



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

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

MEETING DATE: August 6, 2024

FILE(S) #: VAC-24-02- Vacation of Utility Easements located on Lots 20 & 21, Block 1 of Starpointe Subdivision

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

DSCS Trust, Craig Shoemaker, Trustee
22282 Trigger Ranch Lane
Star, Idaho 83669

Representative:

Dean Briggs, Briggs Engineering Inc.
5999 W. State Street, Suite A
Garden City, Idaho 83703

REQUEST

Request: The Applicant is seeking approval of a vacation of existing utility easements for Lots 20 and 21, Block 1 of Starpointe Subdivision.

PROPERTY INFORMATION

Property Location: The subject properties are located at 8568 & 8590 W. Happy Day Drive, generally located on the west side of N. Star Road between W. Chinden Blvd and W. Joplin Road. Ada County Parcel No's. R8108660400 & R8108660420.

APPLICATION REQUIREMENTS

Application Submitted & Fees Paid

June 14, 2024

STAFF REVIEW AND RECOMMENDATIONS

Based upon the information provided to staff in the application, staff finds that the proposed vacation of easements meets the requirements, standards and intent of the Comprehensive Plan and Zoning Ordinance. Staff recommends that Council approve the requested vacation as part of their consent agenda.

COUNCIL ACTION

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

Council considers the following:

