



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

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

MEETING DATE: **October 4, 2022 – PUBLIC HEARING**

FILE(S) #: AZ-22-12 Annexation and Zoning – The Quarry at River Park
DA-22-13 Development Agreement

OWNER/APPLICANT/REPRESENTATIVE

Applicant:

Todd Tucker
Boise Hunter Homes
923 S. Bridgeway Place
Eagle, Idaho 83616

Applicant/Property Owner:

H5 Land Holdings, LLC
School House Ranch, LLC
923 S Bridgeway Place
Eagle, Idaho 83616

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (Residential R-3 & Mixed-Use MU) and a Development Agreement for a proposed future residential development. The property is located at 21339 Blessinger Road in Star, Idaho, and consists of 185.93 acres.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the south side of State Hwy 44, west of Blessinger Road and east of Trigger Ranch Lane. County Parcel No. R3404900000.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	AG (Canyon County)	Estate Urban Residential/Commercial/Industrial Corridor	Agricultural/Residential
Proposed	Residential (R-3-DA)/Mixed Use (MU)	Estate Urban Residential/Commercial/Industrial Corridor	Single-Family Residential/Mixed Use
North of site	AG (Canyon County)	Commercial/Industrial Corridor	Agricultural/Single-Family Residential
South of site	AG (County)	Estate Urban Residential/Floodway	Agricultural/Vacant
East of site	Residential (R-2)	Estate Urban Residential	Single-Family Residential River Park Subdivision
West of site	Rural Residential (Canyon County)	Rural Residential with Special Transition Overlay Area	Single-Family Residential - Leighton Lakes Estates

Existing Site Characteristics: The property currently has a single-family residential home with outbuildings, two large lakes and vacant ground.

Irrigation/Drainage District(s): Canyon County Water Company, Ltd
P.O. Box 11
Star, Idaho 86916

Flood Zone: This property is located in a Special Flood Hazard Area.
Flood Zone: Zone AE
FEMA FIRM Panel Number: 16027C0266G
Effective Date: 6/7/2019

Special On-Site Features:

- ✪ Areas of Critical Environmental Concern – No known areas.
- ✪ Evidence of Erosion – No evidence.
- ✪ Fish Habitat – Yes, in the lakes and Boise River.
- ✪ Floodplain – Yes.
- ✪ Mature Trees – Yes.
- ✪ Riparian Vegetation – Yes.
- ✪ Steep Slopes – None.
- ✪ Stream/Creek – Lawrence Kennedy & Canyon Canal.
- ✪ 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.
- ✪ Historical Assets – No historical assets have been observed.
- ✪ Wildlife Habitat – Yes.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	March 24, 2022
Neighborhood Meeting Held	May 16, 2022
Application Submitted & Fees Paid	August 30, 2021
Application Accepted	September 8, 2022
Residents within 300' Notified	September 13, 2022
Agencies Notified	September 7, 2022
Legal Notice Published	September 16, 2022
Property Posted	September 21, 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.

8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED:

R RESIDENTIAL DISTRICT: To provide regulations and districts for various residential neighborhoods. Gross density in a Residential (R) district shall be determined according to the numeral following the R. The numeral designates the maximum number of dwelling units per acre. In zoning designations of R-1, R-2, R-3, R-4 and R-5, housing shall be single family detached unless approved with a PUD or development agreement. Connection to municipal water and sewer facilities are required for all subdivision and lot split applications submitted after the effective date hereof in all districts exceeding one dwelling unit per acre. Wells and septic systems may be permitted for larger lots in this land use designation that are not adjacent to municipal services, as determined by the Sewer District, and if approved by the applicable Health Department. Private streets may be approved in this district for access to newly subdivided or split property. This district does allow for some non-residential uses as specified in 8-3A-3.

(MU) MIXED USE DISTRICT: To provide for a mixture of uses which may, at the sole discretion of the Council, include office, commercial, and/or residential depending upon the specific comprehensive plan area designated as Mixed Use. Development within this zone is to proceed through the PUD process unless a development agreement has already been executed for the particular property. Identifying areas for mixed-use development has two objectives. The first objective is to give the city a better tool to manage the type of developments through the

planned unit development and/or the Development Agreement process. The second objective is that this zone may allow the development community to be more innovative in design and placement of structures subject to Council review and approval. Rezoning within this land use designation is to be strictly monitored by the city to assure that the Mixed-Use areas are not being used simply to justify high density residential use. Residential uses may be part of an overall mixed-use development that includes a non-residential component and may not exceed 30% of the overall size of the development.

(C-1) NEIGHBORHOOD BUSINESS DISTRICT: To provide for the establishment of convenience business uses which tend to meet the daily needs of the residents of an immediate neighborhood while establishing development standards that prevent adverse effects on residential uses adjoining a C-1 district. Such districts are typically appropriate for small shopping clusters or integrated shopping centers located within residential neighborhoods, where compatible.

(C-2) GENERAL BUSINESS DISTRICT: To provide for the establishment of areas for commercial uses allowed in other commercial zones and commercial uses which are more intensive than those permitted in other commercial zones, and typically located adjacent to arterial roadways and not immediately adjacent to residential, including the establishment of areas for travel related services such as hotels, motels, service stations, drive-in restaurants, offices, limited warehousing, commercial services and retail sales.

DA DEVELOPMENT AGREEMENT: 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.

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

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

<u>ZONING DISTRICT USES</u>				
USES	R	C-1	C-2	MU
Accessory structure - Residential or Commercial	A	A	A	C/P
Adult business/adult entertainment	N	N	N	N
Agriculture, forestry, fishing	N	N	N	N
Airport	N	N	N	N
Animal care facility ₁	N	P	P	C
Artist studio ₁	N	P	P	P
Arts, entertainment, recreation facility ₁	N	C	P	C
Asphalt plant ₁	N	N	N	N
Auction facility	N	N	C	C
Automated Teller Machine (ATM) ₁	N	A	A	A
Automotive hobby ₁	A	N	N	A
Automotive mechanical/electrical repair and maintenance	N	C	P	C
Bakery- Retail or Manufacturing	N	P	P	P/C
Bar/tavern/lounge/drinking establishment	N	C	P	C
Barbershop/styling salon	N	P	P	P
Bed and breakfast	N	P	P	C
Beverage bottling plant	N	N	N	N
Boarding house	C	N	N	C
Brewery/Distillery	N	C	P	C

Brewpub/Wine Tasting	N	C	P	C
Building material, garden equipment and supplies	N	C	P	C
Campground/RV park ₁	N	N	N	C
Caretaker Unit ₁	A	A	A	A
Cement or clay products manufacturing	N	N	N	N
Cemetery ₁	N	N	N	N
Chemical manufacturing plant ₁	N	N	N	N
Child Care center (more than 12) ₁	N	C	C	C
Child Care family (6 or fewer) ₁	A	A	A	A
Child Care group (7-12) ₁	C	C	C	C
Child Care-Preschool/Early Learning ₁	C	C	C	C
Church or place of religious worship ₁	C	C	C	C
Civic, social or fraternal organizations	N	P	P	C
Concrete batch plant ₁	N	N	N	N
Conference/convention center	N	P	P	C
Contractor's yard or shop ₁	N	N	N	N
Convenience store	N	C	P	C
Dairy farm	N	N	N	N
Drive-through establishment/drive-up service window ₁	N	C	C	C
Dwelling:				
Multi-family ₁	C	N	N	C

Secondary ¹	A	N	N	C
Single-family attached	P	N	N	C
Single-family detached	P	N	N	C
Two-family duplex ¹	P	N	N	C
Live/Work Multi-Use ¹	N	N	N	C
Educational institution, private	C	C	C	C
Educational institution, public	C	C	C	C
Equipment rental, sales, and services	N	C	P	C
Events Center, public or private (indoor/outdoor)	N	C	C	C
Fabrication shop	N	N	P	N
Farm	N	N	N	N
Farmers' or Saturday market	N	C	C	C
Feedlot	N	N	N	N
Financial institution	N	P	P	C
Fireworks Stands	N	P	P	P
Flammable substance storage	N	N	N	N
Flex Space	N	C	P	C
Food products processing	N	C	C	N
Fracking	N	N	N	N
Gasoline, Fueling & Charging station with or without convenience store ¹	N	C	P	C
Golf course/Driving Range	C	C	C	C

Government office	N	P	P	C
Greenhouse, private	A	N	N	A
Greenhouse, commercial	N	C	P	C
Guesthouse/granny flat	C	N	N	C
Healthcare and social services	N	P	P	C
Heliport	N	N	N	N
Home occupation ₁	A	N	N	A
Hospital	N	C	P	C
Hotel/motel	N	C	P	C
Ice manufacturing plant	N	N	N	N
Institution	N	C	P	C
Junkyard	N	N	N	N
Kennel	N	N	C	C
Laboratory	N	P	P	C
Laboratory, medical	N	P	P	C
Lagoon	N	N	N	N
Laundromat	N	P	P	P
Laundry and dry cleaning	N	P	P	C
Library	N	P	P	N
Manufactured home ₁	P	N	N	C
Manufactured home park ₁	C	N	N	N
Manufacturing plant	N	N	C	N
Meatpacking plant	N	N	N	N

Medical clinic	N	P	P	P
Mining, Pit or Quarry (excluding accessory pit) ¹	N	N	N	N
Mining, Pit or Quarry (for accessory pit) ¹	A	A	A	A
Mortuary	N	C	P	C
Museum	N	P	P	P
Nursery, garden center and farm supply	N	P	P	C
Nursing or residential care facility ¹	C	P	P	C
Office security facility	N	P	P	C
Parking lot/parking garage (commercial)	N	C	C	C
Parks, public and private	P	P	P	P
Pawnshop	N	P	P	P
Personal and professional services	N	P	P	P
Pharmacy	N	P	P	P
Photographic studio	N	P	P	P
Portable classroom/modular building (for private & public Educational Institutions) ¹	P	P	P	P
Power plant	N	N	N	N
Processing plant	N	N	N	N
Professional offices	N	P	P	C

