

CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department Shur 1. Much

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: Representative:

DSCS Trust, Craig Shoemaker, Trustee

22282 Trigger Ranch Lane

Star, Idaho 83669

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.

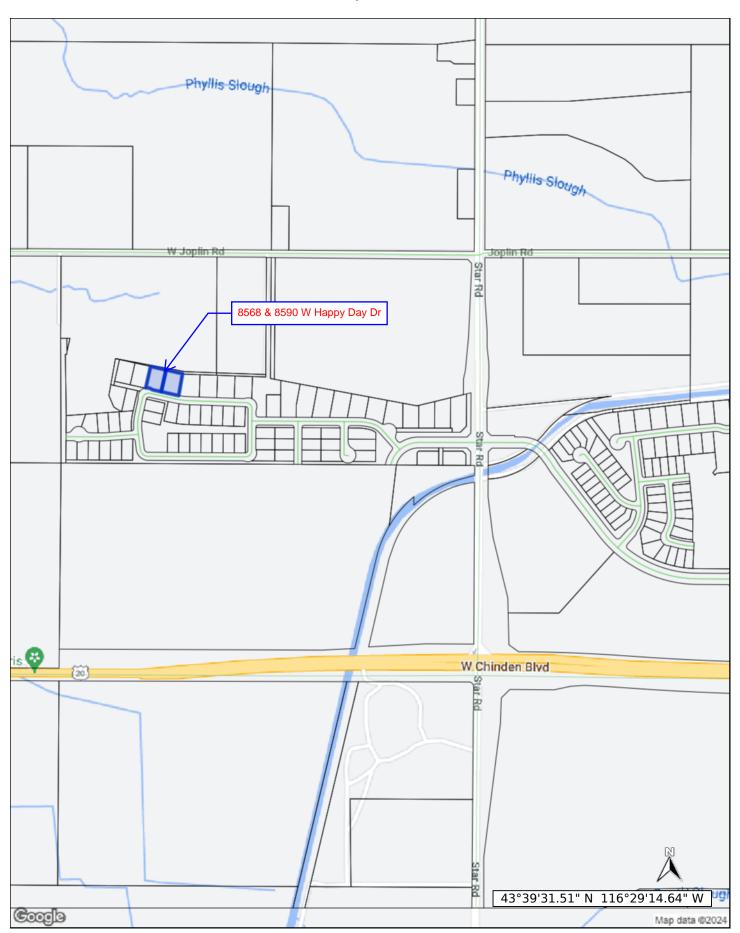
COUNCIL DECISION		
The Star City Council of Starpointe Subdivision on	File VAC-24-02 Easement Vacation for Lots 20 & 21, Block 1, 2024.	



8568 & 8590 W Happy Day Dr,



Lot Line Adjustment



BRIGGS ENGINEERING, Inc.

CIVIL / STRUCTURAL / LAND SURVEY

5999 W State St, Ste A Garden City, Idaho 83703 (208) 344-9700x1 dean@briggs-engineering.com

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 <u>dean@briggs-engineering.com</u> 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



FILE NO.: <u>VAC-24-02</u>

VACATION APPLICATION

\$980.00

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

	Date Application Received: 6-14-24 Fee Paid: \$980.00 Processed by:				
Applicant Information:					
F	PRIMARY CONTACT IS: Applicant Owner Representative _X_				
Applican BRIGGS	t Name: ENGINEERING, INC, DEAN BRIGGS				
Applican 83703	t Address: <u>5999 w STATE ST, STE A, GARDEN CITY, ID</u> Zip:				
	208.344.9700 X1 Email: DEAN@BRIGGS-ENGINEERING.COM				
Owner N	lame: RUST, CRAIG SHOEMAKER, TRUSTEE				
	ddress: <u>22282 Trigger Ranch Lane, Star, ID</u> Zip:				
Phone: _	208-921-8958 Email: shoeprop@gmail.com				
Contact:	ntative (e.g., architect, engineer, developer): Firm Name:				
	ENGINEERING, INC				
	: <u>5999 W STATE ST, STE A, GARDEN CITY, ID</u> Zip: Phone: <u>208.344.9700 X1</u> Email: <u>DEAN@BRIGGSENGINEERING.COM</u>				
03703	FIIOHE. 200.344.9700 XI LIHAII. DEANWBRIGGSENGINEERING.COM				
Property	/ Information:				
Site Loca	ation: 8590 W HAPPY DAY DRIVE				
	umber(s): 660400 & R8108660420				
	d Zoning Designation: R-3-DA				
Applicat	tion Requirements:				
	(Applications are required to contain one copy of the following unless otherwise noted.)				
Applicant		Staff			
(√) X	Description	(√)_			
X	Pre-application meeting with the Planning Department required prior to submittal.	+			
X	Completed and signed Vacation Application Fee	+			
Λ	1 66	1			

Х	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	
	Narrative fully describing the proposed request including the following:	2	
	Particular circumstances regarding the request to vacate	BN	
X	Names of the persons affected by the proposed vacation		

Χ	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). • Submit two (2) paper and one (1) electronic copy	BN
Χ	Copy of recorded deed.	BN
Χ	Electronic copy of vicinity map showing the location of subject property	BN
Χ	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:

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

^{**} 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.

