



CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho
Tuesday January 16, 2024 at 7:00 PM

1. CALL TO ORDER – Welcome/Pledge of Allegiance

Mayor Trevor Chadwick called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

2. INVOCATION –

Bishop Scott Snelders of the second ward of the Church of Jesus Christ of Latter-day Saints provided the invocation.

3. ROLL CALL

ELECTED OFFICIALS - Mayor Trevor Chadwick, Council President David Hershey, Council Member Kevan Wheelock, and Council Member Kevin Nielsen were all present. Council Member Jennifer Salmonsens was absent/excused due to travel.

STAFF – City Planner/Zoning Administrator Shawn Nickel, Assistant City Planner/Code Enforcement Official Ryan Field, Public Information Officer Dana Partridge, Deputy City Clerk Barbara Conly, City Engineer Ryan Morgan, Star Police Chief Zach Hessing, Mid/Star Fire Chief Greg Timinsky, and Mid/Star Deputy Fire Chief Victor Islas were present.

4. PRESENTATIONS

A. Star Police Chief Report

Chief Zach Hessing presented the December 2023 Star Police Report as well as the annual report for 2023. In 2023, Hessing stated that there were 86 person crimes, 106 property crimes, and 132 society crimes, for a total of 324 crimes. He noted that society crimes almost doubled between 2022 and 2023, from 67 up to 132, and that a number were drug-related.

Chief Hessing mentioned that many of these drug-related crimes caught were due to drugs being inside cars, noting his department's proactive policing policy. In the same YTD period, person crimes such as murder, manslaughter, and rape dropped from 110 down to 86. Hessing pointed out that property crimes rose from 92 to 106, going up by 14 crimes but also pointing out Star's population growth in comparison.

For the month of December 2023, Hessing noted 1341 proactive policing calls for the month, down by 12 calls as compared to the prior December. Hessing explained there were 11 total arrests in December 2023, and the Code 3 response time had an average of 2.18 minutes.

Mayor Chadwick commended the police department's proactive policing policy given that Hwy 44 and Hwy 20/26 have recently been identified as major drug corridors. Chadwick asked citizens to contact their legislators about the fentanyl bill.

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B. Star Fire Chief Report

Star Fire Chief Greg Timinsky reported 1543 total incidents for the year of 2023, with an average 7.52 minute response time and just under 60 acres burned. He further broke down the incident numbers to 132 fire calls, 1 explosion, 786 EMS calls, 59 hazardous conditions, 255 service calls, 214 good intent calls, 94 false alarms, and 1 special incident. For the month of January 2024, he noted a statistic of 32 for the day the Council report was due, and that the number had since raised to 62 YTD for 2024, with no acreage burned yet but lots of slide-offs owing to winter road conditions.

Council President Hershey commended Chief Timinsky for his recent re-appointment and thanked Chief Timinsky's crew for their recent help with a fire detector, noting that the department is available to help citizens with fire detector battery replacement as a public service. Mayor Chadwick noted that the Fire Department had helped his family with fire detectors previously as well, and thanked Chief Timinsky for having the department offer this service to citizens.

5. CONSENT AGENDA (ACTION ITEM) **All matters listed within the Consent Agenda have been distributed to each member of the Star City Council for reading and study, they are considered to be routine and will be enacted by one motion of the Consent Agenda or placed on the Regular Agenda by request.*

A. **Approval of Minutes:** January 2, 2024, June 20, 2023

B. **Claims Approval**

- Council President Hershey moved to approve the Consent Agenda; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Nielsen – aye. Motion carried.

6. PUBLIC HEARINGS with ACTION ITEMS:

A. **PUBLIC HEARING: Talega Village Subdivision (Files: AZ-22-11, RZ-22-03, CUP-22-05, DA-22-12, PP-22-15 & PR-22-08)** - The Applicant is requesting approval of an Annexation and Zoning (Residential R-10-DA), a Rezone (from R-1 & C-2 to Residential R-10-DA) a Development Agreement, a Conditional Use Permit for a proposed multifamily residential use (340 units), a Preliminary Plat for proposed residential and commercial uses consisting of 162 buildable lots (1 commercial lot, 1 multi-family lot, 65 single-family residential lots, 95 townhome lots and multiple common lots), and private streets. A residential density of 10 du/acres is proposed. The property is located at 58 N. Truman Place and 8370 W. Shultz Court in Star, Idaho. **TABLED FROM 11/21/23 & 12/05/23 (ACTION ITEM)**

Mayor Chadwick explained the sign-in sheets and public hearing rules to the public. Chadwick asked Council if there had been any ex parte contact and, hearing none, opened the public hearing at 7:15 p.m.

City Planner and Zoning Administrator Shawn Nickel explained this was a continuation of the public hearing from December 5, 2023, which is for an application for annexation and zoning to R-10-DA, rezoning R1-C-2 to R-10-DA, a development agreement, and conditional use permit.

