



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department *Shen T. Muth*

MEETING DATE: January 3, 2023 – PUBLIC HEARING

FILE(S) #: VAC-22-03- Vacation of Private Road Access Easement

OWNER/APPLICANT/REPRESENTATIVE

Property Owner/Applicant:

Todd Campbell
P.O. Box 140298
Boise, Idaho 83714

REQUEST

Request: The Applicant is seeking approval of a vacation of an access easement for the Iron Mountain Vista Subdivision. The easement was for an original private street (N. Worsley Lane) accessing the property from W. Floating Feather Road. The property is located at 2327 N. Worsley Lane in Star, Idaho.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the north side of W. Broken Arrow Street (formerly W. Floating Feather Road) between N. Hwy 16 and N. Pollard Lane. Ada County Parcel No's. R9545740050 and R9545740040.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	September 28, 2022
Application Submitted & Fees Paid	November 14, 2022
Application Accepted	December 12, 2022
Residents within 300' Notified	December 19, 2022
Agencies Notified	December 12, 2022
Legal Notice Published	December 16, 2022

HISTORY

The original access easement and private road was approved by Ada County as part of the Worsley Folley Subdivision. The City of Star approved an annexation and preliminary plat for Iron Mountain Vista Subdivision on November 16, 2021 (AZ-21-14/DA-21-21/PP-21-18).

STAFF REVIEW AND RECOMMENDATIONS

Based upon the information provided to staff in the application, staff finds that the proposed vacation of access easement meets the requirements, standards and intent of the Comprehensive Plan and Zoning Ordinance. The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the applications, either as presented or with added or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date.

COUNCIL ACTION

The Council may **approve, conditionally approve, deny** or **table** this request for vacation of easements.

Council may consider:

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

PROPOSED CONDITIONS OF APPROVAL

- 1. The future Final Plats for Iron Mountain Vista Subdivision shall continue to comply with all conditions of approval for the final plat, along with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
- 2. The applicant shall comply with all requirements of the City Engineer.
- 3. Any additional site-specific conditions and considerations as required by Staff or Council.

COUNCIL DECISION

The Star City Council _____ File VAC-22-03 Access Easement Vacation for Todd Campbell on _____, 2023.



N Pollard Ln

W Teratai St

W Pickett Creek St

N Burnam Ave

N Sugar Loop Ave

W Reynold Creek St

N Worster Ln

N Pollard Ln

N Mountain Vista Ln

W Broken Arrow St

N Hwy 16

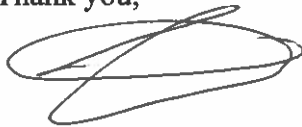
W Floating Feather Rd



To whom it may concern:

The current easement on this property served as access to the Northern parcel. We own both parcels and are currently developing a subdivision on both parcels. Access will be through the public roads of the new subdivision. The current easement is no longer required.

Thank you,



Todd Campbell
11/14/2022



VACATION APPLICATION

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

FILE NO.: _____
 Date Application Received: _____ Fee Paid: _____
 Processed by: City: _____

Applicant Information:

PRIMARY CONTACT IS: Applicant Owner Representative

Applicant Name: Todd Campbell
 Applicant Address: PO Box 140298 Boise, ID Zip: 83714
 Phone: (208) 941-8607 Fax: _____ Email: tddcampbell@gmail.com

Owner Name: Todd Campbell
 Owner Address: PO Box 140298 Boise, ID Zip: 83714
 Phone: (208) 941-8607 Fax: _____ Email: tddcampbell@gmail.com

Representative (e.g., architect, engineer, developer):
 Contact: Jay Walker Firm Name: Kimley-Horn
 Address: 1100 W Idaho Street Suite 210 Boise, ID Zip: 83702
 Phone: (208) 906-0883 Fax: _____ Email: jay.walker@kimley-horn.com

Property Information:

Site Location: NE 1/4, SW 1/4, Section 4, T4N, R1W, BM
 Parcel Number(s): R9545740050 and R9545740040
 Approved Zoning Designation: R-3

Application Requirements:

(Applications are required to contain one copy of the following unless otherwise noted.)

Applicant (√)	Description	Staff (√)
X	Pre-application meeting with the Planning Department required prior to neighborhood meeting.	
X	Copy of neighborhood meeting notice sent to property owners within 300' and meeting sign-in sheet. (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 Vacation Application	
X	Fee <u>6980</u>	
N/A	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 is required.	

