19 MAYOR CHADWICK: Right.

20 NATE MITCHELL: I'm not -- I'm not arguing

21 that. I just don't see --

22 MAYOR CHADWICK: I mean, even on a payment

23 plan, Nate -- what -- what -- what if you were to do a

24 by-year on that thing when the golf course -- I'm just

25 trying -- I'm trying to figure out how to make this work

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1 all the way around the board because --

2 NATE MITCHELL: I understand that, but you're

3 asking me to pay up front the total impact of a 40-year

4 development.

5 MAYOR CHADWICK: Well, okay. So we say, "a

6 40-year development," but I look at your traffic impact

7 study, and it's only a 25-year development based off of

8 that.

9 NATE MITCHELL: Okay. So you're asking me to

10 pay for a 25-year development Day 1, and you don't ask

11 anybody else in town to do that.

12 MAYOR CHADWICK: Because no one else --

13 NATE MITCHELL: I'm just asking to be --

14 MAYOR CHADWICK: -- is up in the foothills

15 right now, in an area that's hard to get to.

16 NATE MITCHELL: What about the plats you're

17 approving that border this? Did they do that?

18 MAYOR CHADWICK: In -- in the where?

19 NATE MITCHELL: The stuff that's along

20 Highway 16, north of Pollard, did you ask them to pay

21 those?

22 And I'm not -- I -- I understand your

23 quandary. I just -- it's -- that's -- we're all -- that

24 number's getting really large. The up-front cost is

25 getting really large.

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1 MAYOR CHADWICK: No, I -- I get that, but I

2 also -- I have to -- I -- I have -- I am charged with

3 the responsibility of looking out for the entire safety

4 of my community. That's part of my job, and so that's

5 why I'm in this little argument -- disagreement with

6 you, right now, on this.

7 I don't know if there's a way that we can

8 put it in that we'll -- we will review this to see the

9 impacts with the police on -- on how we cover that over

10 a period of time, but it's -- something's got to be

11 done.

12 I mean, I -- I -- I hate to bring up this

13 word over there, but Avimor, from what I understand, is

14 adding police officers with their development

15 agreement over there.

16 NATE MITCHELL: They've developed significant

17 residential development --

18 MAYOR CHADWICK: Right.

19 NATE MITCHELL: -- and commercial development.

20 MAYOR CHADWICK: Right.

21 NATE MITCHELL: Right?

22 So I -- I guess I understand your desire.

23 I understand your want. You're going to condition me

24 with what you guys decide. I -- I would be -- timing,

25 obviously -- we haven't defined "up front." Does that

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1 mean, before you sign my annexation ordinance, I have to
 2 pay you a million --
 3 MAYOR CHADWICK: No.
 4 NATE MITCHELL: -- 120,000 bucks?
 5 MAYOR CHADWICK: 120 -- what did you say?
 6 NATE MITCHELL: What -- whatever your 1,120
 7 times 1,000 is.
 8 MAYOR CHADWICK: Oh, 1,120,000.
 9 NATE MITCHELL: Yeah.
 10 MAYOR CHADWICK: Okay. Sorry.
 11 No, I'm not saying you have to pay that at
 12 the -- right now, right up front. We can work on the
 13 plan with the police on how that gets paid, but we've
 14 got to get the officers in place so we can cover that
 15 for the next couple of years.
 16 We -- I -- this -- this is a problem.
 17 I'm -- I'm telling you, Nate, it's a problem.
 18 It's -- it's a problem right now. We would not have
 19 this discussion at all -- I'm going to bring it up -- if
 20 we didn't have 389 on the books.
 21 Star has experienced extreme growth -- and
 22 you've seen it -- over the last five years -- four
 23 years, and we -- we can't cover those costs. That's why
 24 we had to put the mitigation fee in place. That's why I
 25 had to go to the Building Contractors Association and

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1 tell them, "We have a problem. I need help. We've got
 2 to fix that problem."
 3 This wouldn't even be a conversation if
 4 that wasn't here, but it's -- unfortunately,
 5 that's -- this is the -- the -- the -- the -- the place
 6 that we have been left at to try to figure out how to
 7 maintain the public safety of the community while
 8 allowing a development to happen up in the foothills
 9 that's adding land area to our community.
 10 And Ada County, on that site, they have
 11 four total officers, I think, for North County, and that
 12 North County goes all the way from up here to Lucky
 13 Peak. So asking them for backup is not feasible for
 14 that.
 15 I don't -- if you want to -- we -- we
 16 could recess for five minutes if you want to hammer that
 17 out for a minute with Ms. Deb so we're not --
 18 NATE MITCHELL: Let's take a break. Let's
 19 take a break.
 20 MAYOR CHADWICK: Let's take a quick break?
 21 Okay. So we'll take a five-minute recess
 22 to 8:45.
 23 (Recess taken from 1:40:34 of 1:47:33 of
 24 audio file.)
 25 MAYOR CHADWICK: We're going to wait until

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1 8:50, folks, just so they can finish discussion over
 2 there.
 3 (Recess taken from 1:47:37 of 1:50:30 of
 4 audio file.)
 5 MAYOR CHADWICK: It's 8:50, and we're going to
 6 call the City Council meeting back to order, and we'll
 7 see if we can get the applicant and my staff back over
 8 here.
 9 COUNCILMAN NIELSEN: Maybe.
 10 MAYOR CHADWICK: Maybe.
 11 Well, it's not two attorneys talking, so
 12 that's good.
 13 UNIDENTIFIED SPEAKER: [Unintelligible].
 14 MAYOR CHADWICK: No.
 15 All right, Ms. Deb and Mr. Nate.
 16 DEBORAH NELSON: Mayor, just one quick
 17 comment, if I could.
 18 So for context, Avimor paid \$138,000 as
 19 their --
 20 MAYOR CHADWICK: I couldn't -- I couldn't hear
 21 that.
 22 DEBORAH NELSON: Avimor paid \$138,000 as their
 23 additional police mitigation fee, over and above their
 24 property taxes, just to add to your comment.
 25 MAYOR CHADWICK: Sure.

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1 NATE MITCHELL: So I guess we're discussing a
 2 one-time fee of \$370,000 and then --
 3 MAYOR CHADWICK: Yep. That would come out of
 4 that total.
 5 NATE MITCHELL: -- credited to our mitigation
 6 fees --
 7 MAYOR CHADWICK: Credited to your mitigation
 8 fees.
 9 NATE MITCHELL: -- and then start collecting
 10 mitigation fees at the residential building permit.
 11 MAYOR CHADWICK: Correct. This
 12 allows -- yeah. The 370 is --
 13 NATE MITCHELL: So let's -- let's say that's
 14 fine.
 15 MAYOR CHADWICK: Okay.
 16 NATE MITCHELL: Timing of that 370 needs to be
 17 at or after we move the first yard of dirt.
 18 MAYOR CHADWICK: Correct, so the start of the
 19 construction of the golf course.
 20 NATE MITCHELL: Okay. Yeah.
 21 MAYOR CHADWICK: Okay. All right.
 22 And to go back to what you said, you're
 23 paying today's rates now, instead of a higher rate in
 24 the future.
 25 NATE MITCHELL: They're going to go down when

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1 we add more people.
 2 MAYOR CHADWICK: Right. All right.
 3 Any further questions or comments --
 4 UNIDENTIFIED SPEAKER: [Unintelligible] costs
 5 are going down.
 6 MAYOR CHADWICK: -- of the applicant?
 7 Councilman Hershey, did you have a further
 8 question?
 9 COUNCILMAN HERSHEY: Mr. Mayor, no. I was
 10 just -- what -- well, you -- when you were hashing back
 11 and forth with Mr. Mitchell there, I was just -- you
 12 know, he -- he's discussing his risk, and we're
 13 discussing ours. And in all reality, if we don't
 14 mitigate these risks now, at least, to some level, when
 15 would we?
 16 MAYOR CHADWICK: Right. Okay.
 17 Any questions of the applicant or staff
 18 before we close this portion?
 19 Do you have anything further to say,
 20 Ms. Deb?
 21 DEBORAH NELSON: No. Thank you, Mayor and
 22 Council.
 23 MAYOR CHADWICK: No?
 24 Okay. Everybody good?
 25 Once we -- once we end it with them, it's

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1 gone.
 2 COUNCILWOMAN SALMONSEN: I know. Big -- big
 3 step here.
 4 UNIDENTIFIED SPEAKER: It's never done.
 5 MAYOR CHADWICK: Okay. I'm going to take that
 6 as --
 7 COUNCILMAN NIELSEN: Hey, Mayor Chadwick.
 8 MAYOR CHADWICK: Councilman Nielsen.
 9 COUNCILMAN NIELSEN: A question for staff.
 10 MAYOR CHADWICK: Okay.
 11 COUNCILMAN NIELSEN: What questions are we not
 12 asking?
 13 UNIDENTIFIED SPEAKER: Yeah. Thank you.
 14 MAYOR CHADWICK: Can we turn on Shawn's mic,
 15 please.
 16 SHAWN NICKEL: Hello, oh --
 17 MAYOR CHADWICK: There we go.
 18 SHAWN NICKEL: Mr. Mayor --
 19 COUNCILMAN NIELSEN: And --
 20 SHAWN NICKEL: -- and Council, I -- I --
 21 COUNCILMAN NIELSEN: And let -- let me just
 22 clarify a little bit.
 23 SHAWN NICKEL: Okay.
 24 COUNCILMAN NIELSEN: You've -- you guys have
 25 spent a lot more time on this application, had a lot

