

CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star – Planning Department

MEETING DATE: February 1, 2022 – PUBLIC HEARING

FILE(S) #: RZ-21-07 Rezone State Street/Union Street Development

DA-21-25 Development Agreement

APPLICANT/REPRESENTATIVE/OWNER

Applicant/Representative: Owner:

Jeff LikesAlturas CapitalALC Architecture500 E. Shore Drive, Ste. 120

1119 E. State Street, Ste. 120

Eagle, Idaho 83616

REQUEST

Eagle, Idaho 83616

Request: The Applicant is seeking approval of a Rezone (C-1 to CBD), a Development Agreement, and a Zoning Certificate for a proposed commercial use consisting of 4,000 square foot retail building. The property is located on the northwest corner of N. Union Street and W. State Street in Star, Idaho, and consists of .48 acres.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the north side of W. State Street, approximately 600 feet west of N. Star Road. Ada County Parcel No's. R8108000528 & R8108000526.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Commercial C-1	Central Business District	Vacant – Pasture
Proposed	Central Business	l Business Central Business District Commercial, Reta	
	District (CBD)		
North of site	Residential (R-8)	Central Business District	Single Family Residential
South of site	Commercial C-2	Central Business District	Vacant
East of site	Central Business	Central Business District	Single Family Residential
	District (CBD)		
West of site	Residential (R-8)	Central Business District	Single Family Residential

8-3A-4 Zoning District Dimensional Standards for Central District (CBD):

Dimensional Standards	C-1	C-2	L-O	CBD
Front Setback	0'	0'	20'	<mark>0'</mark>
Rear Setback	20'	20'	20'	<mark>0'</mark>
Interior Side Setback	0'	0'	0'	<mark>0'</mark>
Street Side Setback	20'	20'	20'	<mark>0'</mark>
Maximum Building Height	35'	35'	35'	35'
Parking Requirements	See Chapter 4, Article B , "Off Street Parking And Loading Requirements", of this title			
Landscape Requirements	See Chapter 4, Article D, "Landscaping Requirements", of this title			

Existing Site Characteristics: The property is currently vacant.

Irrigation/Drainage District(s): N/A

Flood Zone This property is not currently located in a Flood Hazzard Area.

FEMA FIRM Panel Number: 16001C0130J

Effective Date: 6/19/2020

Special On-Site Features:

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

APPLICATION REQUIREMENTS

Pre-Application Meeting Held
November 3, 2021
Application Submitted & Fees Paid
Residents within 300' Notified
Agencies Notified
Legal Notice Published
Property Posted
September 21, 2021
November 3, 2021
January 10, 2022
December 9, 2021
January 13, 2022
January 12, 2022

HISTORY

This property does not have any history of land use applications within the City of Star.

CODE DEFINITIONS / COMPREHENSIVE PLAN

UNIFIED DEVELOPMENT CODE:

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

- B. Standards:
- 1. The subject property shall meet the minimum dimensional standards of the proper district.
- 2. The city may require a development agreement in conjunction with the annexation and zoning, or rezone, pursuant to Idaho Code section 67-6511A, which may include a concept plan. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through execution of a development agreement. A development agreement and concept plan shall be required for any rezone to

- a mixed-use zone, high density zone or land which includes steep slope (land over 25%) or floodway.
- 3. The termination of a development agreement shall result in the reversal of the official zoning map amendment approval and applicable development approval for any undeveloped portion of property subject to the development agreement. The undeveloped property subject to the development agreement shall be rezoned to the district classification as designated by the development agreement. When no designation is provided, the property shall revert to its original zoning or, if the original designation no longer exists, to the closest current equivalent zoning as determined by the current Comprehensive Plan Land Use Map designation.
- 4. An amendment or termination of a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.
- 5. An approved development agreement must be executed within ninety (90) days of the meeting at which the development agreement is approved by the city council. A one-time administrative extension of maximum thirty (30) days may be granted by the zoning administrator. Additional extensions may be approved by majority vote of the city council. Failure to execute the development agreement within the required timeframe will result in the denial of all related applications.
- C. Required Findings: The council shall review the application at the public hearing. In order to grant an annexation and zoning or rezone, the council shall make the following findings:
- 1. The map amendment complies with the applicable provisions of the comprehensive plan;
- 2. The map amendment complies with the regulations outlined for the proposed district;
- 3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and
- 4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.
- 5. The annexation (as applicable) is in the best interest of city.

Section 8-3A-1 - **ZONING DISTRICTS AND PURPOSE ESTABLISHED**

District	Purpose
Central Business District (CBD)	To provide for commercial, retail, civic, office, and entertainment uses. High density housing is encouraged on the upper floors of mixed-use buildings and at the fringes of the land use designation shown on the comprehensive plan. Developments in this district are to place an emphasis on pedestrian and bicycle access and compatibility. Special emphasis shall be placed on development in the central downtown area to encourage and create a vibrant, walkable downtown community that incorporates the Boise River as an active amenity.
Development Agreement (DA)	This designation, following any zoning designation noted on the official zoning map of the city (i.e., C-2-DA), indicates that the zoning was approved by the city with a development agreement, with specific conditions of zoning.

TABLE 8-3A-3 - USES WITHIN ZONING DISTRICTS

Zoning District Uses	CBD	C-1
Bar/tavern/lounge/drinking establishment	Р	С
Drive-through establishment/drive-up service window	P	Р
Restaurant	Р	С

Notes:

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

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

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

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Central Business District

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

8.4 Objectives:

- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.
- Work to create a vibrant Central Business District.
- Require the conservation and preservation of open spaces and public access to the Boise River and BLM lands and interconnected pathways to be open to the public in new developments.
- Encourage commercial development that is consistent with a family friendly fee, not overburdening the community with big box and franchise uses and discourage development of strip commercial areas.

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

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

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

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Encourage landscaping to enhance the appearance of subdivisions, structures, and parking areas.
- Work with Ada County Highway District (ACHD), Canyon Highway District #4
 (CHD4), and Idaho Department of Transportation (ITD) for better coordination of
 roadway and access needs.
- Support well-planned, pedestrian-friendly developments.
- Dark sky provision should be adopted within the code to assure down style lighting in all developments and Star should consider joining the International Dark Sky Association.
- The City should utilize the 2018 Treasure Valley Tree Selection Guide when requiring trees within developments.

18.4 Implementation Policies:

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

PROJECT OVERVIEW

REZONE & POTENTIAL LAND USES:

The rezone from Commercial (C-1) to Central Business District (CBD) will allow for the property zoning to be consistent with the Comprehensive Plan and provide the applicant with the ability to market the property for commercial uses intended to be located within the Central Business District. At this time, the applicant states that an end user has potentially been determined. The rezone will allow the property as much flexibility as possible for the applicant to attract potential businesses. Future uses would be subject to additional review from the City, either as a Conditional Use Permit or as a Certificate of Zoning Compliance staff review.

ADDITIONAL ITEMS FOR CONSIDERATION:

Site Development Plan:

<u>Streetlights</u> - All future lighting, including streetlights and parking lot lighting will need to be reviewed by staff and will be required to meet all Dark Sky lighting standards that may apply.

<u>Sidewalks</u> - With the surrounding properties also in the Central Business District and future development anticipated along W. State Street, providing safe pedestrian access and circulation to existing sidewalks through the Central Business District is a priority. Staff will require sidewalks be completed as part of any future development.

<u>Fire</u> -The Star Fire District has not provided a review of this rezone request. Any new use will be required to meet all requirements of the District regarding access and safety.

<u>Land Uses</u> – Specific land uses have not been proposed by the applicant as part of this application request. Future uses will need to be evaluated by staff, using the most current zoning ordinance, to determine if additional Council approval is necessary. This would be the case for any requested conditional uses in the CBD zone.

AGENCY RESPONSES

Keller and Associates ACHD

January 25, 2022 January 18, 2022

PUBLIC RESPONSES

No responses have been received from the public at this time.

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of this proposal as submitted and believes that approval of this application by the Council will meet the intent of the Comprehensive Plan by encouraging continued economic growth in the Central Business District. Future uses will be required to meet the standards of the zoning ordinance that is in affect at the time of submittal for a future land use application, including conditional use permits and certificates of zoning compliance for principally permitted uses.

A future development site plan will need to provide details regarding the following:

- Landscape Plan Street Trees, Buffer Landscaping
- Streetlights

- Fire District Approval
- Parking Lot/Spaces
- Buffering/Fencing between Commercial and Residential Uses to the North

DEVELOPMENT AGREEMENT

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

 Specific uses within the CBD zone that the Council may approve outright as part of the development agreement. The applicant has not proposed any specific uses at this time.