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Nickel utilized a slide presentation to summarize the proposed project, noting the total acreage of the project at 74.6 acres with the annexation portion at 4.48, the rezone at 15.2, total commercial at 18.9, total residential at 55.6 acres, and a gross density of the residential portion at 8.98 dwelling units per acre (which he explained falls under the R10 designation).

Nickel noted all requirements were met at the last meeting, public noticing had occurred, and the application was reviewed for compliance with the City's comprehensive plan and zoning ordinance. Nickel called the Council's attention to two late exhibits received, the first an updated Idaho Transportation Department letter and the second an email from the applicant which Nickel stated he received today (January 16, 2024).

Applicant presentation:

Trenton Smith of 3773 East Berwick Drive, Nampa and **Dennis Jordan of 6674 South Memory Way, Meridian**, explained they were presenting on behalf of clients Jason Ramsey and Derk Pardoe. Smith explained the value proposition of the project to the City of Star, noting the project includes a custom-tailored piece of land and location, and that this type of project meets the needs of the community with respect to the comprehensive plan.

Smith noted the goal was a pleasing, small-town look and feel, and to meet the needs of residents of the City of Star. He explained he would be presenting material to answer any concerns from the December meeting. Utilizing slides, Smith showed an overview map of the site, pointing out the various locations of commercial, apartments, townhomes, and single-family homes. Smith and Jordan showed a slide with elevations from Ramsey Construction. The applicants explained previous projects by the developer included Starbucks, Maverick, medical offices, etc., and a major focus of the project was walkability/connectivity. Smith listed amenities such as a clubhouse, outdoor hot tub/pool, playground area, and trails. He stated 34 percent of the project would be open space.

Smith explained the development team's approach, which included the Traffic Impact Study (TIS) being accepted by ITD and ACHD, that the functionality of Hamlin and Short with a Grade C or higher full residential buildout, a phased development plan as people move in, and allowing for necessary Fire Department access for the community during construction. Smith showed Phase 1A at Hamlin Road and Amazon Falls as planned to be connected. He laid out a five-year timeline starting with apartments with Initial Access/First Phase from 2025-26, Phase 1B in 2026-27, 1C in 2027-28, 2A and 2B in 2030-31 (as more access to Hamlin Road comes), Phase 3 single family homes, then Phase 4 Commercial as the population and buildout call for it.

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With respect to the Traffic Impact Study, Smith explained the TIS was reviewed by phase and noted a goal of creating the least impact to the community. He noted that the estimated peak time traffic delay of 9 seconds per vehicle up to 17.9 seconds per vehicle depending on the phase. For the townhome phase, Smith noted that Hamlin will provide more accessibility by this point in the phases. For the Commercial phase, Smith said this was planned to be 2028 or later based on demand and to occur after Hamlin was connected to the north. He said the estimated access to Boise was 26-50 minutes during peak commute times. The applicant stood for questions.

Council President Hershey said he like the way the development's phasing plan was set up, noting that he especially liked noting the projected phase years in the plan. Hershey recalled ACHD wanting a traffic study to occur at each phase. The applicant replied that they were willing to do the recommended traffic impact study and provide mitigation. Hershey further inquired on the future access points if Hamlin runs out later and asked the applicant to account for those trigger points in and out of traffic. The applicant affirmed that they would take these into consideration.

A third member of the applicant team, **Tom Romney of 2024 Sandy Drive, Idaho Falls**, said the applicant was constantly paying attention to and responding to all scenarios with ACHD and ITD. Romney noted the importance of phasing regarding the various proposed access points. He said initially the connection to Short at the north will help for phases 1A, 1B, 1C, and possibly 2A.

Council President Hershey inquired since it is one project, whether there will be just one homeowner's association or two. Romney answered that while it is one project, that the development will likely have three separate HOA's with different amenities provided via each agreement.

Council Member Wheelock referenced the drainage plan on the map, and inquired if the grass area was planned to be grass vs. a retention pond. The applicant replied that the grass area would only potentially become a pond in a major storm event, and that it is planned to be usable space rather than standing water.

Council Member Wheelock referenced the slide depicting proposed parking and asked about on-street parking on Hamlin Road. The applicant said that no, street parking on Hamlin was not included as part of the count. Mayor Chadwick asked for the map to be corrected. Further discussion on parking ensued, with Romney pointing out two parking stalls available for every garage of the townhomes and guest parking on a private road. Council inquiry surrounded how it would be possible to maintain the guest parking as actual guest parking and not have it taken over as additional spots by homeowners. Romney answered that a combination of signage and HOA management of the guest parking would preserve it for guests.

Council Member Nielsen asked about the architecture of the townhomes, and said he appreciated the applicant team's preparedness.