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1 more conversations over the years. And -- and we -- we
 2 limit this to -- when we get to what's in the packet, to
 3 these conversations. That -- that's why I'm asking you.
 4 What -- what aren't we asking? Help us. Be our -- our
 5 eyes and ears here.
 6 SHAWN NICKEL: Mr. Mayor and -- and Council, I
 7 believe with -- with what you have -- the -- the -- with
 8 the applications you have in front of you, I think
 9 you've addressed the key issues, which is the traffic,
 10 the land -- the land uses, and the conditions that the
 11 Mayor has proposed.
 12 I think, once you get into the details of
 13 the preliminary plat and the planned unit development, a
 14 lot of those unanswered questions were -- are -- are
 15 going to be addressed in more detail, specifically the
 16 traffic, because you'll have -- you will have detailed
 17 ACHD, ITD, and Canyon Highway District 4 reviews and
 18 approval letters and conditions that will -- that will
 19 break down and phase every aspect of the development.
 20 And again, what you're doing is you're
 21 putting a cap on the density. It's up to them and those
 22 traffic agencies to determine what that number's going
 23 to actually be, and that's going to happen as that
 24 preliminary plat comes in. So I think you've addressed
 25 everything that's within this application in front of

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1 you this evening.
 2 COUNCILMAN NIELSEN: Okay. Thank you.
 3 SHAWN NICKEL: Mm-hmm.
 4 COUNCILMAN NIELSEN: And, real quick, that
 5 sounded like a diabetic alarm. Is -- is
 6 there -- anybody need help?
 7 Okay. Just making sure.
 8 MAYOR CHADWICK: Okay. All right.
 9 Anything else? Any further questions of
 10 staff or the applicant before we move forward?
 11 COUNCILMAN WHEELOCK: I have a question of
 12 staff.
 13 MAYOR CHADWICK: Okay.
 14 COUNCILMAN WHEELOCK: Maybe the applicant.
 15 I'm not sure.
 16 MAYOR CHADWICK: Pull your -- pull your mic
 17 closer to you.
 18 COUNCILMAN WHEELOCK: So going back to the lot
 19 sizes, the red borders are half-acre lots or acre lots.
 20 How do they look matching up to the -- and that's a
 21 preliminary-plat problem, maybe -- I don't know -- but
 22 I'd love to -- I'd love to hear that answer.
 23 NATE MITCHELL: It -- it's a question. We
 24 have committed to matching lot lines, one new neighbor
 25 to one new neighbor.

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1 COUNCILMAN WHEELOCK: So they're matching lot
 2 lines with --
 3 NATE MITCHELL: Yeah.
 4 COUNCILMAN WHEELOCK: -- half-acre --
 5 NATE MITCHELL: Correct. Minimum.
 6 COUNCILMAN WHEELOCK: -- in size.
 7 NATE MITCHELL: In -- in minimum -- there
 8 will -- there will be lots bigger than a half-an-acre,
 9 but a minimum -- a minimum of one-half acre.
 10 COUNCILMAN WHEELOCK: Lot line to lot line --
 11 NATE MITCHELL: Yeah.
 12 COUNCILMAN WHEELOCK: -- is my question.
 13 MAYOR CHADWICK: Okay. Any further?
 14 COUNCILMAN WHEELOCK: I'm good. Well...
 15 MAYOR CHADWICK: We'll see how good you are.
 16 COUNCILMAN WHEELOCK: We'll see.
 17 MAYOR CHADWICK: All right. I'm going to say
 18 that it's 8:57, and we're closing the public hearing and
 19 going to Council deliberations. Someone needs to start.
 20 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 21 MAYOR CHADWICK: Councilwoman.
 22 COUNCILWOMAN SALMONSEN: I'll -- I'll go ahead
 23 and start if you don't mind.
 24 MAYOR CHADWICK: Okay.
 25 COUNCILWOMAN SALMONSEN: I wasn't feeling very

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1 good, so I prepared a statement.
 2 MAYOR CHADWICK: So make sure you talk all the
 3 way into the mic so --
 4 COUNCILWOMAN SALMONSEN: All right.
 5 MAYOR CHADWICK: -- we don't get yelled at
 6 anymore.
 7 COUNCILWOMAN SALMONSEN: All right. So I
 8 prepared a statement earlier, and from what I've heard
 9 here tonight, nothing has changed my mind. And so, you
 10 know, I'm -- I -- maybe as we deliberate here something
 11 will -- will, but I'll go ahead and read what I wrote
 12 and maybe we can use this to kick it off, the
 13 deliberation.
 14 All right. So I believe that the main
 15 ingredients of a great community are connected
 16 residents, diverse community activities, a strong
 17 business environment, and a place where everyone feels
 18 safe, welcome, and at home. These ingredients shine
 19 bright here in Star.
 20 The primary responsible -- responsibility
 21 of this Council is to not only protect these existing
 22 ingredients, but also to strengthen and foster their
 23 growth with new development.
 24 I see many positives that this development
 25 would bring to Star, including their donation of land

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1 for future fire and schools -- school sites; investing
 2 and expanding the City Water & Sewer services; funding
 3 much-needed, local road improvements; bringing a variety
 4 of housing options; and providing additional recreation
 5 amenities everyone can enjoy. I have little doubt that
 6 Nate and this team that -- would construct an -- an
 7 exceptional development.
 8 However, I'm having a real hard time
 9 agreeing with two findings that we're required to make
 10 in order to approve this project. The first is
 11 that -- I'm going to quote. So, "The map amendment
 12 shall not result in an adverse impact upon the delivery
 13 of services by any political subdivision providing
 14 public services within the city including, but not
 15 limited to, school districts."
 16 In my opinion, this statement means other
 17 agencies that provide a service to the residents of Star
 18 must be able to continue their current level of service
 19 if this application is approved. This project clearly
 20 creates the need to build and expand roads, which has a
 21 lot of hurdles to clear, but it also creates the need to
 22 build a new school building.
 23 This is a hurdle I don't see jumping
 24 because they would be constructed -- the -- the schools
 25 would have to be constructed by taxpayer funds, which

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1 voters have to approve, and there's no guarantee in
 2 that. With -- without some sort of guarantee that a
 3 school will be built, I can't say that this development
 4 would not have an impact -- negative impact on -- on
 5 schools alone, along with other things.
 6 The second finding I'm having trouble with
 7 is that the annexation isn't -- is -- let me start over.
 8 The second finding I am having trouble with is to find
 9 that the annexation is in the best interest of Star.
 10 When I look at this application, I'm not convinced that
 11 approving it would be in the best interest of Star. I
 12 don't believe we're ready for a development of this size
 13 and scope.
 14 I also think that the site's significantly
 15 impacting the way of life for Hillsdale residents. The
 16 addition of this development would put a significant
 17 strain on the current residents and City services.
 18 Because I can't say, "Yes," to these two required
 19 findings, I don't think I can approve this tonight.
 20 Then I will also add that -- my kudos to
 21 the public. You put together -- you know, you did your
 22 research and made a very factual presentation. It's
 23 very easy for people to come and testify simply because
 24 they do not want a specific development, but we -- we,
 25 the Council -- we must base our decision on factual

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1 testimony and the land use laws that govern our
 2 community.
 3 I hope anyone wishing to testify for
 4 the -- for a -- or against future developments will
 5 reference the efforts that the public put into this,
 6 given -- during this public hearing and this
 7 application.
 8 That is all.
 9 Thank you.
 10 MAYOR CHADWICK: Okay. Anybody else?
 11 COUNCILMAN NIELSEN: Mayor Chadwick.
 12 MAYOR CHADWICK: Councilman Nielsen.
 13 COUNCILMAN NIELSEN: The councilwoman
 14 [unintelligible]. Can we -- can we have --
 15 COUNCILWOMAN SALMONSEN: Yeah. Yep.
 16 COUNCILMAN NIELSEN: -- discussion for --
 17 COUNCILWOMAN SALMONSEN: Yep. Yep.
 18 COUNCILMAN NIELSEN: -- around that?
 19 So I just want to understand a little bit
 20 better your concern about impacts to -- to schools. No
 21 guarantee that -- that a school will -- will be built;
 22 right? And -- and I'm curious. I mean, the -- we don't
 23 have any control --
 24 COUNCILWOMAN SALMONSEN: Right.
 25 COUNCILMAN NIELSEN: -- right? So the State

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1 has -- has outlined how -- how schools are funded,
 2 and -- and the school districts, they wait until schools
 3 are -- are overcrowded, basically until they have enough
 4 students for the new school, until they go for a bond to
 5 build that new school because then -- then it's
 6 practically full as soon as it's built; right?
 7 And so I -- I'm just curious. How -- how
 8 could we ever meet that expectation? And -- and this
 9 question's not just about this application, but
 10 it -- just in general --
 11 COUNCILWOMAN SALMONSEN: Right.
 12 COUNCILMAN NIELSEN: -- what -- what -- what
 13 are your thoughts on that?
 14 COUNCILWOMAN SALMONSEN: Right. Yeah. With
 15 the current system, I think it's -- it's -- it's broken,
 16 you know, the way that the -- the schools are -- they're
 17 tied to be built, and I don't see it being fixed.
 18 And I feel sorry for the developer, you
 19 know, I mean, or any development because they're all
 20 going to be in this same boat. But I think, with this
 21 project, it's a little -- it's -- it's harder to swallow
 22 because the significant -- the size of it.
 23 And then -- you know, sure, it will be
 24 done over many years, but we are -- have already
 25 approved so many lots, you know, and -- and -- that can

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1 be built tomorrow. So where are -- you know, to add
 2 that on -- into the mix -- and it just doesn't make
 3 sense to me.
 4 MAYOR CHADWICK: So -- hey. No. Please.
 5 Thank you.
 6 So I'm going to -- I'm going to come back.
 7 I'm going to ask you a question, or I'm going to just
 8 bring a statement up, based on what you said.
 9 COUNCILWOMAN SALMONSEN: Yeah.
 10 MAYOR CHADWICK: With the West Ada School
 11 District, which we're a part of -- we're part of a
 12 massive -- the -- the largest district in the State of
 13 Idaho. The school district currently has capacity. The
 14 capacity is shifted to other schools; right?
 15 So when we're talking about this, we're
 16 providing a school site to get built so we can try to
 17 provide convenience more than anything for students to
 18 be schooled locally. We already have this issue south
 19 of Highway 44, where every student south of Highway 44
 20 gets shifted to Eagle, to the school that has capacity.
 21 So in my opinion, based off of what you
 22 said, I do believe that -- that there is the capacity
 23 and the ability to -- to educate these students. It's
 24 not the most ideal way, by keeping them home, because I
 25 would prefer to have the schools built here, but it's