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

FINDINGS

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

REZONE FINDINGS:

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

 The purpose of the Star Comprehensive Plan is to promote the health, safety, and
 general welfare of the people of the City of Star and its Impact Area. Some of the prime
 objectives of the Comprehensive Plan include:
 - ✓ Protection of property rights.
 - ✓ Adequate public facilities and services are provided to the people at reasonable cost.
 - ✓ Ensure the local economy is protected.
 - ✓ Encourage urban and urban-type development and overcrowding of land.
 - ✓ Ensure development is commensurate with the physical characteristics of the land.

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

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

The City must find that the proposal complies with the proposed district and purpose statement. The purpose statement provides for allowed uses to include small scale retail, public, quasi-public and adaptive reuse of residential structures.

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

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

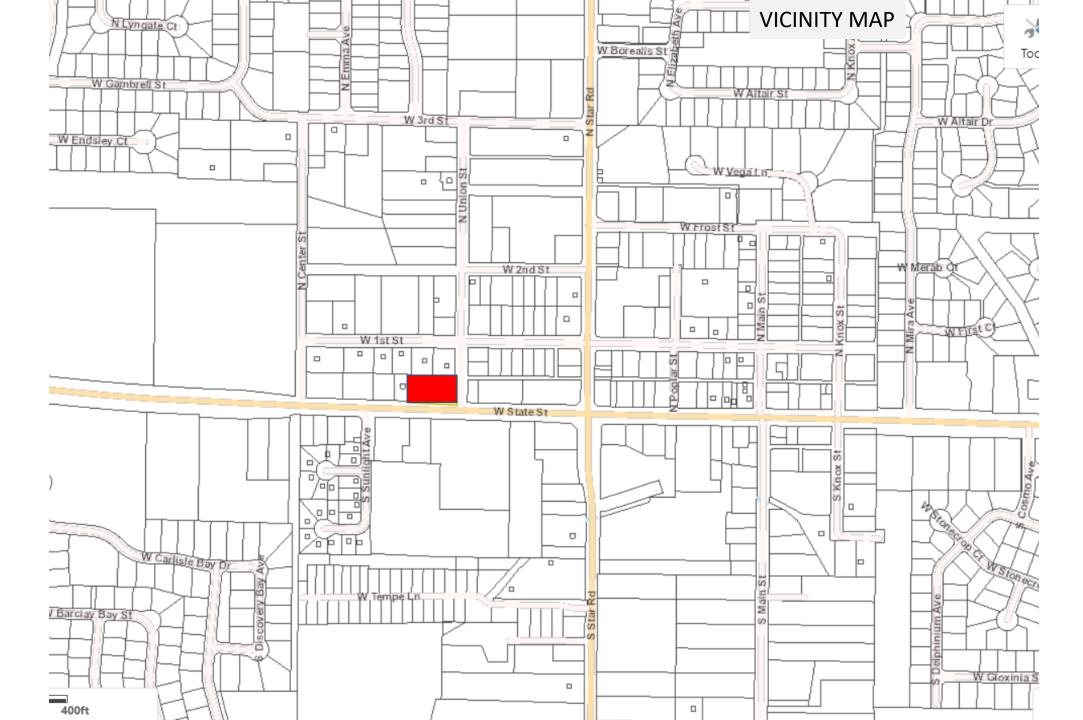
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts.

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

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

The property is already within the City limits. The City must find that this rezone is reasonably necessary for the orderly development of the City.

С	OUNCIL DECISION	
The Star City Council	File #RZ-21-07/DA-21-25 for Jeff Likes and	Alturas
Capital – State Street & Union Street De	•	, 2022.





November 17, 2021

City of Star Planning Division Attn: Planner

Re: Design Review/ Rezone - Narrative

To whom it may concern:

We are proposing a new retail building at the northwest corner of state and union in Star, idaho. This site is two parcels, that will be combined together to form one parcel and totally in .485 acres. We will also be requesting a rezone of the property to bring it in line with the comprehensive plan. The existing site is zoned C-1 and we are requesting CBD, to match adjacent sites in the area.

The building will be a 4,000 sf retail shell building. Consisting of wood framing, stucco, stone and metal accents. The south elevastion will have overhad doors and patios to allow future tenant to have outdoor dingn and seating. The main parking field is also located on the east side and the north side, shielded from State Street.

City of Star compliant landscaping is provided around the perimeter property lines and in the parking lot at the end of the drive aisles. Access to the site is provided from one location on the east side, off Union. Future cross access will be given to the west as those properties develop.

Should you have any questions or concerns regarding this project and the provided documents please feel free to contact me at your earliest convenience. We thank you for your time and consideration for this project and look forward to your approval.

Thank you,

ALC Architecture

jeff@alcarchitecture.com

208.514.2713



ANNEXATION & ZONING - REZONE APPLICATION

***All information must be filled out to be processed.

	FILE NO.:
	Date Application Received: Fee Paid:
	Processed by: City:
L	
Applic	ant Information:
	PRIMARY CONTACT IS: Applicant Owner Representative×_
Applica	ant Name:
Applica	ant Address: 1119 E State St #120 Eagle Idaho Zip: 83616
Phone	: 208.514.2713 Email: jeff@alcarchitecture.com
Owner	Name: Alturas Capital
Owner	Address: 500 E Shore Dr #120 Eagle Idaho Zip: 83616
Phone	208.830.8825 Email: travisbarney@alturas.com
D	and the Control of th
	sentative (e.g., architect, engineer, developer):
	Ct: Jeff Likes Firm Name: ALC Architecture SS: 1119 E State St #120 Eagle Idaho Zip: 83616
Phone	:
i ilolic	Lindii. jerrearcarchitecture.com
Prope	rty Information:
Sito Ac	R8108000528, Morthwest corner of State and Union Parcel Number: R8108000526
	Acreage of Site:243+.242=.485
	Acreage of Site in Special Flood Hazard Area: N/A
	sed Zoning Designation of Site: _ CBD
Zoning	g Designations:
	,

	Zoning Designation	Comp Plan Designation	Land Use
Existing	C-1	CBD	vacant
Proposed	CBD	CBD	retail/ restaurant
North of site	R-8	CBD	residential
South of site	C-2	CBD	retail
East of site	CBD	CBD	residential
West of site	R-8	CBD	residential

Annexation & Rezone Application

Special On-Site Features (Yes or No – If yes explain):

Areas of Critical Environmental Concern - no
Evidence of Erosion - no
Fish Habitat - no
Floodplain - no
Mature Trees - no
Riparian Vegetation - no
Steep Slopes - no
Stream/Creek - no
Unique Animal Life - no
Unique Plant Life - no
Unstable Soils - no
Wildlife Habitat - no
Historical Assets - no

Application Requirements:

(Applications are required to contain <u>one</u> copy of the following unless otherwise noted. **When combining** with other applications (Prelim Plat, CUP, etc.) please include one paper copy for all applications)

Applicant		Staff
()	Description	(√)
X	Pre-application meeting with the Planning Department required prior to neighborhood meeting.	
Х	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. (Please contact the City for addresses & labels) (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
X	Completed and signed Annexation & Zoning/Rezone Application	
х	Fee: (Include Development Agreement Fee). Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	
X	Narrative fully describing the proposed project (must be signed by applicant)	
х	 Legal description of the property to be annexed and/or rezoned: Include a metes & bounds description to the section line/centerline of all adjacent roadways, stamped and signed by a registered professional land surveyor, with a calculated closure sheet. Scaled exhibit map showing the boundaries of the legal description in compliance w/the requirements of the Idaho State Tax Commission Property Tax Administrative Rules IDAPA 35.01.03.225.01h. If requesting more than one zoning designation, include a legal description for each zone along with an overall annexation/rezone boundary description. Also include the boundaries of each different zone on the map. Submit word.doc and pdf version with engineer's seal. 	
X	Recorded warranty deed for the subject property	

