



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning & Zoning

MEETING DATE: July 18, 2023 – PUBLIC HEARING

FILE(S) #: AZ-23-04 Annexation and Zoning – Inspirado Commercial & Roadway
DA-21-11 MOD Development Agreement Modification

OWNER/APPLICANT/REPRESENTATIVE

Property Owner

Antonov Star Holdings, LLC
7629 E. Pinnacle Peak Road, Ste. 110
Scottsdale, Arizona 85255

Representative:

Teller Bard
Kimley-Horn & Associates
950 W. Bannock St, Ste. 1100
Boise, Idaho 83702

Applicant

Criterion Land Management, LLC
1861 S. Wells Avenue, Ste. 200
Meridian, Idaho 83642

REQUEST

Request: The Applicant is requesting approval of an Annexation and Zoning (MU Mixed Use) and a Development Agreement modification for two future commercial parcels and a parcel for future roadway. The properties are located at 7230 W. Chinden Blvd and the intersection of W. Old School Drive and N. Mystic Creek Ave, Meridian, Ada County, Idaho, and consists of a total of 5.26 acres.

PROPERTY INFORMATION

Property Location: The subject property is generally on the north side of Hwy 20/26 (Chinden Road) between N. Star Road and Hwy 16. Ada County Parcel No's. S0420449210, S0420347000 & S0420347101.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	RUT (County)	South of the River Planning Area	Approved Single Family Residential/ Commercial
Proposed	MU-DA	South of the River Planning Area	Commercial/Mixed Use/Future Roadway
North of site	MU-PUD-DA	South of the River Planning Area	Single Family Residential/ Commercial
South of site	RUT (County)	City of Meridian Impact Area	Agriculture
East of site	RUT (County)	South of the River Planning Area	Vacant
West of site	MU-PUD-DA	South of the River Planning Area	Approved Mixed Use/Commercial

Existing Site Characteristics: The property currently is being developed as the Inspirado Subdivision Development.

Irrigation/Drainage District(s): Nampa-Meridian, Boise-Kuna, Boise Project Board of Control; Eureka Water Company/Creason Ditch

Flood Zone: This property is currently located in Flood Zones X. FEMA FIRM Panel 16001C0140J. Effective Date: 6/19/2020

Special On-Site Features:

- ✪ Areas of Critical Environmental Concern – No known areas.
- ✪ Evidence of Erosion – No evidence.
- ✪ Fish Habitat – None.
- ✪ Floodplain – No.
- ✪ Mature Trees – None.
- ✪ Riparian Vegetation – No.
- ✪ Steep Slopes – None.
- ✪ Stream/Creek – Yes.
- ✪ Unique Animal Life – No unique animal life has been identified.
- ✪ Unique Plant Life – No unique plant life has been identified.
- ✪ Unstable Soils – No known issues.
- ✪ Historical Assets – No historical assets have been observed.
- ✪ Wildlife Habitat – No known sensitive wildlife habitat observed.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	September 15, 2022
Neighborhood Meeting Held	April 17, 2023
Application Submitted & Fees Paid	May 24, 2023
Application Accepted	June 8, 2023
Residents within 300' Notified	June 27, 2023
Agencies Notified	June 8, 2023
Legal Notice Published	June 30, 2023
Property Posted	July 7, 2023

HISTORY

August 17, 2021	The public hearing was tabled to January 11 to allow for ACHD and ITD additional time to provide comments.
January 11, 2022	Council approved applications for Annexation and Zoning (AZ-21-09), Preliminary Plat (PP-21-22), Planned Unit Development (PUD – 21-01) and a Development Agreement (DA-21-11) for Inspirado Subdivision. The preliminary plat was approved for 195 single family residential lots, 2 multi-family residential lots, 1 commercial lot, 4 multi-use lots and 24 common lots.
September 6, 2023	Council approved application for final plat for phase one for 61 residential lots.
November 15, 2022	Council approved application for final plat for phase two for 43 residential lots.

CODE DEFINITIONS / COMPREHENSIVE PLAN

UNIFIED DEVELOPMENT CODE:

8-1B-1: ANNEXATION AND ZONING; REZONE:

B. Standards:

1. The subject property shall meet the minimum dimensional standards of the proper district.
2. The city may require a development agreement in conjunction with the annexation and zoning, or rezone, pursuant to Idaho Code section 67-6511A, which may include a concept plan. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through execution of a development

agreement. A development agreement and concept plan shall be required for any rezone to a mixed-use zone, high density zone or land which includes steep slope (land over 25%) or floodway.

3. The termination of a development agreement shall result in the reversal of the official zoning map amendment approval and applicable development approval for any undeveloped portion of property subject to the development agreement. The undeveloped property subject to the development agreement shall be rezoned to the district classification as designated by the development agreement. When no designation is provided, the property shall revert to its original zoning or, if the original designation no longer exists, to the closest current equivalent zoning as determined by the current Comprehensive Plan Land Use Map designation.

4. An amendment or termination of a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.

5. An approved development agreement must be executed within ninety (90) days of the meeting at which the development agreement is approved by the city council. A one-time administrative extension of maximum thirty (30) days may be granted by the zoning administrator. Additional extensions may be approved by majority vote of the city council. Failure to execute the development agreement within the required timeframe will result in the denial of all related applications.

C. Required Findings: The council shall review the application at the public hearing. In order to grant an annexation and zoning or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;
2. The map amendment complies with the regulations outlined for the proposed district;
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.
5. The annexation (as applicable) is in the best interest of city.

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

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

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

DA DEVELOPMENT AGREEMENT: This designation, following any zoning designation noted on the official zoning map of the city (i.e., C-2-DA), indicates that the zoning was approved by the city with a development agreement, with specific conditions of zoning.