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1 the way that the State has given us, and the -- and the
 2 monstrosity of the school district that is provided;
 3 right?
 4 If this happened to be on the Middleton
 5 side, they have no capacity. They have four schools
 6 that are 140-percent capacity. It's not the case. The
 7 West Ada side, there is capacity available for that.
 8 So I just want to make sure that that was
 9 out there on that --
 10 COUNCILWOMAN SALMONSEN: Yeah.
 11 MAYOR CHADWICK: -- as well --
 12 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 13 MAYOR CHADWICK: -- and our -- this
 14 doesn't --
 15 COUNCILWOMAN SALMONSEN: And I -- I understand
 16 that, that we do -- you know, that the school
 17 district -- you know, one school gets full, and
 18 so -- okay. Let's change the boundaries and shift them
 19 around. The kids in Heron River, they're going to Eagle
 20 Elementary School.
 21 MAYOR CHADWICK: Yep.
 22 COUNCILWOMAN SALMONSEN: And, you know,
 23 there's a -- the Star Elementary is -- what? -- maybe a
 24 mile away.
 25 And I guess I -- I have a hard time -- you

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1 know, I just don't think that that's the community
 2 that -- that we -- that we want to live in, you know,
 3 that we're just -- our -- our kids are going to school
 4 all over the place.
 5 And I understand that that's the solution,
 6 and we have to work within it, but I just -- I can't
 7 agree with it --
 8 MAYOR CHADWICK: Okay. That's fine.
 9 COUNCILWOMAN SALMONSEN: -- and I can't
 10 continue to support it.
 11 MAYOR CHADWICK: And you're -- and you're
 12 entitled to your -- your opinion on that. That's --
 13 COUNCILWOMAN SALMONSEN: Yeah.
 14 MAYOR CHADWICK: -- absolutely right.
 15 Okay. Any further discussion?
 16 Come on. Discussion? Motion? Something?
 17 COUNCILMAN HERSHEY: You're looking at me.
 18 MAYOR CHADWICK: I'm -- because you grabbed
 19 your --
 20 COUNCILMAN WHEELOCK: You grabbed your mic.
 21 MAYOR CHADWICK: -- microphone.
 22 So --
 23 COUNCILMAN HERSHEY: Oh, yeah. Well --
 24 MAYOR CHADWICK: -- Councilman Hershey.
 25 COUNCILMAN HERSHEY: Yeah. There's -- there's

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1 a lot of unknowns that I'm -- I'm still trying to ponder
 2 in this. I think the school thing is something that is
 3 completely out of my wheelhouse. It's not -- it's not
 4 my -- it's not my area to -- to do. I like the fact
 5 that we actually have land secured to give them. That's
 6 an amazing savings of cash.
 7 The --
 8 COUNCILWOMAN SALMONSEN: I know.
 9 COUNCILMAN HERSHEY: -- things that I have
 10 thought about and continue to think about are the
 11 traffic, which is very hard to wrap your head
 12 around -- however, I do like the fact that it's
 13 extremely limited to what they can do at any one time
 14 and a traffic impact has to be done specifically with
 15 every single plat that comes before us. I like the -- I
 16 like the design review, but there's still things that
 17 are just tough to consider.
 18 First off, like Wing Road, yeah, I think
 19 that should never be accessed, plain and simple. And
 20 Mayor Chadwick's right. I've -- I've heard him talk to
 21 ACHD about this, and I -- and I know who he's talking
 22 about, when they said, "You can put this in your plans,"
 23 and we -- I think we need to if we approve this.
 24 Here's something that I do think about,
 25 and it -- it stems from an article I read a while back,

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1 and it had nothing to do with this until I made the
 2 connection -- but what happens if we say, "No?" Does
 3 this just go away? It doesn't. I can tell you it will
 4 not just go away.
 5 It doesn't mean it's going to come back to
 6 us, but it's not going to go away. And that concerns me
 7 because I read an article about ACHD -- excuse me -- Ada
 8 County. Let me make sure I'm not pissing off the
 9 lawyer.
 10 But I read a -- an article about the
 11 County approving a development of much
 12 considerably-larger size than this that had been
 13 rejected by Boise and rejected by Kuna, and it was
 14 passed by them. Even with their objections stated, it
 15 was passed, and that's something that concerns me
 16 because growth is inevitable. You know how I know? I'm
 17 here.
 18 I came here for a job. It was not this
 19 one. And the job I came here for, I loved to do, and
 20 then -- and I fell in love with Idaho. Yeah, I'm one of
 21 the few that actually knew very little about Idaho, and
 22 I fell in love with Idaho.
 23 But I still have thoughts and concerns
 24 about traffic. The -- the buffering that's been offered
 25 is something I asked for. The density reduction has, in

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1 spirit, been met to an extremely close level that I
 2 requested. It's only a few houses off of actually where
 3 I pinned it on the 8th, but there's just a lot that I'm
 4 still trying to process with it.
 5 I wish -- I wish it was just, literally, a
 6 golf course and nothing else. That would be a lot
 7 easier on me. But it has all the other that goes with
 8 it. And when we annex this in, we don't annex in just a
 9 golf course that isn't started. We would annex in the
 10 potential of 1,000 houses and 770-something [sic] acres.
 11 And so I believe the school thing is -- is
 12 actually not a concern in my world. I -- I believe
 13 they've -- they've done this many, many times, and the
 14 dedication of the land is not a problem.
 15 I think the up-front need for the police
 16 is very important, but it is -- it is a -- it is very
 17 tricky.
 18 And if this is approved tonight, the only
 19 thing that could happen is the golf course. Everything
 20 else would have to come right back here, where, once
 21 again, it would be dictated, and it would also have a
 22 much more considerable impact on the traffic because it
 23 would be very specific to location.
 24 That's where my brain is.
 25 MAYOR CHADWICK: Okay. Any further

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1 discussion?
 2 COUNCILMAN WHEELOCK: Mr. -- Mr. Mayor.
 3 MAYOR CHADWICK: Councilman Wheelock.
 4 COUNCILMAN WHEELOCK: I -- I also wrote a -- a
 5 response after -- and -- and -- and I'm
 6 on -- [unintelligible] -- I came to this meeting
 7 undecided tonight. I'm still -- I'm in the middle of my
 8 fence, but I don't know whether to go forward or not.
 9 I'm still deciding and -- and have listened to all the
 10 testimony, but I -- after the public testimony, I -- I
 11 went home and -- and reviewed all the -- the public
 12 input, and I wanted to share my thoughts on the public
 13 testimony and -- and where we're coming from as a City
 14 Council. So bear with me while I read my little piece
 15 of the pie.
 16 I want to share my Star ties. I
 17 personally have watched the change from growing,
 18 thriving farming to a growing, thriving community. I
 19 signed the City's incorporation document more than
 20 25 years ago and have farmed more than 100 acres in a
 21 year, personally. I still own more than 95 percent of
 22 the Star residences, and my family settled eastern Idaho
 23 in the 1890s. I still have major ties to that side of
 24 the state also.
 25 I share this not only to rebut public

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1 testimony that thought we, as a City Council, were from
 2 a state west of here that has different political views
 3 as a whole -- I'm not against anyone that has -- that is
 4 new, but leave what you left and come join what you
 5 recognize is a positive future. I am witness to the
 6 change.
 7 I would rather have growing pains than a
 8 ghost town. I recently drove through a town whose
 9 downtown was boarded up. That's not the case here.
 10 Years ago, we were the armpit of Ada County, and one of
 11 the farmers that lives in the city impact and I were
 12 friends and agreed that it was a great armpit.
 13 Many of you apparently agreed with that, and the
 14 majority of the population has moved here since that
 15 conversation.
 16 I love this town and those that have been
 17 here since way before me. I still personally know many
 18 of the original citizens, and they're great people.
 19 They recognize the change, and they don't fault anyone
 20 that comes here. They're looking for good neighbors,
 21 not people that want to change the values that have been
 22 here and have been here for 100 years.
 23 Please, let's be those neighbors. If you
 24 don't like the other side of the fence that bought it,
 25 this is America. If you buy the ground, you have the

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1 right to use it. I believe that firmly in land rights,
 2 and -- and I stand by that. Let's figure out how to
 3 work civilly to be good friends and better -- and a
 4 better Star.
 5 Please don't assume that we don't
 6 understand or are ill informed in that -- that we don't
 7 understand the -- the whole scope of the project. We're
 8 learning, but it's offensive when you say we don't
 9 understand because we haven't done our homework.
 10 Believe me, we've been doing our homework for a long
 11 time. This project has been approved and approved and
 12 approved, and they didn't finish it, and it's gotten
 13 less -- and more refined every time it's come back.
 14 We're still getting that.
 15 I also want to note that the keyboard
 16 negativity that goes on the internet keeps us from
 17 straightening out those misinformation -- that are on
 18 the -- on the internet because it's not worth getting on
 19 there to correct something for being personally
 20 attacked. Being informed is all but impossible, to make
 21 a comment and correct a bit of misinformation without
 22 being thoroughly attacked. We're all doing all we know
 23 how to do and appreciate the ideas that help and are
 24 constructive, rather than destructive.
 25 Let me be clear that I know very well the

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1 situation we're talking about. I recognize that a lot
 2 of people have expressed opposition, but also, we have
 3 had many that have appreciated and talked positively
 4 about this same project. They don't want to be
 5 ridiculed either, whether they are for the project
 6 because it's always -- not as popular with
 7 everybody -- and you generally feel very strongly if
 8 you're not for it. You're very, very against it.
 9 This area has been approved with way more
 10 houses than we're discussing tonight, and it has been
 11 headed in the correct direction ever -- every
 12 application and in every Council meeting that I've
 13 watched in the five or eight years that this has been
 14 going on -- eight years that it's been going on.
 15 I don't know whether I'm for it or against
 16 it. I think it's getting better each -- each
 17 discussion, but each discussion's getting harder. I
 18 know that.
 19 That's my thoughts.
 20 MAYOR CHADWICK: Okay. Any further comments
 21 or motions?
 22 Councilman Nielsen.
 23 COUNCILMAN NIELSEN: Thank you.
 24 You know, I -- I really appreciate the
 25 comments of -- of my colleagues here.

