



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department

MEETING DATE: **July 18, 2023 – PUBLIC HEARING**

FILE(S) #: AZ-23-02 Annexation and Zoning
DA-23-04 Development Agreement
CPA-23-01 Comprehensive Plan Map Amendment
CU-23-05 Conditional Use Permit for Dude DeWalt Cellars Winery & Events Center

OWNER/APPLICANT/REPRESENTATIVE

Applicant/Owner:

Trae & Johnna Buchert
5446 Hwy 16
Eagle, Idaho 83616

REQUEST

Request: The Applicant is requesting approval of an Annexation and Zoning (RR Rural Residential), a Comprehensive Plan Map Amendment, a Development Agreement, and a Conditional Use Permit for a proposed winery and events center to be located within the City of Star. The property is located at 5446 Hwy 16 in Star, Idaho, and consists of 34.60 acres.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the east side of Hwy 16, near W. Deep Canyon Drive. Ada County Parcel No. S0328427800.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Rural Residential (RR) Ada County	Ada County – Rural Residential	Winery - Agricultural Use County Approved Event Center
Proposed	Rural Residential (RR) City of Star	Proposed Rural Residential City of Star	Winery - Agricultural Use Event Center - CUP
North of site	Rural Residential (RR) Ada County	Ada County – Rural Residential	Vacant
South of site	Rural Residential (RR) Ada County	Ada County – Rural Residential	Single Family Residential
East of site	Rural Residential (RR) Ada County	Ada County – Rural Residential	Vacant - BLM
West of site	Rural Residential (RR) Ada County Residential (R-2) City of Star	Estate Rural Residential	Vacant/Single Family Residential

Existing Site Characteristics: The property is currently in agricultural use (existing wine vineyard), commercial and single family residential. Property contains slope areas greater than 10%.

Irrigation/Drainage District(s):

No Irrigation District

Flood Zone: This property is not currently located in Special Flood Hazard Zone.
FEMA FIRM Panel Number: 16001C0130J
Effective Date: 6/19/2020

Special On-Site Features:

- ✪ Areas of Critical Environmental Concern – No known areas.
- ✪ Evidence of Erosion – No evidence.
- ✪ Fish Habitat – No.
- ✪ Floodplain – No.
- ✪ Mature Trees – Yes.
- ✪ Riparian Vegetation – No.
- ✪ 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.
- ✪ Historical Assets – No historical assets have been observed.
- ✪ Wildlife Habitat – No known sensitive wildlife habitat observed.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	April 13, 2023
Neighborhood Meeting Held	May 5, 2023
Application Submitted & Fees Paid	May 22, 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

This property does not have any history of land use applications within the City of Star. The property has received previous approvals from Ada County for a winery and events center.

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.

8-1B-3: COMPREHENSIVE PLAN AMENDMENTS:

A. Process:

2. Comprehensive Plan Amendment Initiated by A Property Owner: The applicant shall complete a preapplication conference with the administrator prior to submittal of an application for a comprehensive plan amendment. An application and fees shall be submitted to the administrator on application forms provided by the city.

3. Public Hearing: The city council shall conduct at least one public hearing in accordance with this chapter and in accordance with the procedures in section 67-6509 of the Idaho Code.

B. Required Findings: The council shall review the application at the public hearing. In order to adopt a new comprehensive plan or grant an amendment to the existing comprehensive plan, the council shall make the following findings:

