



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department *Shen J. Mitchell*

MEETING DATE: **May 9, 2023 – PUBLIC HEARING**

RE: **Willowbrook Development**

FILE(S) #: **AZ-21-12 Annexation and Zoning
DA-21-20 Development Agreement**

OWNER/APPLICANT/REPRESENTATIVE

Owner:

Richard M. Phillips
Willowbrook Development, Inc.
Twin Islands, LLC
210 Murray Street
Garden City, Idaho 83714

Applicant/Representative:

Nathan Mitchell
A+E Construction, LLC
1479 N. Rook Way
Star, Idaho 83669

REQUEST

Request: The Applicant is requesting approval of an Annexation and Zoning (R-2-DA) with a Development Agreement for a proposed master planned development, with a conceptual plan consisting of up to 1,094 single-family residential lots, 2 non-residential lots for future neighborhood commercial and municipal services, and an 18-hole golf course on approximately 726.6 acres. The residential density proposed would not exceed 1.5 dwelling units per acre. The property is located west of Highway 16 in Star, Idaho. The project is exclusively in Ada County.

PROPERTY INFORMATION

Property Location: The subject property is generally located between Hwy 16 and Can Ada Road, and Deep Canyon Drive and Lanktree Gulch Road/Purple Sage Drive. Ada County Parcel No.'s R3626110480, R3626121000, R3626121100, R3626130010, R3626130190, R3626130460, R3626130510, R3626140010, R3626150080, R3626150160, R3626150210, R3626150220, R3626160010, R3626160300, R3626170020, R3626170040, R3626170060, R3626170150, R3626170250, R3626170320, & R3626170500.

Existing Site Characteristics: The subject property is mostly vacant land and includes agricultural uses and open areas. The property contains rolling hills, flat areas and some areas with steeper slopes. There are several agricultural structures on the property that are scheduled to be removed. The property is adjacent to existing subdivisions including Hillsdale Estates Subdivision, Monument Ridge Ranch Subdivision, Chucker Point Subdivision and Star Ridge Estates, in addition to multiple private parcels.

Irrigation/Drainage District(s): - Outside All Irrigation and Drainage District Boundaries

Flood Zone: This property is not currently located in a Flood Hazzard Area.
FEMA FIRM Panel Number: 16001C0130J & 16027C0275F
Effective Date: 6/7/2019 & 5/24/2011
Flood Zone: Zone X or Zone D

Special On-Site Features:

- ✪ Areas of Critical Environmental Concern – No known areas of critical concern.
- ✪ Evidence of Erosion – No known areas.
- ✪ Fish Habitat – No known areas.
- ✪ Mature Trees – None.
- ✪ Riparian Vegetation – Unknown.
- ✪ Steep Slopes – Yes.
- ✪ Stream/Creek – None.
- ✪ 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.
- ✪ Wildlife Habitat – Yes. Area includes non-threatened wildlife species (fox, hawks, turkey, etc). No sensitive wildlife habitat has been determined.
- ✪ Historical Assets – No historical assets have been observed.

APPLICATION REQUIREMENTS

Initial Application Submittal including PUD

Pre-Application Meeting	March 18, 2021
Neighborhood Meetings Held	June 2 & 3, 2021; September 29, 2022
Application Submitted & Fees Paid	July 15, 2021
Agencies Notified	August 24, 2021
Application Reviewed and Accepted as Complete	October 19, 2021

Updated Application with removal of PUD & Canyon Co. Property

Agencies Re-Notified	November 7, 2022
Residents within 300' Notified	April 12, 2023
Legal Notice Published	April 19, 2023
Property Sign Posted On-Site	April 28, 2023

CITY LED WORKSHOPS

Although not required by Code, the City of Star held 3 workshops with the applicant and invited guests to discuss details and initial agency and service provider concerns and comments. The applicant and their team, City Staff, the Mayor and City Council members, along with representatives from Fire, Police, Sewer & Water District, School Districts, COMPASS, Transportation Agencies, and other agencies were present throughout the 3 nights of meetings. The public was notified and provided the option of attending and viewing the meetings in person (limited due to COVID protocol) and via Zoom. The public was not permitted to speak or ask questions as these were not public hearings. The meetings were held on the following dates:

- 1. January 25, 2022 – Transportation** - In attendance were representatives from ACHD, ITD, Canyon Highway District #4, COMPASS, Star City Staff, Star City Council (Nielsen absent), the Applicant & their team.
- 2. February 8, 2022 – Agency Discussion** – In attendance were representatives from West Ada School District, Middleton School District, Idaho Department of Water Resources, Star Sewer & Water District, City of Star Engineer, Star-Middleton Fire District, Star Police, Star Transportation & Pathway Committee, Star City Staff, Star City Council, the Applicant & their team.
- 3. February 22, 2022 – Additional Utility Discussion** – In attendance were Star-Middleton Fire District, Star Transportation & Pathway Committee, Idaho Power, Star Postmaster, Intermountain Gas, Star City Staff, Star City Council (Nielsen absent), the Applicant & their team.

Public notice was sent out on December 22, 2021 for the 3 workshops. A copy of the official minutes (draft) is included in the Council packet.

ON-LINE INFORMATION

Although not required by Code, the City of Star has provided continued on-line information to the public in the form of a designated page on the City website. Information provided includes updated application materials, agency comments and public letters with comments in favor and opposition to the application.

APPLICATION TIMELINE AND PROCESS

The Willowbrook Application was originally submitted on July 15, 2021 for Annexation & Zoning to Residential R-3 with a Development Agreement, and a Planned Unit Development (PUD) with a conceptual plan that included a total of 1,554.8 acres, including 831.02 acres within Canyon County, and a total lot count of approximately 1,618 residential lots (1002 single-family units/ 616 townhome units). As the residential lots proposed in the application were only on the Ada County portion of the development, a residential density of 2.26 dwelling units per acre was proposed.

On June 23, 2022, the applicant revised the development application, removing the Canyon County property and the proposed PUD, and modified the zoning designation to Residential R-2 on 726.6 acres in Ada County. The new proposed residential lot count was reduced to a maximum of 1,094 lots, and an overall residential density of 1.5 dwelling units per acre. The applicant also removed all proposed attached townhomes in favor of exclusively single-family detached residential. The reasoning behind the removal of the PUD application is that, per UDC Section 8-7-3 Planned Unit Developments "*in cases where subdivision platting would be necessary, concurrent review of preliminary plat is required.*" The applicant has not submitted a preliminary plat application at this time, therefore, the PUD application was not appropriate.

APPLICABLE COMPREHENSIVE PLAN & ZONING ORDINANCE: The application for the Willowbrook Development was originally submitted and accepted by the City on July 15, 2021. Although the City has delayed the public hearing process pending review and comment from the transportation agencies (ITD, ACHD & CHD4), **the 2020 adopted versions of the Star Comprehensive Plan and Future Land Use Map (approved 12-8-20) and Star Unified Development Code (approved 6-23-20) were in effect at the time of acceptance of the application, and will, therefore, be the documents used to evaluate the development.** The applicants modification to the application, including the removal of the Canyon County portion of the development and the removal of the PUD application does not change the original submittal date of July 15, 2021, and subsequent Staff review under the applicable Code and Comp Plan at the time of original application submittal. **The updated Comprehensive Plan (6-7-22) and Unified Development Code (7-19-22) shall not apply to this application.** **Staff has uploaded a copy of the 2020 documents on the Willowbrook page of the City website for public viewing.**

Application Acceptance & Public Hearing Scheduling related to Traffic Study: Based on the 2020 Unified Development Code, Section 8-1B-1-B2 does not require traffic impact studies to be submitted and accepted by the transportation authority prior to acceptance of an application for annexation. Further, Section 8-1B-1-B2 does not require approval of the traffic impact study by the transportation authority prior to scheduling a hearing date before the Council. The 2022 Unified Development Code, as amended, does require the above traffic study requirements to be completed prior to acceptance and public hearing scheduling. As stated, the 2020 UDC applies to this application.

PROPERTY HISTORY

Ada County Approval of Hillsdale Estates Subdivision

The Hillsdale Estates Subdivision was approved by Ada County in the 1990’s as part an application known as a “Non-Farm Development”. Other examples of these type of developments approved by Ada County include Spurwing Subdivision, Moon Lakes Ranch Subdivision, Trellis Subdivision (Riverbirch Golf Course), Rivervine Subdivision (Eagle), Dunwoody Subdivision (Meridian), and Saddle Ridge Estates (Kuna). Non-Farm subdivisions such as those listed above and many others were approved by the County between the late 1980’s through the mid- 2000’s in the Rural Residential (RR) zones all over unincorporated Ada County. The concept and intent of these subdivisions was to allow property owners with land greater than 20-acres to develop their land into residential lots of 1-acre minimum up to 25% of the entire acreage. The remaining 75% of the land was set aside as open space. Early in its existence, the County required a 15-year deed restriction on the 75% open space from future development. Later revisions to the Ada County Code removed the 15-year deed restriction and stipulated that no development be allowed on the open space until City services were extended and a rezone was approved to allow for higher densities. This was usually done through annexation into a City, as most of the Cities in Ada County supplied their own sewer and water (Eagle and Star was the exception as they were developed with Sewer Districts). It was the intent of Ada County to allow redevelopment of these open areas as growth and services expanded into the rural areas of the County.

City of Star 2018 Annexation Approval

In 2018, an annexation of 1553.9 acres was approved for the original Willowbrook development, which included the Canyon County property, by City Council with an R-2-DA zoning designation and a maximum allowance of 3,108 residential homes. The Development Agreement was never signed by the applicant, and the annexation application was officially withdrawn on May 16, 2019.

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS

	Zoning Designation	Comp Plan Designation *	Land Use
Existing	RR Rural Residential (Ada County)	Estate Residential 1-3 Units/Acre	Agricultural/Vacant
Proposed	Residential (R-2-DA)	Estate Residential 1-3 Units/Acre	Single Family Residential/Commercial
North of site	RR Rural Residential (Ada County)	Estate Residential 1-3 Units/Acre Existing Public Use/Parks & Open Space (BLM)	Agricultural/Open Space (BLM) Residential

South of site	RUT Rural Urban Transition/RR Rural Residential (Ada County) Residential R-1	Estate Residential 1-3 Units/Acre	Single Family Residential/Agricultural
East of site	RR Rural Residential (Ada County)	Estate Residential 1-3 Units/Acre	Single Family Residential/Agricultural
West of site	RR Rural Residential (Ada County) AG/RR Rural Residential (Canyon Co)	Estate Residential 1-3 Units/Acre Residential/Rural Residential (Canyon County)	Single Family Residential/Agricultural

***2020 Comprehensive Plan Land Use Map**

APPLICABLE COMPREHENSIVE PLAN & UNIFIED DEVELOPMENT CODE

COMPREHENSIVE PLAN (adopted 12-8-20 version):

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.

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.

Objectives:

- A. Preserve the family friendly feel of Star.*
- C. Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.*
- D. Retain and encourage rural areas where it will not result in increased costs for urban services.*
- F. Encourage public participation in the land use planning process.*
- G. Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.*
- H. Require the conservation and preservation of open spaces and public access to the Boise River and BLM lands and interconnected pathways to be open to the public in new developments.*

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.*
- 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 lots of one acre and larger where those existing larger lots are 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.*

8.5.4 Policies Related to The Special Transitional Overlay Areas:

- A. Development adjacent to and within the Special Transition Overlay Area is to provide for an appropriate transition between existing and new home sites where new urban development is being planned adjacent to previously approved and constructed rural county developments of years past.*
- B. Site layout is to provide for a transition in density and lot sizing with all policies regarding compatibility herein applying.*
- C. Modified street sections, such as with no curbs gutters or sidewalks, should be encouraged for adjacent compatibility where determined appropriate.*
- D. When an urban density residential development is planned with lots that directly abut lots within a Special Transition Overlay Area an appropriate transition is to be provided for the two abutting residential lot types. A transition must take into consideration site constraints that provide transitional lots and/or open space area avoiding urban lots directly abutting Special Transition Overlay Area lots.*

E. Larger setbacks should be required for new lots planned to abut existing Special Transition Overlay Area lots.

8.5.9 Additional Land Use Component Policies:

A. Upon review of specific development applications, the Council may approve uses considering that the boundaries of the various land use designations shown on the Land Use Map are contemplated to be slightly flexible based upon existing property lines and other site considerations.

E. Encourage public participation in the land use planning process.

F. With regard to land-use planning, property owners and residents within Star's Comprehensive Planning area who live outside the city limits and are not entitled to vote in city elections are encouraged to provide public input for consideration by the City Council.

G. Develop processes for public participation and materials that describe the development and public hearing processes.

I. Develop a harmonious blend of opportunities for living, working, recreation, education, shopping, and cultural activities.

K. Buffer and transition development is to occur between conflicting types of land use.

L. Encourage landscaping to enhance the appearance of subdivisions, structures, and parking areas.

M. Amend the code to require tree lined streets where appropriate.

N. Require more open space and trees in subdivisions.

O. 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.

Q. The Star Fire District is encouraged to respond to development applications by advising the city's Planning Department of the impact that the proposed development will have, if approved, on the standard response time.

T. Support well-planned, pedestrian-friendly developments.

U. 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.

V. The City should utilize the 2018 Treasure Valley Tree Selection Guide when requiring trees within developments.

18.4 Implementation Policies:

E. 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.

UNIFIED DEVELOPMENT CODE (UDC) (adopted 6-23-20 version):

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.*
- 6. Applicant may be responsible to participate in reimbursement costs associated with traffic studies, in proportionate share contributions that may be established with transportation authorities, relative to traffic signals, access, and/or construction improvements associates with State Highways 16, 20/26 & 44.*

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.