8-3E-1: MU MIXED USE DISTRICT: ADDITIONAL MIXED-USE DISTRICT STANDARDS

- A. Comply with Section 8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED
- B. All development applications within a mixed-use district shall be accompanied by a conditional use permit, planned unit development, or development agreement application, which shall include a concept plan of the development.
- C. The administrator shall make a recommendation to the applicant regarding what mix of uses are appropriate for any mixed-use development and shall then make a recommendation to the Council.
- D. The development shall include uses from two (2) or more of the land use categories such as residential, commercial, office, light industrial, public space or agricultural.
- E. Mixed-use areas along state highways, where adequate access can be provided for commercial use, shall be predominantly commercial with a very minor component of residential unless the residential is placed on upper floors as part of a mixed-use building.
- F. For any mixed-use development which includes a residential component, a minimum of two (2) housing types, including but not limited to, single-family detached dwellings, single family attached dwellings and multi-family dwellings, shall be required. This excludes multi-family that is proposed to be placed solely on upper floors as part of a mixed-use building.
- G. The Council may place requirements on a mixed-use development, including a ratio of uses and/or timing of phases, to ensure that the overall development maintains its mixed-use intent.

8-3A-3: USES WITHIN ZONING DISTRICTS

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

<u>ZONING DISTRICT USES</u>	
USES	MU
Accessory structure - Residential or Commercial	C/P
Adult business/adult entertainment	N
Agriculture, forestry, fishing	N
Airport	N
Animal care facility ₁	C
Artist studio ₁	P
Arts, entertainment, recreation facility ₁	C
Asphalt plant ₁	N
Auction facility	C
Automated Teller Machine (ATM) ₁	A
Automotive hobby ₁	A
Automotive mechanical/electrical repair and maintenance	C
Bakery- Retail or Manufacturing	P/C
Bar/tavern/lounge/drinking establishment	C
Barbershop/styling salon	P
Bed and breakfast	C
Beverage bottling plant	N
Boarding house	C
Brewery/Distillery	C
Brewpub/Wine Tasting	C
Building material, garden equipment and supplies	C
Campground/RV park ₁	C
Caretaker Unit ₁	A
Cement or clay products manufacturing	N
Cemetery ₁	N
Chemical manufacturing plant ₁	N
Child Care center (more than 12) ₁	C
Child Care family (6 or fewer) ₁	A
Child Care group (7-12) ₁	C
Child Care-Preschool/Early Learning ₁	C
Church or place of religious worship ₁	C

Civic, social or fraternal organizations	C
Concrete batch plant ¹	N
Conference/convention center	C
Contractor's yard or shop ¹	N
Convenience store	C
Dairy farm	N
Drive-through establishment/drive-up service window ¹	C
Dwelling:	
Multi-family ¹	C
Secondary ¹	C
Single-family attached	C
Single-family detached	C
Two-family duplex ¹	C
Live/Work Multi-Use ¹	C
Educational institution, private	C
Educational institution, public	C
Equipment rental, sales, and services	C
Events Center, public or private (indoor/outdoor)	C
Fabrication shop	N
Farm	N
Farmers' or Saturday market	C
Feedlot	N
Financial institution	C
Fireworks Stands	P
Flammable substance storage	N
Flex Space	C
Food products processing	N
Fracking	N
Gasoline, Fueling & Charging station with or without convenience store ¹	C
Golf course/Driving Range	C
Government office	C
Greenhouse, private	A

Greenhouse, commercial	C
Guesthouse/granny flat	C
Healthcare and social services	C
Heliport	N
Home occupation ₁	A
Hospital	C
Hotel/motel	C
Ice manufacturing plant	N
Institution	C
Junkyard	N
Kennel	C
Laboratory	C
Laboratory, medical	C
Lagoon	N
Laundromat	P
Laundry and dry cleaning	C
Library	N
Manufactured home ₁	C
Manufactured home park ₁	N
Manufacturing plant	N
Meatpacking plant	N
Medical clinic	P
Mining, Pit or Quarry (excluding accessory pit) ₁	N
Mining, Pit or Quarry (for accessory pit) ₁	A
Mortuary	C
Museum	P
Nursery, garden center and farm supply	C
Nursing or residential care facility ₁	C
Office security facility	C
Parking lot/parking garage (commercial)	C
Parks, public and private	P

Pawnshop	P
Personal and professional services	P
Pharmacy	P
Photographic studio	P
Portable classroom/modular building (for private & public Educational Institutions) ¹	P
Power plant	N
Processing plant	N
Professional offices	C
Public infrastructure; Public utility major, minor and yard ¹	C
Public utility yard	N
Recreational vehicle dump station	A
Recycling center	N
Research activities	C
Restaurant	C
Retail store/retail services	C
Retirement home	C
Riding Arena or Stable, Private/ Commercial	N
Salvage yard	N
Sand and gravel yard	N
Service building	C
Shooting range (Indoor/Outdoor)	C/N
Shopping center	C
Short Term Rentals ¹	A
Solid waste transfer station	N
Storage facility, outdoor (commercial) ¹	C
Storage facility, self-service (commercial) ¹	C
Swimming pool, commercial/public	P
Television station	C
Temporary living quarters ¹	N

Terminal, freight or truck 1	N
Truck stop	C
Turf farm	N
Vehicle emission testing 1	C
Vehicle impound yard 1	N
Vehicle repair, major 1	C
Vehicle repair, minor 1	C
Vehicle sales or rental and service 1	C
Vehicle washing facility 1	C
Vehicle wrecking, junk or salvage yard1	N
Veterinarian office	C
Vineyard	C
Warehouse and storage	C
Wholesale sales	C
Winery	C
Wireless communication facility 1	C
Woodworking shop	N

DIMENSIONAL STANDARDS:

Zoning District	Maximum Height	Minimum Yard Setbacks Note Conditions			
	Note Conditions	Front (1)	Rear	Interior Side	Street Side
MU	35'	For MU and CBD - Unless otherwise approved by the Council as a part of a PUD or development agreement, all residential buildings shall follow the residential setbacks shown in this table based upon the project density and all other buildings shall follow setbacks for the C-2 zone (3).			