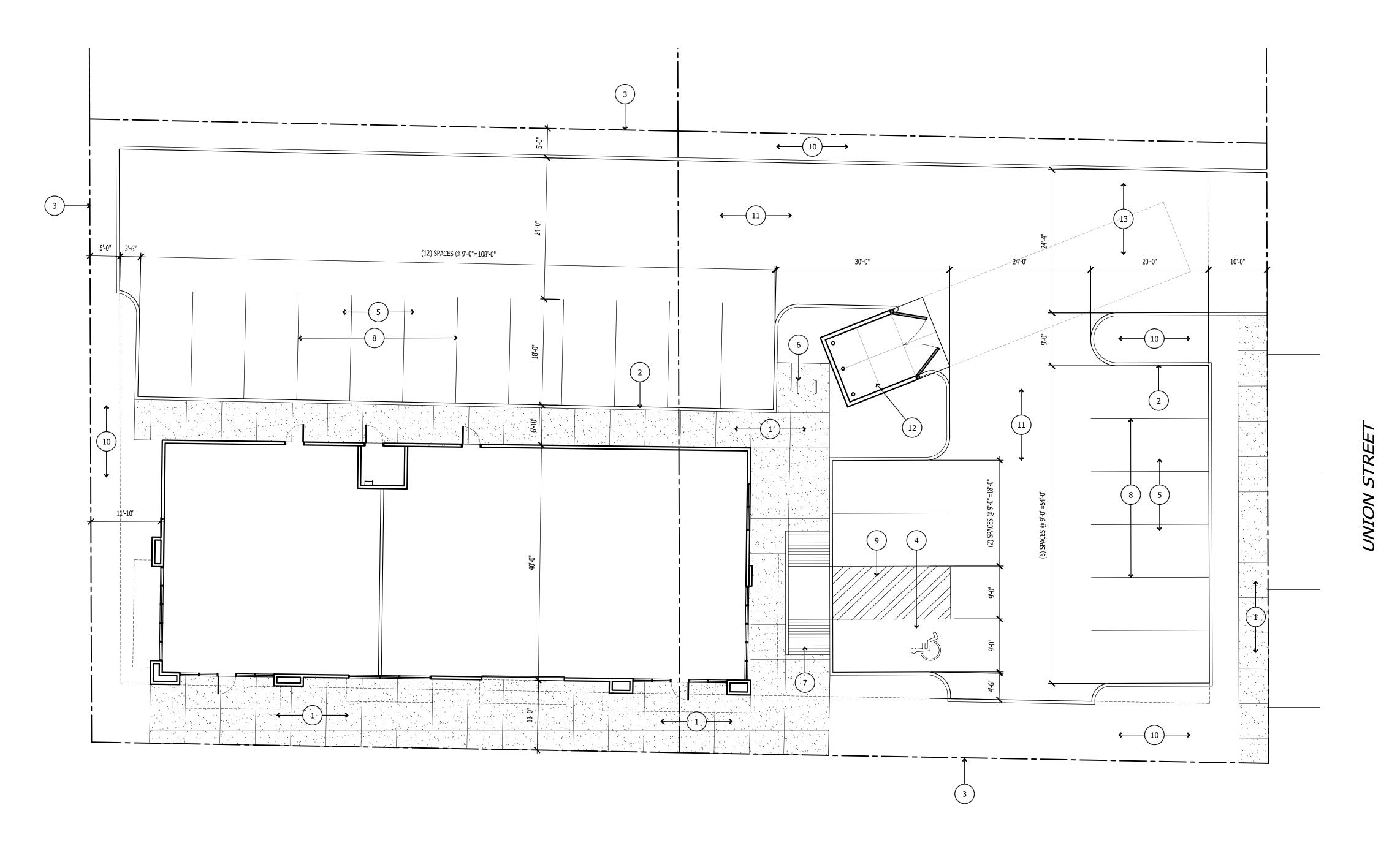
Annexation & Rezone Application

	If the signature on this application is not the owner of the property, an original notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.	
Х	One (1) 8½" X 11" copy and electronic copy in pdf. format of vicinity map showing the location of the subject property	
Х	One (1) full-size 24" X 36" copy and one (1) 11" X 17" copy of associated CUP/PUD Site Plan/Preliminary Plat. If this application is not accompanied by a plat or site plan, please submit conceptual development plan for the property.	
Х	Electronic copy in pdf. format of submitted plat, site or conceptual plan.	
N/A	List of name(s) and address(es) of all canal or irrigation ditches within or contiguous to the proposed development.	
х	One (1) copy of names and addresses printed on address labels, of property owners within three hundred feet (300') of the external boundaries of the property being considered as shown on record in the County Assessor's office. Please contact the City to request addresses and labels.	
х	Two (2) copies of the Electronic versions of submitted application including neighborhood meeting information, signed application, narrative, legal description, warranty deed, vicinity map, preliminary plat/site plan, irrigation district information, shall be submitted in original pdf format (no scans for preliminary plat/site plans) on two (2) thumb drives only (no discs) with the files named with project name and plan type.	
	Signed Certification of Posting with pictures. (see attached posting requirements and certification form) – To be completed by application after acceptance of application. Staff will notify applicant of hearing and posting date.	
	*Applicant agrees to enter into a Development Agreement with this application. Applicant's Signature:	
Х	Property shall be annexed into Star Sewer and Water District prior to Final Plat approval, building permits. Please contact SSWD for details.	

FEE REQUIREMENT:

** I have read and understand the above requirements. I further understand fees will be collected at the time of filing an application. I understand that there may be other fees associated with this application incurred by the City in obtaining reviews or referrals by architect, engineering, or other professionals necessary to enable the City to expedite this application. I understand that I, as the applicant, am responsible for all payments to the City of Star.

Jeff La	_ 11.10.2021
Applicant/Representative Signature	Date



STATE STREET





SITE DATA

NORTHWEST CORNER OF STATE AND UNION STAR , IDAHO 83669

R8108000528, R8108000526

<u>JURISDICTION:</u> CITY OF STAR

LOT AREA: 10,585 S.F. (.243 ACRES) 10,541 S.F. (.242 ACRES) TOTAL: 21,126 S.F. (.485 ACRES)

BUILDING SIZE: 4,000 S.F.

PARKING PROVIDED:

STANDARD SPACES: 20 HANDICAP SPACES: ON STREET: TOTAL SPACES:

BICYCLE PARKING: (2)- 2 SPACES RACK

KEY NOTES

1. CONCRETE DECK/WALK SLAB OVER COMPACTED SAND AND GRAVEL BASE WITH CONTROL JOINTS AT 6'-0" O.C. AND EXPANSION JOINTS AT 20'-0" O.C. MAX, WITH LIGHT BROOM FINISH, SLOPE FOR POSITIVE DRAIN AWAY FROM BUILDING.