Public infrastructure; Public utility major, minor and yard ¹	C	C	C	C
Public utility yard	N	C	C	N
Recreational vehicle dump station	N	C	C	A
Recycling center	N	C	C	N
Research activities	N	P	P	C
Restaurant	N	C	P	C
Retail store/retail services	N	C	P	C
Retirement home	C	C	N	C
Riding Arena or Stable, Private/ Commercial	C/N	N	N	N
Salvage yard	N	N	N	N
Sand and gravel yard	N	N	N	N
Service building	N	P	P	C
Shooting range (<u>Indoor/Outdoor</u>)	N	C/N	C/N	C/N
Shopping center	N	C	P	C
Short Term Rentals ¹	A	N	N	A
Solid waste transfer station	N	N	N	N
Storage facility, outdoor (commercial) ¹	N	C	C	C
Storage facility, self-service (commercial) ¹	N	C	C	C
Swimming pool, commercial/public	N	P	P	P
Television station	N	N	C	C

Uses

Temporary living quarters ¹	C	N	N	N
Terminal, freight or truck ¹	N	N	C	N
Truck stop	N	N	C	C
Turf farm	N	N	N	N
Vehicle emission testing ¹	N	P	P	C
Vehicle impound yard ¹	N	N	N	N
Vehicle repair, major ¹	N	C	P	C
Vehicle repair, minor ¹	N	C	P	C
Vehicle sales or rental and service ¹	N	C	P	C
Vehicle washing facility ¹	N	C	P	C
Vehicle wrecking, junk or salvage yard ¹	N	N	N	N
Veterinarian office	N	P	P	C
Vineyard	N	N	N	C
Warehouse and storage	N	N	P	C
Wholesale sales	N	P	P	C
Winery	N	N	C	C
Wireless communication facility ¹	C	C	C	C
Woodworking shop	N	N	P	N

Permitted

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

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front ⁽¹⁾	Rear	Interior Side	Street Side
R-2	35'	20'	20'	10'	20'
R-3	35'	15' to living area/side load garage 20' to garage face	15'	7.5' ⁽²⁾	20'

C-1	35'	20'	5'	0' ⁴	20'
C-2	35'	20'	5'	0' ⁴	20'
MU	35'	For MU and CBD - Unless otherwise approved by the Council as a part of a PUD or development agreement, all residential buildings shall follow the residential setbacks shown in this table based upon the project density and all other buildings shall follow setbacks for the C-2 zone ⁽³⁾ .			

Notes:

1. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhang onto the sidewalk.
2. Zero-Lot-Line and reduced front and rear setback waivers may be requested through the Development Agreement process. All other side yard setback requests for detached structures shall not be granted waivers, unless as part of a Planned Unit Development.
3. All setbacks in the CBD, C-1, C-2, LO, IL, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone.
4. As approved by the Fire District.

8-3B-3: RESIDENTIAL DISTRICTS:

- A. Comply with Section 8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED.
- B. When development is planned with lots that directly abut existing lots within a Rural

Residential area, or "Special Transition Overlay Area" as shown on the Comprehensive Plan Land Use map, an appropriate transition shall be provided for the two abutting residential lot types. A transition shall take into consideration site constraints that may exist and may include clustering of the urban lots in order to provide an open space area avoiding urban lots directly abutting rural residential lots, or may include the provision of a buffer strip avoiding urban lots directly abutting rural residential lots, or may include setbacks within the urban lots similar to the rural residential lots directly abutting, or may include the provision of one half to one acre size lots directly abutting the rural residential lots.

- C. Urban style development, as guided by provisions within the comprehensive plan and this Title, is required to limit urban sprawl, however, densities of no more than 1 to 2 dwelling units per acre are to be designed within the floodplain, ridgeline developable areas and hillside developable areas (both as defined within the comprehensive plan).
- D. Housing developments with densities of R-11 and higher shall be designed to limit height, increase setbacks and/or provide additional landscaping along the perimeter of the development, if determined by the council, where abutting areas are planned for lower densities.
- E. Rezoning to R-11 and higher shall not be allowed unless adequate ingress/egress to major transportation corridors is assured.
- F. All new residential, accessory uses or additions/remodels within the residential zones shall pave all unpaved driveways to the home.
- G. Spite strips, common lots, unreasonable development phasing, or other means of any type purposely or unintentional that may result in the blocking of services or development, including but not limited to sewer, water, streets, or utilities are prohibited in any zoning district within the City of Star.
- H. In any development that requires a traffic signal as part of the approval process, the developer shall be responsible for providing an Emergency Opticom System to the intersection.
- I. Transitional Lots. For proposed residential developments located adjacent to a Special Transition Area only, as determined on the current Comprehensive Plan Land Use Map, transitional standards listed below shall be required if reasonable evidence is presented that adjacent properties will not be further subdivided in the future. This shall be through a legal encumbrance that prevents the adjacent land from being further subdivided. These encumbrances shall include:
 - a. Property with a Future Comprehensive Plan Land Use Map designation that does not allow future redevelopment to densities lower than one dwelling unit per acre.
 - b. Subdivision CC&R's preventing further redevelopment;
 - c. Easements granted to municipal or other political entities, voluntary development easements granted to conservation land trusts, or other, legal encumbrances conserving the property in perpetuity, such as deed restrictions.This specifically excludes statements from landowners regarding future intent

without proof of legal encumbrance.

The allowed Transitional Density for new development adjacent to Special Transition Areas, shall be as follows:

Existing Transitional Lot Sizes	Allowed Immediately Adjacent Minimum Lot Size	Allowed Immediately Across the Road from Transitional Lot
Lots larger than 1.1-acre	1 acre lots	½ acre lots
Lots of 1 to 1.1-acre	½ acre lots	1/3 acre lots
Lots smaller than 1-acre	1/3 acre lots	R-3 density Maximum

IDAHO STATUTE FOR ANNEXATIONS:

TITLE 50
MUNICIPAL CORPORATIONS
CHAPTER 2

GENERAL PROVISIONS — GOVERNMENT — TERRITORY

50-222. ANNEXATION BY CITIES. (1) Legislative intent. The legislature hereby declares and determines that it is the policy of the state of Idaho that cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe.

(2) General authority. Cities have the authority to annex land into a city upon compliance with the procedures required in this section. In any annexation proceeding, all portions of highways lying wholly or partially within an area to be annexed shall be included within the area annexed unless expressly agreed between the annexing city and the governing board of the highway agency providing road maintenance at the time of annexation. Provided further, that said city council shall not have the power to declare such land, lots or blocks a part of said city if they will be connected to such city only by a shoestring or strip of land which comprises a railroad or highway right-of-way.

(3) Annexation classifications. Annexations shall be classified and processed according to the standards for each respective category set forth herein. The three (3) categories of annexation are:

(a) Category A: Annexations wherein:

(i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;

(ii) Any residential enclaved lands of less than one hundred (100) privately owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city's area of impact; or

(iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section.

(b) Category B: Annexations wherein:

(i) The subject lands contain less than one hundred (100) separate private ownerships and platted lots of record and where not all such landowners have consented to annexation; or

(ii) The subject lands contain more than one hundred (100) separate private ownerships and platted lots of record and where landowners owning more than fifty percent (50%) of the area of the subject private lands have consented to annexation prior to the commencement of the annexation process; or

(iii) The lands are the subject of a development moratorium or a water or sewer connection restriction imposed by state or local health or environmental agencies; provided such lands shall not be counted for purposes of determining the number of separate private ownerships and platted lots of record aggregated to determine the appropriate category.

(c) Category C: Annexations wherein the subject lands contain more than one hundred (100) separate private ownerships and platted lots of record and where landowners owning more than fifty percent (50%) of the area of the subject private lands have not consented to annexation prior to commencement of the annexation process.

(4) (a) Evidence of consent to annexation. For purposes of this section, and unless excepted in paragraph (b) of this subsection, consent to annex shall be valid only when evidenced by written instrument consenting to annexation executed by the owner or the owner's authorized agent. Written consent to annex lands must be recorded in the county recorder's office to be binding upon subsequent purchasers, heirs, or assigns of lands addressed in the consent. Lands need not be contiguous or adjacent to the city limits at the time the landowner consents to annexation for the property to be subject to a valid consent to annex; provided however, no annexation of lands shall occur, irrespective of consent, until such land becomes contiguous or adjacent to such city.

(b) Exceptions to the requirement of written consent to annexation. The following exceptions apply to the requirement of written consent to annexation provided for in paragraph (a) of this subsection:

(i) Enclaved lands: In category A annexations, no consent is necessary for enclaved lands meeting the requirements of subsection (3)(a)(ii) of this section;

(ii) Implied consent: In category B and C annexations, valid consent to annex is implied for the area of all lands connected to a water or wastewater collection system operated by the city if the connection was requested in writing by the owner, or the owner's authorized agent, or completed before July 1, 2008.

(5) Annexation procedures. Annexation of lands into a city shall follow the procedures applicable to the category of lands as established by this section. The implementation of any annexation proposal wherein the city council determines that annexation is appropriate shall be concluded with the passage of an ordinance of annexation.

(a) Procedures for category A annexations: Lands lying contiguous or adjacent to any city in the state of Idaho may be annexed by the city if the proposed annexation meets the requirements of category A. Upon determining that a proposed annexation meets such requirements, a city may initiate the planning and zoning procedures set forth in [chapter 65, title 67](#), Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed.