X	Narrative fully describing the proposed request including the following: <ul style="list-style-type: none"> • Particular circumstances regarding the request to vacate • Names of the persons affected by the proposed vacation 	
X	Relinquishment of easement letters from the applicable parties (e.g. public utilities: phone, power, gas, cable, applicable irrigation and/or drainage entity, etc.)	
X	Legal description of platted area or property to be vacated (with engineers seal). <ul style="list-style-type: none"> • Submit two (2) paper and one (1) electronic copy 	
X	Copy of recorded deed.	
X	One (1) 8 ½" X 11" vicinity map showing the location of subject property	
X	Two (2) 11" X 17" copies of site plan or plat showing the proposed vacation	
X	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.	
X	Two (2) Electronic versions of the site plan or plat showing the easement proposed to be vacated and vicinity map in PDF format submitted on disks with the files named with project name and plan type. We encourage you to also submit at least one color version for presentation purposes.	
X	Signed Certification of Posting with pictures. (see attached posting requirements and certification form)	
X	Submit (1) 11" X 17" and (1) 18" X 24" recorded copy of Plat to the Star City Planning Department prior to any building permits being issued.	

FEE REQUIREMENT:

*** I have read and understand the above requirements. I further understand fees are due at the time of filing. 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.*

Applicant/Representative Signature

Date

****Note:** All presentation boards, material boards, and documentation that are a part of the public hearing shall become property of the City of Star.



July 20, 2022

Development Services Department

200 W. Front Street
Boise, Idaho 83702

RE: *Parcels R9545740040 & R9545740050 Ingress/Egress Access Easement Vacation*

On behalf of Todd Campbell Construction, Inc., we are submitting the access easement vacation request for review and approval.

The subject properties (Parcel No. R9545740040 & R9545740050) are located in the Worsley's Folly Subdivision north of W. Floating Feather Road and consists of 16.45 Acres. The existing site is an open field with a non-exclusive ingress-egress easement that spans from N.00°48'23"E for 790.88', 177.75' along a 50.00' radius curving left at a central angle of 203°40'52" and a long chord bearing S.78°57'57"W for 97.87', S.22°52'28"E for 132.35', 62.00' along a 150.00' radius curving right at a central angle of 23°40'52" and a long chord bearing S.11°02'03"E for 61.56', S.00°48'23"W for 589.55', and S89°35'19"E for 30.00' totaling 0.78 acres.

We are requesting a vacation that will remove the previously mentioned easement because the benefit it provides will not be necessary. The easement was intended to provide access to Lot 3, 4, and 5 of block 1 of the Worsley's Folly Subdivision via W. Floating Feather Road. Lot 3, block 1 will have access via the remaining portion of the ingress-egress easement. Lot 4 and 5, block 1 will be developed into a single-family home subdivision with access via Teratai Street through the Iron Mountain Estates Subdivision.

Agency requirements will be fully met and submitted for your review and comment as the project continues. Initial meetings indicate that agencies are in alignment and agreement for the proposed project; however, as additional needs arise, they will be mitigated and incorporated in the project design. The best engineering, architectural, and constructions practices will be employed and implemented by the ownership and consultant team.

We greatly appreciate your time and review of our application submittal. In accordance with the submittal checklists, we are submitting electronic copy with all required information. Please contact me at (208) 906-0883 or at jay.walker@kimley-horn.com.

Sincerely,

Jay Walker
Kimley-Horn
1100 W Idaho St., Suite 210
Boise, ID 83702

Date: June 23, 2022

Job No.: 7421

RE: Iron Mountain Vista

North Worsley Lane Ingress-Egress Private Road Easement on Lots 4 and 5

VACATION AND EXTINGUISHMENT DESCRIPTION

A parcel of land being a portion of Lots 4 and 5 in Block 1 of that certain plat of Worsley's Folly Subdivision on file in Book 86 of Plats at Pages 9656 and 9657 and recorded as Instrument No103059622, records of Ada County, Idaho, located within the E 1/2 NE 1/4 SW 1/4 of Section 4, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described in that record as follows:

BEGINNING at the Southeast corner of Lot 4 in Block 1 of said Worsley's Folly Subdivision;

THENCE North 00° 48' 23" East along the East line of said Lot 4 of Worsley's Folly Subdivision a distance of 790.88 feet to a tangent point of curvature;