8-1B-4: CONDITIONAL USES:

A. Purpose: The purpose of this section is to establish procedures that allow for a particular use on a specific property subject to specific terms and conditions of approval.

B. Applicability: The provisions of this section apply to all uses identified as conditional use within this title. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through issuance of a conditional use permit, development agreement or PUD.

C. Process:

1. The applicant shall complete a pre-application conference with the administrator prior to submittal of an application for a conditional use.

2. A neighborhood meeting shall be held by the applicant pursuant to Section 8-1A-6C of this title.

3. An application and appropriate application fees shall be submitted to the City on forms provided by the city.

4. Prior to issuing the conditional use permit, the administrator may require additional information, including studies, concerning the social, economic, fiscal or environmental effects of the proposed conditional use.

D. Standards: In approving any conditional use, the city council may prescribe appropriate conditions, bonds and safeguards in conformity with this title that:

1. Minimize adverse impact of the use on other property.

2. Control the sequence and timing of the use.

3. Control the duration of the use.

4. Assure that the use and the property in which the use is located is maintained properly.

5. Designate the location and nature of the use and the property development.

6. *Require the provision for on site or off-site public facilities or services.*
7. *Require more restrictive standards than those generally required in this title.*
8. *Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, that provides services within the city.*

E. Findings: The council shall base its determination on the conditional use permit request upon the following:

- 1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.*
- 2. That the proposed use shall meet the intent of the Star comprehensive plan and be in compliance with the requirements of this title.*
- 3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity.*
- 4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.*
- 5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.*
- 6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.*
- 7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*
- 8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance as determined by the City.*

F. Time Limitations and Extensions:

- 1. A conditional use permit, upon council approval, shall be valid for a maximum period of twenty-four (24) months unless otherwise approved by the City Council. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. Once all requirements are satisfied, permits are acquired and the use is commenced, the conditional use permit will become permanent unless otherwise revoked by the city council.*

2. A conditional use permit that also requires platting: The final plat must be recorded within this twenty-four (24) month period.

a. For projects with multiple phases, the twenty-four (24) month deadline shall apply to the first phase. In the event that the development is made in successive contiguous segments or multiple phases, such phases shall be constructed within successive intervals of one year from the original date of approval. If the successive phases are not submitted within the one-year interval, the conditional use approval of the future phases shall be null and void.

3. Time Extension. Upon written request and filed by the applicant prior to the termination of the period in accord with this subsection F, the administrator may authorize a single, administrative time extension to commence the use not to exceed one (1), twelve (12) month period. The administrator may require the conditional use comply with the current provisions of this chapter. Additional requests must be approved by the council.

a. Council approval of requests for time extension for an approved conditional use shall be determined by the city council at a public hearing and will not be granted if any of the following conditions exist:

(1) Significant amendments to the comprehensive plan or this unified development code have been adopted that change the basis under which the conditional use permit was granted.

(2) Significant changes in land use have occurred in the area that will impact or be impacted by the project.

(3) Hazardous conditions have developed or have been discovered that will impact the project.

4. Community facilities and/or services are no longer adequate to serve the project.

a. The city council may place additional requirements, modify the previous approval or deny the request for time extension.

b. No more than one-time extension may be granted to a single conditional use.

G. Transfers and Modifications:

1. Conditional use permits are an entitlement to the specific property on which the approval was granted and upon property sale the entitlement transfers to the new owner(s) without further application or approval, provided, however, the new owner(s) shall be bound by the same conditions of approval as the original permit holder(s). This is for a specific use and may not be used for other applications.

2. A conditional use permit is not transferable from one property to another.

3. All requested modifications to an approved conditional use shall be considered by the city council at a public hearing. The city council may modify the conditions, limitations and/or scope

of the permit.

H. Revocation:

- 1. A conditional use permit may be revoked or modified by the city council, upon notice and public hearing, for breach or violation of any condition of approval or limitation of the permit.*
- 2. If the city council decides to revoke a conditional use permit, either on its own action or upon complaint to the city council, the administrator shall notify the permit holder of its intention to revoke the conditional use permit and provide the permit holder with the opportunity to contest the revocation.*
- 3. Fifteen (15) days' prior notice of the hearing shall be given to the permit holder and all property owners of record (to be obtained from the County Assessor's office) within the radius required in subsection 8-1A-4B of this article.*
- 4. The council shall make findings of fact and conclusions of law supporting its decision to revoke the conditional use permit. If the council decides not to revoke the conditional use permit, no findings of fact and conclusions of law shall be made.*
- 5. An affected person may appeal the decision of the city council under the administrative procedure act of the state of Idaho, Idaho Code title 67, chapter 52.*

8-1E-1: DEFINITIONS - TERMS DEFINED

CONDITIONAL USE: A use that, owing to some special characteristics attendant to its operation or installation (for example, potential danger, hours of operation, or noise), is allowed in a district subject to approval by the council and subject to special requirements in conformance with this title and as enabled by Idaho Code section 67-6512.

DEVELOPMENT AGREEMENT: A written agreement as a condition of annexation or rezone between the council and an owner or applicant concerning the use or development of a property in accord with Idaho Code section 67-6511A and chapter 1, "Administration", of this title.

GOLF COURSE: An area of land laid out for the game of golf with a series of nine (9) or eighteen (18) holes, each including tee, fairway and putting green, and often one or more natural or artificial hazards, and which may include a driving range and clubhouse with restaurant and bar.

PLANNED UNIT DEVELOPMENT (PUD): Property planned as a unit that demonstrates innovation and creativity in site design to protect natural features, preserve open space and create public amenities. A well-designed urban type development characterized by a wide mix of uses, on site amenities, trip capture, and connectivity within the community; conservation of open space and preservation of environmental attributes; an emphasis on community character and forming a sense of community. A PUD may contain a specific use exception for uses not allowed in the

zoning district and may allow for a density bonus.

TRANSITIONAL LOT OR PROPERTY: The size of a new residential lot when being proposed adjacent to an established residential use. The ratio for lots adjacent to properties shall be determined on a case by case basis, when considering the size of the development potential for the existing use. This shall not be required if separated by an existing roadway or large canal where the distance between new structures and existing structures equal or exceed 100 feet.

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.

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.

P PLANNED UNIT DEVELOPMENT: This designation, following any zoning designation noted on the official zoning map of the city (i.e., R-4-P), indicates that the development was approved by the city as a planned unit development, with specific allowances and design approved by Council.

8-3A-3: USES WITHIN ZONING DISTRICTS

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

A. Permitted uses and accessory uses shall be reviewed in accord with this title. It shall be unlawful and a violation of this title for any person to conduct any permitted use in any district, unless such person first obtains each applicable permit from the city.

B. Uses that are listed as C shall be subject to a conditional use permit approval through the public hearing process. Conditional uses shall be approved in accord with the procedures and

regulations for conditional uses set forth in this title. It shall be unlawful and a violation of this title for any person to conduct any conditional use in any district, unless such person shall first obtain a conditional use permit approval through the public hearing process from the city.

C. The administrator shall interpret the appropriate district for land uses not specifically mentioned by determining the district in which similar uses are permitted. If the administrator determines that a proposed use is not specifically mentioned and is not similar to any specifically mentioned use the administrator shall determine that the use is prohibited.

D. When submitting a CUP, PUD or **development agreement** for a mixed-use zone, or for **multiple conditional uses on one site**, all uses that are contemplated for the development shall be identified with the application and shall be reviewed by the council to determine which may be permitted, which should remain as conditional uses and which should be prohibited. **A development agreement may be used in lieu of a conditional use permit application** or a PUD application if the council makes the findings as otherwise required.

E. 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 in lieu of a PUD.

F. As of the adoption of this ordinance the Rural transitional district zone (RT) has been eliminated for new zoning. Properties with a Rural transitional zoning designation (RT) on the effective date of this ordinance shall be considered nonconforming use properties subject to the nonconforming use regulations herein, and shall automatically revert to Rural Residential (RR) for the purpose of zoning until a time that they are rezoned to a district that meets the adopted Comprehensive Plan Land Use Map.

<u>ZONING DISTRICT USES</u>	A	R-R	R
<i>Accessory structure</i>	A	A	A
<i>Dwelling:</i>			
<i>Multi-family</i> ¹	N	N	C
<i>Secondary</i> ¹	A	A	A
<i>Single-family attached</i>	N	N	C
<i>Single-family detached</i>	P	P	<u>P</u>
<i>Two-family duplex</i>	N	N	P
<i>Golf Course</i>	C	C	<u>C</u>
<i>Public infrastructure; Public utility mayor, minor and yard</i> ¹	C	C	<u>C</u>

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'

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. *Interior side yard setbacks for lots with 50' or less of lot width shall be allowed 5' interior side yard setbacks for one and two-story structures.*

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 compressive 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.*

8-4E-2: STANDARDS FOR COMMON OPEN SPACE AND SITE AMENITY REQUIREMENTS:

Staff has included this section of the UDC as a reference only. As the application submitted does not include a request for a PUD or Preliminary Plat, findings of fact will not be provided by Council during this public hearing process. The intent of including this section is to provide information that will be necessary for review as the development application proceeds.

A. *Open Space and Site Amenity Requirement (see also Chapter 8 "Architectural Review"):*

1. The total land area of all common open space shall equal or exceed fifteen percent (15%) of the gross land area of the development. Ten percent (10%) of that area shall be usable open space.

2. Each development is required to have at least one site amenity.

3. One additional site amenity shall be required for each additional twenty (20) acres of development area, plus one additional amenity per 75 residential units.

B. *Qualified Open Space: The following may qualify to meet the common open space requirements:*

1. Any open space that is active or passive in its intended use, and accessible or visible by all residents of the development, including, but not limited to:

- a. *Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;*
 - b. *Qualified natural areas;*
 - c. *Ponds or water features where active fishing, paddle boarding or other activities are provided (50% qualifies towards total required open space, must be accessible by all residents to qualify.) ponds must be aerated;*
 - d. *A plaza.*
- 2. Additions to a public park or other public open space area.*
- 3. The buffer area along collector and arterial streets may be included in required overall common open space for residential subdivisions.*
- 4. Parkways along local residential streets with detached sidewalks that meet all the following standards may count toward the common open space requirement:*
- a. *The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk and includes street trees as specified otherwise herein.*
 - b. *Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.*
 - c. *Stormwater detention facilities do not qualify to meet the common area open space requirements, unless all of the following is met:*
 - 1. *Must be at least fifty feet by one hundred feet (50' x 100') in area;*
 - 2. *Specifically designed as a dual use facility, as determined by the administrator, to include minimal slopes, grass throughout, and guarantee of water percolation within 24 hours of storm event.*
 - 3. *Is located in a development that has a second usable open space area that contains a qualified site amenity as herein defined.*
- 5. Visual natural space, including open ditches, wetlands, slopes or other areas that may not be readily accessible to residents, and is provided with open style fencing, may qualify for up to 20% of the required open space total.*
- C. Qualified Site Amenities: Qualified site amenities shall include, but not be limited to, the following:*
- 1. *Clubhouse;*
 - 2. *Fitness facilities, indoors or outdoors;*
 - 3. *Public art;*

4. Picnic area; or

5. Recreation amenities:

a. Swimming pool.

b. Children's play structures.

c. Sports courts.

d. Additional open space in excess of 5% usable space.

e. RV parking for the use of the residents within the development.

f. School and/or Fire station sites if accepted by the district.

g. Pedestrian or bicycle circulation system amenities meeting the following requirements:

(1) The system is not required for sidewalks adjacent to public right of way;

(2) The system connects to existing or planned pedestrian or bicycle routes outside the development; and

(3) The system is designed and constructed in accord with standards set forth by the city of Star;

D. Location: The common open space and site amenities shall be located on a common lot or an area with a common maintenance agreement.

E. Maintenance:

1. All common open space and site amenities shall be the responsibility of an owners' association for the purpose of maintaining the common area and improvements thereon.

8-6A-3: PRELIMINARY PLAT PROCESS: Staff has included this section of the UDC as a reference only. As the application submitted does not include a request for a Preliminary Plat, findings of fact will not be provided by Council during this public hearing process. The intent of including this section is to provide information that will be necessary for review as the development application proceeds.

A. Preapplication Conference: The applicant shall complete a preapplication conference with the administrator or designee prior to submittal of an application for a preliminary plat. The purpose of this meeting is to discuss early and informally the purpose and effect of this title and the criteria and standards contained herein.

B. Neighborhood Meeting: Applicants are required to hold a neighborhood meeting, in conformance with Section 8-1A-6C to provide an opportunity for public review of the proposed project prior to the submittal of an application. The applicant shall provide a summary of the meeting, including questions and concerns of the neighbors and how the submitted application

addresses those issues.

C. Application Requirements: A complete subdivision application form and preliminary plat data as required in this title, together with fees shall be submitted to the administrator. At the discretion of the administrator or city engineer, appropriate supplementary information may also be required to sufficiently detail the proposed development within any special development area, including, but not limited to, hillside, planned unit development, floodplain, cemetery, manufactured home parks, and/or hazardous or unique areas of development. Any unresolved access or traffic generation issues related to ACHD or ITD regulated roadways shall be resolved by the applicant prior to acceptance of any application. A letter from the appropriate transportation agency or servient property owner shall be submitted with the application.