(b) Procedures for category B annexations: A city may annex lands that would qualify under the requirements of category B annexation if the following requirements are met:

(i) The lands are contiguous or adjacent to the city and lie within the city's area of city impact;

(ii) The land is laid off into lots or blocks containing not more than five (5) acres of land each, whether the same shall have been or shall be laid off, subdivided or platted in accordance with any statute of this state or otherwise, or whenever the owner or proprietor or any person by or with his authority has sold or begun to sell off such contiguous or adjacent lands by metes and bounds in tracts not exceeding five (5) acres, or whenever the land is surrounded by the city. Splits of ownership which occurred prior to January 1, 1975, and which were the result of placement of public utilities, public roads or highways, or railroad lines through the property shall not be considered as evidence of an intent to develop such land and shall not be sufficient evidence that the land has been laid off or subdivided in lots or blocks. A single sale after January 1, 1975, of five (5) acres or less to a family member of the owner for the purpose of constructing a residence shall not constitute a sale within the meaning of this section. For purposes of this section, "family member" means a natural person or the spouse of a natural person who is related to the owner by blood, adoption or marriage within the first degree of consanguinity;

(iii) Preparation and publication of a written annexation plan, appropriate to the scale of the annexation contemplated, which includes, at a minimum, the following elements:

(A) The manner of providing tax-supported municipal services to the lands proposed to be annexed;

(B) The changes in taxation and other costs, using examples, which would result if the subject lands were to be annexed;

(C) The means of providing fee-supported municipal services, if any, to the lands proposed to be annexed;

(D) A brief analysis of the potential effects of annexation upon other units of local government which currently provide tax-supported or fee-supported services to the lands proposed to be annexed; and

(E) The proposed future land use plan and zoning designation or designations, subject to public hearing, for the lands proposed to be annexed;

(iv) Compliance with the notice and hearing procedures governing a zoning district boundary change as set forth in section [67-6511](#), Idaho Code, on the question of whether the property should be annexed and, if annexed, the zoning designation to be applied thereto; provided however, the initial notice of public hearing concerning the question of annexation and zoning shall be published in the official newspaper of the city and mailed by first class mail to every property owner with lands included in such annexation proposal not less than twenty-eight (28) days prior to the initial public hearing. All public hearing notices shall establish a time

and procedure by which comments concerning the proposed annexation may be received in writing and heard and, additionally, public hearing notices delivered by mail shall include a one (1) page summary of the contents of the city's proposed annexation plan and shall provide information regarding where the annexation plan may be obtained without charge by any property owner whose property would be subject to the annexation proposal.

(v) In addition to the standards set forth elsewhere in this section, annexation of the following lands must meet the following requirements:

(A) Property owned by a county or any entity within the county that is used as a fairgrounds area under the provisions of [chapter 8, title 31](#), Idaho Code, or [chapter 2, title 22](#), Idaho Code, must have the consent of a majority of the board of county commissioners of the county in which the property lies;

(B) Property owned by a nongovernmental entity that is used to provide outdoor recreational activities to the public, and that has been designated as a planned unit development of fifty (50) acres or more and does not require or utilize any city services, must have the express written permission of the nongovernmental entity owner;

(C) Land, if five (5) acres or greater, actively devoted to agriculture, as defined in section [63-604\(1\)](#), Idaho Code, regardless of whether it is surrounded or bounded on all sides by lands within a city, must have the express written permission of the owner; and

(D) Land, if five (5) acres or greater, actively devoted to forest land, as defined in section [63-1701](#), Idaho Code, regardless of whether it is surrounded or bounded on all sides by lands within a city, must have the express written permission of the owner.

(vi) After considering the written and oral comments of property owners whose land would be annexed and other affected persons, the city council may proceed with the enactment of an ordinance of annexation and zoning. In the course of the consideration of any such ordinance, the city must make express findings, to be set forth in the minutes of the city council meeting at which the annexation is approved, as follows:

(A) The land to be annexed meets the applicable requirements of this section and does not fall within the exceptions or conditional exceptions contained in this section;

(B) The annexation would be consistent with the public purposes addressed in the annexation plan prepared by the city;

(C) The annexation is reasonably necessary for the orderly development of the city;

(vii) Notwithstanding any other provision of this section, railroad right-of-way property may be annexed pursuant to this section only when property within the city adjoins or will adjoin both sides of the right-of-way.

(c) Procedures for category C annexations: A city may annex lands that would qualify under the requirements of category C annexation if the following requirements are met:

(i) Compliance with the procedures governing category B annexations; and

(ii) Evidence of consent to annexation based upon the following procedures:

(A) Following completion of all procedures required for consideration of a category B annexation, but prior to enactment of an annexation ordinance and upon an affirmative action by the city council, the city shall mail notice to all private landowners owning lands within the area to be annexed, exclusive of the owners of lands that are subject to a consent to annex which complies with subsection (4)(a) of this section defining consent. Such notice shall invite

property owners to give written consent to the annexation, include a description of how that consent can be made and where it can be filed, and inform the landowners where the entire record of the subject annexation may be examined. Such mailed notice shall also include a legal description of the lands proposed for annexation and a simple map depicting the location of the subject lands.

(B) Each landowner desiring to consent to the proposed annexation must submit the consent in writing to the city clerk by a date specified in the notice, which date shall not be later than forty-five (45) days after the date of the mailing of such notice.

(C) After the date specified in the notice for receipt of written consent, the city clerk shall compile and present to the city council a report setting forth: (i) the total physical area sought to be annexed, and (ii) the total physical area of the lands, as expressed in acres or square feet, whose owners have newly consented in writing to the annexation, plus the area of all lands subject to a prior consent to annex which complies with subsection (4)(a) of this section defining consent. The clerk shall immediately report the results to the city council.

(D) Upon receiving such report, the city council shall review the results and may thereafter confirm whether consent was received from the owners of a majority of the land. The results of the report shall be reflected in the minutes of the city council. If the report as accepted by the city council confirms that owners of a majority of the land area have consented to annexation, the city council may enact an ordinance of annexation, which thereafter shall be published and become effective according to the terms of the ordinance. If the report confirms that owners of a majority of the land area have not consented to the annexation, the category C annexation shall not be authorized.

(6) The decision of a city council to annex and zone lands as a category B or category C annexation shall be subject to judicial review in accordance with the procedures provided in [chapter 52, title 67](#), Idaho Code, and pursuant to the standards set forth in section [67-5279](#), Idaho Code. Any such appeal shall be filed by an affected person in the appropriate district court no later than twenty-eight (28) days after the date of publication of the annexation ordinance. All cases in which there may arise a question of the validity of any annexation under this section shall be advanced as a matter of immediate public interest and concern and shall be heard by the district court at the earliest practicable time.

(7) Annexation of noncontiguous municipal airfield. A city may annex land that is not contiguous to the city and is occupied by a municipally owned or operated airport or landing field. However, a city may not annex any other land adjacent to such noncontiguous facilities which is not otherwise annexable pursuant to this section.

History:

[50-222, added 2002, ch. 333, sec. 2, p. 939; am. 2008, ch. 118, sec. 1, p. 327; am. 2009, ch. 53, sec. 1, p. 145; am. 2019, ch. 22, sec. 1, p. 22; am. 2020, ch. 240, sec. 1, p. 702.]

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Estate Residential:

Suitable primarily for single family residential use. Densities in this land use area are to range from 1 unit per acre to 3 units per acre. Densities not exceeding 1 to 2 units per acre are to be encouraged in areas of the floodplain, ridgeline developable areas, hillside developable areas, and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where those existing larger lots are not likely to be subdivided in the future. Clustering is encouraged to preserve open space. A density bonus may be considered if open space is preserved, and land of at least 40% of additional preserved open space is developable.

Mixed-Use:

Generally suitable for a mixture of uses which may, at the sole discretion of the Council, include office, commercial, light industrial, and/or residential depending upon the specific area designated as Mixed Use. See Mixed Use Implementation Policies for specific criteria. Development within this land use designation is to proceed through the PUD and/or development agreement process.

Identifying areas for mixed-use development has two objectives. The first objective is to give the city a better tool to manage the type of developments through the planned unit development and/or the Development Agreement process. The second objective is that this land use designation will allow the development community to be more innovative in design and placement of structures. Development design guidelines should also be established to guide development within mixed-use areas. Rezoning within this land use designation is to be strictly monitored by the city to assure that the Mixed-Use areas are not being used simply to justify high density residential use.

Commercial:

Suitable primarily for the development of a wide range of commercial activities including offices, retail, and service establishments. Rezoning to this designation should not be allowed unless adequate ingress/egress to major transportation corridors are assured. Light industrial uses may be considered at the discretion of the City Council without amending this plan

8.3 Goal:

Encourage the development of a diverse community that provides a mix of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible, an assortment of amenities within walking distance of residential development.

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.

8.5.3 Policies Related Mostly to the Urban Residential Planning Areas:

A. The Neighborhood Residential Land Use is to encourage urban style development densities to limit urban sprawl.

B. Low densities within the Neighborhood Residential Land Use are to be designed within the floodplain, ridgeline developable areas, hillside developable areas and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where those existing larger lots are not likely to be subdivide in the future.

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- 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.

18.4 Implementation Policies:

- F. 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

ANNEXATION & REZONE:

The applicant is requesting approval of an annexation and zoning application with a zoning designation of Residential & Mixed Use (R-3-DA & MU-DA) on 185.93 acres. This zoning district would allow for a maximum residential density of 3 dwelling unit per acre and future non-residential mixed-use. The submitted conceptual plan and applicants statement indicates that the overall residential density proposed would be 1.2 dwelling units per acre. This meets the intent of the 1-3 du/acre allowed within the Estate Urban Residential designation on the Future Land Use Map. Due to the density proposed, Staff would recommend the Council approve an R-2 zoning designation rather than R-3. The property is located in an area that will be serviceable with central sewer and water provided by Star Sewer and Water District in the near future. The property will be accessed from Blessinger Road, as it is today, along with a new access off Highway 44. The applicant has submitted a conceptual site plan illustrating the proposed development layout. While the conceptual plan does not indicate specific lot sizes, lots adjacent to the Special Transition Overlay Area must meet Section 8-3B-3 of the Unified Development Code. Specially, lots along the Overlay Area shall be a minimum of 1-acre in size. The applicant recognizes this in his submitted narrative.