1. The proposed amendment is consistent with the other elements of the comprehensive plan.

2. The proposed amendment provides an improved guide to future growth and development of the city.
3. The proposed amendment is internally consistent with the goals, objectives and policies of the comprehensive plan and the comprehensive plan future land use map.
4. The proposed amendment is consistent with this unified development code.
5. The proposed amendment is in the best interest of the city of Star.
6. The proposed amendment includes a justification letter for the amendment addressing the following criteria and the Council finds that the amendment is in compliance with the stated criteria:
 - a. A specific description of the change being requested.
 - b. Specific information on any property(s) involved.
 - c. A description of the condition or situation which warrants a change being made in the plan.
 - e. A detailed list of all applicable comprehensive plan goals, policies, and objectives that the proposed change would help implement or policies that must also be amended as part of the proposed change.
 - f. A proposed development plan for any land involved.
 - h. An analysis showing the estimated impact that the proposed change is expected to have on existing and planned infrastructure.
 - i. If the amendment will impact more individuals than the applicant submitting the application a detailed description of the efforts made to inform other parties potentially impacted by the change of the application is to be provided.
 - j. Any other data and information required by the city for their evaluation of the request.

8-1B-4: CONDITIONAL USES:

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

B. Applicability: The provisions of this section apply to all uses identified as conditional use in chapter 3, "District Regulations", of this title, and as otherwise required by specific development standards in chapter 5, "Specific Use Standards", of this title.

C. Process:

1. The applicant shall complete a preapplication conference with the administrator prior to submittal of an application for a conditional use.
2. An application and appropriate application fees, in accord with article A, "General Provisions", of this chapter, shall be submitted to the administrator on forms provided by the planning department.
3. The administrator may require additional information concerning the social, economic, fiscal or environmental effects of the proposed conditional use, prior to the scheduling of a public hearing.

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 exact 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 will be harmonious with the Star comprehensive plan and in accord 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 and that such use will not adversely change the essential character of the same 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.

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.

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

(RR) RURAL-RESIDENTIAL DISTRICT: To provide for rural single-family residential use adjacent to agricultural uses, adjacent to other Rural Residential type uses, and adjacent to BLM land areas. Parcels are to be two acres minimum. It is the intent of this land use designation to help to preserve Star's rural feel. Huge manicured "Rural Residential" lots are discouraged and therefore manicured home site areas on these properties should not exceed 1/2 acre. **Uses may include active agriculture, viticulture**, equestrian, and residential. Uses include native open space and small-scale active farmland. The Rural Residential land use is not amenity based (sewer, water, schools) and will usually be located away from goods and services. These areas encourage the keeping and raising of small-scale crops and/or animals and do not necessarily include manicured yards, sidewalks, bike paths, streetlights or planned park and recreation facilities. Density may be further limited due to the limited availability of infrastructure. Modified street sections and a reduction in light pollution (by reducing or eliminating lighting standards) may be offered for a more rural feel. Private streets may be permitted in this district for access to newly subdivided or split property. This land use designation is to be located such that it does not block extension of urban services at reasonable costs. Wells and septic systems should be permitted for lots in this land use designation if approved by the applicable Health Department. Easements of at least 20-feet in width shall be provided where determined necessary for the future extension of water and sewer mains. **This district does allow for some commercial 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.

8-3A-3: USES WITHIN ZONING DISTRICTS

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

ZONING DISTRICT USES		R-R	
Accessory structure		A	
Dwelling:			
Single-family detached		P	
Winery		C	
Events Center, public or private (indoor/outdoor)		C	

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

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front ⁽¹⁾	Rear	Interior Side	Street Side
R-R	35'	30'	30'	20'	20'

COMPREHENSIVE PLAN:

7.5 Implementation Policies:

D. Consider lands along Highways 16 and 20/26 as the location for a mix of uses consisting of commercial and an industrial/high-technical park with a minor component of high density residential.

8.2.3 Land Use Map Designations:

Rural Residential

Suitable primarily for rural single-family residential use adjacent to agricultural uses, adjacent to other Rural Residential type uses, and adjacent to BLM land areas. Densities typically range from 1 unit per 2 acres to 1 dwelling units per 5 acres.