2. CONCRETE CURB.

3. PROPERTY LINE.

4. TYPICAL HANDICAP SPACE W/ SYMBOL, RAMP AND SIGN.

5. TYPICAL STANDARD PARKING SPACE. (9'-0" x 20'-0")

6. BICYCLE RACK

7. PEDESTRIAN RAMP, 1:12 SLOPE W/ SCORING AT 6" O.C.

8. TYPICAL PARKING STRIPPING WITH (2) COATS 4" WIDE REFLECTIVE TRAFFIC WHITE PAINT.

9. HANDICAP ACCESS LANE WITH 4" WIDE DIAGONAL PAINTED STRIPPING AT 24" O.C.

10. LANDSCAPING. SEE LANDSCAPING PLANS

11. ASPHALT PAVING. SEE CIVIL.

12. TRASH ENCLOSURE TO REMAIN.

13. PROPOSED DRIVE AISLE.

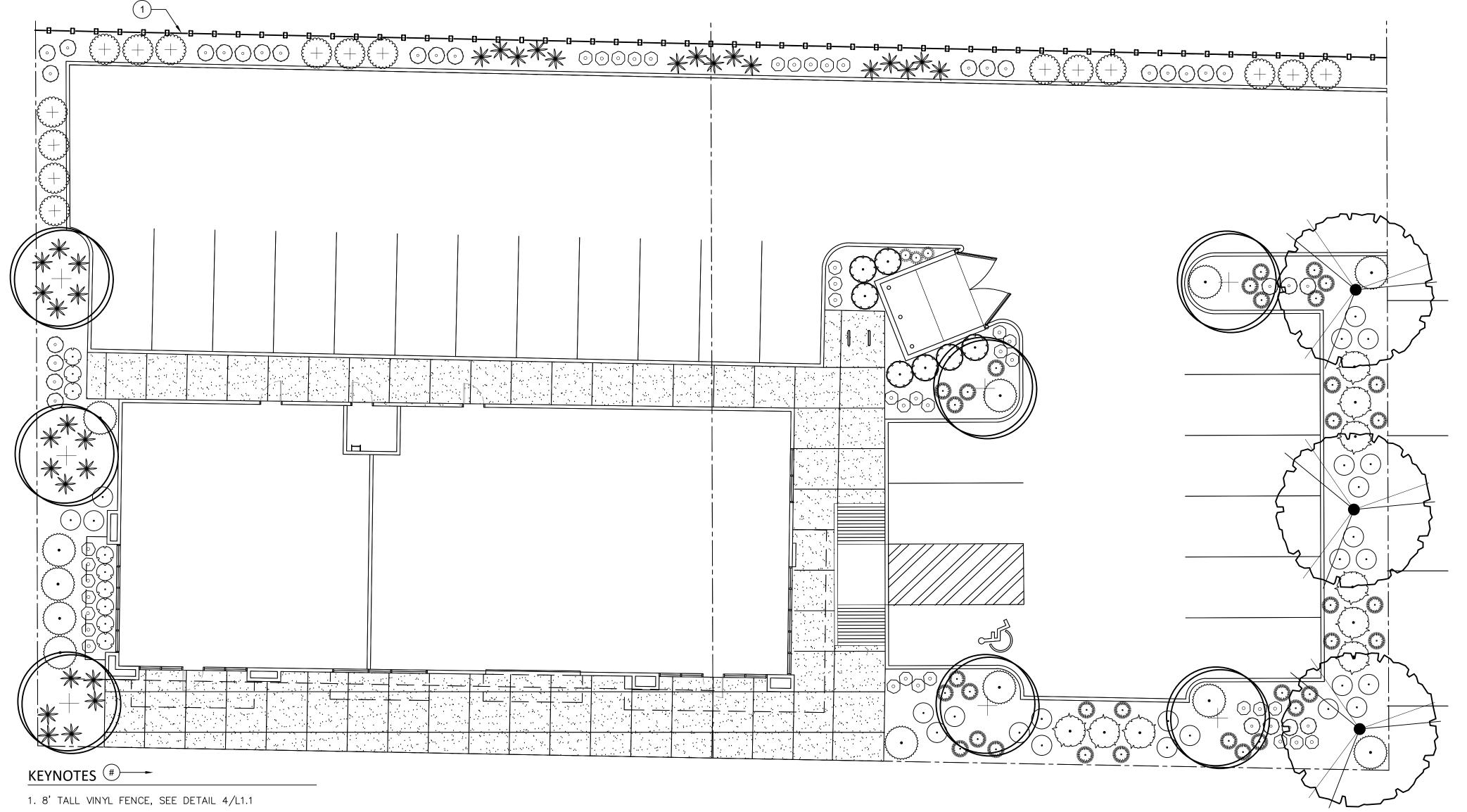
GENERAL LANDSCAPE NOTES - AGENCY SUBMITTAL

- 1. CONTRACTOR SHALL LOCATE AND IDENTIFY EXISTING UNDERGROUND AND OVERHEAD UTILITIES WITHIN CONTRACT WORK AREAS PRIOR TO CONSTRUCTION. CONTACT DIG LINE, INC. @ 1.800.342.1885. PROVIDE ADEQUATE MEANS OF PROTECTION OF UTILITIES AND SERVICES DESIGNATED TO REMAIN. REPAIR UTILITIES DAMAGED DURING SITE WORK OPERATIONS AT CONTRACTOR'S EXPENSE.
- 2. ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE SHOWN.
- 3. ALL TOPSOIL TO BE AMENDED AT A RATIO OF 3 CU. YDS. OF ORGANIC MATTER PER 1000 SQ. FT. ROTO—TILL ORGANIC MATER INTO THE TOP 6 INCHES OF TOPSOIL.
- 4. ALL SHRUB BEDS SHALL HAVE A MIN 12 INCHES OF TOPSOIL, ALL PLANTER ISLANDS SHALL HAVE MIN 12" TOPSOIL AND ALL LAWN AREAS SHALL HAVE MIN 6" TOPSOIL. SPREAD, COMPACT AND FINE GRADE SMOOTHLY TO 3 INCHES BELOW THE SURFACE OF WALKWAYS AND CURBS.
- 5. FINISH GRADES ARE TO BE SMOOTH WITH POSITIVE DRAINAGE IN ACCORDANCE WITH THE GRADING PLAN.
- 6. TOPSOIL SHALL BE A LOOSE, FRIABLE, SANDY LOAM, CLEAN AND FREE OF ROCKS (LARGER THAN 2 INCHES), WEEDS, ROOTS, GRASS, OR OTHER FOREIGN MATERIAL THAT IS HARMFUL TO PLANT GROWTH. TOPSOIL SHALL HAVE A PH OF 5.5 TO 7.0.
- 7. WHERE POSSIBLE, RE-USE EXISTING SURFACE TOPSOIL FROM SITE. VERIFY TOPSOIL WILL MEET THE REQUIREMENTS AND AMEND AS NECESSARY. IMPORT WHEN EXISTING TOPSOIL QUANTITIES ARE INSUFFICIENT.
- 8. IF IMPORTING TOPSOIL FROM OFFSITE, OBTAIN FROM LOCAL SOURCES THAT HAVE SIMILAR SOIL CHARACTERISTICS TO THE PROJECT SITE. NEW TOPSOIL MUST BE FERTILE, FRIABLE, NATURAL LOAM, REASONABLY FREE OF SUBSOIL, CLAY CLUMPS, WEEDS, ROOTS, STONES LARGER THAN 1 INCH. REPRESENTATIVE SAMPLES SHALL BE TESTED FOR ACIDITY, FERTILITY AND GENERAL TEXTURE. COPIES OF THE TESTING AGENCY'S FINDINGS AND RECOMMENDATIONS SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT.
- 9. ALL PLANTED BEDS TO RECEIVE A MIN. 3" DEPTH 3/4" MINUS BLACK AND TAN ROCK MULCH. INSTALL A PERMEABLE FABRIC WEED BARRIER UNDER MULCH. IMPERMEABLE PLASTIC WEED BARRIERS ARE PROHIBITED. STAPLE ALL EDGES 10' MAX.
- 10. TREES PLANTED IN PARK STRIPS TO BE CENTERED IN STRIP.
- 11. NO SUBSTITUTIONS WILL BE ALLOWED WITHOUT CONSENT FROM THE LANDSCAPE ARCHITECT.
- 12. CONTRACTOR SHALL STAKE ALL TREES NECESSARY TO PREVENT THEM FROM BEING BLOWN OVER.
- 13. ALL PLANT MATERIAL SHALL BE GUARANTEED FOR ONE YEAR AFTER THE DATE OF ACCEPTANCE BY OWNER. CONTRACTOR SHALL REPLACE ALL PLANT MATERIAL FOUND DEAD OR UNHEALTHY IMMEDIATELY WITH THE SAME SIZE AND SPECIES AT NO COST TO THE OWNER.
- 14. FERTILIZE ALL TREES WITH 'AGRIFORM' PLANTING TABLETS. FOLLOW MANUFACTURER'S RECOMMENDATIONS.
- 15. CONTRACTOR IS RESPONSIBLE FOR THE IMMEDIATE CLEAN UP OF ANY TOPSOIL OR OTHER DEBRIS ON SITE CREATED FROM LANDSCAPE CONSTRUCTION OPERATIONS.

GENERAL IRRIGATION NOTES - AGENCY SUBMITTAL

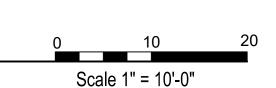
- 1. ALL PLANT MATERIALS TO BE WATERED BY THE DEVELOPMENT OR SUBDIVISION PRESSURIZED IRRIGATION SYSTEM. IRRIGATION OF COMMON AREAS SHALL BE VIA THE SUBDIVISION'S PRESSURIZED IRRIGATION SYSTEM. PLANTING IN FRONTAGE BUFFERS SHALL BE IRRIGATED WITH DRIP TYPE IRRIGATION, EMITTER SIZES APPROVED BY LANDSCAPE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

PLANT S	CHEDULE						
DECIDUOUS TREES	BOTANICAL NAME	COMMON NAME	SIZE	MATURE SIZE HXW	CLASS	QTY	
+	Acer rubrum 'Columnare'	Columnar Red Maple	3" CAL. B&B	60'x15'	Class II	7	
	Carpinus betulus 'Fastigiata'	Pyramidal European Hornbean	2" CAL. B&B	45'X30'	Class II	3	
EVERGREEN TREES	BOTANICAL NAME	COMMON NAME	SIZE	MATURE SIZE HXW	CLASS	QTY	
	Juniperus Scopulorum 'Blue Arrow'	Blue Arrow Juniper	5'-6' B&B	15'X4'		7	
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	MATURE SIZE HXW			
0	Berberis thunbergii 'Maria' TM	2 GAL.	4'X2'		38		
0	Berberis thunbergii 'Orange Rocket'	Orange Rocket Japanese Barberry	2 GAL.	4'X2'		30	
\odot	Cornus sericea 'Kelseyi'	Kelseyi Dogwood	5 GAL.	2'X3'		25	
+	Euonymus fortunei 'Moonshadow' TM	Moonshadow Euonymus	2 GAL.	3'X5'		16	
\odot	Juniperus chinensis 'Daub's Frosted'	Daub's Frosted Juniper	2 GAL.	1.5'x5'		9	
\odot	Juniperus horizontalis 'Blue Chip'	Blue Chip Juniper	2 GAL.	1'x6'		12	
ANNUALS/PERENNIALS	BOTANICAL NAME	COMMON NAME	SIZE	MATURE SIZE HXW			
\odot	Nepeta x faassenii 'Junior Walker'	Junior Walker Catmint	1 GAL.	1.5'X2.5'		9	
GRASSES	BOTANICAL NAME	COMMON NAME	SIZE	MATURE SIZE HXW			
*	Helictotrichon sempervirens 'Blue Oats'	Blue Oat Grass	1 GAL.	3'X3'		33	
Panicum virgatum 'Heavy Metal'		Blue Switch Grass	1 GAL.	4'X2'		3	
Marine Commence	Pennisetum alopecuroides 'Hameln'	Hameln Dwarf Fountain Grass	1 GAL.	2'X2'		34	