The applicant is proposing a Mixed-Use zoning designation for the property located adjacent to Hwy 44. The Star Comprehensive Plan Future Land Use Map designates this area as Commercial /Industrial Corridor. Therefore, to meet the intent of the Comp Plan, Staff recommends that the Council approve the area as either Commercial C-1 or Commercial C-2. C-1 may be better compatible with existing and future residential uses immediately adjacent.

Although Staff is recommending the Council approve the application with an R-2 zoning designation, it recognizes that the smaller lots clustered adjacent to the lakes need some relief from the required R-2 setbacks. Therefore, Staff would recommend that the larger one-acre lots adjacent to the Special Transition Overlay Area be approved with R-2 setbacks, and R-3 setbacks be approved for the residential lots throughout the remainder of the development. The applicant is proposing a side yard setback waiver for residential uses. The newly approved Unified Development Code requires 7.5' side yard setbacks in the R-3 zone. Council should consider the applicants request for reduced side yard setbacks when rendering its decision on the application and place a condition of approval in the development agreement.

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 should be considered by the applicant and Council include the following:

- Conceptual Site Plan/Future Development
- Minimum lot sizes adjacent to Special Transition Overlay Area
- Emergency Access
- ITD Proportionate Share
- Home Elevations
- Zoning designation for residential (proposed R-3 vs requested R-2)
- Zoning designation of non-residential property (C-1/C-2 vs proposed MU)
- Allowable Uses in the non-residential zone
- Proposed residential setback waivers

AGENCY RESPONSES

Middleton School District	September 9, 2022
COMPASS	September 28, 2022
Canyon Highway District #4 Email	August 22, 2022
City Engineer	September 29, 2022
Drainage District No. 2	September 14, 2022
ITD	September 29, 2022
Star Fire District	September 28, 2022

PUBLIC RESPONSES

Email from Neighbors within the Leighton Lake Estates & Leighton Ranch

STAFF ANALYSIS AND RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed annexation and zoning request, with Staff recommendations, meets the requirements, standards, and intent for development as they relate to the Comprehensive Plan and Unified Development Code. The proposed density of 1.2 dwelling unit per acre is within the maximum allowed density in the Estate Urban Residential Comprehensive Plan Future Land Use Map designation.

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. A development agreement will also be brought back to the Council for review of proposed Conditions of Approval for the rezone.

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:

ANNEXATION/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 Land Use is to encourage the development of a diverse community that provides a mixture of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible provides an assortment of amenities within walking distance of a residential development. The Council must find compliance with the Comprehensive Plan.

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

The Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the residential districts is to provide regulations and districts for various residential neighborhoods with gross densities in compliance with the intent of the Comprehensive Plan designation. Housing shall be single family detached unless approved with a PUD or development agreement. Connection to municipal water and sewer facilities are required for all subdivision and lot split applications in all districts exceeding one dwelling unit per acre. Private streets may be approved in this district for access to newly subdivided or split property.

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

The Council must find that there is no indication from the material submitted by any political agency stating that this annexation and 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.

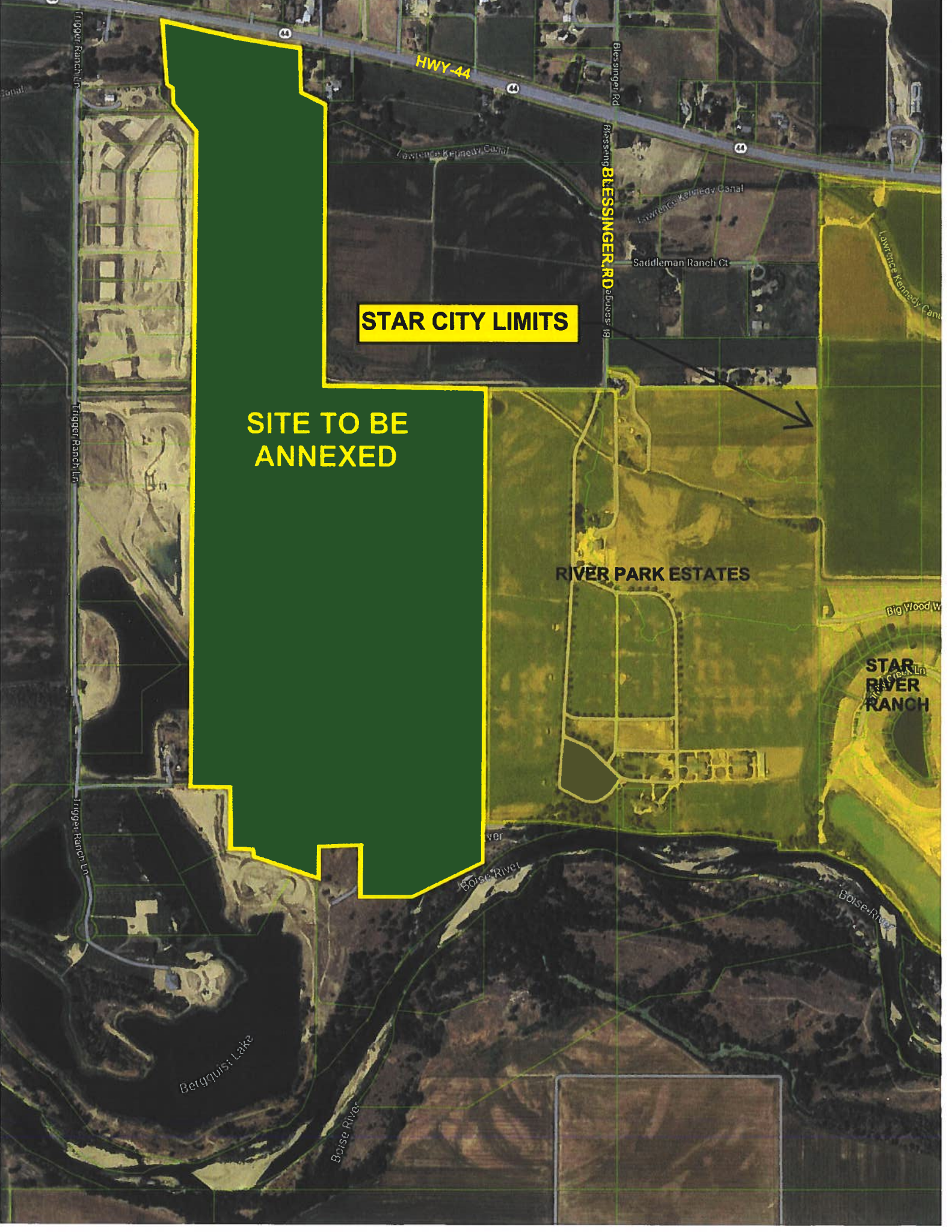
The Council must find that it has not been presented with any information from agencies having jurisdiction that public services will be adversely impacted other than traffic, which will continue to be impacted as the City grows.

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

The Council must find that this annexation is reasonably necessary for the orderly development of the City.

COUNCIL DECISION

The Star City Council _____ File Number AZ-22-12/DA-22-13 for the Quarry at River Park property on _____, 2022.