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1 And, you know, Councilman Wheelock, I -- I
 2 hear a lot of emotion in -- in -- in what you read and
 3 appreciate where you're coming from and the perspective
 4 that -- that you have on -- on the town of Star
 5 and -- and, you know, how we got here tonight.
 6 But I -- I think, Councilwoman Salmonsens,
 7 as well, your -- your passionate plea for,
 8 "Let" -- "Let's fix the process" -- I've mentioned House
 9 Bill 389 here tonight. It -- you know, it just doesn't
 10 limit our ability to collect taxes. What it does is
 11 it -- it limits the ability for growth to pay for
 12 itself.
 13 And -- and I've watched Mayor Chadwick
 14 absolutely go to the mat with the full support of this
 15 Council, with the State of Idaho, with all the agencies
 16 involved, even with the -- the political organizations
 17 like the Building Contractors Association to -- to get
 18 them on board with -- with the challenges that that bill
 19 places upon the cities of Idaho and -- and to find ways
 20 to mitigate it so that here in Star, where we've been
 21 the -- the No. 1, percentage-wise, growing city in the
 22 United States for several -- for -- for over a year. I
 23 don't know if we're still there right now, but -- but it
 24 was that case for well over a year.
 25 And -- and the struggle is real.

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1 And -- and I've -- I've watched this man and this
 2 Council band together and wonderful people in the
 3 agencies in our -- and -- and organizations in our
 4 community -- to face the challenges, not just House Bill
 5 389. That -- that one -- I mean, that -- that's not
 6 just an accidental shot to the foot. That's a shotgun
 7 and intentional.
 8 And -- and I -- I want that to be heard
 9 loud and clear by the people of Star because our State
 10 politicians don't get it, and they're putting
 11 unnecessary restrictions for political purposes in place
 12 that -- that really, really hurt the people of the state
 13 of Idaho.
 14 The -- the way that schools are funded
 15 hurts the state of Idaho, in my opinion, but it's also
 16 one of the reasons why we're such a
 17 fiscally-conservative state because we don't go out and
 18 build a school until -- until we've got enough students
 19 to fill it. It just puts a lot of pain into the system
 20 and a lot of suffering, same with the roads. We don't
 21 build roads until we've got cars to fill them to
 22 capacity. It puts a lot of pain and suffering into the
 23 system.
 24 I happen to believe there are better ways,
 25 but I don't see that -- that this body here tonight, as

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1 part of this application, has a way to -- to deal with
 2 that pain or a way to affect it.
 3 The -- the purpose that -- that we're
 4 gathered here tonight is, really, to sit in judgment
 5 on -- on the applicant's right to use the property
 6 that -- Councilman Wheelock pointed out that
 7 this -- it's their right to use -- does it match up with
 8 the -- the plans of the City of Star? Does it -- does
 9 it fit with the -- the zoning ordinances that we have?
 10 And in this case, because it's an
 11 annexation, we've got a lot of leeway, as a City
 12 Council, and the -- the real question is, "Do we feel
 13 like this is in the best interest of the City of Star
 14 long-term, to annex this property, to" -- "to have it
 15 developed the way that it's being proposed, and" -- "and
 16 what does that -- that prepare us for?"
 17 As -- as I, again, reflect on -- on the
 18 testimony, I'd like to share a few thoughts. You know,
 19 the -- the project is -- is gone from pretty high
 20 density, years ago, down to 1. -- just under 1.4 density
 21 per acre -- units per acre. Now, if the golf course
 22 wasn't there and you still put 1.4 density out there,
 23 things would be spread out a little bit more, but you'd
 24 still have the same number of units.
 25 Statistics show that by -- from our

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1 highway districts that the more sprawl you get,
 2 actually, the higher number of trips. You get more
 3 vehicles per lot. You get more trips per lot.
 4 And so part of our -- our City's
 5 Comprehensive Plan is to employ, where -- where it makes
 6 sense, the concept called "coving" in planning circles,
 7 which is to have lots of open space with pockets of
 8 developments, more -- more dense development and -- and
 9 roads that, as you travel, make it seem like
 10 you're -- you're more in open space than you are
 11 in -- in urban-type development.
 12 I see that as one of the positives
 13 of -- of this particular application. We've got a -- a
 14 ton of open space and -- and, yeah, it's a golf course,
 15 but, you know, in my experience, golf courses grow up to
 16 be -- be real nice open space.
 17 And I -- I think that the -- the -- the
 18 question is -- really is, "You know, how are
 19 these" -- "these" -- "how is this plan for the
 20 residential?" It -- it is more compact than sprawl,
 21 and, you know, there's -- there's two sides of the fence
 22 to that. Some people like the -- like the sprawl, and
 23 others like to see it more dense, and it's hard to
 24 please everybody on that.
 25 I -- I don't believe that Wing Road is a

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1 good idea to connect, so I'm -- I'm with the -- the
 2 Mayor and his request to have that part of the -- the
 3 development agreement.
 4 I agree with Councilman Hershey that this
 5 property will develop at some point in time. It's
 6 likely that -- that when that happens, it will be R-1 to
 7 R-2, and -- and this is right in the middle of that.
 8 And so -- so then the question is, "Is it good for the
 9 city of Star that we bring this property under planning
 10 and" -- "and plan for it, according to our ordinances,
 11 to have consistent and" -- "and regulated development
 12 as" -- "as we" -- "as we grow as a city or not?"
 13 You know, our traffic agencies are tasked
 14 by law to condition the highway needs upon each project
 15 as phases are prepared and development plans are made,
 16 and I think that's probably the -- the most difficult
 17 part of every application, especially one of this size
 18 that is so preliminary and anticipated to go over a long
 19 period of time.
 20 It -- it -- it's -- you can't see the
 21 answers from where we sit today. And -- and that's one
 22 of the reasons why it's -- at City Hall, in the Council
 23 Chambers, we have up on the wall behind us the -- the
 24 slogan, "To hold the vision and trust the process."
 25 We've got a vision for the city of Star that -- that

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1 means growth pays for itself, that means
 2 that -- as -- as Councilwoman Salmonsens so eloquently
 3 stated, that -- that our neighborhoods and -- and our
 4 town is constructed in ways that let us grow and be good
 5 neighbors and -- and develop, you know, in -- in
 6 friendly ways.
 7 And yet part of that process is we have to
 8 put a lot of trust in -- in our partner agencies like
 9 ACHD and ITD and Canyon Highway District. We've got to
 10 put a lot of trust in -- in -- you know, even -- even
 11 in -- in the -- the State laws that allow the city to be
 12 created and sometimes negatively affect us,
 13 that -- overall and over time that things will work out,
 14 that -- that cooler heads prevail, that -- that common
 15 sense eventually prevails.
 16 And -- and so trusting that process is
 17 something that I've had to learn to do over the last,
 18 you know, several years that I've served on the Council.
 19 And -- and I get it, that from where many of you are
 20 sitting, it's hard to see that, and -- and it's even
 21 harder to understand it.
 22 So I -- I -- I think those are -- those
 23 are some of my prevailing thoughts. I -- I'm generally
 24 looking at this application as one that -- that the
 25 applicant has put together in accordance with our

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1 Comprehensive Plan, in accordance with our development
 2 codes. I find that -- that the application -- the
 3 densities of the application, given the open space -- I
 4 think you could find it in different configurations, but
 5 I think it's what's going to be there, regardless of any
 6 decision that's made here tonight.
 7 The assumption is -- is the land will
 8 develop, and unless there is some sort of legal
 9 instrument that locks that land out of development, that
 10 is the -- the assumption that cities have to take.
 11 The question as to whether or not this is
 12 good for the City of Star, it doesn't
 13 really -- that -- that question doesn't consider whether
 14 it's good for the people of Hillsdale that already live
 15 there, whether it's good for Middleton or good for the
 16 school district or good for, you know, the -- the
 17 highway districts or anything like that, and -- and yet
 18 those are important considerations as well.
 19 And so I guess where I'm going with that
 20 is -- is I think that the development to the north of
 21 where the city is today is an important part of the
 22 strategic growth of the city of Star. Where we sit
 23 today, as far as the City's revenue base, where we're
 24 still over 90-percent residential taxes that -- that pay
 25 for the basic services in the city of Star, a healthy

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1 city sits at about 70-percent residential.
 2 And so we're seeing the commercial
 3 development come, and yet, in order for this city to be
 4 sustainable over the long term, we're going to need more
 5 of that commercial development to come in. And -- and
 6 so both commercial and residential growth, really, in
 7 the only direction that we have to grow, which is north,
 8 weighs into the factor -- is -- is a factor that weighs
 9 into where I'm -- I'm kind of leaning toward tonight.
 10 So I -- I tend to be on -- on the side of
 11 the fence that this -- this is an application that is
 12 good for the city of Star, and I say that knowing that
 13 it's not good for a lot of you, and -- and that weighs
 14 heavy on me as well because a lot of you are my friends
 15 and neighbors, and I've got to live in this community
 16 just like -- as -- as well as you.
 17 And so as that falls into the property
 18 rights of -- of the -- of the person who owns the
 19 property versus the property rights of the person that
 20 looks at a property, the -- the one that owns the
 21 property is what's in -- in question here tonight.
 22 So -- so I -- I say that I'm generally in
 23 favor. And -- and now that we've all had an opportunity
 24 to -- to kind of share our thoughts on this, I'd -- I'd
 25 be interested in -- in additional thoughts from the