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

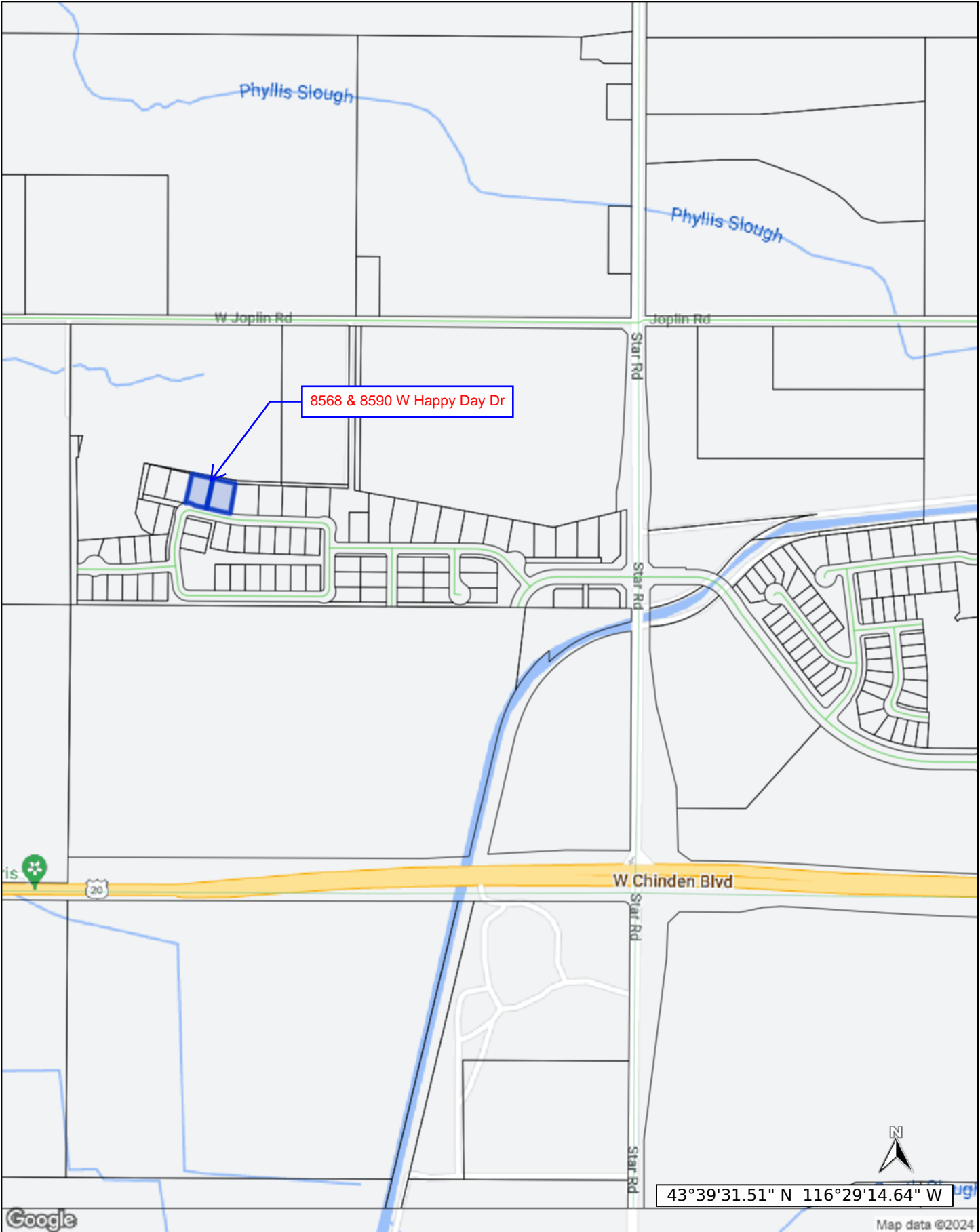
PROPOSED CONDITIONS OF APPROVAL

1. The applicant shall comply with all requirements of the City Engineer.
2. The applicant shall comply with any requirements of the Star Sewer & Water District.

COUNCIL DECISION

The Star City Council _____ File VAC-24-02 Easement Vacation for Lots 20 & 21, Block 1 of Starpointe Subdivision on _____, 2024.

8568 & 8590 W Happy Day Dr, Lot Line Adjustment



14 June 2024

City of Star
Planning and Development Services
10769 W State St.
P.O. Box 130
Star, Idaho 83669-6046

**RE: *Application for Easement Abandonment for Lot Line Adjustment
8568 & 8590 W Happy Day Dr.***

Dear Planning Staff,

On behalf of the Owner DSCS Trust, Craig Shoemaker, Trustee, please accept this application for a platted common lot line easement vacation. This application is submitted in accordance with the City of Star's Zoning Code.

Lot Line Easement

Application is being requested for removal of the interior lot line property drainage and irrigation easement for the consolidation of Lots 20 & 21, Block 1 in Starpointe Subdivision. This application is being submitted in accordance with the zoning ordinance for the City of Star. No special exceptions are requested.

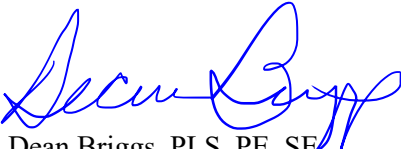
The entities having rights over the easement area requested to be vacated are the Starpointe Homeowners Association and the City of Star. Boise-Kuna Irrigation District and Creason Lateral Association, Inc. have indicated they have no written easement over the said easement and cannot supply a letter relinquishing an easement they do not possess. The Starpoint Homeowners Association has provided a letter relinquishing their rights to said easement. By virtue of this application process the city can remove the platted easement for lot drainage across this area as it will be unnecessary when the lots are combined into one building parcel.

This consolidation of two lots requires the interior lot line easement to be removed to fully utilize the parcel. I look forward to working with staff and receiving approval for this application.

If you have any questions, please don't hesitate to contact me at dean@briggs-engineering.com or at 208-344-9700.

Thanks for your assistance with this application.

Sincerely,
BRIGGS ENGINEERING, Inc.



Dean Briggs, PLS, PE, SE
Project Manager

Cc: Northern Construction



VACATION APPLICATION

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

FILE NO.: <u>VAC-24-02</u> Date Application Received: <u>6-14-24</u> Fee Paid: <u>\$980.00</u> Processed by: _____
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Applicant Information:

PRIMARY CONTACT IS: Applicant ___ Owner ___ Representative X

Applicant Name:

BRIGGS ENGINEERING, INC, DEAN BRIGGS

Applicant Address: 5999 W STATE ST, STE A, GARDEN CITY, ID Zip: 83703

Phone: 208.344.9700 X1 Email: DEAN@BRIGGS-ENGINEERING.COM

Owner Name:

DSCS TRUST, CRAIG SHOEMAKER, TRUSTEE

Owner Address: 22282 Trigger Ranch Lane, Star, ID Zip: 83669

Phone: 208-921-8958 Email: shoeprop@gmail.com

Representative (e.g., architect, engineer, developer):

Contact: DEAN BRIGGS Firm Name:

BRIGGS ENGINEERING, INC

Address: 5999 W STATE ST, STE A, GARDEN CITY, ID Zip: 83703

Phone: 208.344.9700 X1 Email: DEAN@BRIGGSENGINEERING.COM

Property Information:

Site Location:

8568 & 8590 W HAPPY DAY DRIVE

Parcel Number(s):

R8108660400 & R8108660420

Approved Zoning Designation: R-3-DA

Application Requirements:

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

Applicant (√)	Description	Staff (√)
X	Pre-application meeting with the Planning Department required prior to submittal.	
X	Completed and signed Vacation Application	
X	Fee	