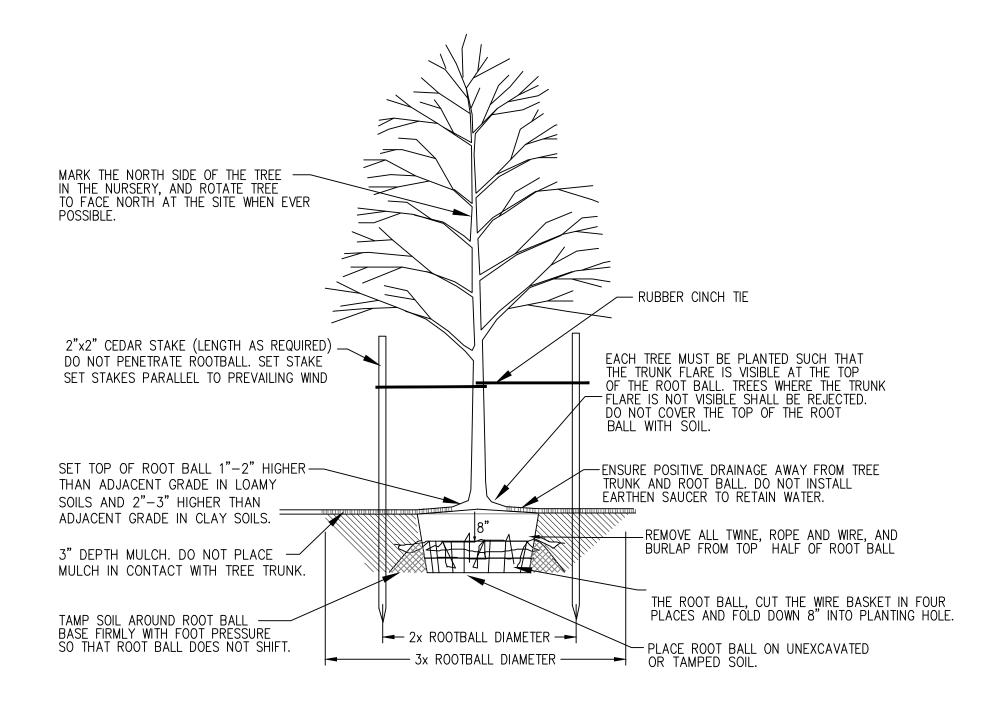






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SITE PLAN
30 AUG 2021
alc - 21126

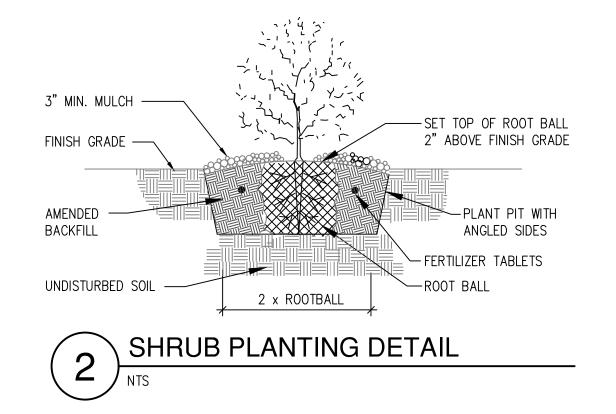


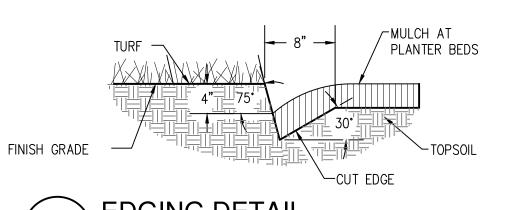
NOTES:
1. DO NOT HEAVILY PRUNE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN AND DEAD BRANCHES. DO NOT PRUNE TERMINAL BUDS OF BRANCHES EXTENDING TO THE CROWN.

2. WRAP TREE TRUNKS ONLY UPON APPROVAL OF THE LANDSCAPE ARCHITECT.

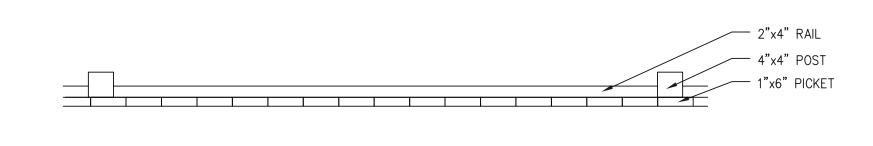
3. STAKE TREES AS NECESSARY. STAKES MUST BE REMOVED WITHIN 12 MONTHS OF PLANTING.