D. Required Information and Data: The contents of the preliminary plat and related information shall be in such a form as stipulated by the City Council, however, additional maps or data deemed necessary by the administrator may also be required. The applicant shall submit to the administrator at least the following:

- 1. Two (2) copies of the preliminary plat of the proposed subdivision, drawn in accordance with the requirements hereinafter stated. Each copy of the preliminary plat shall be submitted on good quality paper, be professionally drafted, shall have the dimensions of not less than twenty four inches by thirty six inches (24" x 36"), and shall be drawn to a scale of not less than one inch to one hundred feet (1"=100') and contain a drafting date and north arrow.*
- 2. For hillside developments, one (1) bound copy of the preliminary engineering plans (not meant to be cross sections or detailed designs) showing streets, water, sewers, sidewalks, and other required public improvements, together with preliminary site grading, drainage and irrigation plans of the proposed subdivision. Such engineering plans shall contain sufficient information and detail to make a determination as to conformance of the proposed improvements to applicable regulations, ordinances and standards.*
- 3. Two (2) copies of a landscape plan showing all open space, common areas, amenities, street trees and development signage;*
- 4. Additional information on the preliminary plat and separately submitted information to include the following:*
 - a. The name of the proposed subdivision, as approved in advance by the Ada County Engineering office;*
 - b. The name, address, telephone and email of the applicant, developer, engineer and surveyor or drafter who prepared the preliminary plat;*

- c. *The names and addresses of all adjoining property owners and recorded plats within three hundred feet (300') of the external boundaries of the land being considered for subdivision.*
- d. *The land use and existing and proposed zoning of the proposed subdivision and the adjacent land;*
- e. *Streets, street names, rights of ways and roadway widths, including adjoining streets or roadways;*
- f. *Lot lines and blocks showing the dimensions and numbers of each, together with area of each lot in acres and square feet;*
- g. *Contour lines, shown at five-foot (5') intervals where the land slope is greater than ten percent (10%) and at two-foot (2') intervals where land slope is ten percent (10%) or less, referenced to an established benchmark, including location and elevation;*
- h. *Any proposed or existing utilities, including, but not limited to, power poles, storm and sanitary sewers, irrigation laterals, ditches, bridges, culverts, water mains and fire hydrants;*
- i. *Any flood zone information including FEMA FIRM panels;*
- j. *The legal description of the boundary of the property being subdivided with the seal of the surveyor of record;*
- k. *Phasing plan showing all proposed phases of the development;*
- l. *Preliminary irrigation analysis showing availability of water rights and distribution of irrigation to the lots within the proposed subdivision, or waiver request;*
- m. *One (1) copy of a site report of the highest seasonal groundwater elevation prepared by a licensed engineer;*
- n. *A narrative, signed by the applicant, fully describing the proposed subdivision, including such information as number and type of uses on the lots (residential single, two or multi-family, commercial, etc.), common lots and the proposed uses of those lots (open space, parks, playgrounds, landscaping, or other uses) and any other information deemed necessary to explain the intent of the development including how it relates to other concurrently submitted applications (annexations, rezones, PUD's, CUP's, etc.).*
- o. *Neighborhood meeting information including sign-in sheet, copy of meeting letter, copy of mailing labels, and detailed summary of neighbor questions and concerns and how the development has been designed to address those concerns;*
- p. *A vicinity map showing the relationship of the proposed plat to the surrounding area (1/2-mile radius);*
- q. *Deeds, affidavit of legal interest, address labels, postal service location approval, ACHD traffic study review status, electronic copies, or any other required information deemed necessary by the administrator to allow for proper review of the application;*
- r. *A conceptual site plan shall be submitted for any non-residential developments showing building locations, parking and loading areas, traffic access drives and*

traffic circulation and trash enclosure locations;

- s. *Any additional required information for special area of developments including, but not limited to hillsides, wetlands or as further specified in this Title.*

5. *Additional information in the application as determined by the administrator may include the following:*

- a. *Building elevations, including multi-family uses, non-residential uses, clubhouses, well houses, or other elevations deemed necessary to assist the Council in their decision regarding a development;*
- b. *Colored site plan and renderings of a subdivision detailing residential lot locations, open space and common areas, buffers, roadways, waterways and irrigation ditches, fencing, signs and landscaping.*

E. Acceptance: Upon receipt of the preliminary plat, and compliance with all other requirements as provided for herein, the administrator shall certify the application as complete and shall affix the date of acceptance.

F. Decision: A decision on a preliminary plat for a parcel of land is made by the City Council after receiving a recommendation from the administrator and a public hearing is held.

8-7-1: PURPOSE - PLANNED UNIT DEVELOPMENTS: Staff has included this section of the UDC as a reference only. As the application submitted does not include a request for a PUD, findings of fact will not be provided by Council during this public hearing process. The intent of including this section is to provide information that will be necessary for review as the development application proceeds.

A. The purpose of the planned unit development (PUD) requirements is to provide an opportunity for exemplary site development that meets the following objectives:

1. Preserves natural, scenic and historic features of major importance;

2. Allows for innovative design that creates visually pleasing and cohesive patterns of development; and

3. Creates functionally integrated development that allows for a more efficient and cost-effective provision of public services.

B. It is not the intent that the PUD process be used solely for the purposes of deviation from the dimensional standards in the district, however deviations from dimensional and other standards within this title, may be approved by the council if the PUD incorporates design features that add to the overall design and quality of the proposed development. By allowing dimensional standard deviations, exceptions in land uses allowed and pre-approvals of specific uses as conditions of approval within the PUD application process, the City expects in return a unique development that provides upgraded open space and amenities, mixed uses, multiple residential

styles and superior site design.

8-7-2: APPLICABILITY:

A planned unit development can be developed in any district.

8-7-3: PROCESS:

A. Preapplication Meeting: The applicant shall complete a preapplication conference with the administrator or designee prior to submittal of an application for a planned unit development. The meeting should be held well in advance of the preparation of the planned unit development application, and before a neighborhood meeting is scheduled. A draft site plan and preliminary plat map (if required) shall be provided to staff at the meeting.

B. Application Requirements: An application, map requirements, and fees, shall be submitted to the administrator.

1. At the discretion of the administrator, designee or city engineer, appropriate supplementary information may also be required to sufficiently detail the proposed development within any special development area, including, but not limited to, hillside, floodplain, cemetery, manufactured home parks, or hazardous or unique areas of development. Phasing plans shall be included in the application if the project is to be phased.

2. A site amenity plan shall be provided with the planned unit development application.

*C. Concurrent Review: Concurrent review of other applications may be required as determined by the administrator. **In cases where subdivision platting would be necessary, concurrent review of preliminary plat is required.***

D. Public Hearing Requirements: All planned unit development applications shall comply with the public notice and hearing procedures contained within this title.

E. A development agreement, when associated with an annexation and/or rezone, may be used in lieu of a Planned Unit Development application for deviations to dimensional standards with the requirement that all findings required for a PUD are addressed with the council action in the development agreement.

8-7-4: STANDARDS:

The council may approve planned unit developments, in accord with the following standards:

A. General Use Standards:

1. Deviations from Underlying District Requirements: Deviations from dimensional and other standards within this title, may be approved by the council if the PUD incorporates design features that add to the overall design and quality of the proposed development. The exception is that along the periphery of the planned development, the applicable setbacks as established by the district shall not be reduced.

2. Allowed Uses: Applicant may request that specific conditional use(s) be allowed in the district as principal permitted use(s) and up to twenty-five percent (25%) of non-permitted uses be allowed as permitted uses if the council finds that compatibility within the PUD, compatibility with adjacent planned uses and compliance with the intent of the comprehensive plan is provided. It is at the sole discretion of the Council to approve non-permitted uses within the development, including the maximum amount of those non-permitted uses.

3. Private Streets and Service Drives: The uses within the planned unit development are interconnected through a system of roadways and/or pathways as appropriate. Private streets and service drives may be permitted, if designed and constructed to the transportation authority standards and in accord with this title. The approval of private streets shall not prevent access and/or interconnectivity to adjacent properties or otherwise create unreasonable development opportunities.

4. Buildings Clustered: Buildings shall be clustered where practical to preserve scenic or environmentally sensitive areas in the natural state, or to consolidate small open spaces into larger, more usable areas for common use and enjoyment.

B. Private Open Space: In addition to the common open space and site amenity requirements of this title, a minimum of eighty (80) square feet of additional, private, usable open space shall be provided for each residential unit not planned as single-family detached. This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement.

C. Residential Use Standards:

1. Housing Types: A variety of housing types may be included within a single planned development, such as attached units (townhouses, duplexes), detached units (patio homes), single-family and multi-family units, regardless of the district classification of the site, provided that the overall density limit of the district is maintained. A minimum of two (2) housing types shall be provided for all PUD's.

E. Conditions, Bonds and Safeguards: In approving the planned unit development, the council may prescribe appropriate conditions, additional conditions, bonds, and safeguards in conformity with this title that:

- 1. Minimize adverse impact of the use on other property.*
- 2. Control the sequence and timing, or phasing, of the uses.*
- 3. Control the duration of the use. Assure that the use and the property in which the use is located is maintained properly.*
- 4. Designate the exact location and nature of the use and the property development.*
- 5. Require the provision for on site or off-site public facilities or services.*
- 6. Require more restrictive standards than those generally required in this title.*
- 7. Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, which provides services within the city.*

8-7-5: REQUIRED FINDINGS:

Upon recommendation from the administrator, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant a planned development request, the council shall make the following findings:

- A. The planned unit development demonstrates exceptional high quality in site design through the provision of cohesive, continuous, visually related and functionally linked patterns of development, street and pathway layout, and building design.*
- B. The planned unit development preserves the significant natural, scenic and/or historic features.*
- C. The arrangement of uses and/or structures in the development does not cause damage, hazard, or nuisance to persons or property in the vicinity.*
- D. The internal street, bike and pedestrian circulation system is designed or the efficient and safe flow of vehicles, bicyclists and pedestrians without having a disruptive influence upon the activities and functions contained within the development, nor place an undue burden upon existing transportation and other public services in the surrounding area.*
- E. Community facilities, such as a park, recreational, and dedicated open space areas are functionally related and accessible to all dwelling units via pedestrian and/or bicycle pathways.*
- F. The proposal complies with the density and use standards requirements in accord with his title.*
- G. The amenities provided are appropriate in number and scale to the proposed development.*

H. The planned unit development is in conformance with the comprehensive plan.

PROJECT OVERVIEW

ANNEXATION & REZONE:

The Applicant is requesting approval of an annexation and zoning application with a zoning designation of Residential (R-2-DA) on approximately 726.6 acres. The Applicant is also requesting approval of a conceptual plan that includes residential and non-residential uses, including a golf course and related amenities, together with neighborhood commercial and municipal (civic) uses, including public infrastructure. The proposed R-2 residential zoning designation would allow for a maximum residential density of two (2) dwelling units per acre. The applicant is proposing 1.5 dwelling units per acre. The property is located in an area that will be serviceable with central sewer and water provided by the Star Sewer and Water District in the future. The property will be accessed by existing and newly proposed roads and all roads in the development will be public. The requested zoning designation and density meets the intent of the applicable 2020 Comprehensive Plan Land Use Map.

CONCEPTUAL PLAN FOR RESIDENTIAL:

The submitted conceptual plan for the Willowbrook Development includes up to 1,094 residential lots with a total maximum density of approximately 1.5 dwelling units per acre on approximately 726.6 acres. The applicants narrative describes the residential as “a variety of home types for various homebuyers, small lot patio homes for active older adults and those seeking lower maintenance properties, and additional lot size options and corresponding home types in between the estate and patio home sizes. The housing variety will be aligned to be compatible with surrounding residential development. Higher density lots will be located on the interior, while larger estate are located along the outside adjacent to existing homes. The exact sizes and configurations of residential lots will have to be reviewed and approved by the City with the future preliminary plat and PUD applications, and none of the planned residential uses will occur until and unless approved as part of those applications.” The Council should consider the minimum lot sizes listed on the conceptual plan when determining compatibility and transition to adjacent residential lots and uses. The future preliminary plat will detail the exact sizes and will apply any conditions in the approved development agreement and future PUD.

Staff would recommend that any future conditions of the preliminary plat be included a modified development agreement at the time of preliminary plat review.

DEVELOPMENT AGREEMENT IN LIEU OF CONDITIONAL USE PERMIT:

The applicant is requesting, within their application, approval of the proposed golf course facility and the municipal uses (sewer and water facility) as part of the proposed Development Agreement. Section 8-3A-3D of the UDC states that ***when submitting a CUP, PUD or development agreement for a mixed-use zone, or for multiple conditional uses on one site,***

*all uses that are contemplated for the development shall be identified with the application and shall be reviewed by the council to determine which may be permitted, which should remain as conditional uses and which should be prohibited. **A development agreement may be used in lieu of a conditional use permit application** or a PUD application if the council makes the findings as otherwise required.* The proposed golf course and sewer and water facility uses allow for the City, through 8-3A-3D, to review these two conditional uses as part of the Development Agreement. Both uses are allowed in the Residential (R-2) zone through Conditional Use Permit.