STAR CITY LIMITS

SITE TO BE ANNEXED

RIVER PARK ESTATES

STAR RIVER RANCH

HWY-44

Blessinger Rd

Blessinger Rd

Lawrence Kennedy Canal

Lawrence Kennedy Canal

Saddleman Ranch Ct

Lawrence Kennedy Canal

Big Wood W

Berquist Lake

Boise River

Boise River

Boise River

Triggen Ranch Ln

Triggen Ranch Ln

Triggen Ranch Ln

BOISE HUNTER HOMES

The Quarry at River Park Estates Annexation & Zoning

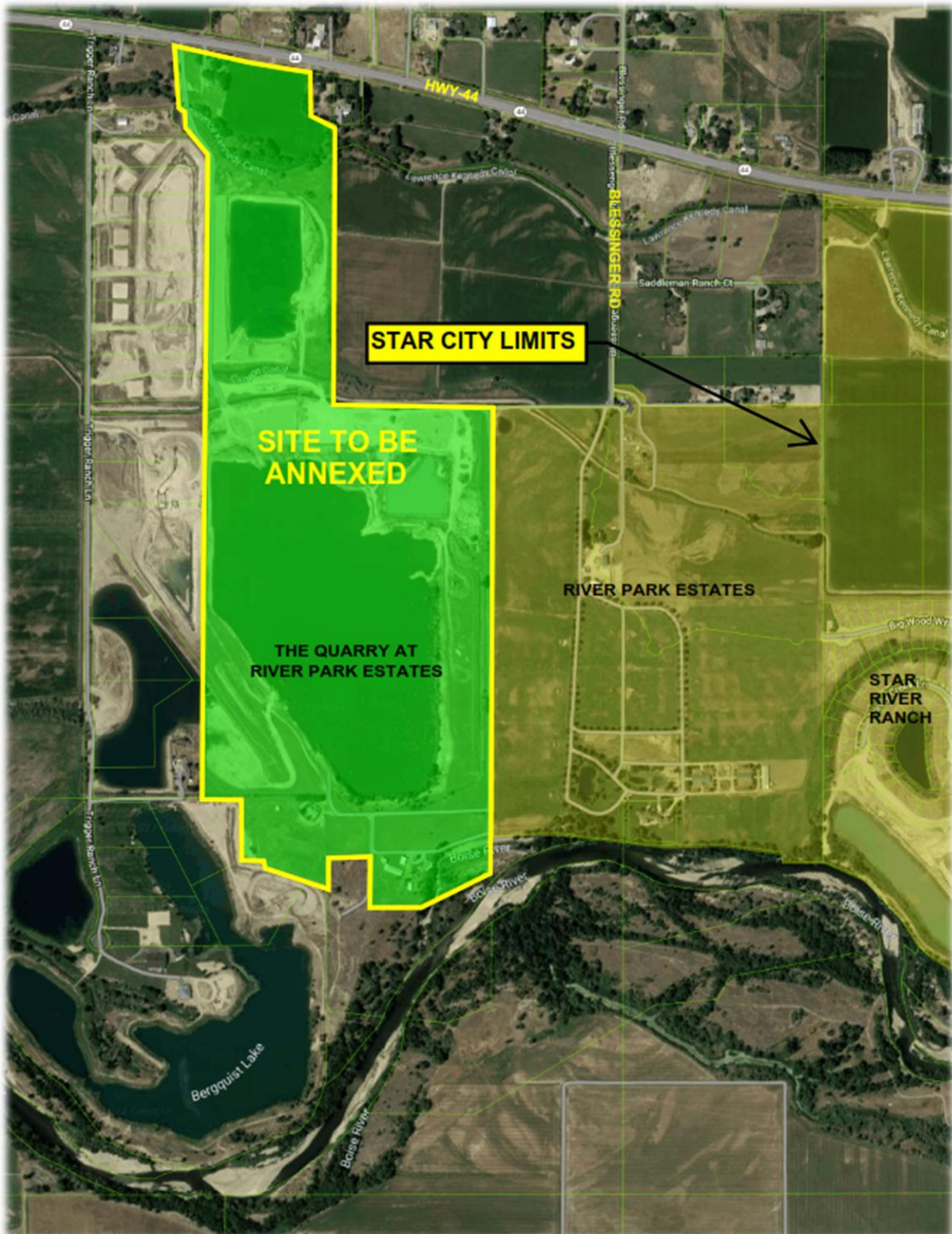


H5 Land Holdings 6, LLC and School House Ranch, LLC are pleased to submit the following application for annexation into the City of Star. We are requesting approval of an Annexation with a Development Agreement and a Conceptual Development Plan.

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Vicinity Map



Site Location and Existing Uses

The subject property is a 185.93-acre parcel of land located on the south side of State Highway 44 between Trigger Ranch Lane and Blessinger Road. The property is a mined-out gravel quarry with aggregate on the surface and little topsoil existing. The property is currently improved with a single-family home and contains two large lakes and 2 small ponds totaling ± 80 acres.

Annexation and Zoning

The property is located within the City of Star's Comprehensive Plan and Future Land Use Map. The property abuts the city limits of Star along the eastern property line. Annexation of this property will fulfill the City of Star's desire for orderly development.

The property has three land use designations on the Future Land Use Map. The portion of the property that abuts State Highway 44 is Commercial/Industrial. The middle section is Neighborhood Residential, and the southern portion is Estate Residential.

The Star Comprehensive Plan anticipates single-family residential homes as the primary use within the Estate Residential Land Use Designation. The density range is one to three units per acre with properties in the floodplain to be one to two units per acre.

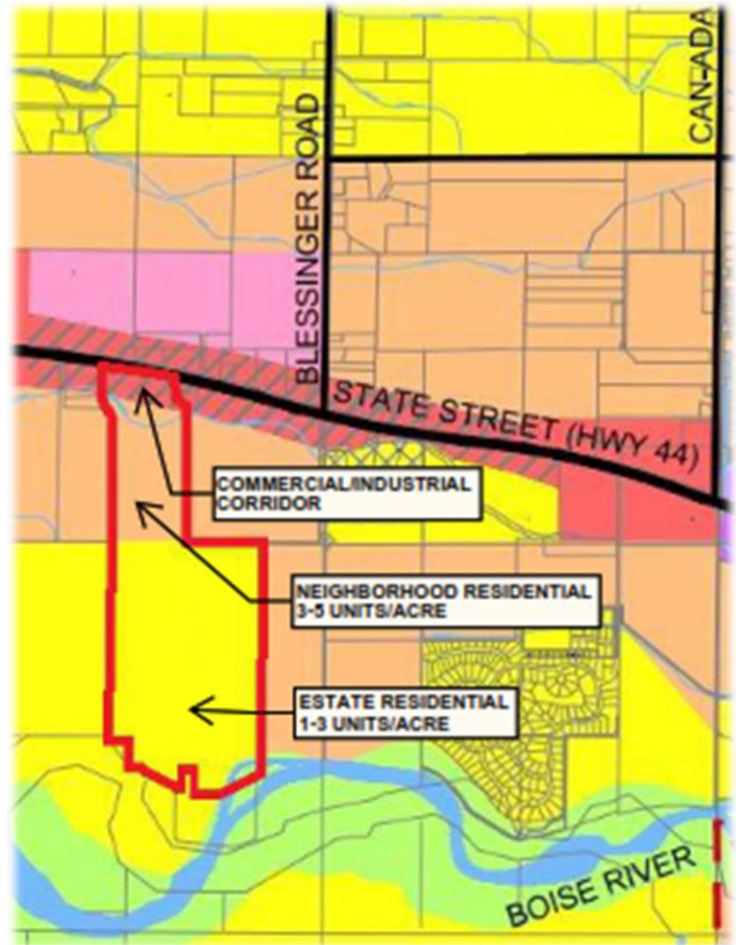
The Star Comprehensive Plan recognizes the Neighborhood Residential land use as suitable primarily for single-family residential uses. It anticipates developments that will provide densities between three and five units per acre with densities not exceeding 1 – 2 dwelling units per acre within the floodplain. The Zoning Compatibility Matrix shows the residential zones R-1 through R-5 as appropriate for the Neighborhood Residential land use.

Finally, the Star Comprehensive Plan states that a wide range of commercial and light industrial activities are suitable for the Commercial / Industrial Corridor Land Use Designation located along Highway 44.

We are requesting the majority of the property (approximately 179.02 Acres) be zoned R-3 with a small portion (6.91 acres) along Highway 44 to be zoned MU (Mixed Use District). In addition, a development agreement will be established for the property. The overall residential density of the subdivision is 1.2 dwelling units per acre. This is consistent with the Land Use descriptions for Estate Residential and Neighborhood Residential found in the Comprehensive Plan.

Conceptual Development Plan

The conceptual development plan for the Quarry at River Park subdivision includes 228 single-family lots. Three different lot sizes are provided within the subdivision. The largest lots are at least one acre in size. These lots are located along the western perimeter of the subdivision as a transition to the larger lots on the west. The next largest lots are 81 feet wide and the smallest lots are 65 feet wide. This provides a mix of lots that can accommodate a variety of home sizes. We are proposing the street network within the subdivision be comprised of private streets.



Development Statistics

Total Area	185.93 acres
Residential Area	179.02 acres
Commercial Area	6.91 acres
Commercial Lots	3
Residential Lots	228
Residential Density	1.2 DU/AC
Estate Acre Lots	11 (5 %)
81' Wide Lots	71 (31 %)
65' Wide Lots	132 (58 %)
Common Lots	18
Total Open Space (AC)	± 86
Total Open Space (%)	± 46
Useable Open Space (AC)	± 43
Useable Open Space (%)	± 23

Architecture

One of the items that sets Boise Hunter Homes apart from the other home builders in the Treasure Valley is our world class architecture. The majority of our beautiful homes are designed by architect Michael Woodley, AIA, who is one of the most prolific architects in homebuilding, and he exclusively works with Boise Hunter Homes in Idaho. In 2015, Michael was inducted into the Homebuilding Hall of Fame. And in 2020 at the Gold Nugget Grand Awards, the top awards show in homebuilding, Michael and his firm were the recipients of the "Best Residential Detached Collection of the Year" and the "Best Interior of a Home". In designing our homes, Michael leads us through an extensive process to design floorplans and finishes that exceed buyer expectations and meet the high standard of functionality and style that sets us apart from the rest.



Development Agreement / Planned Unit Development

The newly approved Unified Development Code requires a 7.5 foot side yard setback for homes within the R-3 zone. The vast majority of our prospective buyers typically want a larger home, views, and bigger backyards. We accomplish each of these priorities through our award-winning architecture, which is modulated to avoid a box-like look, and instead is functional and aesthetically pleasing from every angle. We build homes that create modulation in the roofline of the home which produces a more visually appealing front façade.

As previously noted, Boise Hunter Homes produces gorgeous homes with stellar architecture designed by world class architect Mike Woodley who has won numerous Golden Nugget awards at the Pacific Coast Builders Conference and International Builders Conference.

Our homes are designed with varying roof lines that provide visual interest on all four sides. This is achieved by modulating the façade, so the homes do not appear “boxy”. In addition, the sides of our homes are articulated so there is not a solid wall plane. This reduces the wall mass on the sides of the homes which reduces the amount of the second story that is near the adjacent homes. Finally, we provide an abundance of windows that create a welcoming feel to the home.



The recently approved Unified Development Code requires a Planned Unit Development when side yard setbacks are requested. We are in support of a development agreement with our annexation application to allow for a five-foot wide side yard setback for homes within the subdivision. This would establish the reduced setback. We plan on submitting a Planned Unit Development application in conjunction with the preliminary plat application at a later date, once the property has been annexed into Star City. Approval of this development agreement will allow Boise Hunter Homes to bring our world class architecture to the City of Star within this wonderful subdivision.