Notes:

1. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhang onto the sidewalk.

2. Zero-Lot-Line and reduced front and rear setback waivers may be requested through the Development Agreement process. All other side yard setback requests for detached structures shall not be granted waivers, unless as part of a Planned Unit Development.
3. All setbacks in the CBD, C-1, C-2, LO, IL, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone.
4. As approved by the Fire District.

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Mixed-Use:

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

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

8.4 Objectives:

- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.

8.5.3 Policies Related Mostly to the Urban Residential Planning Areas:

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

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

8.5.6 Policies Related Mostly to The Commercial Planning Areas

- A. Assist in the provision of coordinated, efficient, and cost-effective public facilities and utility services, carefully managing both residential and non-residential development and design, and proactively reinforcing downtown Star's role as the urban core while protecting existing property rights.
- B. Encourage commercial facilities to locate on transportation corridors.
- C. Locate neighborhood services within walking distance to residential development.
- D. Discourage the development of strip commercial areas.
- E. Maintain and develop convenient access and opportunities for shopping and employment activities.
- F. Commercial areas of five acres or less should be encouraged in residential land use designations with appropriate zoning to allow for commercial services for residential neighborhoods and to limit trip lengths. Such commercial areas should be submitted for approvals with a Conditional Use Permit or Development Agreement to assure that conditions are placed on the use to provide for compatibility with existing or planned residential uses. These areas should be oriented with the front on a collector or arterial street.
- G. Allow for some light industrial uses within the Commercial areas at the sole discretion of the City Council.

8.5.7 Policies Related Mostly to The Mixed-Use Planning Areas

- A. Council, at their sole discretion, shall determine what mix of uses are appropriate for any mixed-use area considering existing property owners rights.
- B. Development within the Mixed-Use Designation is to proceed through the CUP, PUD, and/or Development Agreement process, and a concept plan must be included with any such proposed use.

- C. In general, mixed-use areas along state highways should be predominantly commercial with a very minor component of residential unless the residential is placed on upper floors as part of a mixed-use building.
- D. Mixed use areas along state and U.S. Highways where direct access to the state highway is prohibited, like along State Highway 16 between State Highway 44 and US Highway 20/26, should be predominately residential with a minor component of neighborhood commercial, or light industrial if sufficient roadway access, by means of backage or other roads, to the State Highway is provided.
- E. Mixed use areas located between commercial and residential land use designations are to provide a compatible transition between the higher intensity use of commercial and the lower intensity use of Estate and_Neighborhood Residential. Uses for these mixed-use areas could include multi-family housing and or office related uses if determined by the Council through the public hearing process, to be appropriate.

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Work with Ada County Highway District (ACHD), Canyon Highway District #4 (CHD4), and Idaho Department of Transportation (ITD) for better coordination of roadway and access needs.
- Support well-planned, pedestrian-friendly developments.
- Dark sky provision should be adopted within the code to assure down style lighting in all developments and Star should consider joining the International Dark Sky Association.

18.4 Implementation Policies:

- F. Development Agreements allow the city to enter into a contract with a developer upon rezoning. The Development Agreement may provide the city and the developer with certain assurances regarding the proposed development upon rezoning.

21.1 – South of the River Planning Area

Refer to the South of the River Area Document

PROJECT OVERVIEW

ANNEXATION & REZONE:

The Applicant is requesting approval of an Annexation and Zoning (MU Mixed Use) and a Development Agreement modification for two future commercial parcels and a parcel for future roadway. The subject properties are located at 7230 W Chinden Blvd and consist of Parcel Numbers S0420347000, S0420347101 and S0420449210. The parcels are adjacent the existing Inspirado Subdivision to the north. The project is 4.2 acres and is generally located northeast of the Chinden Blvd and Star Rd intersection. The subject properties are currently vacant. S0420449210 is an outparcel which is being included now to ensure Old School Drive is able to be constructed and connected in its entirety consistent with other improvements within the original Inspirado approval. The new parcels to be included within the existing Inspirado Development are currently within Ada County and requesting annexation into the City of Star. All three parcels are requesting MU zoning. This is consistent with the adjacent zoning designations and Comprehensive Plan Map and South of the River Plan.

In reviewing the application and proposed Mixed Use zoning designation and uses allowed, Council should consider excluding specific uses such as Multi-Family and other Residential, Storage Facilities or other uses that Council has voiced concerns about in past applications for Mixed Use zones.

ITD has responded that the two Mixed Use parcels on Hwy 20/26 were not considered as part of the original Traffic Impact Study (TIS). Staff recommends a condition of approval in the development agreement requiring the applicant to work with ITD and ACHD on all related requirements by the transportation agencies.

DEVELOPMENT AGREEMENT

Through the Development Agreement process, the applicant is proposing to work with the City and/or neighboring property owners to provide further insurances that the development will be built as presented and/or modified by the Council through the review process. Items that should be considered by the applicant and Council include the following:

- Allowed Mixed Uses, including Multi-family and Storage Facilities
- ITD Proportionate Share Fees and Updated TIS
- Emergency Access

AGENCY RESPONSES

Ada County
ITD

July 7, 2023
July 6, 2023

PUBLIC RESPONSES

No public comments have been received on this application.