X	If the signature on this application is not the owner of the property, an original notarized statement (Affidavit of Legal Interest) from the owner stating the applicant is authorized to submit this application is required.	BN
X	Narrative fully describing the proposed request including the following: <ul style="list-style-type: none"> • Particular circumstances regarding the request to vacate • Names of the persons affected by the proposed vacation 	BN

X	Relinquishment of easement letters from the applicable parties (e.g. public utilities: phone, power, gas, cable, applicable irrigation and/or drainage entity, etc.)	
X	Legal description of platted area or property to be vacated (with engineers seal). <ul style="list-style-type: none"> • Submit two (2) paper and one (1) electronic copy 	BN
X	Copy of recorded deed.	BN
X	Electronic copy of vicinity map showing the location of subject property	BN
X	Electronic copy of site plan or plat showing the proposed vacation	BN
	Submit recorded copy of Survey to the Star City Planning Department prior to any building permits being issued.	

FEE REQUIREMENT:

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


 Applicant/Representative Signature


 Date

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



c/o Development Services Inc.
9601 W State Street, Suite 203
Boise, ID 83714
208-939-6000 www.dev-services.com

June 14, 2024

SUBJECT: Request for the Vacation of Easement located on Lot 20 and Lot 21, Block 1 Starpointe Subdivision, situated in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 19, T4N, R1W, City of Star, Ada County, Idaho

To Whom It May Concern:

Starpointe Homeowners Association has reviewed the request for the subject vacation and has determined that it has no objections with respect to these areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of Starpointe Homeowners Association that this vacation shall not reduce our rights to any other existing easement or rights we have on this site or in this area.

Sincerely

Starpointe Homeowners Association

DocuSigned by:

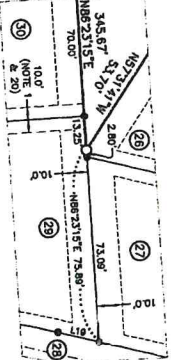
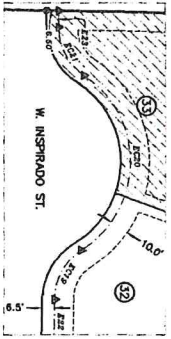
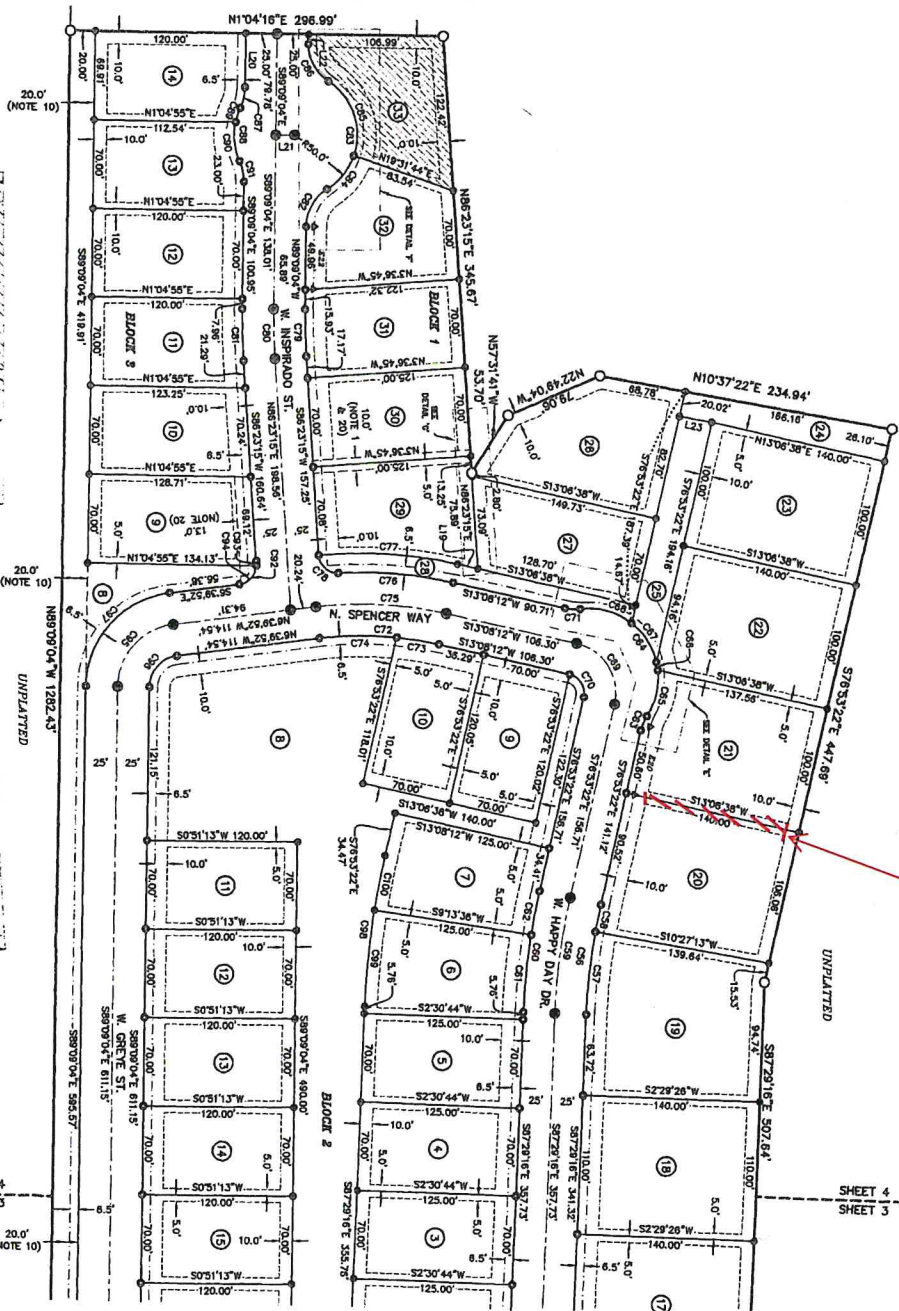
A handwritten signature in black ink, appearing to read "GAW", enclosed in a blue DocuSign signature box.