Open Space and Amenities

The Star Unified Development Code requires residential subdivisions provide a total of 15% open space with a minimum usable open space requirement of 10%. The residential portion of the Quarry at River Park Estates Subdivision is 179.02 acres requiring a total open space of 26.85 acres, and a usable open space requirement of 17.9 acres. We are providing more than three times the required open space with approximately 86 acres of open space. Approximately half of that is classified as usable open space under the new requirements found in the updated Unified Development Code.



Numerous amenities are provided throughout the subdivision for use by the residents. Most notable of these amenities are the two large lakes located within the interior the subdivision. These lakes provide abundant opportunities for recreation in the form of fishing, swimming, boating, kayaking, canoeing, and paddle boarding. There are also two smaller lakes located within the development. We anticipate improving the northeastern edge of the largest lake with a sandy beach with shade cabanas. In addition, there will be pedestrian access to all of the lakes. A fishing dock is provided on the northern lake and a boat launch on the southern lake.

Another amenity provided along the Boise River will be the extension of the greenbelt pathway as it abuts the property on the east side. This is consistent with the pathway shown on the City of Star Recreational & Alternate Transportation Plan. This greenbelt provides a wonderful recreational opportunity for subdivision residents as well as the general public.

Pathways will be provided along the two canals that traverse through the property. The Lawrence Kennedy Canal is located in the norther portion of the development while the Canyon County Canal runs through the center of the subdivision.

In addition to the open space, a community center is proposed at the northwest corner of the large southern lake.

Floodplain

The majority of the property is located within the Floodplain – AE Zone. The property will be developed in a manner to raise the developed lots and street improvements above the base flood elevation. A very small portion of the southeast corner of the property (3 acres) is located within the Floodway of the Boise River. No structures or grading are proposed within the Floodway. There is some riparian vegetation that is located along the Boise River at the southern end of the development that will remain undisturbed. A Floodplain Development Application will be submitted with the Preliminary Plat Application in the future.

Comprehensive Plan Compliance

As previously noted, this property has three land use designations on the Future Land Use Map for the City of Star. The portion of the property that abuts State Highway 44 is Commercial/Industrial. The middle section is Neighborhood Residential, and the southern portion is Estate Residential. The proposed project aligns very well with the goals and objectives identified in the Comprehensive Plan. Below is a list of goals and objectives that apply to this project and an explanation of how the development is in compliance with those goals and objectives:

7.4 Objectives

H – Develop a mixture of commercial, service, and residential developments that encourage walking.

The proposed development has a mixture of residential and commercial property. The two uses are located within close proximity to each other and connected by pedestrian access to provide a walkable community.

7.5 Implementation Policies

A – Concentrate appropriate commercial and office development onto relatively small amounts of land, in close proximity to housing and consumers for neighborhood commercial centers.

As previously noted, the proposed development has a commercial component located on a small portion of the land located along Highway 44. This commercial property is in close proximity to existing and proposed housing in the area.

8.3 Goal

Encourage the development of a diverse community that provides a mix of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible, an assortment of amenities within walking distance of residential development.

The proposed subdivision provides a variety of lot sizes to accommodate various housing sizes. The lots range from approximately 7,500 square feet to over two acres in size. Numerous recreational opportunities are provided for the residents of the subdivision as well as a green belt along the Boise River for the greater community. In addition, a portion of the property along Highway 44 will be developed with commercial uses providing employment options.

8.4 Objectives

A – Preserve the family friendly feel of Star.

This subdivision is comprised primarily of single-family residential lots with home sizes to accommodate families of all sizes. With the community parks, lakes, and overall community design we are excited for the future HOA to bring together residents through a variety of events and neighborhood gatherings.

B – Implement the Land Use Map and associated policies as the official guide for development.

As previously noted, this property is located within the Commercial/Industrial Corridor, Neighborhood Residential, and Estate Residential land use areas. The proposed development was largely dictated by the uses and policies outlined by the Future Land Use map for this area.

C – Manage Urban sprawl in order to minimize costs of urban services and to protect rural areas.

The proposed subdivision is located adjacent to property that was recently annexed into the City of Star with an approved subdivision. Urban services will be provided to this property from the adjacent subdivision to the east.

8.5.3 Policies Related Mostly to the Urban Residential Planning Areas

A – The estate and Neighborhood Residential Land Use is to encourage urban style development densities to limit urban sprawl.

The proposed subdivision is located within both the Neighborhood Residential and Estate Residential land uses and is located between two residential subdivisions. The density of the proposed subdivision is 1.2 dwelling units per acre which is far below the 3-5 dwelling units per acre anticipated with the Neighborhood Residential land use and right in line with the 1-3 dwelling units per acre anticipated with the Estate Residential land use.

B – Low densities within the Estate and Neighborhood Residential Land Use are to be designed within the floodplain, ridgeline developable areas, hillside developable areas and where new residential lots are proposed adjacent to existing residential lot of one acre and larger where those existing larger lots are not likely to be subdivided in the future.

The property is located within both the Neighborhood Residential and Estate Residential land use and the floodplain. The subdivision will be graded in a way to raise the buildable lots and street infrastructure out of the floodplain. The property is not located adjacent to any land that is not likely to be subdivided in the future.

C – Site layout adjacent to and within the Special Transition Overlay Area shall provide for a transition in density and lot sizing.

Although this property is not located within the Special Transition Overlay Area, we are providing a transition in the lot sizing along the western border of the development. The residential subdivision located to the west is within Canyon County and has larger lots. We are building 14 homes along the 1 mile of adjacency of our neighbors to the west, where that have 17 homes in the 1 mil stretch. Most of these homes will be on 1-2 acre lots.

11.3 Goal

Coordinate with local agencies and providers to develop plans for energy services and public utility facilities for the long-term energy and utility needs of the City of Star.

We have worked with Star Sewer & Water to identify the preferred route for the sewer force main through this property. The annexation of this property into the City of Star will provide a crucial link between the existing sewer force main located within the River Park Estates subdivision to the east and the future regional lift station planned for the area to the north along State Highway 44.

11.4 Objectives

B – Work cooperatively with the Star Sewer & Water District to ensure that the District is equipped to meet the water demands and to provide wastewater collection services, necessary system expansions and upgrades to keep pace with and not impede new and orderly development within the city planning area as development occurs.

As previously noted, we have worked with Star Sewer & Water to coordinate the extension of the sewer main through this property to complete the connection to the future regional lift station located north of the subject property.

Transportation

As previously noted, we are proposing for the majority of the streets within the development to be private streets. All streets within the development are 36 feet wide from back-of-curb to back-of-curb. The sidewalks will be five feet wide and be a mixture of attached and detached.

The Landruff Lane Collector Road will be extended as a public street through the subdivision in conformance with the Master Street Map.

Conclusion

The proposed Annexation & Zoning application for the Quarry at River Park Estates development was created after carefully considering the Star Unified Development Code, Comprehensive Plan, site location, and surrounding neighborhoods. We look forward to discussing the application with you in greater detail. If you have any questions regarding this submittal, please contact me at 208-618-2157 or ttucker@boisehunterhomes.com.

Sincerely,



Todd Tucker
Planning and Entitlement Manager



ANNEXATION & ZONING - REZONE 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 Tucker
Applicant Address: 923 S. Bridgeway Place - Eagle, ID Zip: 83616
Phone: 208-618-2157 Email: tucker@boisehunterhomes.com

Owner Name: H5 Land Holdings 6, LLC & School House Ranch, LLC (James H. Hunter)
Owner Address: 923 S. Bridgeway Place - Eagle, ID Zip: 83616
Phone: 208-557-5501 Email: jameshunter1@hotmail.com

Representative (e.g., architect, engineer, developer):
Contact: Chad Kinkela, P.E. Firm Name: CK Engineering
Address: 1300 E. State Street #102 - Eagle, ID Zip: 83616
Phone: 208-639-1992 Email: chad@ck-engineers.com

Property Information:

Site Address: 21339 Blessinger Rd. - Star, ID 83669 Parcel Number: R3404900000
Total Acreage of Site: 185.93 Acres
Total Acreage of Site in Special Flood Hazard Area: 161
Proposed Zoning Designation of Site: R-3 & MU

Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	AG (CANYON COUNTY) C1 (CANYON COUNTY)	ESTATE RES / NEIGHBORHOOD RES / COMMERCIAL/INDUSTRIAL CORRIDOR	RETIRED ROCK QUARRY SINGLE-FAMILY HOME
Proposed	MU (STAR) R-3 (STAR)	NO CHANGE	MIXED USE SUBDIVISION
North of site	AG (CANYON COUNTY)	COMMERCIAL/INDUSTRIAL CORRIDOR	HWY-44 THEN VACANT LAND
South of site	RR (CANYON COUNTY) AG (CANYON COUNTY)	FLOODWAY	BOISE RIVER
East of site	R-2 (STAR)	NEIGHBORHOOD RESIDENTIAL	SINGLE-FAMILY RESIDENTIAL SUBDIVISION
West of site	RR (CANYON COUNTY)	ESTATE RES / NEIGHBORHOOD RES / COMMERCIAL/INDUSTRIAL COORIDOR	SINGLE-FAMILY RESIDENTIAL SUBDIVISION

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

Areas of Critical Environmental Concern - No

Evidence of Erosion - No

Fish Habitat - Yes, there are fish in the lakes and in the adjacent Boise River.

Floodplain - Yes, the majority of the site is in the floodplain but will be elevated out with construction.

Mature Trees - Yes, there are mature trees on the property along the Lawrence Kennedy Canal and the Boise River.

Riparian Vegetation - Yes, down along the Boise River

Steep Slopes - No

Stream/Creek - Yes, the Lawrence Kennedy Canal and the Canyon Canal run through the property.