THENCE a distance of 177.75 feet along the arc of a curve left, having a radius of 50.00 feet, a central angle of 203° 40' 52", and a long chord which bears South 78° 57' 57" West a distance of 97.87 feet;

THENCE South 22° 52' 28" East a distance of 132.35 feet to a tangent point of curvature;

THENCE a distance of 62.00 feet along the arc of a curve right, having a radius of 150.00 feet, a central angle of 23° 40' 52", and a long chord which bears South 11° 02' 03" East a distance of 61.56 feet;

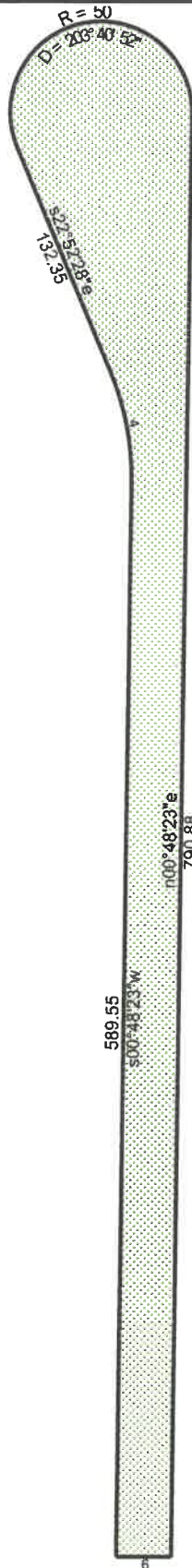
THENCE South 00° 48' 23" West a distance of 589.55 feet to the South line of said Lot 4;

THENCE South 89° 35' 19" East along said South line a distance of 30.00 feet to the **POINT OF BEGINNING**.

Containing 0.78 acres, more or less.

(This description is written from record data and not from an actual field survey.)





7421 Extinguish North Worsley Lane Easement

6/23/2022

Scale: 1 inch= 97 feet

File:

Tract 1: 0.7814 Acres (34037 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/569514), Perimeter=1783 ft.

01 n00.4823e 790.88

02 Lt, r=50.00, delta=203.4052, chord=s78.5757w 97.87

03 s22.5228e 132.35

04 Rt, r=150.00, delta=023.4052, chord=s11.0203e 61.56

05 s00.4823w 589.55

06 s89.3519e 30



TitleOne
a title & escrow co.

Order Number: 20355309

Warranty Deed

For value received,

David W. Worsley and Zina L. Worsley, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

TBC Land Holding, LLC, an Idaho limited liability company

whose current address is PO Box140298 Garden City, ID 83714

the grantee, the following described premises, in Ada County, Idaho, to wit:

Lots 4 and 5 in Block 1 of Worsley's Folly Subdivision, according to the Official Plat thereof, filed in Book 86 of Plats at Pages 9656 and 9657, records of Ada County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances; and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: February 19, 2020

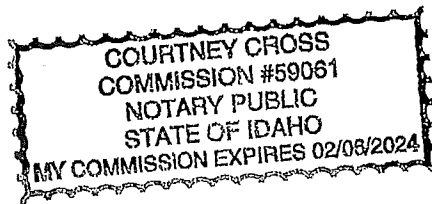
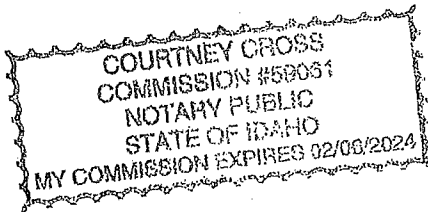
David W. Worsley
David W. Worsley

Zina L. Worsley
Zina L. Worsley

State of Idaho, County of Ada, ss.

On this 21 day of February in the year of 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared David W. Worsley and Zina L. Worsley, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Allen
Notary Public
Residing In: Meridian, Idaho
My Commission Expires: 2/06/2024
(seal)





Notice of Neighborhood Meeting Pre-Application Requirement for a Public Hearing

October 20, 2022

Dear Resident,

Prior to submittal of a vacation application, Star City Code requires a meeting between the applicant and neighbors to vacate an old, unused easement. This is your notice to meet and review this easement vacation with our consultants

This meeting is intended to give neighbors an opportunity to learn more about the project before the public hearing. A formal presentation will not be given. A printed vicinity map and site drawing is attached. Project team members will be present to answer questions and receive feedback. This is NOT a Public Hearing before a governing body of the City. Once our application has been submitted and processed, a public hearing date will be scheduled by City of Star, ID planning staff.