STAFF RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed applications meet the requirements, standards, and intent for development as it relates to the Comprehensive Plan 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 or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date. A development agreement will also be brought back to the Council for review of proposed Conditions of Approval for the rezone.

FINDINGS

The Council may **approve**, **conditionally approve**, **deny** or **table** this request. In order to approve these applications, the Unified Development Code requires that Council must find the following:

ANNEXATION/REZONE FINDINGS:

1. The map amendment complies with the applicable provisions of the Comprehensive Plan.

The purpose of the Star Comprehensive Plan is to promote the health, safety, and general welfare of the people of the City of Star and its Impact Area. Some of the prime objectives of the Comprehensive Plan include:

- ✓ *Protection of property rights.*
- ✓ *Adequate public facilities and services are provided to the people at reasonable cost.*
- ✓ *Ensure the local economy is protected.*
- ✓ *Encourage urban and urban-type development and overcrowding of land.*
- ✓ *Ensure development is commensurate with the physical characteristics of the land.*

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

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

*The City must find that the proposal complies with the proposed district and purpose statement. **The purpose of the mixed-use district is to provide for a mixture of uses which may, at the sole discretion of the Council, include office, commercial, and/or residential depending upon the specific comprehensive plan area designated as Mixed Use.** Development within this zone is to proceed through the PUD process unless a development agreement has already been executed for the particular property. Identifying areas for mixed-use development has two objectives. The first objective is to give the city a better tool to manage the type of developments through the planned unit development and/or the Development Agreement process. The second objective is that this zone may allow the development community to be more innovative in design and placement of structures subject to Council review and approval. Rezoning within this land use designation is to be strictly monitored by the city to assure that the Mixed-Use areas are not being used simply to justify high density residential use. Residential uses may be part of an overall mixed-use development that includes a non-residential component and may not exceed 30% of the overall size of the development.*

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

The Council must find that there is no indication from the material submitted by any political agency stating that this annexation and zoning of this property will be materially detrimental to the public health, safety or welfare.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts.

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

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

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

COUNCIL DECISION

The Star City Council _____ File Number AZ-23-04/DA-21-11 Annexation/Zoning and Development Agreement Modification for Inspirado Commercial & Roadway on _____, 2023.



ANNEXATION & ZONING - REZONE APPLICATION

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

FILE NO.: _____
Date Application Received: _____ Fee Paid: _____
Processed by: City: _____

Applicant Information:

PRIMARY CONTACT IS: Applicant ☒ Owner ☐ Representative ☐

Applicant Name: Criterion Land Management, LLC
Applicant Address: 1861 S Wells Avenue, Suite 200 Meridian, ID Zip: 83642
Phone: 208-351-1990 Email: kody@criterionland.com

Owner Name: ANTONOV STAR HOLDING LLC
Owner Address: _____ Zip: _____
Phone: _____ Email: _____

Representative (e.g., architect, engineer, developer):
Contact: Teller Bard, PE Firm Name: Kimley-Horn
Address: 1100 W Idaho Street, Suite 210, Boise, ID Zip: 83702
Phone: 208-906-3871 Email: Teller.Bard@kimley-horn.com

Property Information:

Site Address: 7230 W Chinden Blvd Parcel Number: S0420347000, S0420347101 & S0420449210
Total Acreage of Site: 4.2
Total Acreage of Site in Special Flood Hazard Area: N/A
Proposed Zoning Designation of Site: MU & R-3

Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	RUT - County	MU	SFD
Proposed	MU & R-3 PUD	No change	Mixed-Use
North of site	R-3 PUD-DA	MU	Mixed-Use
South of site	RUT - County	Meridian AOI	Vacant
East of site	RUT - County	C	Vacant
West of site	MU PUD-DA	MU	Mixed-Use

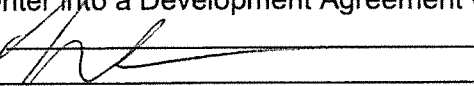
Special On-Site Features (Yes or No – If yes explain):

Areas of Critical Environmental Concern - No
Evidence of Erosion - No
Fish Habitat - No
Floodplain - No
Mature Trees - No
Riparian Vegetation - No
Steep Slopes - No
Stream/Creek - No
Unique Animal Life - No
Unique Plant Life - No
Unstable Soils - No
Wildlife Habitat - No
Historical Assets - No

Application Requirements:

(Applications are required to contain one copy of the following unless otherwise noted. **When combining with other applications (Prelim Plat, CUP, etc.) please include one paper copy for all applications**)

	Applicant (√)	Description	Staff (√)
#1	X	Pre-application meeting with the Planning Department required prior to neighborhood meeting.	
	X	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. (Please contact the City for addresses & labels) (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
	X	Completed and signed Annexation & Zoning/Rezone Application	
#2	X	Fee: (Include Development Agreement Fee). Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	
#3	X	Narrative fully describing the proposed project (must be signed by applicant)	
#4	X	Legal description of the property to be annexed and/or rezoned: <ul style="list-style-type: none">• Include a metes & bounds description to the section line/centerline of all adjacent roadways, stamped and signed by a registered professional land surveyor, with a calculated closure sheet.• Scaled exhibit map showing the boundaries of the legal description in compliance w/the requirements of the Idaho State Tax Commission Property Tax Administrative Rules IDAPA 35.01.03.225.01h.• If requesting more than one zoning designation, include a legal description for each zone along with an overall annexation/rezone boundary description. Also include the boundaries of each different zone on the map.• Submit word.doc and pdf version with engineer's seal.	
	X	Recorded warranty deed for the subject property	