Unique Animal Life - No

Unique Plant Life - No

Unstable Soils - No

Wildlife Habitat - Yes, there are some wildlife that traverse through the property down by the river.

Historical Assets - No

Application Requirements:

(Applications are required to contain one 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 (√)	Description	Staff (√)
✓	Pre-application meeting with the Planning Department required prior to neighborhood meeting.	
✓	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.)	
✓	Completed and signed Annexation & Zoning/Rezone Application	
✓	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.	
✓	Narrative fully describing the proposed project (must be signed by applicant)	
✓	Legal description of the property to be annexed and/or rezoned: <ul style="list-style-type: none"> • 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. 	
✓	Recorded warranty deed for the subject property	

✓	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.	
✓	One (1) 8½" X 11" copy and electronic copy in pdf. format of vicinity map showing the location of the subject property	
✓	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.	
✓	Electronic copy in pdf. format of submitted plat, site or conceptual plan.	
✓	List of name(s) and address(es) of all canal or irrigation ditches within or contiguous to the proposed development.	
✓	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.	
✓	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, <u>shall be submitted in original pdf format (no scans for preliminary plat/site plans) on two (2) thumb drives only (no discs)</u> 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 applicant 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: <u>Jodd Tucker</u>	
✓	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.*

Jodd Tucker
Applicant/Representative Signature

5 / 17 / 2022
Date

CONCEPTUAL DEVELOPMENT PLAN

LEGEND

- 1 Commercial Area
- 2 Fishing Docks
- 3 Open Space/ Park
- 4 Community Center
- 5 Boat Launch
- 6 Kiddie Play Pond
- 7 Beach
- 8 Native Open Space



0' 90' 180' 360'

















Middleton School District #134

Every Child Learning Every Day

Middleton School District #134

City of Star--Public Hearing Notice Response

Marc Gee

Superintendent

Lisa Pennington

Assistant Superintendent

General Response for All New Development

Middleton School District is currently experiencing significant growth in its student population. **Currently Middleton School District has 2 of our 3 elementary schools over capacity. Heights Elementary is at 134% of capacity with three portable units. Mill Creek Elementary is at 123% of capacity with 2 portables (soon to be 4).** We are nearing capacity, but have not superseded at this point, at our high school (94%) and middle school (85%). As it stands now there is a need for additional facilities in our school district, primarily at the elementary grades. We have significant concerns of the continued growth and our ability to meet the future facility needs of our district at the secondary level (Middleton Middle School and Middleton High School).

We have completed a demographic study performed for our school district boundaries and the data suggests for every new home we could expect between 0.5 and 0.7 (with an average of .559) students to come to our school. That is the factor/rate we use to make our projection of student impact for each development.

We encourage the city to be judicious in their approval process recognizing that each new development brings new students to our school and will increase the burden placed on taxpayers within the school district. New facilities, primarily an elementary school, are needed now, but additional students continue to increase that need.

The Quarry at River Park Estates Subdivision (Star)

Students living in the subdivision as planned would be in the attendance zones for Mill Creek Elementary, Middleton Middle School, and Middleton High School. With 228 total lots, we would anticipate, upon completion, an increase of 114-160 students between Mill Creek Elementary, Middleton Middle School, and Middleton High School. **To put this in perspective, that equates to approximately 5-6 classrooms of students (ave. 25 students).** Every classroom at Mill Creek Elementary currently has an initial cost of \$125,000 just for the portable unit that would be required to house the students. That amount does not include the costs of other materials required (ie desks, chairs, curricular materials, etc).

In addition to the increase in student population, based on the location, bussing would be provided for all school students. The increase in students has the potential to increase the number of routes the district provides, thus increasing cost to the district and taxpayers. Having not seen the design of the subdivision we would recommend the developers meet with the school district officials and school transportation officials to ensure adequate access for bussing to the area.

Questions, clarifications, or comments should be directed to:

Marc Gee, Superintendent. (mgee@msd134.org)

5 South Viking Avenue
Middleton, ID 83644

(208) 585-3027

msd134.org

Communities in Motion 2050 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of Communities in Motion 2050 (CIM 2050), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2050 goals.



Development Name: The Quarry at River Park Estates
CIM Vision Category: Future Neighborhood **New Jobs:** ±90
CIM Corridor: West State Street/State Highway 44 **New Households:** 228



Safety
 Level of Stress measures how safe and comfortable a bicyclist or pedestrian would feel on a corridor and considers multimodal infrastructure number of vehicle lanes and travel speeds.

- Pedestrian level of stress
- Bicycle level of stress



Economic Vitality
 These tools evaluate whether the location of the proposal supports economic vitality by growing near existing public services.

- Activity Center Access
- Farmland Preservation
- Net Fiscal Impact
- Within CIM Forecast



Convenience
 Residents who live or work less than 1/2 mile from critical services have more transportation choices, especially for vulnerable populations.

- Nearest bus stop
- Nearest public school
- Nearest public park



Quality of Life
 Checked boxes indicate that additional information is attached.

- Active Transportation
- Automobile Transportation
- Public Transportation
- Roadway Capacity



Improves performance



Does not improve or reduce performance



Reduces performance

Comments:
 The number of jobs included in this proposal exceeds growth forecasted for this area. Transportation infrastructure may not be able to support the new transportation demands.

Widening State Highway 44, Canyon Lane to Star Road to four travel lanes is the #3 unfunded state system priority in [Communities in Motion 2040 2.0](#). Also note that this development is nearby the Boise River's 100 year-floodplain.

Communities in Motion 2050
[2020 Change in Motion Report](#)
[Development Review Process](#)

Web: www.compassidaho.org
 Email: info@compassidaho.org



Fiscal Impact Analysis Supplemental for the Development Review Checklist

The purpose of the fiscal impact analysis is to better estimate expected revenues and costs to local governments as a result of new development so that the public, stakeholders, and the decision-makers can better manage growth. Capital and operating expenditures are determined by various factors that determine service and infrastructure needs, including persons per household, student generation rates, lot sizes, street frontages, vehicle trip and trip adjustment factors, average trip lengths, construction values, income, discretionary spending, and employment densities.

The COMPASS Development Checklist considers the level of fiscal benefits, how many public agencies benefit or are burdened by additional growth, and how long the proposal will take to achieve a fiscal break-even point, if at all.

More information about the COMPASS Fiscal Impact Tool is available at:

www.compassidaho.org/prodserv/fiscalimpact.htm

Overall Net Fiscal Impact Net Fiscal Impact by Agency



City



County



Highway District



n/a School District

Break Even: Doesn't Break Even

Shawn Nickel

From: Todd Tucker <ttucker@boisehunterhomes.com>
Sent: Tuesday, August 23, 2022 8:06 AM
To: Ryan Field
Cc: Shawn Nickel; Trevor Chadwick
Subject: FW: TIS without a preliminary plat

Ryan,
Please see Chris Hopper's email below clarifying that they will not require a TIS for the annexation application with a conceptual development plan for our property next to the River Park Estates subdivision as this development does not constitute an extraordinary impact for traffic needs due to the relatively small size of the development. As such, our plan is to submit the annexation and zoning application (with a conceptual development plan) later this week. Let me know if you have any questions or need anything else from me.

Thanks,

Todd Tucker

Planning & Entitlement Manager

BOISE HUNTER HOMES

923 S. Bridgeway Place
Eagle, ID 83616

Cell: 208-570-3626
Office: 208-618-2157

From: Chris Hopper <CHopper@canyonhd4.org>
Sent: Monday, August 22, 2022 3:14 PM
To: Todd Tucker <ttucker@boisehunterhomes.com>
Cc: Travis Hunter <THunter@boisehunterhomes.com>
Subject: RE: TIS without a preliminary plat

Todd-
Our policy does not speak to the need for a TIS at a particular phase in the development cycle, just that it may be required for review of applications for everything from annexations to access permits to planned unit developments. For ordinary development, that does not meet the "extraordinary impact" definition in the transportation impact fee ordinance adopted by Star and Canyon County, a TIS is not necessary to the highway district until approval of the preliminary plat when project-specific traffic mitigation(s) would be established. For those projects large enough or complex enough to require a TIS with annexation or comp plan amendment, or for specific conditional uses, CHD4 will identify to the city the need for a TIS (or preliminary TIS) when initial notice is provided.

The project you are referencing, the 186 acres west of River Park on Blessinger, does not constitute an extraordinary impact for traffic needs, and CHD4 would not require an approved TIS prior to the preliminary plat.

Respectfully,

Chris Hopper, P.E.
District Engineer

City of Star

P.O. Box 130
Star, Idaho 83669
208-286-7247
Fax 208-286-7569

www.staridaho.org



Mayor:
Trevor A. Chadwick

Council:
Kevin Nielsen
Jennifer Salmonsens
Kevan Wheelock
David Hershey

29 September 2022

Todd Tucker
Boise Hunter Homes
9232 S. Bridgeway Place
Eagle, ID 83616

Re: The Quarry at River Park – Annexation and Rezone Application

Dear Mr. Tucker

The City of Star Engineering Department has reviewed the Annexation and Rezone Application for the Quarry at River Park dated May 17, 2022. We reviewed the applicant's package to check conformance with the City's Subdivision Ordinance and coordinated our review with Shawn L. Nickel. We have the following comments and question based on our review.

1. Potable water cannot be used for irrigation purposes. A separate pressure irrigation system will be required. Construction plans for a subdivision-wide pressure irrigation system will be required for each final plat. Plan approvals and license agreements from the affected irrigation and/or canal companies will be required.
2. Street lighting shall be in accordance with ISPWC and the City of Star Supplementals. Cut sheet for lights and light poles shall be approved in writing by the City prior to installation.
3. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
4. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
5. Easements for sewer/water facilities will be required where placed outside of public right of way.