PROPOSED GOLF COURSE FACILITY:

The applicant is requesting approval of the proposed privately owned public golf course use as part of their first phase of the development. The applicant states that the use will include an 18-hole championship course, together with associated clubhouse, restaurant and bar, and pro shop on approximately 175-acres. A golf course requires a conditional use permit approval. Because the restaurant and bar are considered a commercial use, staff is recommending that Council review the 18-hole golf course layout, clubhouse, pro shop and associated amenities including driving range as part of this current development agreement, and require the restaurant and bar be reviewed in the future as part of the Planned Unit Development application with the additional commercial uses. The final course and driving range layout and clubhouse, including details on parking, landscaping, access, building elevations, and other design standards will be subject to a future Certificate of Zoning Compliance (CZC) and Design Review application with the City. **Council should consider the golf course use as proposed within this application and consider the required findings of fact and proposed staff conditions of approval. The Council may add additional conditions or modify staff proposed conditions, if necessary.**

PROPOSED MUNICIPAL (CIVIC) USES:

The applicant states in their narrative that wastewater treatment and water supply facilities will be built by Willowbrook and dedicated to Star Sewer and Water District for operation. Public infrastructure and public utilities require a conditional use permit. The wastewater treatment and water supply facility, including details on parking, landscaping, access, building elevations, and other design standards will be subject to a future Certificate of Zoning Compliance (CZC) and Design Review application with the City. **Council should consider the golf course use as proposed within this application and consider the required findings of fact and proposed staff conditions of approval. The Council may add additional conditions or modify staff proposed conditions, if necessary.**

FUTURE COMMERCIAL USES:

The applicant states that all future, additional commercial uses within the development will be approved as part of the future Planned Unit Development. The applicant is proposing within the narrative a concept that includes approximately 110,00 square feet of neighborhood commercial space to provide "convenient services and retail opportunities for area residents and visitors". The applicant has also indicated that further land will be provided for additional civic uses, including potential fire/police/EMS services for the purpose of providing "improved safety and services for all adjacent residents".

FUTURE PLANNED UNIT DEVELOPMENT & PRELIMINARY PLAT:

As previously stated in this report and referenced in Section 8-7-3 of the UDC, Planned Unit Developments require concurrent review with a preliminary plat. The applicant has proposed that both the Preliminary Plat and Planned Unit Development will be submitted in the future for review and approval by Council. In addition to the specific commercial land uses that will need to be reviewed for compatibility with neighboring land uses, development details will be provided to the City for further review. This includes but will not be limited to building setbacks, roadway standards, building elevations, street light standards, open space and amenities, mailbox locations and pathway details. In addition, the applicant will be subject to all requirements set forth in the UDC, Chapter 6, Subdivision Regulations. The City Engineer has indicated that additional reports will be necessary in order to properly review the future development. These reports will address hillsides, slopes, geotechnical, stormwater management and grading. Updated traffic information will also be required by the transportation agencies prior to final City approval. **Staff has provided within this report the appropriate sections of the Unified Development Code for PUD's and Preliminary Plats for the purpose of providing Council with information on what additional steps will be necessary as the application process proceeds.**

The proposed intent of the applicant to proceed with a future Planned Unit Development appears to meet the purpose statement for development under Section 8-7-1 of the UDC. Initial review of the conceptual plan indicates that the applicant has addressed the following:

- *"preserves natural, scenic and historic features"*
- *"Innovative design that creates visually pleasing and cohesive patterns of development"*
- *"Allows for innovative design that creates visually pleasing and cohesive patterns of development"*
- *"Creates functionally integrated development that allows for a more efficient and cost-effective provision of public services."*
- *"By allowing dimensional standard deviations, exceptions in land uses allowed and pre-approvals of specific uses as conditions of approval within the PUD application process, the City expects in return a unique development that provides upgraded*

open space and amenities, mixed uses, multiple residential styles and superior site design.”

Open Space & Amenities.

The applicant has stated that “the featured amenity in the Willowbrook development is the 175-acre, 18-hole golf course, which includes a driving range and clubhouse amenities, and this will be provided as the first phase of the development, providing immediate public benefit.” In addition, the conceptual plan also includes “approximately 89 additional acres of usable natural areas with hiking trails plus approximately 31 acres of buffers, parkways, and open grassy areas for residents to enjoy”. The Unified Development Code requires 15% total open space with 10% of the development to provide usable open space. A development of this size requires a total of 15 site amenities as defined in the applicable UDC. Qualified amenities listed in the Code include *clubhouses, recreation amenities, additional open spaces in excess of 15%, School and/or Fire Station sites if accepted the district, and pedestrian or bicycle system amenities*. While these details will be reviewed in the future PUD and Preliminary Plat applications, **the Applicant should be prepared to address open space details with Council at the public hearing. This would include clubhouses, locations and functionality of pathway systems, open natural areas, etc.**

ADDITIONAL DEVELOPMENT ANALYSIS:

- Transitional Lots

Both the applicable Comprehensive Plan and the Unified Development Code address Transitional Lots. The 2020 Land Use Map designates all of the existing County residential lots in Hillside Estates Subdivision, Monument Ridge Ranch Subdivision, Chucker Point Subdivision and Star Ridge Estates as “Special Transition Overlay Area”. There are several areas within the Comp Plan text and the UDC that reference the Overlay Area and Transitional Lots.

The Comprehensive Plan references the following:

- *8.2.3 Land Use Designations - Estate Residential: **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.***
- *8.5.3 Policies Related Mostly to the Urban Residential Planning Areas: **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 lots of one acre and larger where those existing larger lots are 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.

- *8.5.4 Policies Related to The Special Transitional Overlay Areas:*
 - A. Development adjacent to and within the Special Transition Overlay Area is to provide for an appropriate transition between existing and new home sites where new urban development is being planned adjacent to previously approved and constructed rural county developments of years past.*
 - B. Site layout is to provide for a transition in density and lot sizing with all policies regarding compatibility herein applying.*
 - D. When an urban density residential development is planned with lots that directly abut lots within a Special Transition Overlay Area an appropriate transition is to be provided for the two abutting residential lot types. A transition must take into consideration site constraints that provide transitional lots and/or open space area avoiding urban lots directly abutting Special Transition Overlay Area lots.*

The Unified Development Code requires the following:

- *8-1E-1: DEFINITIONS TRANSITIONAL LOT OR PROPERTY: The size of a new residential lot when being proposed adjacent to an established residential use. The ratio for lots adjacent to properties shall be determined on a case by case basis, when considering the size of the development potential for the existing use. This shall not be required if separated by an existing roadway or large canal where the distance between new structures and existing structures equal or exceed 100 feet.*
- ***8-3B-3: RESIDENTIAL DISTRICTS: 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.*****

Based on the above referenced Sections of the Comp Plan and UDC, Staff recommends that the applicant be required to provide a minimum of one-half acre lots (2 units per acre) in the areas illustrated in the Staff Exhibit that is part

of the Council packet. This would potentially affect approximately 163 lots on the submitted conceptual plan that are immediately adjacent to existing Transitional Lots as designated in the "Special Transition Overlay Area" of the Land Use Map.

- Transportation and Traffic Agency Reviews

Staff received review letters from ACHD, ITD and Canyon Highway District #4 that have been included in the Council packet for review. These agencies are the transportation authorities for the City of Star. **Council should consider the agency conditions and, where appropriate, include any necessary conditions in the Development Agreement.**

- Lighting

Future Streetlights, Residential and Commercial uses shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire development. Lighting details will be part of the future PUD and Preliminary Plat applications.

- Pathway Committee Review

The Star Transportation and Pathways Committee will be reviewing the application and will provide comment to Council prior to the public hearing. Staff will update the record when the comments are received.

- Phasing and Project Build-Out

The applicant has indicated that the anticipated full build-out of the development could be 25 years, under current market and growth trends. The TIS that was submitted and analyzed by the transportation agencies contemplated a 2045 build-out. A detailed phasing plan will be required as part of the preliminary plat application.

- Impact Fees

The developer will be responsible for the following fees that will be assessed per each residential lot platted. These fees are necessary to ensure that development pays for itself rather than burdening the public.

1. City Park Impact Fees	\$2,050.00
2. Star Fire District Impact Fees	\$809.00
3. ACHD Impact Fees	\$3,493.00 (adjusted yearly)
4. ITD Proportionate Shares	\$1,000.00
5. Police Mitigation Fees	\$1,120.00
6. Fire Mitigation Fees	\$1,200.00

DEVELOPMENT AGREEMENT (DA)

Previous City policy regarding Development Agreements provides that Staff drafts the agreement after the public hearing is completed and once an approval decision is made by Council and conditions of approval on the annexation and zoning are identified through the public hearing process. The applicant has provided a draft DA as part of their submittal packet. Staff will use this submitted document as the basis for the final agreement if approval is granted by Council for the application.

Through the Development Agreement process, the applicant is proposing to work with the City to provide further assurances 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, but may not be limited to the following:

- Transportation Impact and Mitigation Conditions as Recommended by ACHD, ITD & CHD#4
- Maximum Density Allowed
- Sewer & Water Conditions Including Annexation into District
- Provisions for Potential Fire Station
- ITD Proportionate Share Fees
- Mitigation Fees
- Golf Course Facility Approval without Restaurant & Bar
- Municipal Uses Approval including Public Infrastructure and Public Utility
- Residential Transitional Lots
- Open Space/Amenities/Pathways
- Future PUD & Preliminary Plat

AGENCY, DEPARTMENT & COMMITTEE RESPONSES

Central District Health Department	September 10, 2021
Black Canyon Irrigation District	January 13, 2022
Department of Environmental Quality	February 18, 2022
Bureau of Land Management	March 3, 2022
West Ada School District	January 5, 2023
Canyon Highway District #4	March 27, 2023
Ada County Highway District	April 20, 2023
Idaho Transportation Department	April 20, 2023
Star Fire District	April 24, 2023
Ada County Sherriff	April 26, 2023
Star Sewer & Water District	April 26, 2023
City of Star Engineering Department	April 27, 2023
Ada County Highway District Memo	April 27, 2023

PUBLIC RESPONSES

Staff received written public comments both in support and in opposition to the proposed application. All correspondences have been included in the Council packet and made part of the public record.

STAFF ANALYSIS & RECOMMENDATIONS

City of Star Planning Staff is responsible for the review and comment on development applications submitted to the City. The application is reviewed using the applicable Comprehensive Plan and Unified Development Code in place at the time of submittal of the application. Staff analysis and recommendations are based purely on review of these documents and input from agencies, the City Engineer and City Committees, and do not reflect personal preferences or public testimony.

Staff finds that the proposed Annexation & Zoning application with the recommended conditions of approval for the Development Agreement, and, including the overall conceptual plan and analysis of the of the submitted materials for residential and current commercial uses proposed, meets the intent of applicable Comprehensive Plan Text and Future Land Use Map and Unified Development Code.

The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the applications, either as presented or with added 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.

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.

8-7-5: CONDITIONAL USE PERMIT FINDINGS: (For Golf Course & Municipal Uses Only)

The Applicant is requesting Conditional Use approval for the multi-family component of the development per the Unified Development Code requirements.

Upon recommendation from the administrator, the council shall make a full investigation and

shall, at the public hearing, review the application. In order to grant a conditional use request, the council shall make the following findings:

1. That the site is large enough to accommodate the proposed use and meets all the dimensional and development regulations in the district in which the use is located.
The Council must determine if the use, as presented and/or conditioned, is large enough to accommodate the use and meet the City development standards.
2. That the proposed use will be harmonious with the Star Comprehensive Plan and in accord with the requirements of this Title.
Council must determine if the uses proposed meets the intent of the Comprehensive Plan as it relates to the Land Use Map and Text.
3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.
Council must determine if the proposed land uses is compatible with the surrounding area.
4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.
Council must determine if conditions of approval can be placed on the proposed uses to address adverse impacts on other properties in the vicinity.
5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.
Staff has not received notification from any other agency having jurisdiction that the proposed uses cannot be served adequately by essential services.
6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.
Council must determine if this proposed use will affect public facilities and services or will be detrimental to the economic welfare of the community.
7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glares or odors.
Council must determine if these uses will include any activity, process, material, equipment or conditions of operation that will be detrimental to any person, property or the general welfare of the public.
8. That the proposed use will not result in the destruction, loss, or damage of a natural, scenic or historic feature considered to be of major importance.
Staff has not been made aware of any natural, scenic or historic features on the property.