TREE PLANTING DETAIL

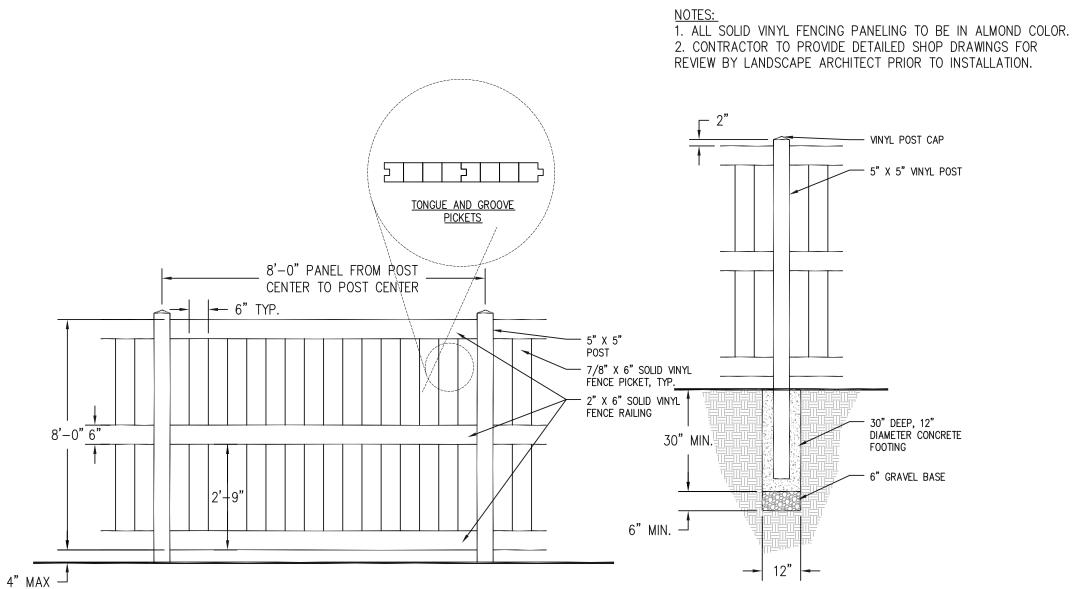














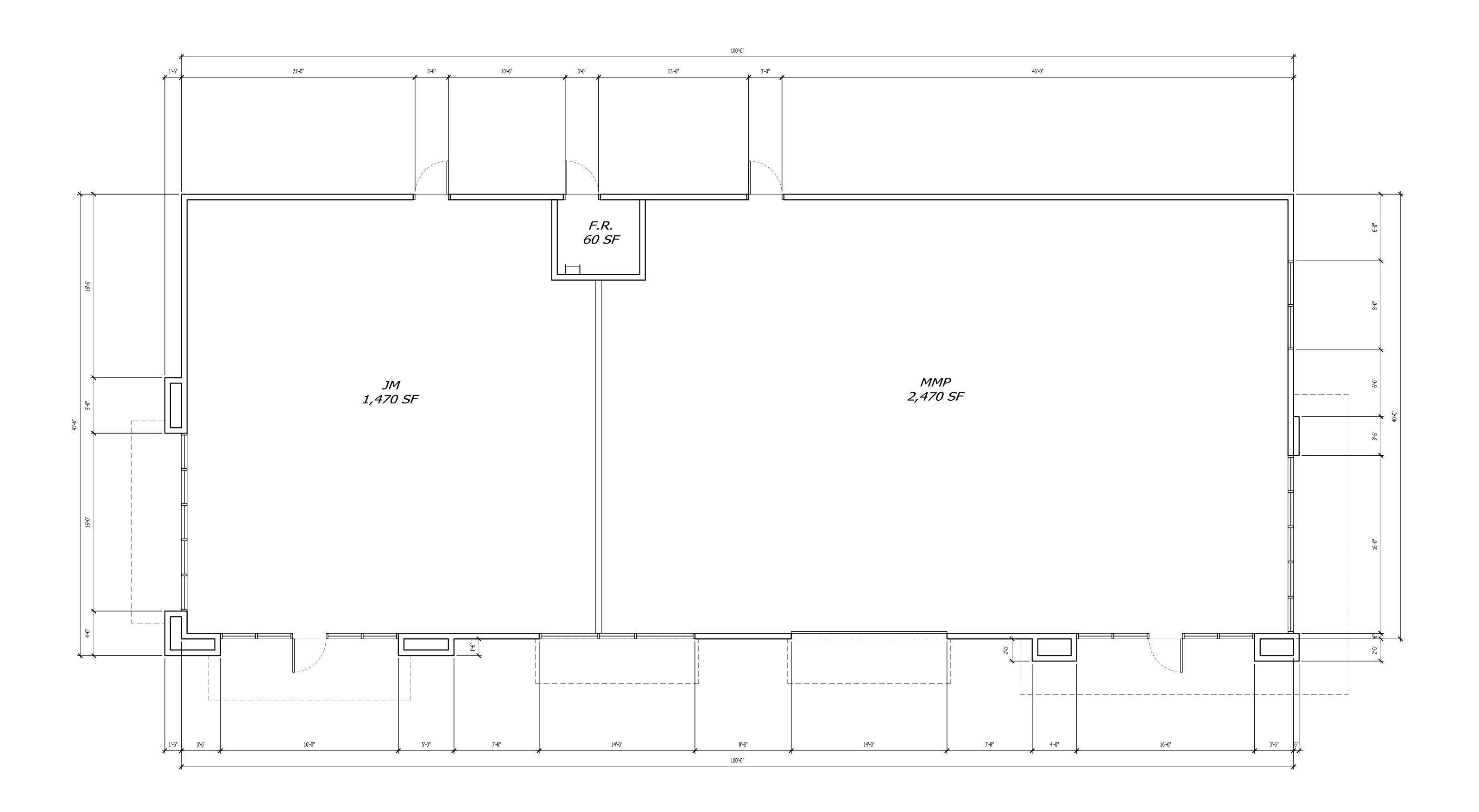




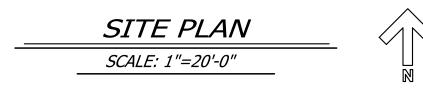
LANDSCAPE DETAILS

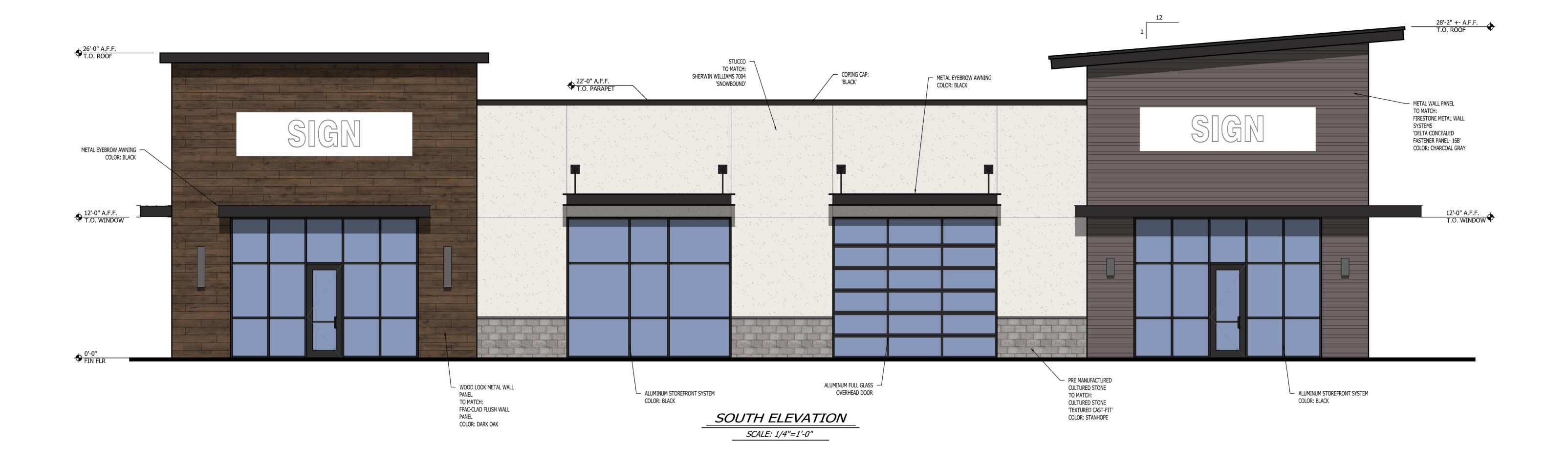
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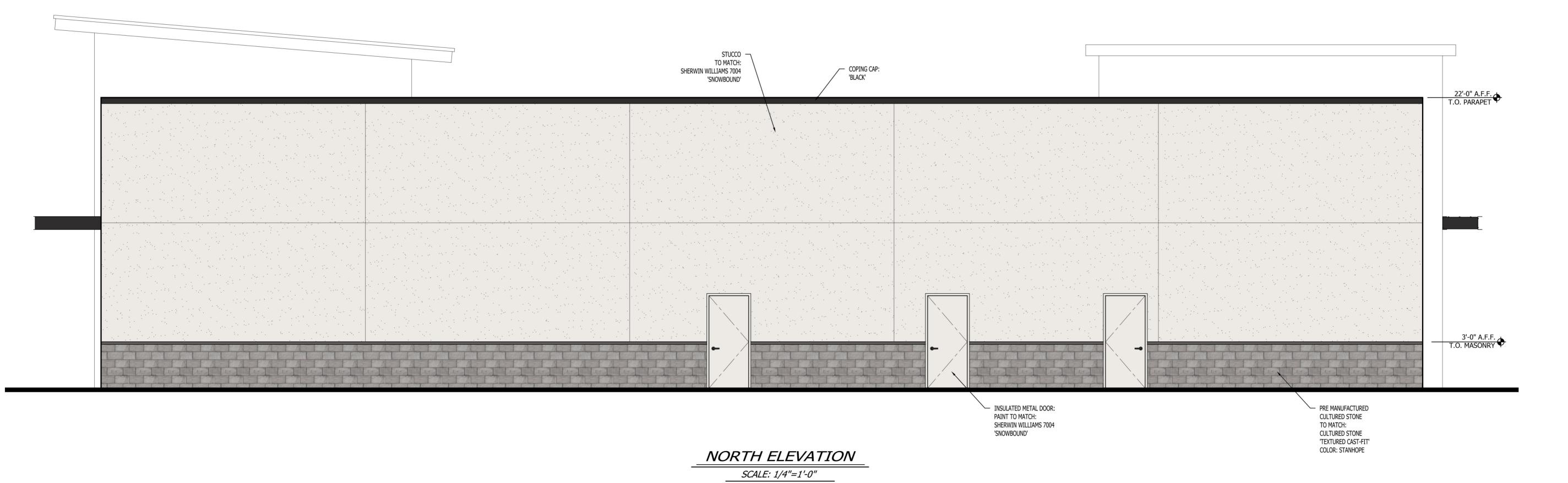