It is the intent of this land use designation to help to preserve Star's rural feel. Huge manicured "Rural Residential" lots are discouraged and therefore manicured home site areas on these properties should not exceed 1/2 acre. **Uses may include active agriculture, viticulture**, equestrian, and residential. Uses include native open space and small-scale active farmland. The Rural Residential land use is not amenity based (sewer, water, schools) and will usually be located away from goods and services. These areas encourage the keeping and raising of crops and/or animals and do not necessarily include manicured yards, sidewalks, bike paths, or planned park and recreation facilities. Density may be further limited due to the limited availability of infrastructure. Modified street sections and a reduction in light pollution (by reducing lighting standards) may be offered for a more rural feel. This land use designation is to be located such that it does not block extension of urban services at reasonable costs. Wells and septic systems should be permitted for lots in this land use designation if approved by the applicable Health Department.

8.3 Goal:

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

8.4 Objectives:

- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.
- Encourage commercial development that is consistent with a family friendly feel, not overburdening the community with big box and franchise uses and discourage the development of strip commercial areas.

8.5.2 Policies Related Mostly to the Rural and Agricultural 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 subdivided in the future.

8.5.9 Additional Land Use Component Policies:

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

18.4 Implementation Policies:

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

PROJECT OVERVIEW

COMPREHENSIVE PLAN MAP AMENDMENT:

The applicant is requesting approval of a Comprehensive Plan Map Amendment with a land use designation of Rural Residential. By amending the Future Land Use Map, the proposed annexation application and proposed zoning designation of RR will match the new City Comprehensive Plan designation.

ANNEXATION & ZONING:

The applicant is requesting approval of an annexation and zoning application with a zoning designation of Rural Residential (RR-DA) on 34.60 acres. This zoning district allows for residential and certain commercial uses through the conditional use permit process. The property is located in an area that can be serviceable with central sewer and water provided by Star Sewer and

Water District in the near future, if necessary. The property currently has access to Hwy 16, a public roadway. The zoning request includes a development agreement that will address conditions of approval placed upon the application from Staff and the City Council.

DEVELOPMENT AGREEMENT

Through the Development Agreement process, the applicant is proposing to work with the City to provide further insurances that the development will be built as presented and/or modified by the Council through the review process.

CONDITIONAL USE PERMIT

The applicant is requesting approval of a Conditional Use Permit for a Winery and Indoor/Outdoor Event Center. These uses are allowed in the proposed RR zoning district. The applicant has previously received approval of the proposed uses through Ada County, and is operating the facility on a limited basis, until specific conditions of approval have been met. The County has had several public hearings with the applicant and neighboring property owners and has set specific conditions of approval requirements for the applicant based on those meetings. **Staff has reviewed the record, including findings of fact and final decisions by the County Commissioners, and recommends that the City Council adopt the applicable County conditions of approval as they exist, with some modifications.** Staff is recommending additional conditions based on the applicant's revisions to the site plan that, in Staff's opinion, follow the intent of the County in their approval.

Winery Use

Included in the existing/proposed Winery Use is the following:

- Vineyards (existing agricultural use – protected by Right to Farm Act). The property currently contains approximately 8- acres of wine grapes, irrigated from a private well and cultivated by the property owner.
- Primary Residence – (existing) 5,400 square feet Caretakers Dwelling. Currently lived in by owners/applicant. Current personal residential activities not associated with the winery or event center shall continue to be allowed. Applicant proposes potential future use of structure as an additional tasting room and/or event area. Staff will require any future change of use from a residence to be subject to Certificate of Zoning Compliance. All current building and fire codes would need to be completed prior to any public occupancy.
- Tasting Room (existing) – 2,250 square feet with additional 1,104 square feet of tented or permanent enclosed area. Tasting room includes tastings, sales by the glass or bottle for on-site consumption and retail sales of wine and gifts for off-site export. Food currently

served includes charcuterie boards (cheese & meats), breads, pizza and soups and other similar foods.