PROPOSED CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT ONLY

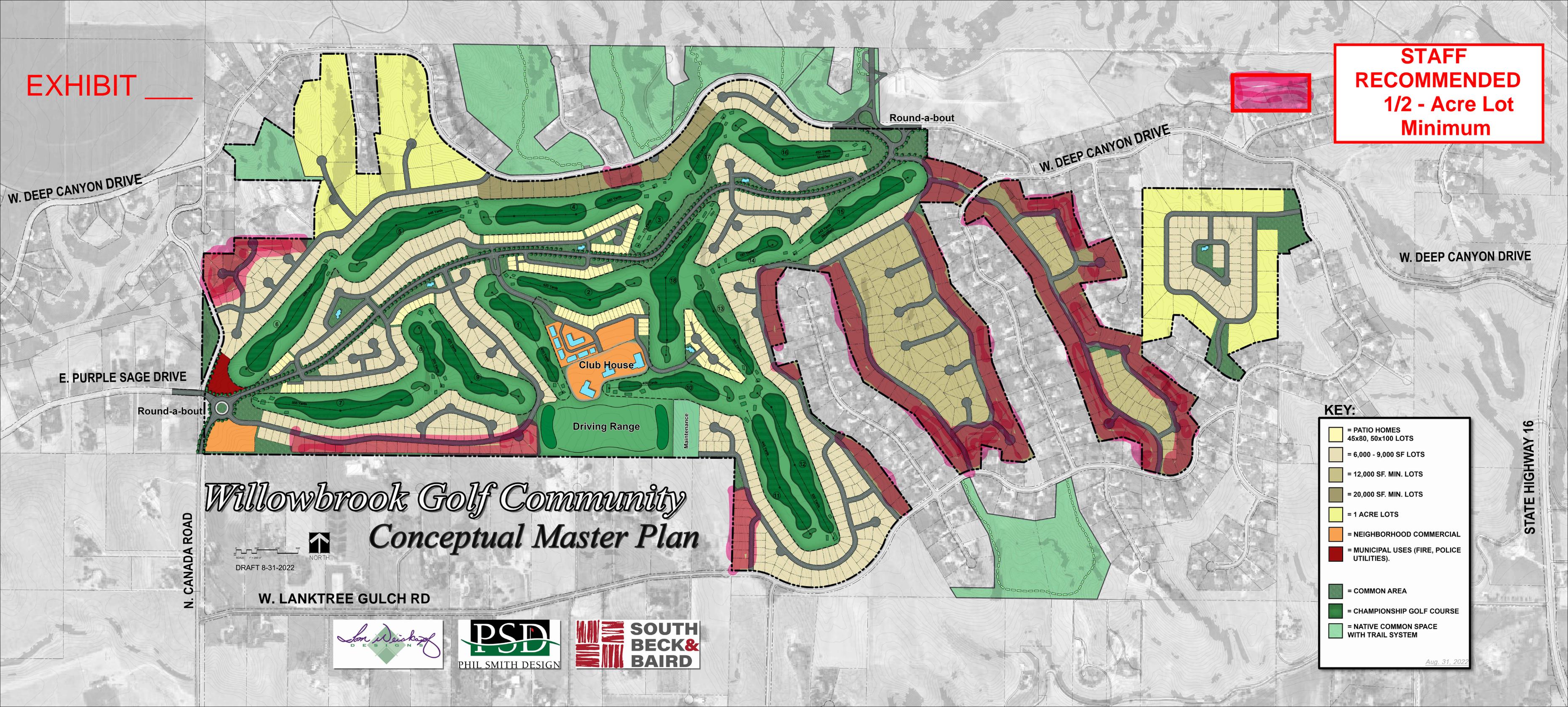
1. The development shall follow the specific details of the approved conceptual plan approved through this application. The approved conceptual plan shall further comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. **This approval is specifically for the golf course and associated amenities, and for the public Infrastructure facility. Any further commercial uses, including but not limited to the restaurant and bar, fire station, and retail/commercial shall require approval through a Planned Unit Development.**
3. **The applicant shall submit a Certificate of Zoning Compliance (CZC) to the City for review and final approval of the final golf course layout, clubhouse and associated amenities.**
4. **The applicant shall submit a Certificate of Zoning Compliance (CZC) to the City for review and final approval of the public Infrastructure facility.**
5. The property with the approved development plan shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
6. The approved development plans shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages, including street trees.
7. Applicant/Owner/Developer shall submit a streetlight and parking lot lighting plan/design prior to Certificate of Zoning Compliance. All lighting shall comply with the Star City Code and the Dark Sky standards adopted by the City.
8. All new structures shall comply with the effective building and zoning requirements at time of building permit issuance, unless otherwise approved and/or amended in the CUP, PUD or Development Agreement.
9. Any requirements from the Star Sewer & Water District shall be the responsibility of the applicant.
10. All State, Federal and Local rules and regulations regarding development in the Special Hazard Areas (Floodplain/Floodway/Hillside) shall be adhered to, if applicable.
11. The applicant shall meet all requirements of the Star Fire District regarding, but not limited to fire flow and emergency access to the property.
12. A separate sign permit shall be approved for any signage for the proposed uses.
13. Prior to approval of a Certificate of Zoning Compliance or any future land use applications, the applicant shall satisfy all concerns and requirements of the City Engineer.
14. Any additional site-specific conditions and considerations as required by Staff or Council.

COUNCIL DECISION

The Star City Council _____ File #AZ-21-12/DA-21-20 for Willowbrook Development on _____, 2023.

EXHIBIT _____

**STAFF
RECOMMENDED
1/2 - Acre Lot
Minimum**



E. PURPLE SAGE DRIVE

Round-a-bout

Round-a-bout

W. DEEP CANYON DRIVE

W. DEEP CANYON DRIVE

Club House

Driving Range

Maintenance

Willowbrook Golf Community Conceptual Master Plan

DRAFT 8-31-2022

N. CANADA ROAD

W. LANKTREE GULCH RD

STATE HIGHWAY 16

KEY:

- = PATIO HOMES
45x80, 50x100 LOTS
- = 6,000 - 9,000 SF LOTS
- = 12,000 SF. MIN. LOTS
- = 20,000 SF. MIN. LOTS
- = 1 ACRE LOTS
- = NEIGHBORHOOD COMMERCIAL
- = MUNICIPAL USES (FIRE, POLICE UTILITIES).
- = COMMON AREA
- = CHAMPIONSHIP GOLF COURSE
- = NATIVE COMMON SPACE WITH TRAIL SYSTEM



Aug. 31, 2022



CITY OF STAR, IDAHO
CITY COUNCIL SPECIAL MEETING MINUTES
WILLOWBROOK TRANSPORTATION

City Hall - 10769 W State Street, Star, Idaho
Tuesday, January 25, 2022 at 6:30 PM

PUBLIC NOTICE: THIS MEETING WAS A WORKSHOP - NOT A PUBLIC HEARING. PUBLIC TESTIMONY WAS NOT HEARD. THE PUBLIC WAS INVITED TO PARTICIPATE BY OBSERVING THE PROCESS IN PERSON OR ONLINE AT:
https://www.youtube.com/channel/UCkw5PdAcU_RK0rP7MNaLB1A

1. CALL TO ORDER

Mayor Trevor Chadwick called the meeting to order at 6:30 p.m. He welcomed attendees and led the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Trevor Chadwick, Council President David Hershey, Council Member Kevan Wheelock, Council Member Jennifer Salmonsens, City Planner Shawn Nickel, Assistant City Planner Ryan Field, City Clerk-Treasurer Jacob Qualls, Public Information Officer Dana Partridge, Idaho Transportation Department representative Caleb Lakey, Idaho Transportation Department representative Jason Brinkman, Nathan Mitchell of A+E Construction representing the applicant Willowbrook Development Inc. & Twin Islands LLC, John Roters, Jake Evans, Civil Engineer Chad Cankello, Kittleson Associates representatives Sonia Daleiden and Sam Martsch, Canyon Highway District 4 representative Bruce Bain, Canyon Highway District 4 representative Chris Hopper, and Alliance Consulting representatives James Hammon and Lauren Stubbs (Hammon and Stubbs participated via online). Council Member Nielsen was absent.

3. AGENCY WORKSHOP

TRANSPORTATION AGENCY WORKSHOP SUMMARY - WILLOWBROOK

Mayor Chadwick introduced the regional agency workshop participants and explained that Nathan Mitchell would introduce the Willowbrook project and then the transportation agencies would ask their questions.

Mitchell utilized a map to describe the overall concept of the proposed Willowbrook development which would consist of 1618 residential lots, 2 commercial lots and 25 common lots on 1554.8 acres (723.78 acres in Ada County; 831.02 acres in Canyon County).

Mitchel noted key elements of the concept, such as 1,600 dwelling units, 500 of which are town homes and patio homes and the rest being single family homes with a public championship level golf course.

The presentation noted that the golf course would be early in the phasing and the road access/road development is a key issue to coordinate on early in the process in order to avoid building a golf course and then having to tear it up.

Mitchel presented a concept map of the major road connections for discussion. A new major connection would be proposed to Highway 16 on the north which would cross both highland land, livestock ground, and BLM land.



CITY COUNCIL SPECIAL MEETING MINUTES WILLOWBROOK TRANSPORTATION

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Discussion of scope ensued, including issues of terrain, access, and routes, as well as access and traffic concerns for surrounding neighborhoods.

Mitchel noted that Willowbrook is asking for some land use entitlements, but the developers want to make sure they are restricted properly in a development agreement to ensure the transportation authorities have the leverage they need over the development process to ensure when various phases build out that the proper improvements are made to support what the highway districts and the City need.

Discussion noted that Kittleson Associates will provide a detailed scope of work as part of the development agreement process.

James Hammon of Alliance Consulting noted the team has been working with ITD and BLM on the proposed future interchange at Highway 16 and Beacon Light. Discussion focused on the map depictions, comparing what Highway 16 is like now to future iterations, envisioning the transition from collector road to principal arterial to possible expressway with the goal of maintaining throughput on Highway 16 as a priority. It was noted that development creates the need to go through this type of planning.

Referencing the conceptual master plan, the proposed golf course and a sample roundabout were discussed. One priority determined in discussion was maintaining a high level of road connections and choices, so travelers on the roads have options. ITD proportionate share for future road intersections was also discussed.

Council Member Wheelock asked with respect to all the driveways in Hillsdale what the opportunity was that ITD would allow for the road to be built before the golf course. Discussion ensued referencing development needs and ITD negotiations. Overall discussion turned to the concept of retiree demographics of those moving to Treasure Valley, and the concept of having a championship level golf course available.

Caleb Lakey noted that COMPASS is the metropolitan planning organization in Canyon County and does not have regulatory authority for transportation or land use, advising that their role is really with the Federal transportation dollars that Canyon County receives and ensuring oversight to determine funding is spent correctly; he noted the County works with the City on where growth will occur.

Discussion continued on long range planning for the area. Mitchell summarized that Willowbrook is looking for a zoning decision and is willing to restrict entitlements to complying one hundred percent with what the agencies come back to the table with, expressing support for Kittleson Associates' analysis that will come back.



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Topography of the land throughout the development was summarized, and the applicant representative noted that they will be naturally limited on the dwellings by that topography. Mitchell noted that one of the next phases will be to produce a Traffic Impact Study.

Council Member Salmonsens asked questions about the recent COMPASS model update. Overall discussion summarized the need for the city, agencies, and developers to work together and resolve transportation problems and (where applicable) determine funding sources via a proportionate share agreement.

Mayor Chadwick adjourned the meeting at 8:25pm

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk - Treasurer

DRAFT



CITY OF STAR, IDAHO
CITY COUNCIL SPECIAL MEETING MINUTES
WILLOWBROOK AGENCY

City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 8, 2022 at 6:30 PM

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1. CALL TO ORDER

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2. ROLL CALL

Present were Mayor Trevor Chadwick, Council President David Hershey, Council Member Kevan Wheelock, Council Member Jennifer Salmonsens, Council Member Kevin Nielsen, City Planner Shawn Nickel, Assistant City Planner Ryan Field, Police Chief Zach Hessing, Middleton School District Mark Gee, West Ada School District Marcy Horner, West Ada School District John Gillin, Nate Mitchell of A+E Construction LLC representing applicant Willowbrook Development Inc., CK Engineering Chad Concella, Idaho Department of Water Resources Nick Miller, Star Sewer & Water District and City of Star Engineer Ryan Morgan, Star Sewer and Water District Hank Day, Star Middleton Fire District Chief Greg Timinsky, Star Middleton Fire District Deputy Chief Victor Islas, Middleton School Trustee Cindy Powell, Star Transportation Committee Chair John Tenson, PIO Dana Partridge, and City Clerk-Treasurer Jacob Qualls.

3. AGENCY WORKSHOP

AGENCY WORKSHOP SUMMARY – WILLOWBROOK

Mayor Chadwick summarized that this evening's workshop would revolve around schools, water/sewer, fire, and police.

Nate Mitchell of Willowbrook provided an overall summary of the project, noting the application was for approximately 1,556 acres of ground that lies basically along the Purple Sage corridor on the west from a half mile west of Kingsbury Road East ending a quarter mile west of Highway 16.

Mitchell reviewed the proposed residential, commercial, and golf course development utilizing a map (see Agenda Packet). Discussion ensued on elementary and middle school needs to support the proposed housing. A challenge noted was the possible long term issues surrounding routing Star school children east for their educations in West Ada School District and noting that Middleton School District is having difficulty getting bonds passed.

The projection noted was 0.5 students per unit in terms of demographics.

An elementary site at Willowbrook was noted as likely being necessary, as well as a bus stop or bus depot to service older students in routing them to an existing area for middle and high school students.



CITY OF STAR, IDAHO
CITY COUNCIL SPECIAL MEETING MINUTES
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The current site in Star for a proposed future high school was mentioned in terms of how the addition of Willowbrook might impact the timeline.

For planning purposes, Nate Mitchell mentioned Willowbrook's hope to start selling lots in 2025.

Discussion moved on to water supply and sewer needs.

Discussion surrounded a collection and treatment sewer system would need to be built and this is already starting with a pressurized lift station which brings wastewater to the current facility to building a new treatment facility at the north end of the district and how to fund the project.

Water rights at Hillsdale and other surrounding neighborhoods were mentioned, as was reuse of treated wastewater for irrigation purposes.

For Fire, it was noted that nine firefighters will be needed to open the fire station across from the LDS church on Floating Feather in 2024.

Future fire and police staffing was discussed, as well as funding via impact fees and having development help pay for growth.

Chief Hessing explained the metrics of officers per thousand. Facilities needs to house fire and police officers geographically were discussed.

First phase of Willowbrook was projected to be completed for 2030.

Mayor Chadwick adjourned the meeting at 8:45pm

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk - Treasurer

TRANSCRIPT

Willowbrook Workshop Meeting – February 8, 2022
Sewer and Water Excerpt

Speakers:

Councilman Kevan Wheelock

Councilwoman Jennifer Salmonsén

Mayor Trevor Chadwick

Willowbrook Development, Inc. – Nate Mitchell

Idaho Department of Water Resources – Nick Miller

Keller Associates, City of Star Engineer, Star Sewer & Water – Ryan Morgan

Star Sewer & Water – Hank Day

27:13

Mayor Chadwick: So we're gonna move on to the uh sewer and water side of this so because the water part of that Mr. Miller. He was generous enough to come out on a last minute notice here to be part of this tonight so, well yeah, we can ask what kind of what kind of impacts, oh sorry, a development like this will

27:35

Mayor Chadwick: have with water supply and also recharging water. If you see stuff like this, I guess sewer and water could coordinate. You want to talk to the water and sewer stuff first?