We recommend that the application be APPROVED with the conditions listed above. Any variance or waivers to the City of Star standards, ordinances, or policies must be specifically approved in writing by the City. Approval of the above referenced preliminary plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to contact City Hall

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan V. Morgan", with a large, sweeping flourish at the end.

Ryan V. Morgan, P.E.
City Engineer

Enclosures

Boise Office
1101 W. River St.
Suite 110
Boise, Idaho 83702
Tel. (208) 629-7447

Challis Office
1301 E. Main Ave.
P.O. Box 36
Challis, Idaho 83226
Tel. (208) 879-4488

Twin Falls Office
213 Canyon Crest Drive
Suite 200
Twin Falls, Idaho 83301
Tel. (208) 969-9585

Fax (all offices)
(208) 629-7559



RECEIVED
9/19/22
Jnae

SAWTOOTH LAW OFFICES, PLLC

September 14, 2022

David P. Claiborne

S. Bryce Farris

Evan T. Roth

Daniel V. Steenson

Andrew J. Waldera

Brian A. Faria

Patxi Larrocea-Phillips

John A. Richards

Matthew A. Sturzen

Katie L. Vandenberg-Van Vliet

James R. Bennetts (retired)

City of Star
Attn: Shawn Nickel
P.O. Box 130
Star, Idaho 83669

Re: File #'s: AZ-22-13 (Annexation-Zoning) and DA-22-13 (Development Agreement) -
The Quarry at River Park Estates Subdivision

Dear Mr. Nickel:

Drainage District #2 has a drainage ditch and easement that runs through or abuts this property. The easement is 100 feet, 50 feet each side of the centerline, for open drains and 50 feet, 25 feet each side of the centerline for piped or closed drains. The developer/owner must contact the District's attorney's, Sawtooth Law Offices, PLLC, for approval before any encroachment, change of easement, or drainage discharge into the District's facilities occurs. The District must review drainage plans and construction plans prior to any approval.

The District generally requires a License Agreement prior to any approval for the following reasons:

1. Relocation of a District facility which would also require a new easement and relinquishment of the old easement once the relocation has been completed.
2. Piping of District facility.
3. Encroachment on a District facility with gas, water and sewer lines, utility lines, roadways, bridges or any other structures.
4. Drainage discharges into District facilities.

Also, please be advised that the District does not approve of trees within the District's easement. Therefore, any existing trees within the District's easement will need to be removed. On occasion, the District may make exceptions on a case by case basis, which requires the developers/owners to obtain written permission from the District for existing trees to remain.

Please contact me if you have any questions.

Yours very truly,

S. Bryce Farris

SBF:krk

cc: DD#2 Board of Directors
www.sawtoothlaw.com
Attorneys licensed in Idaho, Montana, Oregon and Washington



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028

(208) 334-8300 • itd.idaho.gov

September 29, 2022

City of Star

Attn: Shawn L. Nickel, P&Z Administrator

PO Box 130

Star, ID 83669

snickel@staridaho.org

RE: The Quarry at River Park Estates, Case # AZ-22-13 and DA-22-13

Dear Mr. Nickel,

Idaho Transportation Department (ITD) has received application for case numbers AZ-22-13 and DA-22-13 for review located on the south side of State Highway 44, between Trigger Ranch Lane and west of Blessinger Road, Star, Idaho.

Traffic generation numbers were not provided with this application. Based off of the requested zoning and proximity to State Highway 44, a Transportation Impact Study (TIS) will be required. ITD requests that the applicant provide a TIS reflecting full build-out of the development. ITD needs more information on the trip generations to determine what mitigations, if any, that the applicant may be required to construct on the state highway system. Any necessary mitigation for traffic impacts identified by the TIS shall be the responsibility of the applicant to install.

Additionally, ITD is working on a corridor plan for this area of State Highway 44 that will need to be taken into consideration as the development progresses.

ITD reserves the right to make further comments upon review of any submitted traffic generation data or other documents.

Sincerely,

A handwritten signature in blue ink that reads 'Wendy I. Howell'.

Wendy I. Howell

ITD – District 3

Development Services Coordinator



MIDDLETON STAR FIRE DISTRICTS

Fire District Headquarters
11665 W. State St., Suite B
Star, Idaho 83669

Tel. No.: (208) 286-7772
Web: www.midstarfire.org
Email: permits@starfirerescue.org

DATE: September 28, 2022

TO: City of Star – Planning and Zoning

FROM: Victor Islas, Deputy Chief

SUBJECT: Fire District Comments

PROJECT NAME: The Quarry at River Park Estates Subdivision
Files: AZ-22-13 & DA-22-13

Fire District Summary Report:

1. **Overview** This development can be serviced by the Star Fire Protection District. This development shall comply with the 2018 International Fire Code (IFC) and any codes set forth by the City of Star, Idaho.
2. **Fire Response Time:** This development will be served by the Star Fire Protection District Station 52, located at 22585 Kingsbury Rd., Middleton, ID 83644. Station 52 is 0.7 miles with a travel time of 1 minutes under ideal driving conditions to the purposed entrance to the development off Hwy 44. Please note response times will change as roads are developed.
3. **Comments:** This project will require additional Fire Code Compliance review by the fire district as development applications are submitted.

Shawn Nickel

From: Kay Harwood <kay7226@yahoo.com>
Sent: Wednesday, September 28, 2022 10:02 AM
To: Shawn Nickel
Cc: Trevor Chadwick; Trace Leighton
Subject: Re: Boise Hunter Homes proposal 'The Quarry at River Park Estates' Subdivision - Annexation hearing, 10/4/22

Hello Mr. Nickel -

Below is the revised letter I referred to yesterday. Line item #9 is the only one revised to add an additional water/sewer stub.

Please kindly replace the prior letter with this one.

Thank you!

Kay Harwood

Sent from my iPad

On Sep 27, 2022, at 2:26 PM, Kay Harwood <kay7226@yahoo.com> wrote:

To: Shawn Nickel

City Planner & Zoning Administrator
City of Star

Dear Mr. Nickel -

To garner support for the proposed 'The Quarry at River Park Estates' Subdivision, the following requirements are provided by the neighborhoods of Leighton Lake Estates, and Leighton Ranch, totaling 24 households.

As there is no preliminary plat in place at this time, the following are requested to be included in the Development Agreement between the City of Star, and Owner.

1. Zoning maximum R2, and maximum number

of lots capped at 217, or less. Minimum lot sizes of 1 to 2 acres each, for those proposed to border Leighton Lake Estates and Leighton Ranch subdivisions.

2. We question whether an access of this size and this many homes is allowable on HW44 due to the proximity of Trigger Ranch Lane and Blessinger Road. If it is allowed, we are requesting that it be moved to the farthest eastern property boundary of the proposed subdivision by BHH.

3. Installation of a traffic light at the corner of HW44 and Blessinger.

4. Proposed Landuff lane extension to be moved to split the section line, to align with what other properties in the area have been required to do by the CCHD.

5. Setbacks, lot widths, street widths, density to follow current revised guidance approved by City of Star.

6. Eliminate 6 of 8 proposed lots bordering Leighton Lake Estates and the west side of the most northerly lake in 'The Quarry'. No more than 2 homes on said west side, on building lots not less than 1 to 2 acres in size, which

should have private driveway access, with no ingress/egress access road. This provides more land mass, and is offset by the dense number of homes proposed for the east side.

7. Single level homes only on lots bordering Leighton Lake Estates and Leighton Ranch subdivisions.

8. Move clubhouse to eastside of the proposed lake. Any buildable replacement lots created thereof to be 1 to 2 acres each, minimum.

9. Three Sewer/water stub locations: (1) the north side of Lawrence Kennedy canal, at the western edge of the commercial site; (2) at the westerly edge of proposed subdivision, located at edge of Landuff Road, adjacent to the Leighton Lake Estates property; and (3) at most southerly edge of proposed subdivision.

10. Perimeter fence commitment required in writing.

11. Developer proposed landscaping with berms and trees adjacent to Leighton Lake Estates and Leighton Ranch subdivisions required in writing.

12. Remove the electrical line poles, and bury the lines underground. These are the lines that border the subject proposed development, and the existing Leighton Lake Estates and Leighton Ranch subdivisions.

Thank you,

Kay Harwood, Representative, Leighton Lake Estates HOA
Trace Leighton, Representative, Leighton Ranch

	Leighton Lake Estates:	
LOT	ADDRESS	NAME

2	22318 Trigger Ranch Ln	John Flaherty
3	22282 Trigger Ranch Ln	John Flaherty
4	22244 Trigger Ranch Ln	Jeff and Jaimie Hererra
5	22202 Trigger Ranch Ln	Douglas & Heather Morris
6	22180 Trigger Ranch Ln	Ron and Tamara Brutsman
7	22154 Trigger Ranch Ln	Shane and Laura Proffitt
8	22138 Trigger Ranch Ln	Kirk and Kay Harwood
9	22104 Trigger Ranch Ln	Gregg and Lauren Herrera
10	22076 Trigger Ranch Ln	Jon and Deena Bondarczuk
11	22002 Trigger Ranch Ln	Larry and Debi Downs
13	21988 Trigger Ranch Ln	John and Shelby White
14	21934 Trigger Ranch Ln	Evan and Kandi Gines
15	21846 Trigger Ranch Ln	Mark and Tina Vucinich
16	21734 Trigger Ranch Ln	Darren and Kelsey Shank
17	21664 Trigger Ranch Ln	Christopher and Amanda Nichols
18	21604 Trigger Ranch Ln	Charles and Ryan Taylor-Teets
19	TBD Trigger Ranch Ln	Alan and Jessica Neighbors
	Leighton Ranch:	
	21270 Trigger Ranch Ln	Trace and Wendy Leighton
		Trace and Wendy represent a total of 7 properties