- Storage/Production Facility (existing) – 3,500 square feet. Currently used for storage of wine barrels and wine production. Staff will require the applicant to meet all Fire District requirements.
- Winery Events – Current/existing winery related events (normal winery operations) including, but not limited to, ticketed and non-ticketed events such as wine dinners, wine classes, wine industry related events, wine releases, wine club releases and gatherings, special tastings. These events may or may not include music.
- Food Services – (existing) In addition to providing limited food services for sale or complimentary to wine tastings, the winery use includes food trucks servicing patrons. Staff will require the applicant to meet all Central District Health requirements regarding the serving of food.
- Proposed Expansion of Existing Tasting Room* – Applicant is proposing to expand the existing tasting room from 2,250 square feet to approximately 3,700 square feet.
- Proposed New Tasting Room* – Applicant is proposing a new 3,000 square feet building near the southeast corner of the property. This area would include indoor and outdoor seating. Per Ada County conditions of approval, this building and the associated patio seating shall be a minimum of 125 feet from the southern property line.
- Proposed New Production/Tasting Room/Event Center Facility* – Applicant is proposing a new, approximately 14,000 square feet facility located near the western boundary of the property. This facility would include interior office space and balconies.
- Proposed New Storage Building* – Applicant is proposing a new, 6,000 square feet storage building that will be used to house wine barrels and other winery related items. Occupancy will be from 1 to 10 persons, typically.
- Miscellaneous Structures* and amenities* – The site plan shows additional materials storage buildings, parking areas, pergolas, vineyards, bike and UTV parking, landscaping, and patios and other hardscape areas throughout the property. These locations are conceptual and subject to change as specific details are completed. These locations shall be subject to all specific conditions of approval.
- Potential Tasting & or Events areas and/or Buildings* – Applicant has indicated additional areas in the north and northeast area of the property for potential locations for the Tasting and/or Events area. Buildings would be 5,000 square feet each.

- Potential Amphitheater Area* – Applicant has indicated location of a potential amphitheater area in the northeast corner of the property.

***All new structures shall be subject to fire and building code standards. Extension of sewer & water may be required by Star Sewer & Water District to accommodate fire suppression and domestic water and sewer needs. All new structures shall be subject to future Certificate of Zoning Compliance (CZC) applications. Building elevations, parking, lighting, access details, fire and building code reviews and other Staff requested details will be reviewed for each building and proposed amenity under the CZC process.**

Event Center Use

Included in the existing/proposed Event Center Use is the following:

- Event Center activities that are not associated with the winery or its use include but are not limited to advertised and ticketed private events including concerts, fundraisers and car shows, and private events including holiday, business or office parties and meetings, birthdays, weddings and engagement parties.
- Events associated with the Event Center are proposed to be limited to a maximum of 250 guests at any given time. The applicant has requested events with 125 or fewer guests be unlimited in the number of events allowed. Events between 126 and 250 guests are proposed to be limited to 24 events annually.

ADDITIONAL DEVELOPMENT FEATURES:

- Hours of Operation – The applicant has requested hours of operation for the winery and associated uses as 10 a.m. to 10 p.m. daily, with 24 hours a day, seven days a week for the winery production and agricultural operations. The applicant has not indicated hours of operation for the Events Center portion of the application. Staff recommends adopting Ada County’s condition limiting the Event Center uses (over 125 people) to 10 a.m. to 10 p.m., daily, with Mondays and Tuesdays limited to 10 a.m. to 6 p.m. and the operation of the winery use as 24 hours/7 days a week.
- Access – ITD Review – Current access to the facility is a gravel, private driveway from Hwy 16 east into the property and to the existing tasting facility, storage and production facility and single-family dwelling. The applicant submitted a traffic impact study (TIS) to ITD on January 13, 2022. ITD reviewed the TIS and has provided written comment to the City regarding the proposed application. A condition of approval from the original Ada County review process included a northbound right turn lane be installed at the access point on Hwy 16. The applicant is coordinating with the developers of the Spring Valley Development located to the north and east of the subject property to include the

northbound right turn lane as part of the Hwy 16 roadway improvements that are currently being constructed adjacent to and north of the subject property. ITD has also verbally commented to Staff that a southbound left turn lane will be constructed at the same time by the Spring Valley developers.