Nate Mitchell: I can give an overview of what we think is going on.

Um we've been working with Star Sewer and water district for well at least five years if not longer than that since we made the last application um let's handle the easy stuff first

28:01

Mitchell: The sewer system has to be built. We obviously build the collection system we also build whatever treatment system needs to be built up there. We see this starting with a pressurized lift station that brings our waste water to the current facility in Star that could evolve into depending on number of houses how successful we are

28:30

Mitchell: transitioning from pressuring sewer to Star to building an actual treatment facility up in the northern end of the district. Obviously all of that's at our cost. Water system we've got, I owe Ryan an answer on this, but we do have some domestic water rights retained out of the original water rights that were approved for building Hillsdale and some of the other areas up there

29:00

Mitchell: I don't have a specific CFS answer for you yet but whatever water rights that Willowbrook development owns for domestic water will be transferred to Star Sewer and water district for their use. It's my understanding the star certain water district also has a significant amount of cubic feet per second water rights that are able to serve this project just like they serve any other project in their district. Um, we would need to drill a couple of large wells up there

29:33

Mitchell: So one—we either need to loop into the existing Star sewer and water district system for a secondary source or we need to drill two wells up there so we have a backup source if our primary well isn't functioning um. Frankly that'll come down to a conversation between the district and us at the time when we annex into the sewer and water district they'll condition us with whatever they want built

30:01

Mitchell: The third the third leg of this is one of the benefits of us pressuring our sewer to the current facility is actually pressuring their treated water back to us to augment our irrigation rights and use reuse your waste water to reduce the amount of water we're discharging into the Boise River. It's just a secondary option for their

30:31

Mitchell: treatment facility and their discharge permit. Coupling with that we do have uh attached to this property we've got about 4,800 acre feet of irrigation water right so we can, regardless of the reuse program we can irrigate what we're trying to do up here with the current water rates, we see a lot of benefit in the reuse program because A. we're going to recharge an aquifer and B. we're going to pull less of our water

31:01

Nate Mitchell: out of the aquifer, right? We'll reduce the amount of water we're currently pulling out plus we'll dump more into the ground um i think that works well for everybody involved. That's a general overview I'd let the district talk to the specifics of what they'll require or won't require

31:21

Ryan Morgan: Ryan Morgan, Keller Associates, speaking at this point in time as the Sewer and Water District Engineer. Currently the Sewer and Water District has

31:31

Ryan Morgan: reserved 14.4 cubic feet a second of water rights. Um and by reserved i mean they have application for but they don't currently have all those total water rights active, which means in order to truly own a water right you have to show a beneficial use for that. um we are only actively using about five cubic feet a second

32:01

Ryan Morgan: which means approximately a third of the water rights that are reserved we have shown a beneficial use for and that's serving all of the city right now so we're talking homes—the amount of homes that Willowbrook is proposed up there probably about another at full build out another five CFS so with them and with what's current currently being used we're looking at

32:33

Ryan Morgan: two thirds, which still leaves enough for the City of Star outside of Willowbrook to double in size and we still would have plenty of water rights available.

Mayor Chadwick: I just want to ask you a question (this is Mayor Chadwick) real quick. You said you have 14 point what

Ryan Morgan: 14.4 cubic feet per second

Chadwick: is what you have entitled for the sewer district so the water entitlement that he has, that would be added to that number correct?

Ryan Morgan: And we don't know the exact number there but

33:02

Ryan Morgan: from what we've heard from what we've seen that's probably in the neighborhood of three to four CFS which in and of itself is almost enough water to serve their property by themselves.

Mayor Chadwick: So to take that water i know we've been we've been big on looping everything and connecting everything would the intent be to connect the water there with what's down here so it's all a big continuous loop or allow it to develop on its own?

33:30

Ryan Morgan: Ultimately we would love to loop those systems.

Mayor Chadwick: I'm just trying to i'm just throwing it right back at you.

Hank Day: Well it's a little bit different I'm Hank Day. They're in an upper pressure zone we have a lower pressure zone here and they they're in zone three so we'd have to put a booster station there but eventually we want it all looped so if they have a problem with a well or we have a problem, we'll have water and we'll have almost 20 CFM you know by the time we're done. They're going to build a tank, two wells, and uh they pay for all the infrastructure.

34:03

Mayor Chadwick: Wo so that was my other question then so a tank, they would have to provide so like you put a was it a million gallon tank up there or

Hank Day: 750,000 gallon tank up there this year and we had a 500 so we have a million two five up there now and about 80 percent of that is for fire protection, the rest is strictly for domestic use but you have to have so much fire protection. He would probably, we'd probably require him to put a 500 000 gallon tank up there that would do way more than he needed.

34:32

Mayor Chadwick: So the 500,000 gallon tank though would be at the developer's expense and not at the current rate payers expense

Hank Day: Well it would be how however we his condition annexation or uh he may pay for part of it and we may partner in that. We're doing another one up here on highway 20 that they're uh doing also they're going to put well up there and there'll be a water campus up there that we are also building and we're partnering with them

34:58

Hank Day: They're going to pay for it but we're going to give them credits on some different projects that they wouldn't have to pay a certain fee that they would have to pay that. So the rate users in the city of Star are not paying for his development or the tank it would come from the development because we have interceptor line fees we have distribution fees we would give him credit towards those fees if he built that.

35:21

Mayor Chadwick: okay gotcha that's what we want to want to

Hank Day: Yeah we're not paying anything, he's paying it all pretty much so okay.

35:29

Mayor Chadwick: All right go ahead, Ryan, sorry.

Ryan Morgan: No, that's fair we want we're trying to be as transparent as possible with this. uh And as Nate pointed out, conversations have been going on for several years we have yet to finalize any final annexation agreement but these are the terms that have been talked about. These are the things that I don't think Nate's surprised by anything that was just said here and so these are all things just as similar to how the city as a development agreement the district puts together what they call an annexation agreement and then there's terms and conditions that the developer agrees to meet as part of joining and annexing into the district boundaries.

36:09

Mayor Chadwick: Okay so you're going to talk about sewer also probably right?

Ryan Morgan: Absolutely um part of these discussions is as Nate pointed out it's hard to run a wastewater treatment plant until you have three to four hundred homes it just it doesn't work um you got

36:26

Ryan Morgan: a pump and all you've got to do a lot of other stuff, you got to supplement that water um you've seen plant developments throughout this valley uh, Avimor comes to mind, until they had the 3-400 homes, any water, any wastewater that was going into that treatment plant there was actually being pumped and hauled to a Hidden Valley.

36:49

Ryan Morgan: So the initial goal would be to build a lift station, pump the water to the current treatment plant and then once we get that certain threshold then the then Willowbrook would then be required to help fund and

37:06

Ryan Morgan: as Hank talked about some of those connection fees and all that would go credit towards the construction of a wastewater treatment plant up there. Um in the meantime as we're building that pipeline that would pump water to the wastewater treatment plant. Parallel to that we would build a pipeline to pump reuse water back from the treatment plant, up the hill to help supplement irrigation water rights for the golf course. And what that does is two things, as Nate pointed out, it helps reduce the amount of water you're pulling out of the ground and you're also helping to recharge that aquifer that's up there.

37:47

Mayor Chadwick: So what does it do for our current system if you're able to pump the water up and not discharge it to the river does that help us as a city and as residents as far as our system is viewed and handled?

Ryan Morgan: don't answer that or you want me to I'll start and if i see anything wrong you can correct me, Hank. Um it does a couple of thing, one thing that it does is it does reduce the amount of water that's going into the river a little bit um and but the biggest thing it does is it gives future capacity. Um the Star Sewer and Water treatment plant currently has an NPDES permit that

38:23

Ryan Morgan: allows them to discharge x amount of cubic feet of water a day gallons per minute however you want to look at it into the river. Eventually we're going to run out of that capacity. We've got plenty for now but what it allows us to do is take that water and be able to locate it in other locations

use it for irrigation water rights reuse water and therefore it allows that those NPDES permits, it really expands the growth and opportunity for the for the city.

38:58

Mayor Chadwick: Councilman Nielsen.

Kevin Nielsen: Thank you. uh just curious on that line as it goes back up to Hillsdale with their or to this to this property excuse me would there be opportunity for other development that happens along the way to tap into that line and use that as pressurized irrigation for those future developments?

Mayor Chadwick: Mr. hank you guys are talking about there-

Ryan Morgan: Would be I've talked to uh the other property owners over on chaparral Littles. We did a feasibility study on this five six years ago before we started the wastewater treatment plant and right now we're discharging roughly a million gallons a day. So we're just throwing that water away and if it goes up there, we did talk to the Littles and they have a spot where we could build a reservoir so they could use it so they wouldn't be pumping also

39:45

Ryan Morgan: irrigation water out of the ground. So yeah any of these properties along there, I mean as Star grows when we get done with our new wastewater treatment plant, that's designed for a little over 2 million gallons a day. So we'll be having 2 million gallons a day to get rid of and if Star keeps growing which is obviously going to grow, pretty soon we're going to have 10 or 15 million. The new upgrade to the treatment plant, the head works building for example, down there designed for 17 million gallons a day that's the maximum build out for the wastewater treatment plant. So 40 years from now, 30 years, 10 years, however fast it grows,

40:23

Ryan Morgan: that's all we have to do at that headwork building is take out little blocks that. We put in there put in bigger equipment we designed that treatment plant now in order to take care of that and eventually we will have 17 million gallons a day. It's got to go someplace and it's better in the foothills than it is going down to the river and dumping it so nobody gets any beneficial use.

40:46

Nate Mitchell: So just to clarify Nate Mitchell again, Willowbrook. I think Councilman Nielsen's question is the subdivisions between here and there because we're talking the Littles are beyond us. They're actually north of our property where they're also interested in using some of this. I think it's important to know one of the key differences is pretty much everything from halfway up the hill on Can-Ada at the farmers union canal down across the bench has surface water rights so they're irrigating out of the river already they're with the canal systems.

41:21

Nate Mitchell: The canal companies are going to make them use that those water rights for their pressurized irrigation. They don't want to be shorted on their customers either but as soon as you get past the Farmer's Union Canal going up the hill on Can Ada, all of us are irrigating out of groundwater above there and that's where the reuse program makes a lot more sense

Kevin Nielsen: Yeah that's an important distinction thank you uh one more question Mr. ,thank, you so Mr. Morgan you talked about this uh land application of the you know water treatment effluent uh potentially recharging an aquifer or wells as i understand it are 700 or more feet deep and I'm just curious

do we do we know for a fact that land application of water can actually percolate down to 700 feet and recharge that aquifer we're pumping out of or is that going into a recharge of a different system I'm interested a little bit in the hydrology of what that area is ...

42:21

Nielsen: and are we really recharging an aquifer or is that just kind of an idea that seems nice?

42:27

Ryan Morgan: So municipal wells in this area typically range between 500 - 700 feet. However private wells or irrigation wells are typically closer to 100 to 150 feet. So um recharging the aquifer that's 100 to 200 feet deep, absolutely that will happen water will go down until it hits the highest aquifer that it gets to so it will be absolutely recharging

42:58

Ryan Morgan: the aquifers of what current wells. because most of the wells up in there right now from residents from owners from irrigation companies most of those are going to only be between that 100 to 150 or even shallower. It wouldn't surprise me if there's wells up there that are only 50 feet deep. So what it does is, from the deep aquifer, the aquifer that's six to seven hundred feet, because there's multiple layers of aquifers that run through this valley um so are we recharging

43:31

Ryan Morgan: where some of that well or municipal water is coming from probably not but we're definitely impacting and benefiting the upper aquifer where a lot of the existing homeowners are drawing their water from

Mayor Chadwick: So can we have Mr. Nick, did you want to talk about that from the IDWR perspective at all?

Nick Miller: Or sure i can this is Nick Miller. I can make a couple of comments on that and i guess i have a couple of questions too um one yeah that that's a good point of

44:02

Nick Miller: Will the land application uh actually recharge the municipal aquifer? And i guess, you know, things underground are sometimes kind of opaque so you don't really know. But one thing that it would do, I would imagine depending on the depth of the irrigation wells that you guys are using to provide your irrigation water, is it offsets that. Right? So if their irrigation wells are also at that 700-800 foot level you know you're getting the same benefit because you're offsetting the amount of

44:33

Nick Miller: water that they would otherwise be pumping out of those wells so that's still helpful. um and uh so i guess that kind of leads me to my first question for you guys is, you guys have existing wells that you're going to be using to supply your irrigation water, right?

Nate Mitchell: We do.

Nick Miller: You do? Okay, and are those deep wells are they?

Nate Mitchell: They're deep, they're I think the shallowest of them are about 400 feet in the deepest about 660 feet

Nick Miller: Yeah, and those wells are entirely

45:06

Nick Miller: separate from any of the domestic water that right here should be supplying?

Nate Mitchell: They're only a, they're a dedicated ground water right for irrigation purpose only.

Nick Miller: All right um so and those rights wouldn't be turned over to the Star Sewer and Water and those wells wouldn't be turned over to that one?