When:

Wednesday, November 2nd at 6 PM

Where:

On project site; Worsley's Folly Subdivision on the NW corner of the intersection of Floating Feather Rd and Worsley Lane

Project Description:

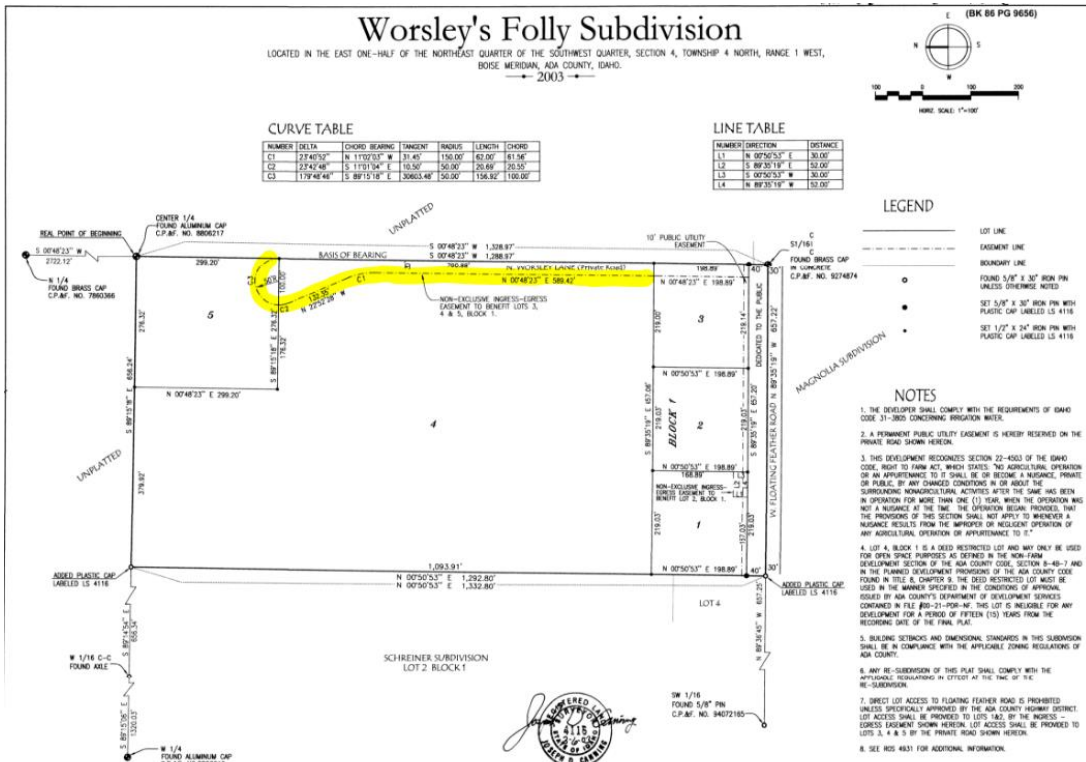
The easement to be vacated is located off Floating Feather Rd, parcel numbers R9545740040 and R9545740050.

We look forward to the neighborhood meeting and encourage you to attend. At that time, we will answer any questions and collect comments you may have.

Please note: To track attendance and certify that a meeting was held, a sign-in sheet will be present at this meeting. The applicant will submit this sign-in sheet with their application, which will then be used to notify you of when the application was submitted.