- Lighting – All site lighting shall reflect the “Dark Sky” criteria established by the City. The applicant shall submit a lighting plan with the first CZC application, and all subsequent submittals illustrating compliance with all City lighting requirements.
- Parking – The applicant currently has 4 parking spaces for the existing single-family dwelling (2-spaces required). The applicant currently has 40 existing spaces located in the southern area of the property. The Star Unified Development Code does not specify parking requirements for wineries and event centers. Ada County required in their review a minimum of 150 total spaces be provide. RV parking has been included on the site plan. All vehicle, RV or Bus parking shall be specifically designed on illustrated on all future CZC application site plans.
- Landscaping/Buffering – The applicant is proposing a landscape berm of approximately 300 feet on the southern boundary of the property starting near the eastern corner of the property. Although the applicant has not provided details on the size of the berm or the type of landscaping being provided, Ada County has conditioned the berm to be 8 feet tall with 6 feet tall trees provided between the parking lot and residences to the south. All additional internal landscaping shall be reviewed with the CZC application submitted with each phased individual building and/or use. The remaining majority of the property will be left in either native vegetation or will be vineyards.
- Phasing/Timing – The applicant has not provided a final build-out date for the facility but has stated that final expansion could exceed 5-years. Staff will recommend a reasonable time period for the CUP to be valid.
- Emergency Services - The applicant shall meet all requirements for emergency access, water supply and vehicle turn-around from the Star Fire District. Should municipal water be required to meet fire flows, the applicant shall annex into the Star Sewer and Water District and comply with any District requirements.
- Existing Well & Septic System – The current use of the winery utilizes an existing well and septic system for all existing uses. The applicant shall be required to meet all Central District Health Department and Idaho Department of Water Resources standards for any necessary expansion of the well and septic systems. The applicant may use portable bathroom facilities on this property.

Ada County Conditions of Approval and City Staff Analysis and Recommendations.

Staff recommends that the Council adopt the following Conditions of Approval that were part of the Ada County review and approval.

1. Central District Health shall approve any new or upgraded septic systems.
2. Star Fire District shall approve all fire flow requirements and/or building permits, and any occupancy requirements for all buildings on-site. All Wildland Urban Fire Interface Overlay District requirements shall be met.
3. The owner/applicant shall maintain a minimum 125 feet distance from the southern property line to the new proposed tasting room and associated patio.
4. The owner/applicant shall submit plans for food or beverage establishment to the Central District Health Department for plan review and approval.
5. Idaho Department of Water Resources shall approve any new or upgraded well construction.
6. The owner/applicant shall pay the ACHD all traffic impact fees prior to issuance of a building permit.
7. The owner/applicant shall provide an all-weather dustless material (or other City approved dust mitigation) if the off-street parking areas and private drive are not surfaced with asphalt or concrete.
8. The owner/applicant shall either install a placard or striping that clearly identifies and demarcates the ADA accessible parking spaces.
9. The owner/applicant, engineer of record and/or contractor shall notify the City when a construction start date is established.
10. The Engineer of Record shall submit a letter to the City stating the work has been completed in substantial compliance with the approved plans for the construction of the driveways and parking areas.
11. The owner/applicant shall schedule a final inspection with the City upon completion of each phase of the driveways and parking areas.
12. The owner/applicant shall schedule a final inspection with the Star Fire District prior to issuance of a Certificate of Occupancy.
13. During the time that the future construction of the production facility happens, the current driveway shall be constructed to Star Fire District standards. Star Fire District shall approve all access requirements.
14. A northbound right turn lane shall be constructed to the ITD current standards to mitigate for entering traffic.
15. A Certificate of Occupancy will be issued when all the above conditions are met. In the event conditions cannot be met by the desired date of occupancy, the owner/applicant may request a surety agreement in lieu of completing the improvements.
16. If a gate is ever installed, it will need to be equipped with a KNOX key lock specific to Star Fire District.
17. The outdoor public address/speaker system shall comply with the noise regulations of the City Code.