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Mayor Chadwick recommended as a condition of approval the change from a proposed 4 foot wide sidewalk to at least a 5 foot wide sidewalk in order to encourage walkability. The applicant said that he was amenable.

Todd Collins, 4718 N. Echo Summit Way, Star, noted that he was neutral because he was not against development, but that he had several points he wanted to address in context of the staff report. Mr. Collins expressed concern over adequate collector roads going eastbound with respect to increased traffic that the proposed development would create, that Short Road and Highway 44 do not currently function with acceptable levels of service, that Amazon Road is narrow, concern over traffic safety for school buses that will need to access the neighborhood, and traffic crossings.

Jason Ramsey, 823 Specht Avenue, Suite 5, Caldwell, asked to address to public hearing as part of the development team. Mr. Ramsey spoke about the proposed apartments, noting that the way an apartment complex is typically built out makes it difficult to phase individual groupings of 100 apartments. He stated that apartment contracts are negotiated for the total project, and that builders rely on volume pricing in order to provide a high-quality product. He assured Council that the applicant team would provide a safe pattern to have the apartments be built, in terms of traffic flow and occupancy.

Mayor Chadwick closed the public hearing at 8:50 p.m.

Council deliberations:

- Council President Hershey moved to approve the Talega Village Subdivision (Files: AZ-22-11, RZ-22-03, CUP-22-05, DA-22-12, PP-22-15 & PR-22-08) with the following conditions of approval: Amazon Falls connection during Phase 1A, put in the Palmer Avenue light, no storage units allowed, a twenty-nine foot drive aisle, smaller trees on corners for visibility, phasing of the build-out as described in the applicant presentation, and Staff to work with developer to determine additional traffic studies as needed during phasing; Council Member Nielsen seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Nielsen – aye. Motion carried.
- B. **PUBLIC HEARING - Calvary Chapel Star (FILE: CU-23-08)**: The Applicant is requesting approval of a Conditional Use Permit for a Church Facility that includes retail space and a drive-thru restaurant. The property is located at the Northwest Corner of Hwy16 and Floating Feather Road in Star, Idaho, and consists of 17.21 acres. **(ACTION ITEM)**

Mayor Chadwick noted the rules of the public hearing process and asked if any Council Members had any ex parte communications. Hearing none, Chadwick opened the public hearing at 8:57 p.m.

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Shawn Nickel utilized a slide presentation to introduce the proposed project for a conditional use permit for a church facility with retail space and a drive-through for Calvary Chapel Star at the northwest corner of Floating Feather and Highway 16.

Applicant presentation:

Jim Marsh, CSA, 200 Borad Street, Boise, presented on behalf of the applicant. Mr. Marsh also noted that Pastor David Ax of Calvary Chapel Star was present this evening. Mr. Marsh utilized a slide presentation with map and summarized the following points: that there was a proposed right in / right out on Floating Feather, noting the parking staff configuration, a first and second phase to the buildings with the first built to be the fellowship hall, pointing out a later bookshop / coffee shop and church storage. Marsh explained that the campus would have an "L" shape and pointed out the greenscape and hardscape areas, with a dedicated pathway system to be installed throughout the church campus. He showed a proposed architectural elevation designed to be complementary to the surrounding neighborhood with buildings made of stone, metal, and high quality roofing. The applicant stood for questions.

Council President Hershey asked if the café would be a seven day per week enterprise.

Pastor David Ax, 1041 White Horse Race Drive, Middleton, answered on behalf of the applicant team that yes, the shop/café was planned to be open seven days a week. Ax said that it would be a gathering place, with space allocated as 40% retail bookshop and 30% coffee house.

Public Testimony:

Mayor Chadwick noted that there were a number of people listed as "in favor" of the project on the sign up sheet who had declined to speak.

Todd Collins, 4718 N. Echo Summit Way, Star, said he was in favor of the project. Collins asked about possible solid fencing to protect the church campus from potential vandalism and alternating it with landscaping.

Josh Kinney, 8675 W. Broken Arrow, Star, stated that he was in favor of the project. Kinney said that he was the northern neighbor of the property, and requested some form of remediation to allow for interconnectivity between his property and the church's retail area. He said he will lose certain access with respect to Highway 16, and that he feels the City as a responsibility to help.

Kelly Kinney, 8675 W. Broke Arrow, Star, said she was in favor of the project and loves it. She said the interconnectivity of her property and the chapel's property would be key for pedestrians and the ability to safely get to amenities, and appealed to both the Calvary Chapel Star and to the City of Star to help.

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Michael Keyes, 338 S. Long Bay Way, Star, said that a new church has not been built in Star since 2012, and Calvary Chapel Star has been a good neighbor, and urged the Council to approve the project.

Ryan Hammons, 3103 W. Sheryl Drive, Meridian, identified that he was with Toll Brothers and that this was the right thing for the neighborhood. He expressed concern over the access for the neighbors to the north.