Nate Mitchell: There's no plan for that at this point. Um if water, if we needed capacity to try and ---

45:33

Nate Mitchell: Obviously there's a process we could convert irrigation water right to domestic water right. That would be a public hearing process through your guys' agency that we would have that we and the district would have to go through together. We haven't really discussed that at this point because I think we've got a pretty good grasp on the domestic water side of things between the district and us. If the reuse program works to where we don't need the irrigation water rights, I, we've already got,

46:05

Nate Mitchell: I think we've got 1200 acre feet in the water bank currently. I would anticipate as we reduce the amount of water we use, we put those water rights into the water bank as opposed to transferring them to another entity to use, okay.

Nick Miller: And so the existing irrigation rights that you guys have you know there I took a quick look in our database this afternoon before i came down here and uh you know they're kind of piecemeal patchwork-y sometimes and so

46:38

Nick Miller: you will have to go through an administrative process with the department to change the place of use for those water rights and version to kind of make sure everything lines up with where you intend to use it

Nate Mitchell: Correct.

Nick Miller: Um, just want to make sure you guys were aware of that and if you were intending to tie those wells or convert any of those irrigation rights to municipal and turn them over to the

47:04

Nick Miller: Star Sewer and Water that would also have to go through a nature of use change and um

Nate Mitchell: Correct.

Nick Miller: would have to be changed from irrigation to a municipal use which isn't really a one-to-one?

Nate Mitchell: Correct.

Nick Miller: Change and even though sewer water probably does deliver some water for irrigation we don't usually allow irrigation rights to come into the same system as a municipal system.

Nate Mitchell: No, and I and I can I can tell you that the current, like, the current wells that we have don't meet

47:34

Nate Mitchell: municipal standards. We, if we'd have to go through your transfer or change of use process and we would end up having to drill new wells should any of those water rights want to be transferred for municipal use for domestic purpose.

Nick Miller: Right and um and i guess for Star Sewer and Water's benefit sounds like these guys are anticipating drilling one or two wells up there that they will tie into your system and divert Star Sewer and Water rights out of right. So,

48:06

Nick Miller: you guys have, I think, four, three or four municipal water rights that currently are diverted out of seven. I think pretty soon eight wells or something I'll actually, six or seven, but you got some redundancy built in and the water rights authorize that. So in order to divert um your existing municipal rights including that raffin (?) permit that you guys have for reasonably anticipated future needs

48:34

Nick Miller: the new wells that are drilled up on their property will need to be tied into the system so they will need to be tied together for that. And to the extent that they hold any domestic water rights, I was looking just briefly for any domestic water rights up in this area and i see those that 4 CFS roughly worth of water rights on by Hillsdale estates

Nate Mitchell: There was there was some. So when

49:04

Nate Mitchell: Willowbrook Development turned over that water system to the homeowners association there were some water rights retained. I'm working to I've got a stack of paper about this tall I'm working to figure out actually how much is being used by the Hillsdale homeowner's association and how much is being it was retained by Willowbrook Development. Obviously i think it's important for everybody particularly the Hillsdale residents and

49:31

Nate Mitchell: everybody that's listening, we have no control over or no impact over whatever current water right they are using. We can't impact that. We will not be able to take their water or like whatever. Whatever amount of water Willowbrook retained from that transfer to the homeowners' association through you, i mean, you guys are the ones that are going to verify what we actually own

50:02

Nate Mitchell: and what we actually own will end up being transferred through your process to Star Sewer water district.

Nick Miller: okay all right yeah because right now that that right in its entirety is in the name of Hillsdale states so sounds like you guys might have had some kind of agreement at the time you turned the right over to them well

Nate Mitchell: I've got I've got orders out I've got I've got actual orders from IDWR signed that that retained water transferred certain amount to Hillsdale kept a certain amount under Willowbrook

50:32

Development and I'm still i just didn't see that when i was looking so

Nick Miller: I understand but if oftentimes our records are kind of-

Nate Mitchell: Sure, and I'm working through I'm working through hard copies of signed orders. I'm trying to verify what was actually retained one of the things that we've talked with certain water districts. Let's assume that Hillsdale owns all the water that was originally approved for a water right up there.

51:03

Nate Mitchell: The district still has the capacity to serve what we're talking about doing.

Nick Miller: Yeah they since they hold a municipal water right they've got a lot of flexibility in what they can do their service area can grow they can increase their consumptiveness up to fully consumptive water right. They can capture and reuse their treated wastewater both within and outside of their service area as it turns out so they do have a lot of flexibility and there's a definitely a benefit to having to being served by a municipal water right as

51:32

Nick Miller: opposed to domestic water rights where you're really pretty limited.

Mayor Chadwick: So can i I'm gonna ask you guys a question then on the sending the water up to irrigate with is there any issues or challenges with phosphorus or nitrate it's causing any issues like it does when you look down river?

Nick Miller: Right I think the idea is you get a permit for land application?

Nate Mitchell: Absolutely.

52:03

Nick Miller: That uh the plants that you're irrigating take up the phosphorus and the ground actually treats the water. It's part of a, you could probably speak more to this then uh-

Ryan Morgan: This is Ryan Morgan I would I would be happy to speak to that. So as Hank pointed out we're using the same water that we're discharging into the Boise River um with the upgrades and the improvements that are currently going on at the wastewater treatment plant, we are meeting or exceeding all current DEQ standards and will so for the foreseeable future these standards are often changing often

52:37

Ryan Morgan: increasing often becoming more stringent. But all the improvements that are currently going on we will meet or exceed all current standards um and. One thing that does is it's what they call a class 'A' water which basically means it's water that is clean enough to drink. You will see some of the people that are selling some of these systems, as part of the demonstration they will literally take a glass out of the back end of the treatment plant

53:08

Ryan Morgan: and drink that not saying that i necessarily encourage that i don't know that i would do it but the water coming out of this treatment plant um what we find with Class-A water, it's yeah, what we find with Class-A water when you go to do a land application permit, is it actually doesn't have enough

nitrogen and phosphorus to for the crops to grow and they actually supplement water with additional fertilizer

53:39

Ryan Morgan: um and What you will actually find um is if you go out and if you test the water coming out of the aquifer right now, and you test the water that we are applying to the ground, typically the water that we are applying to the ground has less nitrogen and phosphorus in it than what's currently in the aquifer. So we've seen that time and time again in multiple projects when we do land application projects.

54:08

Ryan Morgan: There are areas um on that are south of the freeway that are what they call nitrogen priority reuse areas um there isn't any of those that I'm aware of. And Nick you might correct me, but i don't think that there's any of those over here on this side of the Boise river, north of the Boise river.

54:30

Ryan Morgan: but the water that we are pulling that would we would use for the reuse here would be clean enough that we could apply this water in the nitrogen reuse priority areas. Um so as far as degradation of the aquifer in the long run, we're actually probably making it a cleaner less nitrogen less phosphorous aquifer than it currently is.

Mayor Chadwick: Okay. Did you have anything to add to that Mr. Nick before you Mr. Kevin? i got Kevan..

55:01

Mayor Chadwick: That wants to ask a question just so you're aware but go ahead do you have anything you want to have Mr. Wheelock?

Kevin Wheelock: Kevin Wheelock, I have a few questions I've been hoping for a minute now so i want to go back a little bit to the Star Sewer and maybe these come to you Nate um. As that connection's made for the sewer from the lift station, what's the benefit if there's any benefit to the Hillsdale residents

55:32

Kevin Wheelock: Are they going to be able to hook onto the sewer and use that facility as the sewer line is coming through their area?

Nate Mitchell: So one of the things that we've discussed and actually our civil lead Chad and I have discussed where we've got road intersections with existing roads where we tie into these existing roads and we've got opportunities where we can tie collection lines in. I don't think we have a problem stubbing

56:01

Nate Mitchell: lines, leaving stubs for future connections. We have no intention of running sewer to all of Hillsdale, but the capacity if we pull up the master plan of the sewer districts, this is a little bigger picture map. So they're showing collection systems i don't know if we can orient ourselves very well but

56:32

(Um is north on the paper still?)

Nate Mitchell: North is north on the paper the second yellow blue line towards the bottom of the paper cuts through the middle of our project um there's a light yellow spot kind of right in the middle of the map right now just upper left --

57:00

Mayor Chadwick: Can you Ryan are you able to point to it so people online can see it with the mouse?

Nate Mitchell: Okay so right here on their master plan they show a regional lift station so whatever we build which is basically at Can-Ada and Purple Sage Road which is the low point of all of this. Everything in this can drain gravity flow to that location. Um now it's not going to be located right on the road so everybody can look at it it'll be built kind of like

57:35

Nate Mitchell: a lot of the other lift stations have built inside of subdivisions where architecturally they blend in and we're not looking at a sore thumb sticking out there. But their master plan shows a regional lift station to handle a lot bigger area than just what we're talking about. Um are so if you guys understand lift station construction basically what we would do is size our wet well

58:03

Nate Mitchell: the collection box that everything comes into big enough for the regional lift station, and we put whatever pumps in that are required to pump what we're producing, and then as areas around us grow and that lift station requires more capacity, the district working with other developers can upgrade the pumps. Is that is that a?

Ryan Morgan: This is Ryan. That's an exactly correct statement. Part of their annexation agreement would be to stub to and through their

58:32

Ryan Morgan: property. We would not require them to run roads or run sewer mains up through the Hillsdale roads, but we would require them to stub to the edge of their properties. So in some future time if residents of Hillsdale would want to band together, we wouldn't necessarily want to annex one property at a time but if a group of homeowners banded together, say the whole homeowners association or maybe one neighborhood, then they could run a sewer line and connect to theirs

59:03

Ryan Morgan: and as they pointed out the wet well would have the capacity and at that point in time pumps would be required to upsize to pump whatever additional water.

Kevin Wheelock: So in theory in theory the Hillsdale residents could band together, sorry Councilman Wheelock, one street at a time and connect to this in theory?

Nate Mitchell: So if we go back to the concept plan with the golf course on it i can show you a little bit of what um

59:30

Nate Mitchell: like so let's blow it up to... um so let's go...over into Hillsdale. So head east young man, like right okay now go south, other way that's north okay there's that's good right there. So if you follow this this is the existing

59:59

Nate Mitchell: link tree gulch road right and we're proposing to tie this road in. we're proposing to tie this road in. we're proposing to tie these roads in. So at each one of those intersections and at other places where it makes sense throughout that plat where we've got access without going through people's yards,

we would provide a sewer line that they would make a size to handle. So if this if this group of Hillsdale homeowners septic systems start to fail and they all just want to connect the sewer they've just got to come down on the road and tie into our sewer line.

1:00:36

Nate Mitchell: but that would obviously be something they decide. It would be something they pay for it would be but we'll leave we'll leave a stub out of the sewer line there manhole or whatever is going to be on the road to where they could tie into it.

Ryan Morgan: So this is Ryan Morgan, um in theory yes they could band together one street at a time. Oftentimes, depending on how many are on that street, then it overwhelms the pump capacity and so sometimes it's more cost efficient if

1:01:07

Ryan Morgan: you get multiple streets that will band together. Because to go from a 10 horsepower pump to a 15 horsepower pump um can cost x amount of dollars and a 10 horsepower to a 15 horsepower increases significant pumping capacities. So the more people you can get the band together obviously the cheaper it comes per person involved.

1:01:32

Kevin Wheelock: Yeah i would hope this, councilman, i always hope there was a way that we could communicate that to them at some point. Whether it be through the sewer district or the development whatever that ends up being so that they know as a group it's in their best interest to answer that question as a as a subdivision yeah and-

Nate Mitchell: Nate Mitchell again I like our intention is and then the district will require this whether it's our intention or not but wherever we terminate a line or

1:02:04

Nate Mitchell: wherever we end up with a collection system that that has an opportunity to be used in the future they're going to make us do that. Whether it ever gets used or not totally depends on the other users. If Hillsdale's septic systems never fail, (**Wheelock:** good for them) good for them right i mean some of the those first houses were built in 1996, 97

1:02:30

Nate Mitchell: you know we're 25-26 year old septic systems. Most of those lots have replacement drain filled areas on them they can get another 30 years out of them. It may never be an issue but the district, while we're up there running sewer lines around is going to make us leave stubs in appropriate places for future connections should they be needed.

Kevin Wheelock: Perfect, councilman. The next question I have goes back to the water for the for the Hillsdale residents they have

1:03:02

their own wells currently domestic and I'm so I'm assuming irrigation wells.

Nate Mitchell: I don't know that how that works you may have a better yeah so i can give you I'm not gonna speak as an expert on the Hillsdale water system but they've got, i believe, three private wells that run a community water system um that provide both irrigation water rights and domestic water rights so they don't they

1:03:36

Mitchell: don't have individual wells in every one of those lots up there...you got a community system they've got 30,000 feet of pipe in the ground and they distribute that water out of those wells looped together.

Kevin Wheelock: I've pulled them I know where the wells are what's the chance that your Willowbrook's going to drill a well that's deeper that ends up drying up one of their wells? How do we protect them from that? Is there, I mean, you've said over the time that whatever impact you had,

1:04:06

Wheelock: Willowbrook would take care of this. How do we prepare for that?

Nate Mitchell: I'm actually going to ask IDWR to give us an idea of how you protect existing wells from new wells?