18. Food service for events shall be approved by the Central District Health Department.
19. Any (Event Center) event of more than 125 people and no greater than 250 people shall be limited to 24 events per year.
20. The days and hours of operation for the wine tasting and associated uses and the Event Center uses are from 10 a.m. to 10 p.m., daily; On Mondays and Tuesdays, hours of operation for events greater than 125 people shall be limited to 10 a.m. to 6 p.m. The operation of the winery use is allowed 24 hours/7 days a week.
21. The owner/applicant shall comply with ITD Permit No. 3-19-504 or any updated permits. Should the use of the parcel change causing any increase in trip generation, or the parcel is split, the property owner shall reapply for access with ITD.
22. All drainage shall be retained onsite during and after construction.
23. During construction earthmoving equipment operation, hours shall be limited to between 7 a.m. to 6 p.m.
24. The owner/applicant is responsible for restoring all disturbed areas. Restoration shall match the approved plans. For unapproved areas of disturbance, the City Engineer shall determine the level of restoration. This could include geotechnical reports, grading, erosion control blankets and hydro seeding.
25. The property must be managed and maintained consistent with the standard regulations of Star City Code regarding the accumulation of junk, atmospheric emissions, construction sites, hazardous materials storage, outdoor public address systems, outdoor storage of chemicals and fertilizers, transmission line corridors, and utilities.
26. The use shall comply with the noise regulations in Star City Code.

Staff recommends the following additional conditions of approval for Council to adopt into approval of this application:

1. Comply with all requirements of the Star City Engineer including, but not limited to, drainage, grading, hillsides and slopes, site improvement engineering, retaining walls greater in height than 4 feet.
2. All future improvement phases are subject to a Certificate of Zoning Compliance application submitted to the City. This will include detailed review of parking, landscaping, lighting, dust mitigation, and building elevations.
3. Any signage within ITD right of way shall be approved by the District prior to installation.
4. The owner/applicant shall meet all requirements of Central District Health Department regarding the preparation and sale of food.
5. A landscape plan shall be submitted to the City detailing the existing, required berm along the southern boundary of the property, including types of trees and landscaping proposed. The existing 8' berm shall include 6' tall trees to provide additional buffer on the southern parking lot boundary per the submitted site plan.
6. **The conditional use permit shall be valid for a period of 10-years from the date of approval to allow for the applicants phasing plans. The applicant may apply for a time extension prior to the expiration date as allowed per Code.**

7. The owner/applicant shall notify the City in advance of all events of greater than 125 people and no greater than 250 people per year (24 events per year maximum). This time period shall be from January 1st through December 31st, annually. The total number of events in 2023 shall include those already conducted prior to annexation.
8. The owner/applicant shall provide for adequate parking for all events on-site. At final build-out, a total of 150 permanent parking spaces shall be provided.
9. Any future change of use of the existing residence to a commercial use shall be subject to review of a Certificate of Zoning Compliance. All current building and fire codes would need to be completed prior to any public occupancy.
10. The existing Storage/Production Facility (3,500 square feet) shall meet all Star Fire District requirements.
11. All new structures shall be subject to fire and building code standards. Extension of sewer & water may be required by Star Sewer & Water District to accommodate fire suppression and domestic water and sewer needs. All new structures shall be subject to future Certificate of Zoning Compliance (CZC) applications. Building elevations, parking, lighting, access details, fire and building code reviews and other Staff requested details will be reviewed for each building and proposed amenity under the CZC process.
12. The applicant shall submit a lighting plan with the first CZC application, and all subsequent submittals illustrating compliance with all City lighting requirements.
13. The applicant shall meet all requirements for emergency access, water supply and vehicle turn-around from the Star Fire District. Should municipal water be required to meet fire flows, the applicant shall annex into the Star Sewer and Water District and comply with any District requirements.