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1 Council on -- on what a motion either way might look
 2 like.
 3 COUNCILMAN HERSHEY: Was that what "emotions?"
 4 MAYOR CHADWICK: "Motion."
 5 COUNCILMAN HERSHEY: "Motion," oh.
 6 MAYOR CHADWICK: Not "emotion," "a motion."
 7 COUNCILMAN WHEELOCK: I prefer to talk to my
 8 emotions, and I don't --
 9 COUNCILMAN NIELSEN: Not "emotion."
 10 COUNCILMAN WHEELOCK: Well --
 11 COUNCILMAN NIELSEN: "Motion."
 12 COUNCILMAN WHEELOCK: You know, I've heard --
 13 COUNCILMAN NIELSEN: I -- I -- I don't have a
 14 sense for -- for where -- where the Council is,
 15 generally.
 16 COUNCILMAN HERSHEY: Then I will elaborate on
 17 that, if I -- if I may.
 18 You know, one thing I do appreciate about
 19 this is the same thing that I hated about this. It's
 20 the fact that it is large, but it's long-range vision,
 21 is what I'm seeing.
 22 I'm going to ask the Mayor in a few
 23 minutes to read all the conditions because I've captured
 24 them on several pages. I don't have them compiled. I
 25 think you have a better list -- but not yet, sir, if you

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1 wouldn't.
 2 And the reason is -- when I first heard of
 3 Willowbrook -- and I have heard a lot of Willowbrook, an
 4 awful lot, because I've been sitting here. And I
 5 remember the first time this came across. It was 3,000
 6 homes, and it had no density reduction. It was 3,000
 7 houses. I remember that quite clearly. And it's
 8 trickled down 1,000, which is actually rather
 9 significant. I never thought it'd actually get to that.
 10 Now, before I go off on too much of a
 11 tangent -- when we have something like this and we've
 12 discussed it and the -- and the public's brought it up
 13 too -- is the unknowns, the unknowns of what's out
 14 there. And when I first heard of this, I said, "Oh,
 15 this is ridiculous. Who would ever approve that?" But
 16 that was before any testimony. This was when I read the
 17 packet, and all of a sudden I'm looking at something
 18 that says, "3,000 houses," and it was -- it was a -- it
 19 was just unbelievable, and I was so new on the Council.
 20 It was not a good way to cut your teeth.
 21 But when we have unknowns and when I have
 22 unknowns -- and I believe you all do this too -- we tend
 23 to fill it with fear. When we have something we don't
 24 know and we can't quite process it, we generally turn it
 25 into a fear. And I had an awful lot of that, but as I

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1 was going through this slowly and surely, I noticed that
 2 one thing that I can point out is we are trying our
 3 darnedest to control growth.
 4 And I believe, by the conditions that we
 5 can list, we can actually make this a very slow and a
 6 very controlled growth because of the stipulation that
 7 they have to come back with everything, every single
 8 time.
 9 And, Nate, I don't care what it costs you.
 10 I'm just going to tell you that right now. I have no
 11 concerns on that at all. I'm a federal contracting
 12 officer. I don't care what it costs you. I work
 13 helicopters. Those things are expensive, and so I have
 14 to take that emotion out, and I'm sorry. That's
 15 just -- I had to learn that.
 16 But I do see a slow and controlled growth.
 17 And, Mr. Mayor, if you would -- I need to
 18 hear those conditions because I don't want to make
 19 sure -- if I swing towards doing it, I must make sure
 20 that I absolutely am true to my point that this is a
 21 slow and controlled growth.
 22 MAYOR CHADWICK: Shawn, do you have the
 23 conditions --
 24 COUNCILMAN HERSHEY: Yeah, somebody.
 25 MAYOR CHADWICK: -- all written down,

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1 that it's all been discussed tonight, or --
 2 SHAWN NICKEL: I think so, yeah. Do you want
 3 me to read them?
 4 MAYOR CHADWICK: Yeah.
 5 COUNCILMAN WHEELOCK: How many is there?
 6 SHAWN NICKEL: A lot.
 7 MAYOR CHADWICK: We'll have him read them
 8 again so everybody knows what they are, yeah.
 9 Oh, you're writing them down?
 10 COUNCILMAN WHEELOCK: [Unintelligible].
 11 UNIDENTIFIED SPEAKER: Yeah, and capture
 12 these.
 13 SHAWN NICKEL: Are you ready?
 14 MAYOR CHADWICK: Yep.
 15 SHAWN NICKEL: So the conditions that were
 16 read by the Mayor earlier included -- I'll just read
 17 them here.
 18 The Council hereby approves the golf
 19 course and associated facility amenities including the
 20 clubhouse and accessory structures, restaurant and bar,
 21 and driving range. Prior to approval of any additional
 22 commercial uses, the applicant shall submit and receive
 23 approval of a planned unit development and preliminary
 24 plat. This approval shall be part of a new public
 25 hearing through the City Council.

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1 The next one is -- the golf course shall
 2 be hooked onto the Star Sewer & Water District reclaimed
 3 water for application to the course within -- I believe
 4 that was modified after --
 5 MAYOR CHADWICK: At the time of availability
 6 from the golf -- or from the Sewer & Water.
 7 SHAWN NICKEL: At the time of the availability
 8 by the Star Sewer & Water District to provide that
 9 reclaimed water.
 10 All golf-course details shall
 11 be -- receive further review and approval through design
 12 review -- through the Design Review Committee. The
 13 architecture of the clubhouse and restaurant shall meet
 14 current City design review standards.
 15 The applicant shall provide a minimum
 16 10-acre public school site and a future fire station
 17 site within the development. The applicant shall work
 18 with the Star Fire District on the location of the
 19 station. The fire station site and school site shall be
 20 deeded to the appropriate agency with the first phase of
 21 the residential development.
 22 The development shall meet all
 23 requirements of the Star Fire District and the Star
 24 Sewer & Water District.
 25 The applicant -- or the application shall

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1 adopt all recommended conditions of approval from ITD,
 2 ACHD, and Canyon Highway District.
 3 The maximum density adds --
 4 MAYOR CHADWICK: 1.38.
 5 SHAWN NICKEL: -- 1.38 with a -- a maximum lot
 6 count of -- not to exceed 1,000 lots is hereby approved
 7 as part of this annexation. A minimum required lot size
 8 adjacent to all existing residential lots -- and I
 9 believe it was a half-acre with matching --
 10 MAYOR CHADWICK: Half-acre to one-acre --
 11 SHAWN NICKEL: -- lot lines.
 12 MAYOR CHADWICK: -- with a 100-foot buffer
 13 strip --
 14 COUNCILMAN WHEELOCK: And matching lot lines.
 15 MAYOR CHADWICK: -- and matching lot lines.
 16 SHAWN NICKEL: 100-foot or a 25-foot --
 17 MAYOR CHADWICK: Yeah, a 100-foot buffer strip
 18 is up there.
 19 SHAWN NICKEL: Oh, correct.
 20 MAYOR CHADWICK: I think that's above Monument
 21 Ridge.
 22 SHAWN NICKEL: Correct. With -- also with
 23 a --
 24 MAYOR CHADWICK: Yeah.
 25 SHAWN NICKEL: -- 25-foot rear --

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1 MAYOR CHADWICK: Setback.
 2 SHAWN NICKEL: -- setback.
 3 MAYOR CHADWICK: Yeah.
 4 SHAWN NICKEL: Agreement from the applicant to
 5 pay all proportionate share and mitigation fees -- and I
 6 have here -- in place at the time of recordation of the
 7 development agreement.
 8 MAYOR CHADWICK: Well, which includes the
 9 370,000 up front --
 10 SHAWN NICKEL: Right. Yeah. I'll get
 11 there -- I'll --
 12 MAYOR CHADWICK: -- to be subtracted from the
 13 total.
 14 SHAWN NICKEL: -- get -- okay.
 15 This includes the ITD proportionate share,
 16 the Star Fire District mitigation fees, and the Star
 17 Police mitigation fees, with the addition of the
 18 one-time \$375,000, up-front --
 19 MAYOR CHADWICK: 3 -- 370.
 20 SHAWN NICKEL: -- 370, up-front mitigation fee
 21 that will be credited back to the --
 22 MAYOR CHADWICK: The total.
 23 SHAWN NICKEL: -- total.
 24 The development agreement will be
 25 revisited during the preliminary plat and planned unit

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1 development in order to update or add any new conditions
 2 of approval that may be required by the City Council or
 3 other reviewing agencies.
 4 Wing Road will not be connected to the
 5 development from Beacon Light Road.
 6 And -- and the final one is a
 7 traffic-signal light at Highway 44 and Canyon
 8 Highway -- and Canyon -- and Can Ada Road -- excuse
 9 me -- shall be constructed by the applicant prior to the
 10 first day of operation of the golf course and
 11 facilities. A latecomer's agreement shall be entered
 12 between the applicant and the City for future
 13 reimbursement.
 14 And then -- let me just look at my notes
 15 here -- drive -- driving-range hours will be dawn to
 16 dusk with no -- with no lighting.
 17 MAYOR CHADWICK: The dark-sky initiative
 18 with --
 19 SHAWN NICKEL: Dark-sky initiative for
 20 downward lighting with soffit lights within the
 21 residential structures.
 22 MAYOR CHADWICK: And a fiber connection.
 23 SHAWN NICKEL: Yeah, I'm working on it.
 24 MAYOR CHADWICK: Oh, you're not there yet?
 25 Sorry.

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1 SHAWN NICKEL: The applicant shall provide
 2 fiber conduit for future fiber-optic connections.
 3 The fire station lot will have
 4 infrastructure, I guess, run to it. I don't -- I don't
 5 have a -- I don't have a timing on that, but I'm
 6 assuming it'd be as part of the -- part of the
 7 development of that phase of the -- of the development.
 8 There'll be no rock crushing on the site
 9 unless a future conditional use permit is approved by
 10 the Council.
 11 That's it.
 12 MAYOR CHADWICK: Okay.
 13 COUNCILMAN NIELSEN: Mayor Chadwick.
 14 MAYOR CHADWICK: Councilman Nielsen.
 15 COUNCILMAN NIELSEN: Shawn, did you miss it or
 16 was it not there, connections to Lanktree Gulch or
 17 that -- was that part of the conditions?
 18 UNIDENTIFIED SPEAKER: I think so, yeah.
 19 MAYOR CHADWICK: I think those were part of
 20 ACHD's --
 21 COUNCILMAN HERSHEY: That was ACHD.
 22 MAYOR CHADWICK: -- conditions.
 23 SHAWN NICKEL: That was part of ACHD's
 24 requirements that -- that were adopted in their
 25 recommended conditions of approval.