Star Pointe

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 ¼ of the Southeast ¼ 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 is 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.

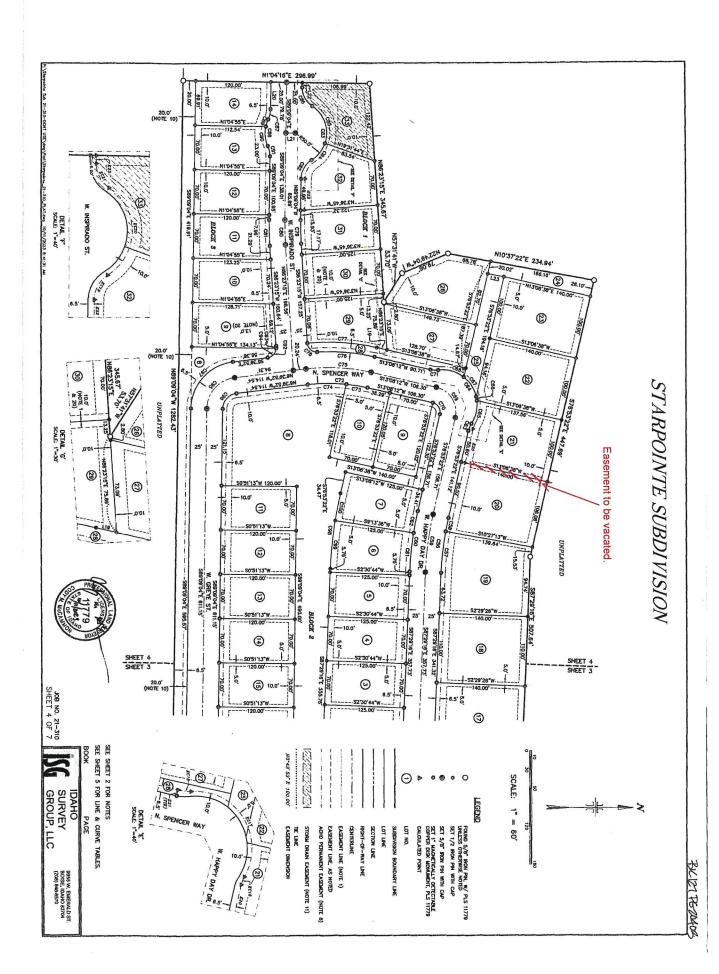
It is the intent and understanding of Starpointe Homeowners Association that this vacation shall not reduce our rights to any other existing easement or rights we have on this site or in this area.

Sincerely

Starpointe Homeowners Association

DocuSigned by:

_51560BF48F3649B... Graye Wolfe, President



Common Lot Line Easement to be Vacated

ROS No.	, Ada County, Idaho
KUN NO	ADA COUDIV IDADO

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°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°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°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°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°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°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°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.