#5	X	If the signature on this application is not the owner of the property, an original notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.	
#6	X	One (1) 8½" X 11" copy and electronic copy in pdf. format of vicinity map showing the location of the subject property	
#7	X	One (1) full-size 24" X 36" copy and one (1) 11" X 17" copy of associated CUP/PUD Site Plan/Preliminary Plat. If this application is not accompanied by a plat or site plan, please submit conceptual development plan for the property.	
	X	Electronic copy in pdf. format of submitted plat, site or conceptual plan.	
#8	X	List of name(s) and address(es) of all canal or irrigation ditches within or contiguous to the proposed development.	
#9	X	One (1) copy of names and addresses printed on address labels, of property owners within three hundred feet (300') of the external boundaries of the property being considered as shown on record in the County Assessor's office. Please contact the City to request addresses and labels.	
	X	Two (2) copies of the Electronic versions of submitted application including neighborhood meeting information, signed application, narrative, legal description, warranty deed, vicinity map, preliminary plat/site plan, irrigation district information, <u>shall be submitted in original pdf format (no scans for preliminary plat/site plans) on two (2) thumb drives only (no discs) with the files named with project name and plan type.</u>	
	X	Signed Certification of Posting with pictures. (see attached posting requirements and certification form) – To be completed by application after acceptance of application. Staff will notify applicant of hearing and posting date.	
	X	*Applicant agrees to enter into a Development Agreement with this application. Applicant's Signature: 	
	X	Property shall be annexed into Star Sewer and Water District prior to Final Plat approval, building permits. Please contact SSWD for details.	

FEE REQUIREMENT:

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


Applicant/Representative Signature

5/11/23
Date

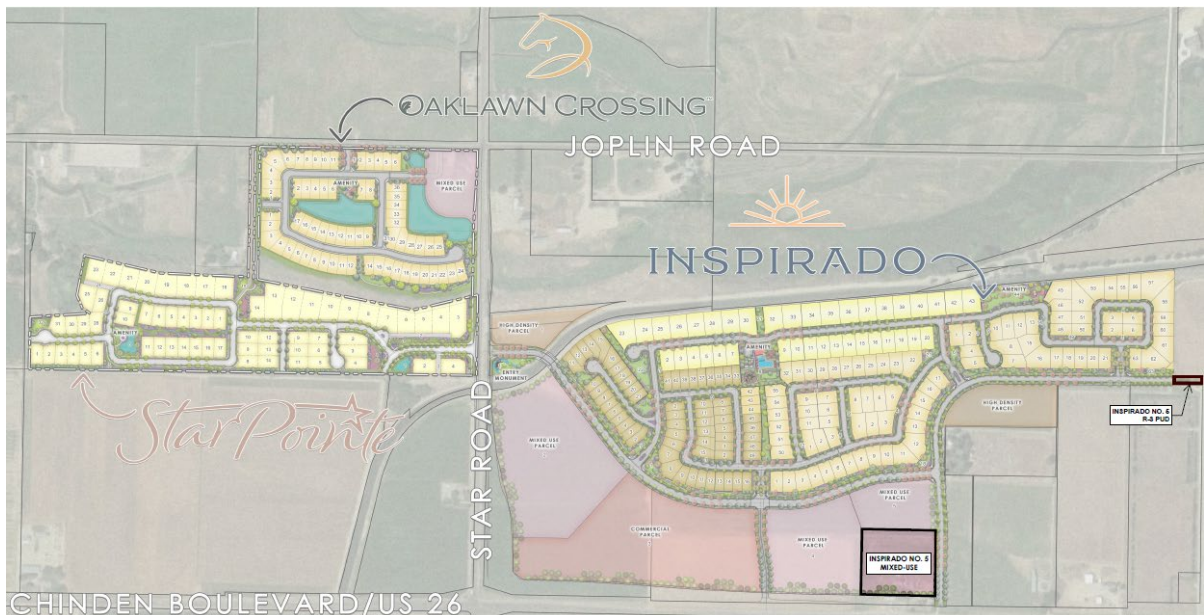


May 24, 2023

Planning & Zoning
City of Star
P.O. Box 130
Star, Idaho 83669

RE: *Inspirado Phase 5 Annexation, Rezone, Development Agreement Modification Request*

On behalf of Criterion Land Management LLC, we are submitting the Inspirado Phase 5 Annexation, Rezone, Development Agreement Modification requests for review and approval.