Nick Miller: Well, that's kind of a long answer, So uh, you know groundwater isn't treated the same as surface water with

1:04:32

Nick Miller: surface water you know everybody knows first in times first and right so if you've got a senior priority water, right? It's pretty easy to see when the water's not there and you curtail the junior user to supply the senior user. With groundwater it's a little bit of a different situation. With groundwater there's typically enough water in the ground to satisfy everybody. Like I always like to envision there's this big bathtub underground right and the challenge normally isn't is there enough water there for people like is the

1:05:02

Nick Miller: stream dried up it's do they have access to it is your straw in just at the top. And so i think what the legislature has said is that they don't want to tie up development of the entire bathtub just because somebody's well only goes in the top couple of inches, right? So they that there's it's kind of a complex issue but there's um something called a reasonable pumping

1:05:32

Nick Miller: level so you can actually draw down the water in the aquifer below the level of senior water right holders as long as it doesn't exceed a reasonable pumping level. So oftentimes the bad answer is that people just have to deepen their wells because the resource needs to be developed. that's what we try to do with water in Idaho, so there really isn't a guarantee that it's not going to impact their well if somebody drills another well.

1:06:05

Nick Miller: That being said you know there is always concerns that they'll be direct well-to-well interference. So that means when they turn on their well, this the other guy's well goes down and they can't get their water and they shut their well off this other guy's well comes back. That is a slightly different issue than sort of long-term general generally depressing the water table

1:06:36

Nick Miller: um not sure if i answer the question to your satisfaction

Kevin Wheelock: But well it's I guess at the end of the day it comes back to Willowbrook should we recognize that as a long-term problem that came about because of the extra well are you comfortable lowering their well if that needed to be?

Nate Mitchell: Um we're talking about a well at that point that Star Sewer water district would

1:07:05

Nate Mitchell: have control of not us. Um i don't think i think the practices that star sewer and water district used to produce their wells, locate their wells. We've not run into that problem before. I'm not going to commit tonight that I'm going to re-drill Hillsdale's wells if they run into problems down the road because there's so many variables that can come into that. Um they're drilling new wells right now or have recently in the last 12 months anyway

1:07:38

Nate Mitchell: whether or not it was because they weren't deep enough or because they weren't drilled properly or they weren't maintained properly or screened properly there's just too many things for me to commit to saying yeah just go re-drill those. Well if somebody proves to us that that we directly had a negative impact, we'll do what we can to mitigate it.

1:07:58

Nick Miller: This is Nick Miller again. I guess i would also add that if they did drill a new well and went through a transfer process to add star sewer and water's water rights to those wells that would be a public process and Hillsdale states would have an opportunity to protest that and make those kinds of arguments and negotiate those kinds of settlements.

Mayor Chadwick: Perfect thank you. Councilman Nielsen?

Kevin Nielsen: Thank you I guess just to clarify what you last said there Mr. Miller

1:08:29

Nielsen: that the hearing would be with the Idaho Department of Water or with Star Sewer and water?

Nick Miller: It would be an administrative hearing. So whenever somebody either files for a new appropriation of water or files for a transfer which is a change to one of the elements of your water right, like adding a new point of diversion to your water rights, that's advertised in the newspaper. And people in the public can protest that and when they do protest it that creates a contested case before the department that can be resolved through a hearing with a hearing officer. It's an administrative hearing

1:09:05

Nick Miller: normally those hearing officers are at the department of water resources and that decision that comes out of that hearing can be appealed to the director of the department of water resources and then on up to district court and the supreme court et cetera thank you.

Mayor Chadwick: Go ahead you got another question

Kevin Nielsen: well i how long ago was that you expected me to remember my question I'm sorry I forgot

1:09:33

Kevin Nielsen: yeah i completely forgot what my question was it was a super important one too so i just want you to know that...

Chadwick: okay all right good.

Nick Miller: Are you saying I'm long-winded?

Nielsen: No it was, I think it was the number of questions um no I'll defer for now okay.

Mayor Chadwick: Any anything further to add there Mr. Ryan on the sewer and water side or?

Ryan Morgan: I don't have anything further to add i mean we're happy to answer

1:10:02

Ryan Morgan: additional questions but just know that um this is stuff that has been known for a while as they pointed out conversations been had. I will point out that we have applied for they're called letters of interest that we have applied for DEQ um to update the sewer and water master plans for Star Sewer water district. We anticipate finding out whether that funding is available in June of this year to help supplement costs to do to update

1:10:36

Ryan Morgan: the master plan to include more detailed information that we are now receiving. For those usually take a year to finalize. So by this time next year or shortly thereafter we plan on having brand new 2022-2023 updates to the sewer and water. Both the sewer and water system master plans that will look at the potential impacts and as part of that the public is always welcome to provide comments

Mayor Chadwick: Hey Councilman Nielsen i don't want him to forget it so let him answer.

1:11:11

Kevin Nielsen: Yeah it came back to me. So getting going back to talking about nitrogen and phosphate levels um just curious if there would be a requirement for monitoring wells placed around the property for this land application?

Ryan Morgan: Most of the time um for a lot of systems um yes but i don't think that is a requirement for Class A.

1:11:38

Kevin Wheelock: I do have one more uh do you have a question too okay hang on one sec. So just uh real quick um. Most people think of when we're talking about a new sewer system being placed up there in the hills a lot of people think about the old lagoon style systems, so explain to us what a system would look like if this was placed up there in the Hillsdale area.

1:12:02

Nick Miller: I'll let Ryan talk to that, yes, he's the engineer.

Ryan Morgan: So most of the time these systems are currently the process that we are installing in the new system is called a MBR, a Membrane BioReactor these are oftentimes, they don't, they aren't always but they can be enclosed in buildings um as you drive up highway 55

1:12:35

Ryan Morgan: as you pass Avimor the building that you see on the right hand side there. It's one of the bigger biggest buildings that you pass as you're driving up, it's the first one you hit. That is the Avimor wastewater treatment system building. As you're driving past it 95 of people don't realize that's what that building is it's fully enclosed, um you're not going to have odor, you're not going to see what's going on um these systems are.

1:13:06

Ryan Morgan: Most of the time the newer systems you don't know that they're there you definitely won't smell them um they're something that you can have. It's not open lagoons, there's no ponds out there there's. If there ends up ever being a pond that out there it's a pond of the reclaimed Class A water that would be part of, maybe, part of the golf course or something like that, that would look like a water amenity.

1:13:37

Mayor Chadwick: Okay thank you.

Nate Mitchell: Nate Mitchell. Can i add something to that? The um folks that own Avimor have been gracious enough to us that if anybody wants to go tour something like what you would see once we determine a treatment plant facility up there, they're happy to let people in and see exactly what

1:14:01

Nate Mitchell: these types of plants look like. It's the same plant you've got down here this is a bigger scale of it down at Star sewer and water district but Avimor has been pretty open about letting people come up and tour and see things. I've sent maybe a dozen homeowners from the Hillsdale that have, from Hillsdale, that have called me and asked about it we've sent them up there individually on tours and they've been able to see exactly what we're talking about and i think that's available to anybody

Mayor Chadwick: Okay, thank you.

1:14:32

Ryan Morgan: This is Ryan Morgan, let me clarify, it's the same plant that we're building and it's not the same plant that is replaced the existing plant always had lagoons out there, we're replacing those lagoons. Those lagoons over time are going away so when he says it's not correct it's the same plant it's not what's currently there

Mayor Chadwick: Okay got it, Councilman Wheelock -

Kevin Wheelock: This question goes back to the projected uh ponds that you were talking about with the reclaimed water up north. Where are those? Looking at where are we looking to see those in the future, I guess, where do they impact us?

1:15:04

Nate Mitchell: Golf course.

Kevin Wheelock: All on the golf course is ponds?

Nate Mitchell: We got pretty significant water features planned into the golf course all so if we go back to this plan and we go back over kind of into golf course central now a little west then a little south. So, so this isn't obviously a terrain map but

1:15:32

Nate Mitchell: Most of this is all up here up on the hillside
(Can you circle that Ryan with your mouse? Okay gotcha.)

Okay all of this down here actually sits in the bottom um and Mr. Weiskopf and his designer Phil Smith are designing significant water features in there in order to handle both reuse water and, frankly, storm drain water from the road systems and stuff.

1:16:03

Kevin Wheelock: Thank you.

Jennifer Salmonsens: Okay Mayor Chadwick

Mayor Chadwick: Councilwoman Salmonsens.

Jennifer Salmonsens: Thank you um talking about the golf course can you just talk a little bit about um how much water is needed to maintain the golf course? Yeah

Nate Mitchell: Yeah so um using some course some hillside courses

1:16:30

Nate Mitchell: like Crane Creek, crunchy club (?) or Quail Hollow golf course that are built in the foothills locally they use in the heat of the summer when we're at 105 degrees they use six to seven hundred thousand gallons a day to irrigate in the peak heat season. Um obviously that's different in March and April than it is in July and August, but if you look at your peak heat times, their maximum usage is about six or seven hundred thousand gallons a day.

1:17:03

Salmonsens: and so we would have enough water to-

Nate Mitchell: Right now you're producing about a million gallons a day of water. Um we would be able to actually supplement with the water features designed into the golf course and we can design some water features and pressurize that water to other places in the into smaller ponds and in pods within the community. I think we'd actually be able to supplement our irrigation individual irrigate

1:17:35

Nate Mitchell: pressurized irrigation to the residences as well with the reuse water. I'd have to do some calculations but the 4,800 acre feet of water that we've got with a 17.1 cubic feet per second draw rate um produces enough water to

1:18:00

Nate Mitchell: irrigate everything we've got anyway so without the reused water we can irrigate it with reuse water. It just means we draw that much less out of the aquifer.

Salmonsens: Got it thank you.

Mayor Chadwick: Okay any further questions of sewer and water or anything or Mr. Nick? All right, we need to get Hank to bed because he's got to keep things flowing

1:18:24

Nick Miller: I got guys that do that work.

Mayor Chadwick: Oh that's right so i want to thank Mr. Nick. i appreciate you again for coming out here on such short notice that's awesome to answer some questions so and thank you Mr. Hank and Ryan for answering question.



CITY OF STAR, IDAHO
CITY COUNCIL SPECIAL MEETING MINUTES
WILLOWBROOK UTILITIES

City Hall - 10769 W State Street, Star, Idaho
Tuesday, February 22, 2022 at 6:30 PM

PUBLIC NOTICE: THIS MEETING WAS A WORKSHOP - NOT A PUBLIC HEARING. PUBLIC TESTIMONY WAS NOT HEARD. THE PUBLIC WAS INVITED TO PARTICIPATE BY OBSERVING THE PROCESS IN PERSON OR ONLINE AT:

https://www.youtube.com/channel/UCkw5PdAcU_RK0rP7MNaLB1A

1. CALL TO ORDER

Mayor Trevor Chadwick called the meeting to order at 6:30 p.m. He welcomed attendees and led the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Trevor Chadwick, Council President David Hershey, Council Member Kevan Wheelock, Council Member Jennifer Salmonsens, City Planner Shawn Nickel, Assistant City Planner Ryan Field, City Clerk-Treasurer Jacob Qualls, Public Information Officer Dana Partridge, Star Middleton Fire District Chief Greg Timinsky, Star Transportation and Pathways Committee Chair John Tenson, Engineering Construction Manager of Lumen Brett McKinney, Business Development Manager of Lumen Evan Barnett, Idaho Power representative Paris Dickerson, Nate Mitchell of A+E Construction representing applicant Willowbrook Development Inc. & Twin Islands LLC, Republic Services representatives Bob Olsen, Bob Bennett, and Rachele Klein, Star Postmaster Mel Norton, and Intermountain Gas Company representative Carrie Schmidt.

3. AGENCY WORKSHOP

AGENCY WORKSHOP SUMMARY WILLOWBROOK (UTILITIES)

Mayor Chadwick explained the workshop process and thanked the agencies participating in this early discussion of the planning process. For the purpose of clarity, he noted for attendees that Centurylink is now Lumen.

The purpose of this evening's workshop was to discuss and understand needs for fiber / internet / phone, power, trash / recycling, and mail service.

Chadwick noted that the Fire Chief was again present, this time to discuss the urban interface for fire services.

Nate Mitchell of Willowbrook reviewed the size and scope of the proposed project as he did for the prior workshop meetings, utilizing a map (see Agenda Packet).

Infrastructure needs for running and deploying fiber in Treasure Valley were noted in order to depict various needs for the proposed development.

In terms of electricity, discussion moved to the transmission corridor and determining the best long-term solutions for the grid for resiliency.



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It was noted in 1994 Intermountain Gas put in a four-inch service line on Deep Canyon that follows Deep Canyon from Highway 16 out to Purple Sage, so the only gap is around the Can Ada section (Can Ada/Foothill and Can Ada/Purple Sage was noted) in terms of consideration for potential expansion needed.

For trash / recycling, discussion surrounded two routes being needed. Costs per cart, recycling, and composting were discussed.

Mel Norton the Star Post Master summarized the U.S. Postal Policy surrounding gated communities and talked about the pros and cons of mailbox placement outside the gate versus parcel lockers at the post office. Mail safety and consumer convenience were a topic of discussion, as was the feasibility of placing an annex to serve the area.

Chief Timinsky provided an overview of the challenges faced by the Fire Department in dealing with the wildland urban interface areas such as wildland mitigation. Situations discussed included grass fire versus grass fire with structures.

Fire mitigation for farm/rural, subdivision, and open space was discussed in terms of fire risk and response.

John Tenson gave an overview of the Transportation and Pathways Committee vision of pathways connecting city property up through the development to the BLM parcel.

Discussion ensued on pathways, the golf course, and BLM, as well as issues surrounding foot versus equestrian use relating to Hillsdale.

Mayor Chadwick adjourned the meeting at 7:48pm

Trevor A Chadwick, Mayor

ATTEST: _____
Jacob M Qualls, City Clerk - Treasurer