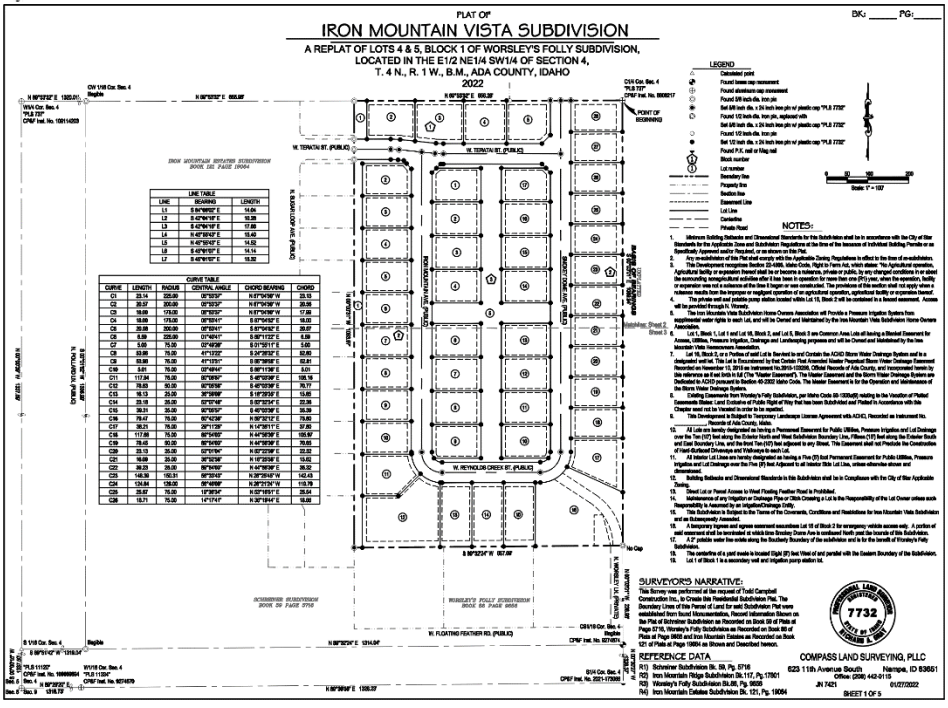
Respectfully,

Jay Walker
Kimley-Horn
1100 W Idaho St., Suite 210
Boise, ID 83702



B&D Engineers, Inc. 5505 W. Franklin Rd. Boise, ID 83705 (208)343-3381

SHEET 1 of 2



BHEG MILESTONE RANCH LLC
1140 VIRGINIA DR
FORT WASHINGTON, PA 19034

SURPRENANT, RYAN C
2156 N BURNAM PL
STAR, ID 83669

WATERMAN, BRYCE V
2174 N BURNAM PL
STAR, ID 83669

BRUSSEAU, SETH
9055 W REYNOLD CREEK ST
STAR, ID 83669

VENTA HOMES INC
PO BOX 140298
BOISE, ID 83714

KINNEY, JOSH
8675 W FLOATING FEATHER RD
STAR, ID 83669

O'NEIL, TONY
1910 N MOUNTAIN VISTA LN
STAR, ID 83669

HERRON, STEVEN R
1915 N MOUNTAIN VISTA LN
STAR, ID 83669

FAHRNER, JOHN W
9150 W FLOATING FEATHER RD
STAR, ID 83669

SHULL, BECKY
8888 W FLOATING FEATHER RD
STAR, ID 83669

WINEGAR, JAMES RON
8998 W FLOATING FEATHER RD
STAR, ID 83669

ESTES, ELLEN
8932 W FLOATING FEATHER RD
STAR, ID 83669-0000

ROBBINS, JEFFREY D
8866 W FLOATING FEATHER RD
STAR, ID 83669

TODD CAMPBELL CONSTRUCTION INC
PO BOX 140298
GARDEN CITY, ID 83714

TBC LAND HOLDING LLC
PO BOX 140298
GARDEN CITY, ID 83714

TOLL WEST INC
1140 VIRGINIA DR
FORT WASHINGTON, PA 19034

WEST ADA SCHOOL DISTRICT
1303 E CENTRAL DR
MERIDIAN, ID 83642

WINEGAR, JAMES RON
8998 W FLOATING FEATHER RD
STAR, ID 83669

BEACH, ZANE L
PO BOX 208
STAR, ID 83669

WINEGAR, JAMES RON
8998 W FLOATING FEATHER RD
STAR, ID 83669

ZAMZOW, RICHARD
5346 W WYLIE LN
BOISE, ID 83709

IRON MOUNTAIN ESTATES SUBDIVISION HOA INC
PO BOX 140298
BOISE, ID 83714

SIGN-IN ATTENDANCE FORM

Iron Mountain Vista Neighborhood Meeting

Vacation of N. Worsley Ln Easement

November 2, 2022

6:00 PM

Name	Phone Number	Email Address	Neighboring Address
1 Tony & BRENDA O'NEIL	208-899-0873	tonyo@ ECHO COMPANIES.COM	1910 N. MTN. VISTA
2 Gabriel O'Reilly	208-992-3765	gabriel.o'reilly@ kimley-horn.com	N/A
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