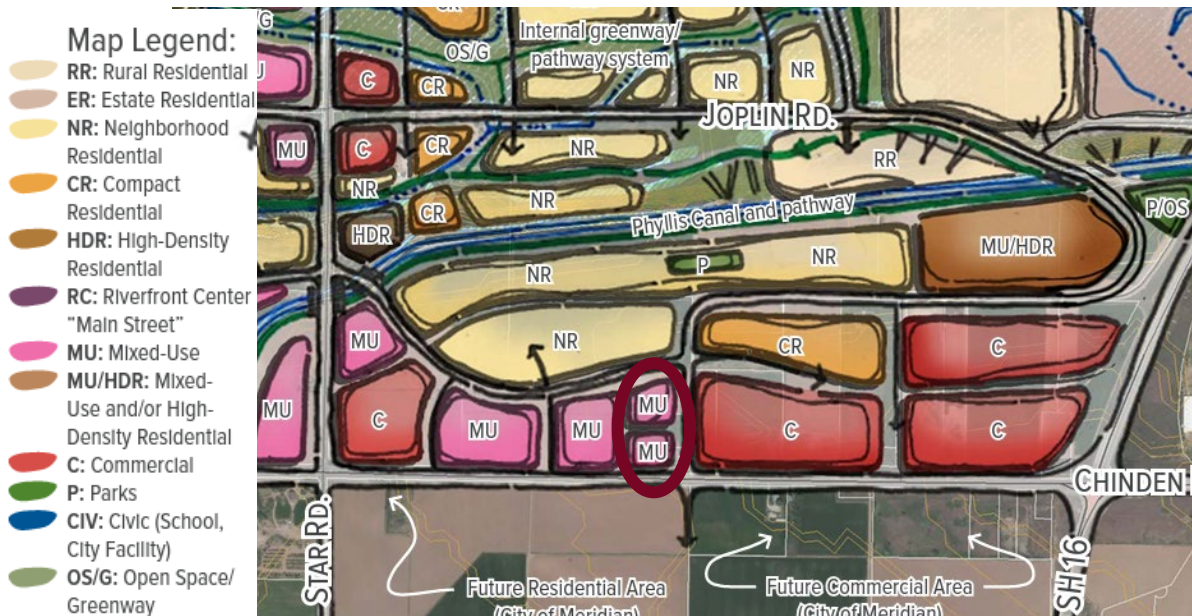


The subject properties (outlined in bold) are located at 7230 W Chinden Blvd and consist of Parcel Nos. S0420347000, S0420347101 and S0420449210. The parcels are adjacent the existing Inspirado Subdivision to the north. The project is 4.2 acres and is generally located northeast of the Chinden Blvd and Star Rd intersection. We are requesting to modify the original Inspirado Subdivision Development Agreement to include the new parcels mentioned above.

The subject properties are currently vacant. S0420449210 is an outparcel which is being included now to ensure Old School Drive is able to be constructed and connected in its entirety consistent with other improvements within the original Inspirado approval. The new parcels to be included within Inspirado are currently within Ada County and requesting annexation into the City of Star. Parcels S0420347000 and S0420347101 are requesting MU zoning, S0420449210 is requesting R-3 PUD zoning. This is consistent with the adjacent zoning assigned within Inspirado.

The “South of the River Sub-Area Plan” designates the site along Chinden Blvd as Mixed Use and states the area:

“has strong retail potential.. The mixed-use designation is appropriate as a measure allowing Star to either augment that corner development with complementary in-line retail and dining tenants or preserve some for later multifamily (or other) development. The flexibility is especially important given the uncertain trajectory of the brick-and-mortar retail industry” (page 3-7).



The project is consistent with the required findings for approval as it complies with several principles of the Comprehensive Plan. This includes Section 7.4.H which calls for developing a mixture of commercial, service and residential developments that encourage walking. Section 7.4.K calls for supporting economic development that provides quality employment opportunities to local residents, good wages, benefits and affordable goods. Section 7.5.A calls for concentrating appropriate commercial and office development in close proximity to housing and consumers for neighborhood commercial centers. Section 8.5.9.H calls for developing a harmonious blend of opportunities for living, working, recreation, education, shopping and cultural activities.

In addition, the project will be consistent with the regulations of the proposed zoning and will not be materially detrimental to the public health, safety, and welfare. Public services are available and adequate to serve the project. The project will not adversely impact the delivery of services as agency requirements will be fully met and submitted for your review and comment as the project continues. Comments will also confirm public financial capability of supporting services for the development. Initial meetings indicate that agencies are in alignment and agreement for the proposed project; however, as additional needs arise, they will be mitigated and incorporated in the project design. The development does not disturb any known significant natural, scenic or historic features. The annexation is in the best interest of the City as it will ensure the area is developed in a consistent manner and utilize previously