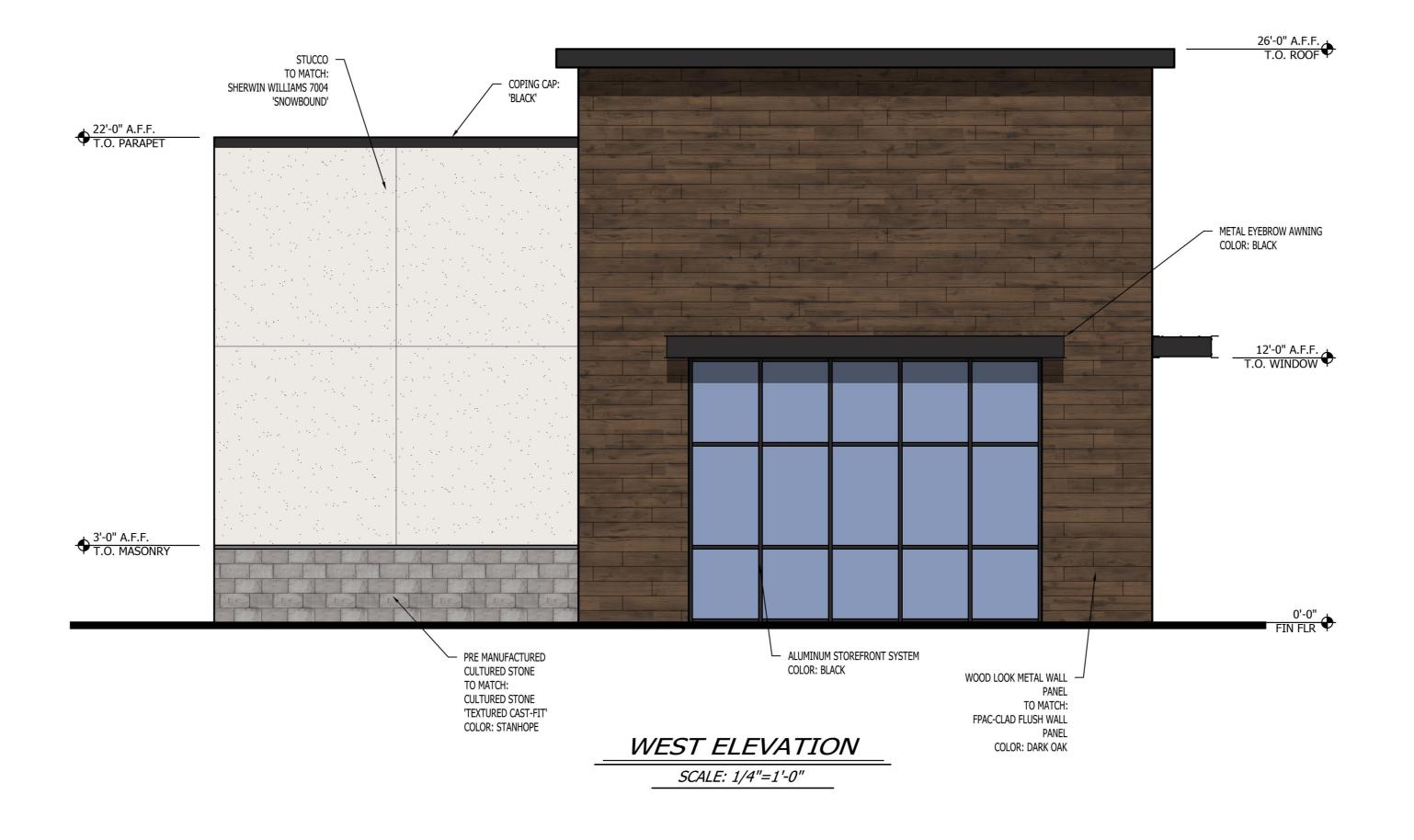


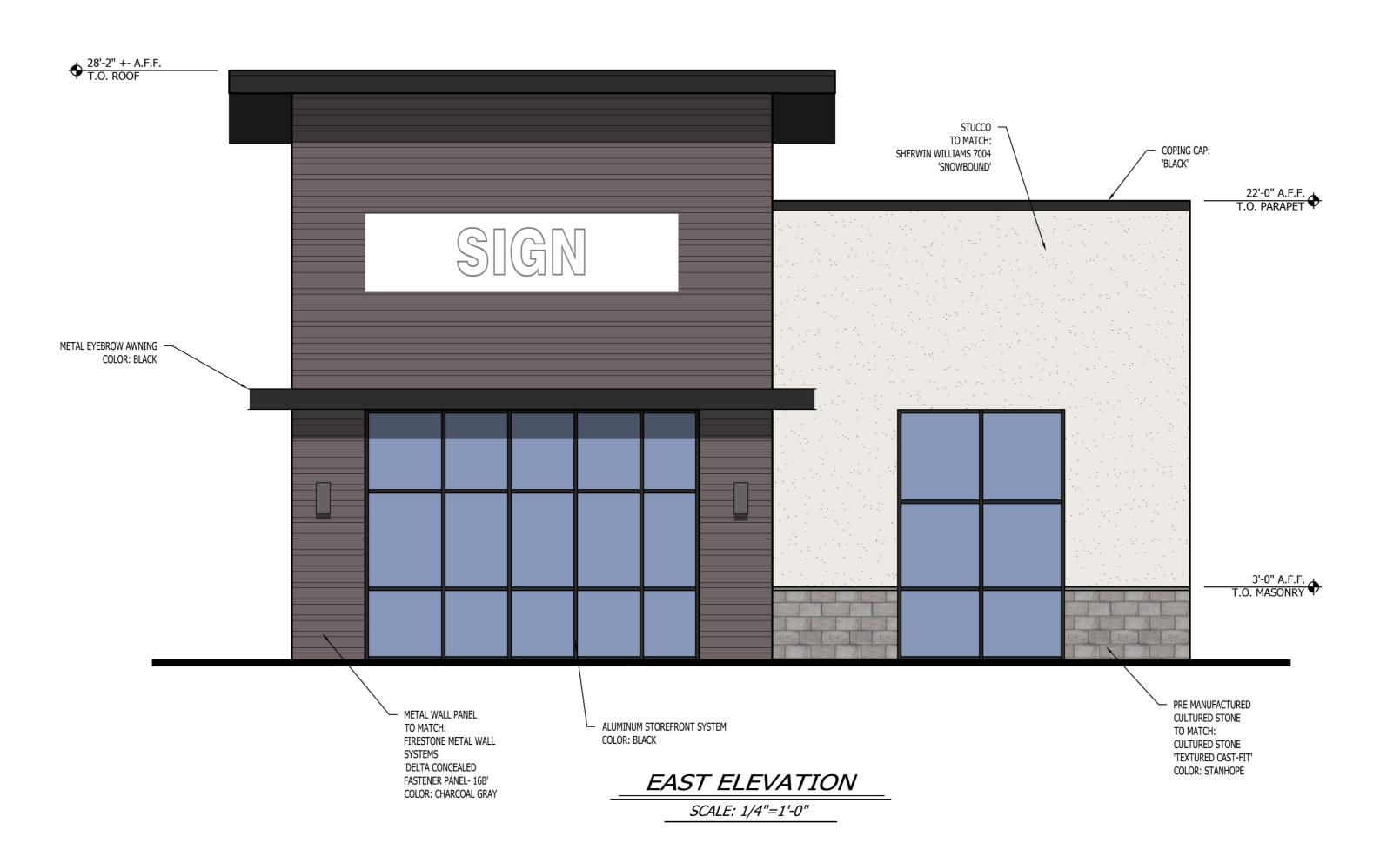
















Mary May, President Alexis Pickering, Vice-President Jim D. Hansen, 2nd Vice President Kent Goldthorpe, Commissioner Dave McKinney, Commissioner

January 18, 2022

To: ALC Architecture

Jeff Likes

1119 E. State Street, Suite #120

Eagle, Idaho 83616

Subject: STAR22-0001/ RZ-21-07, DA-21-25, ZC-21-19

(W. State Street) Northwest corner of State Street and Union Street

Alturas Capital Rezone

The applicant is requesting approval for an annexation and a rezone from C-1 (Neighborhood Business District) to CBD designation (Central Business District), with a development agreement with the City of Star, and a zoning certificate for proposed commercial use to construct a 4,000 square foot retail shell building on 0.48 acres with the City of Star. The site is located on the northwest corner of W. State Street and N. Union Street.

A. Findings of Fact

This application is for annexation and rezone only. Listed below are some of the findings for consideration that the District may identify when it reviews future development application(s). The District may add additional findings for consideration when it reviews a specific redevelopment application.

1. State Highway SH-44 /State Street

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

2. Union Street

a. **Existing Conditions:** Union Street is improved with 2-travel lanes, 26-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 60-feet of right-of-way for Union Street (26-feet from centerline).

b. Policy:

Commercial Roadway Policy: District Policy 7208.2.1 states that the developer is responsible for improving all commercial street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7208.5 states that right-of-way widths for new commercial streets shall typically be 50 and 70-feet wide and that the standard street section will vary depending on the need for a center turn lane, bike lanes, volumes, percentage of truck traffic, and/or on-street parking.

 A 36-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and on-street parking.

- A 40-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane.
- A 46-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane and bike lanes.

Sidewalk Policy: District Policy 7208.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all commercial streets. If a separated sidewalk is proposed, a parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip.

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

Half Street Policy: District Policy 7208.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter, and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

- **c. Applicant's Proposal:** The applicant has proposed to construct curb, gutter, and a 5-foot wide attached concrete sidewalk on Union Street abutting the site. The site plan shows dedicated striped on-street parking stalls on Union Street abutting the site.
- d. Staff Comments/Recommendations: The applicant should be required to improve Union Street abutting the site as ½ of a 36-foot local commercial street section (back-of-curb to back-of-curb) with vertical curb, gutter, and minimum 5-foot wide attached (or 5-foot wide detached) concrete sidewalk abutting the site. If detached sidewalks are located outside of dedicated right-of-way, then a permanent right-of-way easement should be provided.

The proposed striped dedicated on-street parking is not approved, as it can be removed at any time. If additional parking is required than it should be provided on site.

3. Driveways

3.1 Union Street

a. **Existing Conditions:** There is an existing 16-foot wide unpaved driveway from the site onto Union Street located approximately 61-feet north of State Street (measured centerline to centerline).

b. Policy:

Driveway Location Policy: District policy 7207.4.1 requires driveways near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest local street intersection, and 150-feet from the nearest collector or arterial street intersection.