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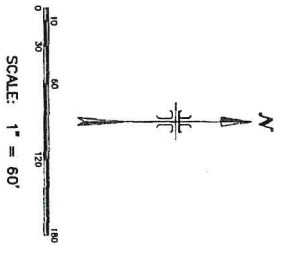
Graye Wolfe, President

STARPOINTE SUBDIVISION

Easement to be vacated.

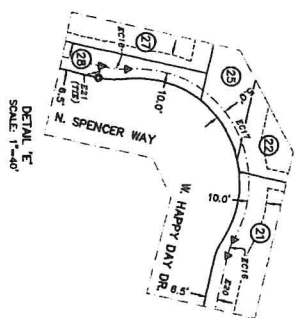


JOB NO. 24-310
SHEET 4 OF 7



LEGEND

- FOUND 5/8" IRON PIN W/ PLS 11779 UNLESS OTHERWISE NOTED
- SET 1/2" IRON PIN WITH CAP
- SET 5/8" IRON PIN WITH CAP
- SET 1" HARDENED STEEL CUPPER DISK MONUMENT PLS 11779 CALCULATED POINT
- △
- ①
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTRIQUE
- EASEMENT LINE (NOTE 1)
- EASEMENT LINE AS NOTED
- ACID PERMANENT EASEMENT (NOTE 9)
- STORM DRAIN EASEMENT (NOTE 11)
- TIE LINE
- EASEMENT DIMENSION



SEE SHEET 2 FOR NOTES
SEE SHEET 5 FOR LINE & CURVE TABLES

BOOK PAGE

IDAHO SURVEY GROUP, LLC

9955 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 944-8570

PL121762405

Common Lot Line Easement to be Vacated

ROS No, _____, Ada County, Idaho

A parcel of land being a portion of Lots 20 and 21, Block 1, Starpointe Subdivision filed in records of Ada County in Book of Plats 127 at pages 20400 through 20406, in the Northeast One-quarter of the Southeast One-quarter of Section 19, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a small rebar marking the Northwest Corner of said Lot 21, thence South $76^{\circ}53'22''$ East 100.00 feet along the northerly boundary of said lot to a small rebar marking the northeast corner of said lot; thence South $13^{\circ}06'38''$ West 10.00 feet along a line common to said Lots 20 & 21 to a point, also said point being the POINT OF BEGINNING;

Thence South $76^{\circ}53'22''$ East 5.00 feet along a line parallel to and 10 feet southwesterly of the northerly boundary of said Lot 20 to a point;
Thence South $13^{\circ}06'38''$ West 113.5 feet along a line parallel to and 5 feet southeasterly of the westerly boundary of said Lot 20 to a point;
Thence North $76^{\circ}53'22''$ West 10.00 feet along a line parallel to and 16.50 feet northeasterly of the southerly boundary of said lots 20 and 21 being also the northerly right of way of W Happy Day Dr. to a point;
Thence North $13^{\circ}06'38''$ East 113.50 feet along a line parallel to and 5.00 feet northwesterly of the easterly boundary of said Lot 21 to a point;
Thence South $76^{\circ}53'22''$ East 5.00 feet along a line parallel to and 10 feet southwesterly of the northerly boundary of said Lot 21 to the POINT OF BEGINNING.