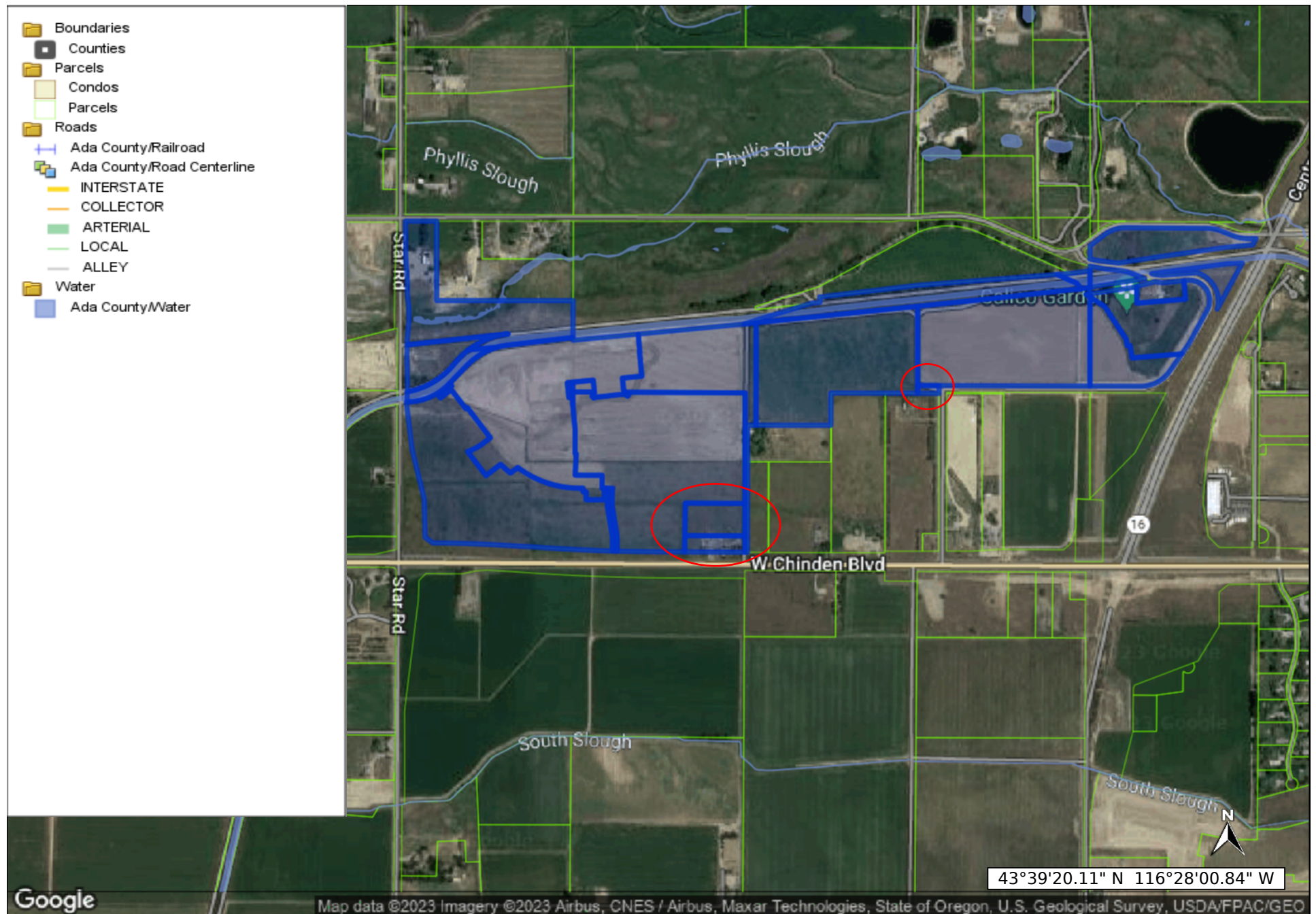
approved public services in a consolidated fashion. The engineering, architectural, and construction practices will be implemented with the professional standard of care.

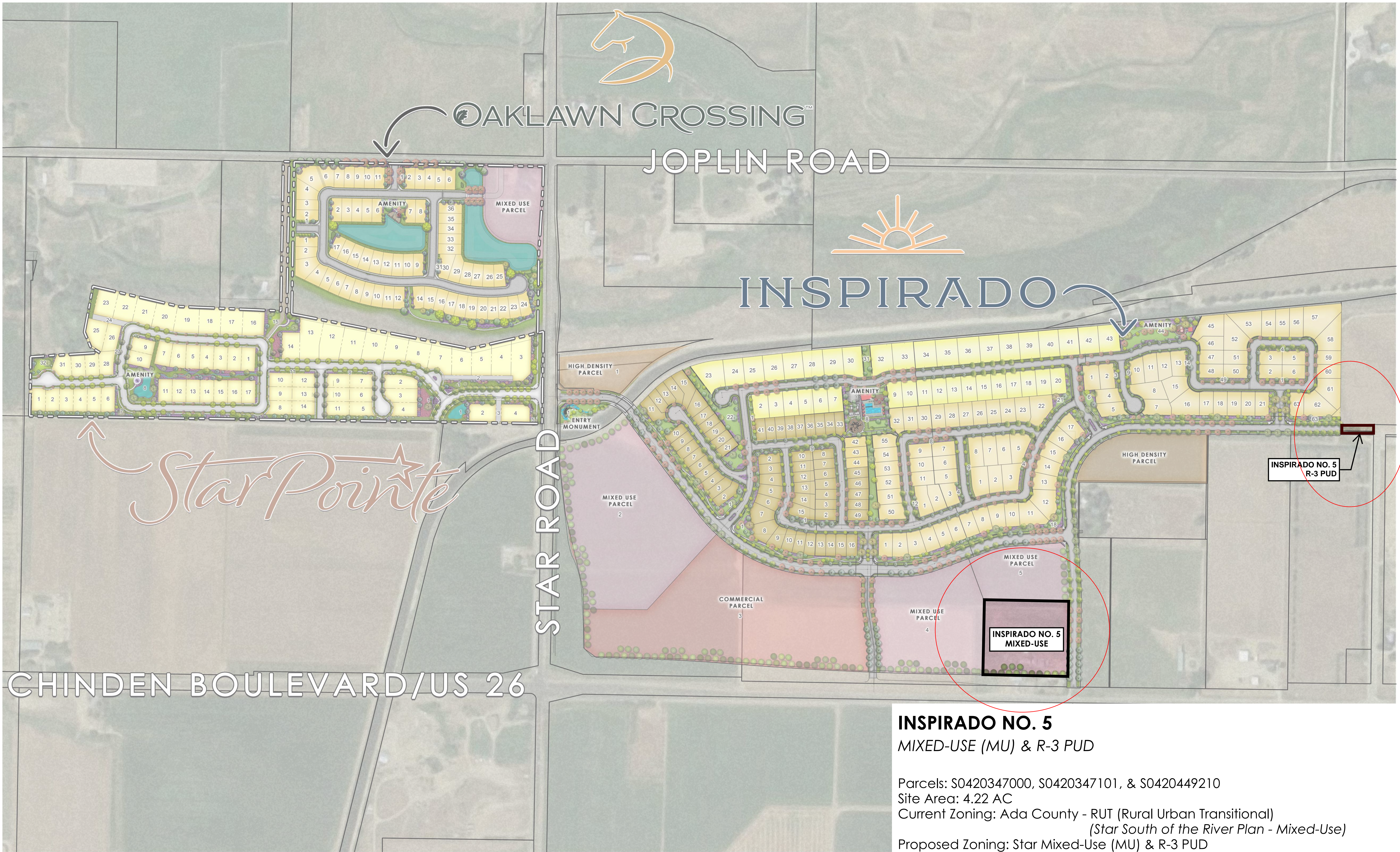
We greatly appreciate your time and review of our application submittal. In accordance with the submittal checklists, we are submitting electronically with all required information. Please contact me at (208) 207-8477 or Nicolette.Womack@kimley-horn.com should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Nicolette Womack".