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1 COUNCILMAN NIELSEN: Okay.
 2 SHAWN NICKEL: Yeah.
 3 COUNCILMAN NIELSEN: I -- I thought you
 4 said, "No" -- like, "No connections to Lanktree Gulch."
 5 MAYOR CHADWICK: No. No. And I think that
 6 was part of what ACHD was talking about in their -- in
 7 their conditions; correct?
 8 SHAWN NICKEL: Correct.
 9 COUNCILMAN NIELSEN: I think --
 10 SHAWN NICKEL: Yes.
 11 COUNCILMAN NIELSEN: -- they were talking
 12 about Deep Canyon.
 13 MAYOR CHADWICK: Okay.
 14 COUNCILMAN NIELSEN: I mean, we're -- we're
 15 drawing on the map here connections to Lanktree Gulch;
 16 right?
 17 MAYOR CHADWICK: And I think part of that was
 18 working with Fire and them on emergency access.
 19 COUNCILMAN NIELSEN: Okay. So -- so we're not
 20 applying any additional conditions other than what --
 21 SHAWN NICKEL: Other than the
 22 Wing -- other -- and the Wing -- and the --
 23 COUNCILMAN NIELSEN: -- traffic agencies --
 24 MAYOR CHADWICK: The Wing Road was --
 25 SHAWN NICKEL: -- the Wing -- Wing --

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1 MAYOR CHADWICK: -- an additional condition.
 2 SHAWN NICKEL: -- Road.
 3 COUNCILMAN NIELSEN: -- that --
 4 MAYOR CHADWICK: Yeah.
 5 COUNCILMAN NIELSEN: But on Lanktree Gulch --
 6 MAYOR CHADWICK: Right.
 7 COUNCILMAN NIELSEN: Okay. Good.
 8 So, Mayor, we also -- from the last
 9 hearing, we also discussed the -- a sound-barrier berm
 10 and a visual barrier would be constructed along the
 11 driving range.
 12 MAYOR CHADWICK: Okay.
 13 COUNCILMAN NIELSEN: I think that was the only
 14 one that I had noted from -- from the previous hearing.
 15 MAYOR CHADWICK: All right.
 16 Do we got everything?
 17 COUNCILMAN HERSHEY: Did we need to mention a
 18 water-lift station or is that --
 19 MAYOR CHADWICK: That's going to be part of
 20 the --
 21 COUNCILMAN HERSHEY: That's going --
 22 MAYOR CHADWICK: -- annexation agreement with
 23 Star Sewer & Water.
 24 COUNCILMAN HERSHEY: Right.
 25 MAYOR CHADWICK: A separate agreement.

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1 COUNCILMAN HERSHEY: And a traffic impact
 2 study at all phases. I think that's --
 3 MAYOR CHADWICK: That's part of the ACHD's --
 4 COUNCILMAN HERSHEY: That's the ACHD one.
 5 MAYOR CHADWICK: -- comments, yeah.
 6 COUNCILMAN HERSHEY: I'm just making it clear.
 7 And we talked about matching lots.
 8 The lighted intersection at 44 and Can
 9 Ada, that's already been agreed upon by the developer?
 10 MAYOR CHADWICK: Yep, that's on here.
 11 COUNCILMAN HERSHEY: That's on there.
 12 And Wing Road is nothing...
 13 MAYOR CHADWICK: Okay. Does that answer your
 14 question, Councilman Hershey?
 15 COUNCILMAN HERSHEY: Yes, it -- it does.
 16 I -- like I said, I -- I truly believe
 17 that growth happens, and it's -- it's inevitable, but
 18 where we can help is mitigating the risk. And these
 19 conditions are, by far, greater than any conditions I
 20 believe I've ever seen on an application, and they
 21 should be. They should be.
 22 I realize that there's never making
 23 everybody happy. That's -- that's -- that's an illusion
 24 you better get out of your head.
 25 UNIDENTIFIED SPEAKER: [Unintelligible].

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1 MAYOR CHADWICK: Hey. Hey.
 2 Go ahead.
 3 COUNCILMAN HERSHEY: Oh, all right.
 4 Well, that just goes to my point. I said,
 5 "You're not going to make everybody happy."
 6 And -- however, it's the -- it's the risk that we have
 7 to assume. And when we assume it, we have to recognize
 8 it, identify it, and work to mitigate it. I
 9 believe -- by these processes we have in place, after
 10 all I've heard and all I've recorded, I believe we do
 11 have the ability to control this in a nice, slow, steady
 12 method.
 13 And to the point where -- of Councilwoman
 14 Salmonsens, I believe it's slow enough and steady enough
 15 to where we could help mitigate the schools as well.
 16 MAYOR CHADWICK: Okay. You got a motion?
 17 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 18 COUNCILMAN HERSHEY: No. I'd bet money --
 19 MAYOR CHADWICK: Councilwoman.
 20 COUNCILMAN HERSHEY: -- there's still more
 21 deliberation --
 22 COUNCILWOMAN SALMONSEN: Mind if I add --
 23 COUNCILMAN HERSHEY: -- that has to --
 24 COUNCILWOMAN SALMONSEN: Councilman.
 25 MAYOR CHADWICK: Councilwoman.

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1 COUNCILWOMAN SALMONSEN: Yeah. Can I -- can I
 2 add a couple things.
 3 MAYOR CHADWICK: Sure.
 4 COUNCILWOMAN SALMONSEN: So I appreciate
 5 everybody's comments --
 6 MAYOR CHADWICK: Make sure you talk --
 7 COUNCILWOMAN SALMONSEN: -- up here.
 8 MAYOR CHADWICK: -- into the microphone.
 9 COUNCILWOMAN SALMONSEN: I appreciate
 10 everyone's input, and you've given me things to think
 11 about.
 12 But I still -- I think that ACHD and our
 13 road situation is very similar to the process that -- or
 14 the problem that we have with our school system. I
 15 think -- I think that a lot of the problems that we are
 16 feeling today is a result of, you know, growth that has
 17 happened over the last five years.
 18 And ACHD has not -- you know, we've -- we
 19 stood up here. We approved these -- these projects, but
 20 ACHD, at some point, they say, "We're going to make
 21 these" -- you know, whatever the load is, that they're
 22 going to -- the street will need to be widened.
 23 We -- we're not seeing that happening.
 24 And so my fear is that that is going to
 25 continue. And, you know, until I see some sort of, you

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1 know, like improvement there, I just -- I'm having a
 2 hard -- I just -- I -- I can't believe it -- it will
 3 happen. So I just wanted to add that.
 4 And then, with the conditions, I -- I
 5 think we want to include in our conditions that
 6 the -- if there's public pathways, that they need to
 7 be -- or if there's pathways, that they all need to be
 8 public with a public easement, solid surface, and then
 9 with a safe route to school.
 10 So with the Star Middle School, you know,
 11 that was not put in. And I think, you know, if we have
 12 the site we can plan for a safe route to school. We'll
 13 figure out where the funding comes from, if it's the
 14 developer or if it's -- you know, whoever, but we need
 15 to have that in the -- in the conditions, I think.
 16 MAYOR CHADWICK: Okay.
 17 COUNCILMAN HERSHEY: I agree with that
 18 statement.
 19 MAYOR CHADWICK: Okay. Any further comments,
 20 motions?
 21 COUNCILMAN WHEELLOCK: Mr. Mayor.
 22 MAYOR CHADWICK: Councilman Wheelock.
 23 COUNCILMAN WHEELLOCK: How do we address the
 24 Can Ada 38-percent proportionate share to move that
 25 forward?

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1 MAYOR CHADWICK: I think that has to -- that's
 2 all part of the -- the conditions of approval with CHD4,
 3 so that'll have to be discussions between them and CHD4
 4 on how that gets paid.
 5 COUNCILMAN WHEELLOCK: How do we encourage that
 6 to happen?
 7 MAYOR CHADWICK: That's a good question. I
 8 mean, we'll have to --
 9 COUNCILMAN WHEELLOCK: Because we can say it,
 10 but if we don't say how it's going to happen, it'll
 11 never happen.
 12 MAYOR CHADWICK: The -- let's see how they
 13 wrote that in here again -- hang on -- from Mr. Hopper.
 14 So how we -- how we -- this is how we make
 15 this happen. Basically, what they're saying is we have
 16 to reclassify that segment from the collector to the
 17 minor arterial. So we're going to have to do that,
 18 reclassify the road; right?
 19 "This segment is included on the Mid-Star
 20 CIP with partial mitigation." "A full 3-lane
 21 section" -- so, "CHD4 recommends the City require a
 22 proportionate share contribution from the development
 23 (34% of total" traffic of 2045) "for costs of additional
 24 right-of-way and travel."
 25 I mean, if we're adopting their conditions

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1 in our thing, then it's going to be up to them to
 2 satisfy this with CHD4 before they can move forward.
 3 Am I correct?
 4 UNIDENTIFIED SPEAKER: Yes.
 5 MAYOR CHADWICK: Huh?
 6 UNIDENTIFIED SPEAKER: Yes, you're correct.
 7 MAYOR CHADWICK: Yes.
 8 COUNCILMAN WHEELOCK: Okay.
 9 MAYOR CHADWICK: We don't have a -- we don't
 10 have a mechanism in place with the Highway District to
 11 collect anything outside of their [unintelligible]. So
 12 that's going to have to be done with CHD4 directly.
 13 All right.
 14 COUNCILMAN WHEELOCK: Okay.
 15 MAYOR CHADWICK: Any further comments,
 16 motions?
 17 Somebody's got to make a motion because we
 18 could sit here all night.
 19 COUNCILWOMAN SALMONSEN: Mayor Chadwick.
 20 MAYOR CHADWICK: Councilwoman.
 21 COUNCILWOMAN SALMONSEN: Just so everyone
 22 knows my opinion, I will make a motion that we deny this
 23 application.
 24 MAYOR CHADWICK: Okay. We have a -- no -- no
 25 clapping, please.