Applicant rebuttal:

Pastor David Ax addressed the need for fencing, saying that fencing was a code requirement and said that his position was a positive yes to fencing since children would be playing on campus in close proximity to Highway 16. Ax said that he was against vehicle traffic from other properties flowing through the campus for safety reasons.

Council discussion surrounded pedestrian use of the campus, pathways, and easement access. City Planner Nickel said at the time the neighboring property was considered, the type of commercial use was not known, and Staff does not see how a public access road meets the requirements of the project being considered this evening.

Council Member Wheelock asked Pastor Ax if he would consider a foot path across the canal; Ax said he would consider it.

Council discussion surrounded Idaho Department of Transportation (ITD), and the possibility of approaching ITD with respect to the Highway 16 widening project to see if the frontage road could provide room for access. Nickel cautioned the Council not to commit at this time, as the ITD consultants still needed to conclude going through the report to determine if there was available frontage. Mayor Chadwick suggested it was appropriate to continue talks with ITD.

Mayor Chadwick closed the public hearing at 9:40 p.m.

Council deliberations:

Council Member Nielsen said he supported the request, and was glad that Calvary Chapel Star can now put down roots. He expressed concern on the idea of cross access, noting he was sympathetic to the Kinney's but worried about safety. He said he felt the best option would be utilizing frontage road if possible in the future, and having pedestrian access across the property.

Council Member Wheelock said if ITD was open to the frontage road, he thought that would be best.

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Council President Hershey said the connectivity issue bothered him, he liked the pedestrian path but noted with the ITD matter up in the air, the Council can advocate but cannot dictate what ITD will do in the future.

City Attorney Yorgason noted the connectivity over a waterway cannot be built without the approval of the canal company, and cautioned that the Council cannot require this requirement as part of their conditions of approval.

Mayor Chadwick called the Council's attention to a letter from Jennifer Mimosas from the Heirloom Ridge subdivision (letter on file).

- Council President Hershey moved to approve the Calvary Chapel Star conditional use permit (FILE: CU-23-08) with the following conditions of approval: fifteen stated items from the Staff Report, fencing in compliance with code, the applicant pursue a pedestrian pathway over the canal if feasible, sewer access, and for the City to communicate with ITD on potential frontage to help with access for the northern neighbor; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Nielsen – aye. Motion carried.
- C. **PUBLIC HEARING - Keely CUP (FILE: RZ-23-04; DA-23-06; CU-23-07)** The Applicant is requesting approval of a Rezone (R-1 to CBD), a Development Agreement and Conditional Use Permit for two, 4700 square foot Live/Work units. The property is located at 856 S. Star Road, Star, Idaho and consists of .909 acres. **THE APPLICATION IS BEING TABLED TO 2/6/2024 TO ALLOW FOR ACHD TO PROVIDE AN UPDATED REVIEW LETTER (ACTION ITEM)**
- Council President Hershey moved to approve the tabling of the Keely Conditional Use Permit (FILE: RZ-23-04; DA-23-06; CU-23-07) public hearing to the City Council meeting date of February 6, 2024; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Nielsen – aye. Motion carried.
- D. **PUBLIC HEARING - Starpointe Subdivision Phase 2 (FILES: AZ-23-03, DA-21-09 MOD, PP-23-02, PR-23-02 & PP-21-10)** - The Applicant is requesting approval of an Annexation and Zoning (R-4), a Development Agreement Modification, a Preliminary Plat for a proposed residential subdivision consisting of 12 residential lots and 2 common lots, a private street and an amendment to the original Starpointe Subdivision Preliminary Plat. The property is located at 6777 and 6825 N. Star Road in Star, Idaho, and consists of 3.08 acres with a proposed density of 3.08 dwelling units per acre. **(Previously Noticed for October 3, 2023 / Requesting Postponement to February 20, 2024) (ACTION ITEM)**



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- Council President Hershey moved to approve the tabling of the Starpointe Subdivision Phase 2 (FILES: AZ-23-03, DA-21-09 MOD, PP-23-02, PR-23-02 & PP-21-10) public hearing to the City Council meeting date of February 20, 2024; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Nielsen – aye. Motion carried.

7. ACTION ITEMS:

A. **Bid Award** - Pavilion Park Restroom Utilities & Pad (**ACTION ITEM**)

City Engineer Ryan Morgan provided a summary overview of the project and noted that the City sent requests to multiple entities to solicit bids; he said that the others came in too large or too small. Morgan stated that Titan Excavation and Construction has done work for the City previously.

- Council Member Wheelock moved to approve the award of bid to Titan Excavation and Construction (TEC); Council President Hershey seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Nielsen – aye. Motion carried.

8. ADJOURNMENT

Mayor Chadwick adjourned the Star City Council meeting at 9:59 p.m.

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk – Treasurer