Successive Driveways: District Policy 7207.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

Driveway Width Policy: District policy 7207.4.3 states that where vertical curbs are required, residential driveways shall be restricted to a maximum width of 20-feet and may be constructed as curb-cut type driveways.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

Cross Access Easements/Shared Access Policy: District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

c. Applicant's Proposal: The applicant is proposing to close the existing 16-foot wide unpaved driveway from the site onto Union Street located approximately 61-feet north of State Street.

The applicant is proposing to construct a 20-foot wide curb cut type driveway from the site onto Union Street, located at the site's northeast property line. The applicant states they will be providing cross access to the parcel to the west of the site as those properties develop.

d. Staff Comments/Recommendations: The applicant's proposal to close the existing 16-foot wide unpaved driveway from the site onto Union Street meets District policy and should be approved, as proposed.

The applicant's proposal to construct a 20-foot wide curb cut type driveway from the site onto Union Street, located at the site's northeast property line meets District policy and should be approved, as proposed.

Staff is supportive of the applicant's proposal to provide cross access to the parcel located to the west of the site, as it will prevent the need for an additional driveway onto SH-44/State Street when those parcels develop in the future.

4. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

5. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

B. Site Specific Conditions of Approval

- 1. Improve Union Street abutting the site as ½ of a 36-foot local commercial street section (back-of-curb to back-of-curb) with vertical curb, gutter, and minimum 5-foot wide attached (or 5-foot wide detached) concrete sidewalk abutting the site.
- 2. A permanent right-of-way easement should be provided if detached sidewalks are located outside of dedicated right-of-way.
- 3. The proposed striped dedicated on-street parking on Union Street abutting the site is not approved.
- 4. If there is any additional parking required, it must be provided on site.

- 5. Close the existing 16-foot wide unpaved driveway from the site onto Union Street located approximately 61-feet north of State Street.
- 6. Construct a 20-foot wide curb cut type driveway from the site onto Union Street, located at the site's northeast property line.
- 7. A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
- 8. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
- 9. Comply with the Standard Conditions of Approval as noted below.

C. Traffic Information

Trip Generation

The following table includes trip generation rates for anticipated land uses, based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

Land Use	Average Daily Trips	PM Peak Hour Trips
Fast Casual Restaurant (1,000 square feet)	97.14	12.55
Variety Store (1,000 sf)	63.66	6.70
Convenience Store (1,000 sf)	762.28	49.11
Coffee/Donut Shop w/o Drive Thru (1,000 sf)	N/A	32.29
Apparel Store (1,000 sf)	66.40	4.12

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

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count
** State Highway 44/ State Street	200-feet	Arterial	N/A
*** Union Street	105-feet	Local	N/A

^{***} ACHD does not set level of service thresholds for local roadways).

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

- There are there no average daily traffic counts for State Highway 44/State Street.
- There are there no average daily traffic counts for Union Street.

D. Attachments

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

- Vicinity Map
 Site Plan
 Standard Conditions of Approval
 Appeal Guidelines

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

Sincerely,

Renata Ball-Hamilton

Resila Gall- Humi Hon

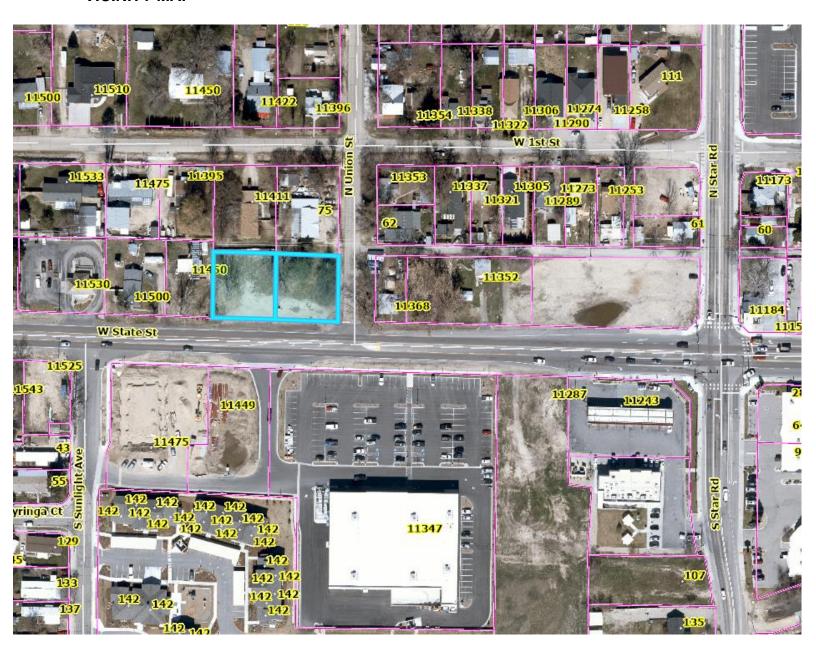
Planner I

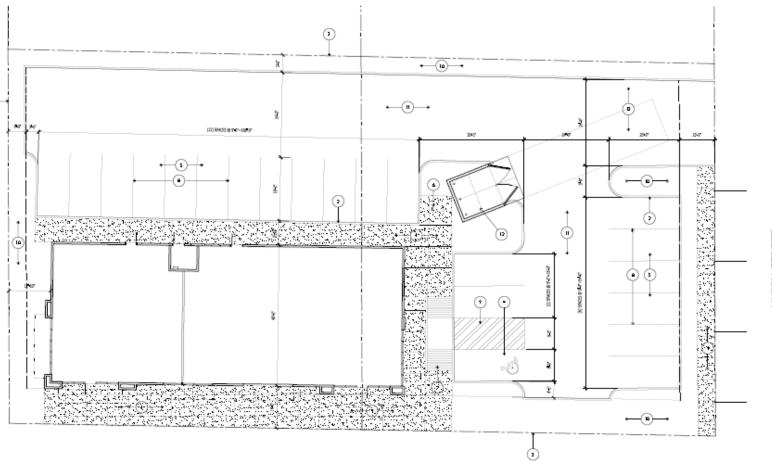
Development Services

cc: City of Star (Shawn Nickel & Barbara Norgrove), Via Email

Owner (Travis Barney of Alturas Capital), Via Email

VICINITY MAP





STATE STREET

Standard Conditions of Approval

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

Request for Appeal of Staff Decision

- 1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal and may during such time meet with the appellant to discuss the matter and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.



Property: State St	and Union St	Review No:	1_	Date:	1/25/2022			
Lot: Block:	Subdivision:							
Property Address:	State St and Union St							
Builder:								
	Fax:							
Owner: Alturas Ca	Owner: Alturas Capital							
	5 Fax:	- "						
Architect/Designer: ALC Architecture – Jeff Likes								
Tel: 208.514.271	3 Fax:	Email:	jeff	@alcarc	hitecture.com			
Civil Engineer:								
	Fax:							
Reviewed By:	Mike Hickman, Keller Asse	ociates						
Review Check By:	Ryan Morgan, P.E., Keller	Associates						

ITEM	OK	NEED	N/A	GENERAL
	_	NEED	IN/A	
1	X			Provided a completed application.
2	X			Site Plan provided.
3	X			Landscaping plan provided.
4	X			Pressure irrigation plan or narrative provided. Potable water cannot be utilized without written approval from Discussions will need to be had with SSWD regarding irrigation.
5	X			Plans are ADA compliant, required number of parking stalls. Meet ADA accessibility slopes.
6	X			Parking stalls are striped and meet Star City Code.
7	X			Building setbacks meet City Code requirements.
8	X			Garbage Enclosure location provided.
ITEM	OK	NEED	N/A	FLOODPLAIN DEVELOPMENT
9			Х	Provide completed Floodplain Application
10			Х	Floodplain delineated on site plan
11			х	Building lowest floor elevations are greater than or equal to 2-feet above the base flood elevation, or verification is provided of flood proofing or flood venting.
12			Х	Base flood elevation matches FIS map or.
ITEM	OK	NEED	N/A	SITE PLAN

Revised 11/21/17 1/25/2022 Page 1 of 2

13	X			Grading shown and narrative provided for stormwater management.
14	X			Drainage calculations are provided and stamped, dated, and signed by a professional engineer licensed in the State of Idaho.
15	X			Drainage calculations contain no arithmetic errors. (Spot checked by City Engineer).
16	X			Section view of drainage facility provided.
17	X			3-foot separation from bottom of drainage facility to maximum seasonal high groundwater elevation shown on detail.
18	X			Drive aisle, drop off zones, and/or stacking distance are shown and meet City Code.
19	X			Pedestrian routes and sidewalks are shown.
20	X			Street Lighting shall be in accordance with the current edition of the ISPWC and City of Star Code.
ITEM	OK	NEED	N/A	RE-SUBMITTAL REQUIREMENTS*
21	X			Return (1) one revised plan set with the redlined set for review and/or approval to Keller Associates. Unbound or un-collated plan sets will not be accepted.
22	X			Provide a response letter, referencing the City of Star , with the revised plan set that highlights what actions were taken to correct any outstanding items.

Comments:

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