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1 We have a motion. Do we have a second?
 2 Hearing no second, that motion dies.
 3 Do we have a new motion?
 4 UNIDENTIFIED SPEAKER: I just don't know how
 5 to make it.
 6 MAYOR CHADWICK: Anybody?
 7 UNIDENTIFIED SPEAKER: Hang on.
 8 MAYOR CHADWICK: You got a motion, Councilman
 9 Nielsen?
 10 COUNCILMAN NIELSEN: Not yet.
 11 MAYOR CHADWICK: Not yet?
 12 Councilman Hershey?
 13 Councilman Wheelock?
 14 Councilman Hershey gave me the finger to
 15 wait.
 16 COUNCILMAN HERSHEY: One -- I said, "Give me a
 17 second."
 18 MAYOR CHADWICK: Give you a second?
 19 COUNCILMAN HERSHEY: Not the other finger.
 20 MAYOR CHADWICK: No.
 21 Okay. We'll sit here for a few minutes
 22 while they write their motions.
 23 COUNCILMAN NIELSEN: Does the silence make you
 24 nervous?
 25 MAYOR CHADWICK: It's -- it's the silence.

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1 It's -- yeah.
 2 Anybody got a motion yet?
 3 Okay. Someone please provide a motion one
 4 way or the other.
 5 COUNCILMAN HERSHEY: There's no, "Maybe."
 6 Hang on.
 7 MAYOR CHADWICK: We had one way, and -- and no
 8 one went with it so --
 9 COUNCILWOMAN SALMONSEN: Yep.
 10 MAYOR CHADWICK: -- we need a different
 11 motion.
 12 We could do -- okay. Let's do --
 13 COUNCILMAN WHEELOCK: There's a lot -- there's
 14 a lot to consider --
 15 MAYOR CHADWICK: Okay.
 16 COUNCILMAN WHEELOCK: -- in the motion.
 17 MAYOR CHADWICK: So then let's do 9 -- we're
 18 going to take a -- a recess until 9:55 for you to
 19 collect your thoughts. That's seven minutes; okay?
 20 (Recess taken from 2:48:24 to 2:54:48 of
 21 audio file.)
 22 MAYOR CHADWICK: We're going to call the Star
 23 City Council meeting back to order. It's 9:55.
 24 We've got -- Jacob [phonetic], you got it?
 25 You're ready?

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1 And we're good online, Ms. Dana
 2 [phonetic]?
 3 Okay. So we're coming back. We took a
 4 brief recess for the Council to get some thoughts
 5 together. We must have a -- a motion to either approve
 6 or deny this project tonight or table it. So I need to
 7 have -- I need a motion, please.
 8 COUNCILMAN NIELSEN: Mayor Chadwick.
 9 MAYOR CHADWICK: Councilman Nielsen.
 10 COUNCILMAN NIELSEN: I appreciate the recess.
 11 I'll -- I'll go ahead and make a motion.
 12 And -- and I want to share just a couple of last
 13 thoughts as -- yeah, well, you guys got to talk for
 14 hours last time, and I get to talk for a few minutes
 15 this time.
 16 MAYOR CHADWICK: All right.
 17 COUNCILMAN NIELSEN: So, you know, as
 18 Councilwoman Salmonsens made her motion, a -- a big part
 19 of me wanted to go ahead and second that. I know
 20 where -- where she's going with that, but, you know,
 21 we've -- as we've talked about, we've got challenges for
 22 funding and -- and -- and making some things happen in
 23 this state.
 24 And -- and again, where I land is
 25 that I -- I can't make that fight be borne by a private

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1 citizen all by themselves. That's one consideration.
 2 You know, I've already shared
 3 that -- and I do find that the application -- on the
 4 technical and legal merits, it -- it matches up with our
 5 Comprehensive Plan and our zoning ordinances.
 6 There's -- there's no challenge that I find there.
 7 Some of the -- the things that I find
 8 positive -- it will force improvements to Can Ada Road,
 9 which we sorely need; it will force the development of
 10 Aerie Road [sic], which we sorely need; and -- and it
 11 will bring the property under -- under planning for
 12 the -- within the City of Star, which -- you know,
 13 we've -- we've spent years on this application as a
 14 City, and -- and I know County processes,
 15 that -- that you're lucky to get one or two hours
 16 of -- of consideration.
 17 And so -- so as I -- I look at the
 18 inevitable development of this land, at -- at some
 19 point, I believe what we have before us is a -- is a
 20 really well-thought-out plan. I believe that the
 21 process that we've gone through here and some of the
 22 conditions that we're making at this early stage of the
 23 project set us up for -- for a good start.
 24 And trusting in the process, that
 25 additional hearings and additional public input

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1 will -- will only further make improvements and -- and
 2 clarifications to that process, I'm going to go ahead
 3 and make a motion that we approve the project with the
 4 conditions that -- that Councilman Hershey had staff
 5 read earlier.
 6 That's my motion.
 7 MAYOR CHADWICK: Okay. We have a motion.
 8 Do we have a second?
 9 We need a second.
 10 COUNCILMAN HERSHEY: I will second it,
 11 Mr. Mayor.
 12 MAYOR CHADWICK: We've got a motion and a
 13 second by Councilman Hershey.
 14 Any further discussion?
 15 COUNCILMAN HERSHEY: Yes, sir. I --
 16 MAYOR CHADWICK: Councilman Hershey.
 17 COUNCILMAN HERSHEY: Like I said, I do believe
 18 that we have the best chance of slow, steady growth, and
 19 the fact that it has immediate impact on some road
 20 improvements is a positive.
 21 MAYOR CHADWICK: Okay.
 22 COUNCILMAN HERSHEY: That's --
 23 MAYOR CHADWICK: Any further discussion?
 24 Hearing none.
 25 Roll call.

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1 THE CLERK: Nielsen.
 2 MAYOR CHADWICK: Oh. Oh, microphone on.
 3 THE CLERK: Nielsen.
 4 COUNCILMAN NIELSEN: Aye.
 5 THE CLERK: Salmonsens.
 6 COUNCILWOMAN SALMONSEN: No.
 7 THE CLERK: Wheelock.
 8 COUNCILMAN WHEELOCK: Aye.
 9 THE CLERK: Hershey.
 10 COUNCILMAN HERSHEY: Aye.
 11 MAYOR CHADWICK: Okay. That motion carries,
 12 three to one.
 13 Thank you.
 14 All right. We're going to move on to
 15 Item -- we've got more on our agenda tonight. We need
 16 to move on to Item 6A, Ordinance for the Medici Vista
 17 Subdivision.
 18 UNIDENTIFIED SPEAKER: [Unintelligible].
 19 MAYOR CHADWICK: We must introduce it and
 20 dispense of the rules.
 21 Anybody got the card?
 22 COUNCILMAN HERSHEY: I have one.
 23 MAYOR CHADWICK: Who wants to do the motion?
 24 UNIDENTIFIED SPEAKER: David.
 25 MAYOR CHADWICK: David will do it. Okay.

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1 COUNCILMAN HERSHEY: I haven't looked at the
 2 agenda in a minute.
 3 MAYOR CHADWICK: Make sure you speak into the
 4 microphone there.
 5 UNIDENTIFIED SPEAKER: [Unintelligible].
 6 COUNCILMAN HERSHEY: Oh, let's see.
 7 MAYOR CHADWICK: Okay. Please, folks. Wait
 8 for your conversations until out in the hallway.
 9 Thank you.
 10 COUNCILMAN HERSHEY: Yeah. So, Mr. Mayor, I
 11 move that, pursuant to Idaho Code -- oh, Mr. Mayor,
 12 I -- I move that we introduce Ordinance No. 379-2023,
 13 Medici Vista Subdivision, and I move that, pursuant to
 14 Code -- Idaho Code Section 50-902, the rule requiring an
 15 ordinance to be read on three different days, with one
 16 reading to be in full, be dispensed with and that
 17 Ordinance No. 379-2023 be considered after reading once
 18 by title only.
 19 MAYOR CHADWICK: Okay. We have a motion.
 20 Do we have a second?
 21 COUNCILMAN WHEELOCK: Second.
 22 MAYOR CHADWICK: We have a motion and a
 23 second.
 24 Any further discussion?
 25 Hearing none.

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1 Roll call.
 2 THE CLERK: Nielsen.
 3 COUNCILMAN NIELSEN: Aye.
 4 THE CLERK: Salmonsens.
 5 COUNCILWOMAN SALMONSEN: Aye.
 6 THE CLERK: Wheel -- Wheelock.
 7 COUNCILMAN WHEELOCK: Aye.
 8 THE CLERK: And Hershey.
 9 COUNCILMAN HERSHEY: Aye.
 10 MAYOR CHADWICK: Okay. That motion carries.
 11 Thank you.
 12 Approve the motion --
 13 COUNCILMAN HERSHEY: Oh, shoot. Sorry.
 14 MAYOR CHADWICK: -- I mean, the -- the
 15 ordinance.
 16 COUNCILMAN HERSHEY: Yes. Mr. Mayor, I move
 17 that we approve Ordinance No. 379-2023, Medici Vista
 18 Subdivision, "an ordinance annexing" -- excuse me -- "an
 19 ordinance annexing to the city of Star certain real
 20 property located in the unincorporated area of Ada
 21 County, Idaho; more specifically located at 4401 North
 22 Pollard Lane, in Star, Idaho (Ada County Parcel
 23 S0333212580) and contiguous to the city of Star; the
 24 property is owned by Bruce A. Bente; establishing the
 25 zoning classification of the annexed property as

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1 residential with a development agreement"
 2 (RD-1) -- "(R-1-DA) of approximately 13.13 acres;
 3 directing that certified copies of this ordinance be
 4 filed as provided by law; providing for related matters;
 5 and providing for an effective date."
 6 MAYOR CHADWICK: Okay. We have a motion.
 7 Do we have a second?
 8 COUNCILMAN HERSHEY: I'm struggling.
 9 COUNCILMAN WHEELOCK: Second.
 10 MAYOR CHADWICK: We have a motion and a second
 11 by Councilman Wheelock.
 12 Roll call.
 13 THE CLERK: Nielsen.
 14 COUNCILMAN NIELSEN: Aye.
 15 THE CLERK: Salmonsens.
 16 COUNCILWOMAN SALMONSEN: Aye.
 17 THE CLERK: Wheelock.
 18 COUNCILMAN WHEELOCK: Aye.
 19 THE CLERK: Hershey.
 20 COUNCILMAN HERSHEY: Aye.
 21 MAYOR CHADWICK: Okay. That motion carries.
 22 On to Item 6B, Ordinance 380-2023, Medici
 23 Hills Subdivision Annexation.
 24 COUNCILMAN HERSHEY: Yeah, Mr. Mayor.
 25 MAYOR CHADWICK: Councilman Hershey, sorry.