RECORD OF SURVEY R.O.S NO. LOT LINE ADJUSTMENT - CONSOLIDATION CERTIFICATE OF COUNTY RECORDER LOTS 20 & 21, BLOCK 1, STARPOINTE SUBDIVISION, BOOK OF PLATS 127, PAGES 20400-20406 RECORDS OF ADA COUNTY, BEING A PORTION OF THE NE 1/4 OF THE SE 1/4 OF SECTION 19, INSTRUMENT NO. TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF STAR, ADA COUNTY, IDAHO STATE OF IDAHO 2024 COUNTY OF ADA FILED AT THE REQUEST OF BRIGGS ENGINEERING, INC. JERRY W GAGE AT ___ MINUTES PAST _____O'CLOCK __M., THIS ___ DAY OF SURVEYOR'S NARRATIVE EX-OFFICIO RECORDER: TRENT TRIPPLE THE OWNER OF LOTS 20 & 21, BLOCK 2, STARPOINTE SUBDIVISION FEE: <u>\$5.00</u> COMMISSIONED THIS SURVEY, THE PURPOSE OF THE SURVEY IS TO REMOVE THE LOT LINE BETWEEN LOTS 20 & 21, BLOCK 1, STARPOINTE SUBDIVISION. SURVEY MONUMENTS FOR THE ASSOCIATED LOTS AND SUBDIVISION SECTION TIES WERE CONFIRMED AND USED AS BASIS FOR THE SURVEY. THE BASIS OF BEARING OF N88°57'26"W IS THE NORTHERLY BOUNDARY OF THE NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 19, T.4N., R.1W., 10' IRRIGATION AND PROPERTY INST.NO. EASEMENT ABANDONED BY B.M.. ADA COUNTY, IDAHO APPROVAL OF CITY ENGINEER REFERENCES (RECORDS OF ADA COUNTY, IDAHO) I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF STAR, 1. PLAT OF STARPOINTE SUBDIVISION, BOOK OF PLATS 127, PAGES ADA COUNTY, IDAHO, ON THIS DAY, BLOCK 1 20400-20406. 2. DEED INSTRUMENT NO. 2023-068334. HEREBY APPROVE THIS SURVEY. 29,124 NOTES 1. STARPOINTE SUBDIVISION EASEMENTS ARE RETAINED EXCEPT AS NOTED ON THIS SURVEY. FOLLOWING ARE THE PLATTED PROPERTY EASEMENTS. LINE BE 1.1. A FIVE-FOOT WIDE PERMANENT EASEMENT FOR IRRIGATION REMOVED AND PROPERTY DRAINAGE ADJACENT EACH INTERIOR PARCEL CERTIFICATE OF SURVEYOR 1.2. A TEN-FOOT WIDE PUBLIC UTILITIES, IRRIGATION, AND PROPERTY DRAINAGE ADJACENT TO THE REAR LOT LINE. I, DEAN W. BRIGGS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY 1.3. A VARIED WIDTH EASEMENT AS NOTED ON THIS SURVEY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND ALONG W HAPPY DAY DRIVE FOR PUBLIC SHOWN HEREIN, HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY UTILITIES, IRRIGATION, AND PROPERTY DRAINAGE. DIRECT SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID PLAT; AND IS 1.4. A VARIED WIDTH EASEMENT AS NOTED ON THIS SURVEY IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS, AND THE CORNER ALONG W HAPPY DAY DRIVE FOR SIDEWALK. PERPETUATION AND FILING LAW. MINIMUM BUILDING SETBACKS IN THIS SUBDIVISION SHALL BE IN ACCORDANCE WITH THE CITY OF STAR APPLICABLE ZONING AND SUBDIVISION REGULATIONS IN EFFECT AT THE TIME OF THE ISSUANCE OF INDIVIDUAL BUILDING PERMITS, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT. DEAN W. BRIGGS, P.L.S. 3619 EXISTING LEGEND FOUND 1/2" REBAR PLS 11779 CERTIFICATE OF OWNER FOUND COPPER DISK PLS 11779 WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THEY REPRESENT THE DSCS TRUST THAT OWNS THE PROPERTIES AS SHOWN ON THIS SURVEY AND THAT THE TRUST AGREES TO INCLUDE SAID REAL PROPERTY IN THIS LOT LINE ADJUSTMENT. S 89°03'13" E 165.00' BEARING & DISTANCE (AS SURVEYED) ---- --- PROPERTY LINE BLOCK 2 CRAIG SHOEMAKER, TRUSTEE RIGHT-OF-WAY EASEMENT LINE *≯*: / ACKNOWLEDGEMENT: CENTERLINE STATE OF IDAHO) COUNTY OF ADA) ON THIS ___ DAY OF _____,2024, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY SCALE IN FEET APPEARED CRAIG SHOEMAKER. TRUSTEE, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGE TO ME THAT TE EXECUTED THE INSTRUMENT ON BEHALF OF THE DSCS TRUST AND THAT THE TRUST **CURVE TABLE** EXECUTES THE SAME. Chord Direction | Chord Length | Curve # | Length | Radius | Delta C1 | 22.02' | 475.00' | 2°39'23" | S78° 13' 04"E | 22.02' NOTARY PUBLIC, STATE OF IDAHO C2 | 12.36' | 35.00' | 20°14'26" | S66° 46' 02"E | 12.30' C3 | 38.04' | 55.00' | 39°37'55" | N76° 27' 38"W | 37.29' MY COMMISSION EXPIRES BRIGGS ENGINEERING, INC. CONSULTING ENGINEERS/LAND SURVEYORS GARDEN CITY, IDAHO SHEET 1 RECORDING INDEX NO. 414-19-2-1-0-127-20400 240208 LLA.DWG 6/10/2024