Nicolette Womack, AICP
Planner





INSPIRADO NO. 5

MIXED-USE (MU) & R-3 PUD

Parcels: S0420347000, S0420347101, & S0420449210

Site Area: 4.22 AC

Current Zoning: Ada County - RUT (Rural Urban Transitional)
(Star South of the River Plan - Mixed-Use)

Proposed Zoning: Star Mixed-Use (MU) & R-3 PUD

INSPIRADO NO. 5

MAY 23, 2023



ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET, BOISE, IDAHO 83702-7300
<https://adacounty.id.gov/developmentservices>

PHONE (208) 287-7900
FAX (208) 287-7909

BUILDING • COMMUNITY PLANNING • ENGINEERING & SURVEYING • PERMITTING

July 7, 2023

Shawn Nickel
City of Star Planning & Zoning
10769 W State St
Star, ID 83669

RE: AZ-23-04 / 7230 S Chinden Boulevard / Inspirado Commercial Annexation

Shawn,

The City of Star has requested feedback regarding the proposed annexation for the Inspirado Commercial Annexation, which is proposed to contain two future commercial lots and one future north / south collector street on 4.2 acres, generally located north of Chinden Boulevard and east of Star Road. Ada County supports the application due to the proximity of the site to existing public services. *Goal 2.2: Direct urban development to incorporated cities, ACIs, and Planned Communities where investments in urban services have already been made or are planned and programmed in a CIP or work program.*

Regarding land use, the Comprehensive Plan currently adopted by Ada County for the Star Area of City Impact designates the site as *Multiple Use 2, and Very Low Density*. However, the City of Star has since adopted an updated Comprehensive Plan, more specifically the South of the River Sub-Area Plan, which designates the site as *Mixed-Use (limited office, commercial, light industrial, and/or residential)*, which is supported by *Implementation Policy 15.5.H: Support the development of mixed-use and high-density housing within and adjacent to the Riverfront Center and in support of commercial development in the Center.*

The proposed future development of two commercial lots is further supported by the following City of Star Comprehensive Plan Objective and Implementation Policy:

- *Objective 7.4.H: Develop a mixture of commercial, service, and residential developments that encourage walking.*
- *Implementation Policy 7.5.A: Concentrate appropriate commercial and office development onto relatively small amounts of land, in close proximity to housing and consumers for neighborhood commercial centers.*

Thank you for this opportunity to provide feedback. Ada County looks forward to working with the City of Star in the renegotiation and adoption of the city's updated Comprehensive Plan.

Please feel free to contact me with any questions.

Sincerely,

Stacey Yarrington

Stacey Yarrington
Community & Regional Planner
Ada County Development Services



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

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

July 6, 2023

City of Star
Shawn Nickels, P&Z Administrator
10769 W State St
Star, ID 83669
snickel@staridaho.org

Re: Inspirado Commercial Annexation, Case No. AZ-23-04 & DA-21-11

Dear Mr. Nickels,

Idaho Transportation Department (ITD) appreciates this opportunity to provide comments regarding Inspirado Commercial Annexation request located on the north side of Chinden Boulevard (SH-44) (Mile Post 33.7) and the intersection of W Old School Drive and N Mystic Creek Avenue, Meridian, Idaho on a total of 5.26 acres. Please see the following comments:

1. This project abuts SH-44.
2. The Development Conditions Memo dated December 28, 2021, is over a year old thus updated traffic analysis and updated volumes need to be submitted and reviewed prior to an access permit being issued.
3. Until such time the type of commercial business is established, it is unknown if this proposal meets ITD's threshold for a Traffic Impact Study (TIS). It appears the new commercial parcels were not included in the original Traffic Impact Study (TIS). ITD needs more information on the trip generations to determine what mitigations the applicant may be required to construct on the State Highway system. If the new development generates 100 or more new trips in the peak hour or 1,000 new trips in a day, a Traffic Impact Study (TIS) is required. Mitigations identified by the Traffic Impact Study shall be the responsibility of the applicant to construct and install.
4. The ITD Form 2109, *Right-of-Way Encroachment Application and Permit Approaches or Public Street* must be submitted with the TIS. For permitting information, please contact Josh Nopens at Josh.Nopens@itd.idaho.gov.
5. Any addition, modification, change of use, relocation, maintenance, or removal of an encroachment of the state highway or use of highway right-of-way for any purpose other than normal travel, shall obtain an Encroachment Permit (ITD Form 2110) to use state right-of-way. The applicant may contact Shona Tonkin at Shona.Tonkin@itd.idaho.gov.
6. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway.
7. The Idaho Administrative Procedures Act (IDAPA) 39.03.60 governs advertising along the State highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at (208) 334-8832 for more information.

The City is reminded that the SH-44 corridor is already congested. This project will increase the number of vehicle trips in the corridor. As the City continues to add additional trips to the corridor through development, the congestion will worsen until the roadway system is ultimately overloaded and fails.

ITD reserves the right to make further comments on this project as deemed necessary.

Sincerely,

Wendy I. Howell, PCED
Development Services Coordinator
ITD – District 3