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1 COUNCILMAN HERSHEY: I move to introduce, and
 2 I move that, pursuant to Idaho Code Section 50-902,
 3 requiring an ordinance to be read on three different
 4 days, with one reading to be in full, be dispensed with
 5 and that Ordinance No. 30 -- excuse me -- 380-2023 be
 6 considered after reading by title -- be -- be considered
 7 after reading once by title only.
 8 MAYOR CHADWICK: Okay. We've got a motion.
 9 Do we have a second?
 10 COUNCILMAN WHEELOCK: Second.
 11 MAYOR CHADWICK: A motion and a second by
 12 Councilman Wheelock.
 13 Any further discussion?
 14 Hearing none.
 15 Roll call.
 16 THE CLERK: Nielsen.
 17 COUNCILMAN NIELSEN: Aye.
 18 THE CLERK: Salmonsens.
 19 COUNCILWOMAN SALMONSEN: Aye.
 20 THE CLERK: Wheelock.
 21 COUNCILMAN WHEELOCK: Aye.
 22 THE CLERK: Hershey.
 23 COUNCILMAN HERSHEY: Aye.
 24 MAYOR CHADWICK: Okay. That motion carries.
 25 Do you want to approve the ordinance?

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1 COUNCILMAN HERSHEY: Sure.
 2 MAYOR CHADWICK: Does someone else want to
 3 read it [unintelligible] --
 4 COUNCILMAN HERSHEY: Mr. Mayor, I -- I move
 5 that we approve Ordinance No. 380-2023, Medici Hills
 6 Subdivision Annexation, "an ordinance annexing to the
 7 city of Star certain real property located in the
 8 unincorporated area of Ada County, Idaho; more
 9 specifically located on North Highway 16, in Star, Idaho
 10 (Ada County Parcel S0328346600) and contiguous to the
 11 city of Star; the property is owned by Medici Hills
 12 Joint Venture; establishing the zoning classification of
 13 the annexed property as residential with a development
 14 agreement of approximately 48.73 acres; directing that
 15 certified copies of this ordinance be filed as provided
 16 by law; providing for related" materials; "and providing
 17 for an effective date."
 18 MAYOR CHADWICK: "Related matters."
 19 COUNCILMAN HERSHEY: Excuse me.
 20 "Related" -- yes. "Providing for related matters; and
 21 providing for an effective date."
 22 MAYOR CHADWICK: Okay. We've got a motion.
 23 Do we have a second?
 24 COUNCILMAN WHEELOCK: Second.
 25 MAYOR CHADWICK: Any further discussion?

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1 COUNCILMAN NIELSEN: Mayor Chadwick.
 2 MAYOR CHADWICK: Councilman Nielsen.
 3 COUNCILMAN NIELSEN: So as -- as Councilman
 4 Hershey's reading through that, I'm thinking back to
 5 our -- to our hearing on this property. This was the
 6 application where they wanted to -- to basically
 7 bulldoze the -- the hills, flatten them out, and put
 8 more houses.
 9 MAYOR CHADWICK: Correct.
 10 COUNCILMAN NIELSEN: And -- and we had some
 11 pretty stringent restrictions on their ability to do
 12 that. I don't have the development agreement in front
 13 of me, and so I -- I want to ask staff or -- or others
 14 who may have recently reviewed that, "Did that make it
 15 into the development agreement?" I want to make sure
 16 that we're not letting somebody bulldoze hills.
 17 COUNCILWOMAN SALMONSEN: Yeah, Mayor Chadwick.
 18 UNIDENTIFIED SPEAKER: Mr. -- Mr. Mayor and
 19 Council, the motion that -- that the Council made was to
 20 approve the -- the annexation ordinance -- or the
 21 annexation and table the development agreement and
 22 preliminary plat. So the preliminary plat will come
 23 before this body for approval at a later date, along
 24 with the development agreement for -- for conditions and
 25 final approval.

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1 So we've separated the development
 2 agreement out from the annexation ordinance, and staff
 3 has made notes of all of those conditions that were put
 4 on -- as a matter of fact, the -- the -- the conditions
 5 are in the findings of fact that you guys
 6 already -- have already adopted, so those will transfer
 7 over to the future development agreement.
 8 MAYOR CHADWICK: So I'm going to go -- I don't
 9 know where you're going with this.
 10 So it says in our ordinance, with the
 11 development agreement, that we need to remove that
 12 language since the development agreement's coming later?
 13 COUNCILMAN WHEELLOCK: I don't see why not.
 14 Or is it a develop --
 15 UNIDENTIFIED SPEAKER: That's fine.
 16 The -- the -- the reason that's in there is because we
 17 need -- we need to have that R-1-DA in the zoning --
 18 COUNCILMAN WHEELLOCK: You're looking at
 19 the -- at the [unintelligible] --
 20 MAYOR CHADWICK: R -- R-2-DA.
 21 UNIDENTIFIED SPEAKER: Well, there's both.
 22 Well, I guess, yeah. Yeah. The --
 23 MAYOR CHADWICK: Yeah.
 24 UNIDENTIFIED SPEAKER: -- R -- R-2-DA has to
 25 be -- the County has to recognize that and put it on

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1 their zoning maps. If we don't have the -- the DA next
 2 to it, then it's just R-2, and it -- we --
 3 COUNCILMAN WHEELLOCK: [Unintelligible].
 4 UNIDENTIFIED SPEAKER: It eliminates that
 5 development agreement acknowledgment in the -- that
 6 zoning classification.
 7 COUNCILMAN NIELSEN: And yet, it adopts the
 8 development agreement.
 9 What -- what you're saying -- saying,
 10 though, is that -- and -- and I -- and I believe I
 11 remember this -- that -- that, yes, the preliminary
 12 plat's coming, and the development agreement can be
 13 modified at that point in time.
 14 UNIDENTIFIED SPEAKER: Correct.
 15 COUNCILMAN NIELSEN: So -- so we're going to
 16 have --
 17 UNIDENTIFIED SPEAKER: So -- so I -- I guess
 18 you're not -- you're not adopting the development
 19 agreement. You're just -- we're just -- we're approving
 20 the ordinance with the R-2-DA --
 21 COUNCILMAN NIELSEN: We're creating the --
 22 UNIDENTIFIED SPEAKER: -- zoning
 23 classification --
 24 COUNCILMAN NIELSEN: -- possibility of a --
 25 UNIDENTIFIED SPEAKER: Yes.

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1 COUNCILMAN NIELSEN: -- development agreement
 2 that --
 3 UNIDENTIFIED SPEAKER: Yes.
 4 COUNCILMAN NIELSEN: -- will be created and
 5 approved and adopted --
 6 UNIDENTIFIED SPEAKER: Correct.
 7 COUNCILMAN NIELSEN: -- later.
 8 UNIDENTIFIED SPEAKER: I just -- just
 9 verifying for --
 10 COUNCILMAN HERSHEY: So, Mr. Mayor.
 11 UNIDENTIFIED SPEAKER: -- Council
 12 [unintelligible]. That's okay.
 13 COUNCILMAN HERSHEY: I will amend my
 14 reading --
 15 MAYOR CHADWICK: Oh, you don't have to. Chris
 16 [phonetic] said we're okay.
 17 COUNCILMAN HERSHEY: Oh, I will not do that.
 18 MAYOR CHADWICK: Okay. Any further
 19 discussion?
 20 COUNCILMAN WHEELLOCK: Thank you for that
 21 clarification.
 22 MAYOR CHADWICK: Yep. Okay.
 23 Roll call.
 24 THE CLERK: Nielsen.
 25 COUNCILMAN NIELSEN: Aye.

1 THE CLERK: Salmonsén.
 2 COUNCILWOMAN SALMONSEN: Aye.
 3 THE CLERK: Wheelock.
 4 COUNCILMAN WHEELOCK: Aye.
 5 THE CLERK: And Hershey.
 6 COUNCILMAN HERSHEY: Aye.
 7 MAYOR CHADWICK: All right. That concludes.
 8 We're at Item 7, Adjournment.
 9 Thank you, everybody, for these long
 10 nights on our City Council meetings.
 11 And thank you, LifeSpring Church, again,
 12 for the use of your facility.
 13 It's 10:07, and we're adjourned.
 14 (End transcription at 3:06:51 of audio file.)
 15 -o0o-

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REPORTER'S CERTIFICATE

I, VICTORIA HILLES, RPR, Registered Professional Reporter, CSR No. 1173, Certified Shorthand Reporter, certify:

That the audio recording of the proceedings was transcribed by me or under my direction.

That the foregoing is a true and correct transcription of all testimony given, to the best of my ability.

I further certify that I am not a relative or employee of any attorney or party, nor am I financially interested in the action.

IN WITNESS WHEREOF, I set my hand and seal this 11th day of July, 2023.



VICTORIA HILLES, RPR, CSR NO.
1173
Notary Public
Post Office Box 2636
Boise, Idaho 83701-2636

My commission expires December 3, 2026

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