AGENCY RESPONSES

ITD	June 28, 2023
DEQ	June 29, 2023
Ada County Development Services	June 30, 2023
Star Fire District	July 7, 2023
Star City Engineer	July 10, 2023

PUBLIC RESPONSES

Keith Hill - Email

STAFF RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed annexation and zoning request and associated applications including the comprehensive plan amendment and conditional use permit, **as conditioned** meets the requirements, standards and intent for development as they relate 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 zoning.

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:

COMPREHENSIVE PLAN AMENDMENT FINDINGS:

1. The proposed amendment is consistent with the other elements 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 proposed amendment provides an improved guide to future growth and development of the city.

The Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the rural residential district is to provide for rural single-family residential use adjacent to agricultural uses, adjacent to other Rural Residential type uses, and adjacent to BLM land areas. Parcels are to be two acres minimum. It is the intent of this land use designation to help to preserve Star's rural feel. Huge manicured "Rural Residential" lots are discouraged and therefore manicured home site areas on these properties should not exceed 1/2 acre. Uses may include active agriculture, viticulture, equestrian, and residential. Uses include native open space and small-scale

active farmland.

3. The proposed amendment is internally consistent with the goals, objectives and policies of the comprehensive plan and the comprehensive plan future land use map.

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 proposed amendment is consistent with this unified development code.

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 proposed amendment is in the best interest of the city of Star.

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

6. The proposed amendment includes a justification letter for the amendment addressing the following criteria and the Council finds that the amendment is in compliance with the stated criteria:

- a. A specific description of the change being requested.
- b. Specific information on any property(s) involved.
- c. A description of the condition or situation which warrants a change being made in the plan.
- e. A detailed list of all applicable comprehensive plan goals, policies, and objectives that the proposed change would help implement or policies that must also be amended as part of the proposed change.
- f. A proposed development plan for any land involved.
- h. An analysis showing the estimated impact that the proposed change is expected to have on existing and planned infrastructure.
- i. If the amendment will impact more individuals than the applicant submitting the application a detailed description of the efforts made to inform other parties potentially impacted by the change of the application is to be provided.
- j. Any other data and information required by the city for their evaluation of the request.
The Council must find that the criteria submitted addresses compliance of the amendment.

ANNEXATION & ZONING 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 for rural single-family residential use adjacent to agricultural uses, adjacent to other Rural Residential type uses, and adjacent to BLM land areas. Parcels are to be two acres minimum. It is the intent of this land use designation to help to preserve Star's rural feel. Huge manicured "Rural Residential" lots are discouraged and therefore manicured home site areas on these properties should not exceed 1/2 acre. Uses may include active agriculture, viticulture, equestrian, and residential. Uses include native open space and small-scale active farmland.

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.

CONDITIONAL USE PERMIT FINDINGS:

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.
The Council must find that the site of the proposed use would be large enough to accommodate the proposed use or meet all of the dimensional and development regulations in the district in which the use would be located.
2. That the proposed use will be harmonious with the Star comprehensive plan and in accord with the requirements of this title.
The Council must find that the proposed use request is harmonious with the Star Comprehensive Plan and is in accord with the requirements of this Title. The proposed development should meet the intent or purpose of the Rural Residential District.
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.
The Council must find that the operation of the proposed use would be compatible with the other uses in the general 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.
The Council must find that the proposed use, with imposed conditions of approval, would 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.
The Council must find that the proposed use be adequately served by essential public facilities and 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.
The Council must find that the proposed use would not create excessive additional costs for public facilities and would 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.

The Council must find that the proposed use would involve activities that would not be detrimental to any person, 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.

The Council must find that the proposed use would not result in the destruction, loss or damage of natural, scenic or historic feature of major importance since none are apparent on this site.

Upon granting approval or denial of the application, the Council shall specify:

1. The Ordinance and standards used in evaluating the application;
2. The reasons for recommending approval or denial; and
3. The actions, if any, that the applicant could take to obtain approval.

CONDITIONS OF APPROVAL

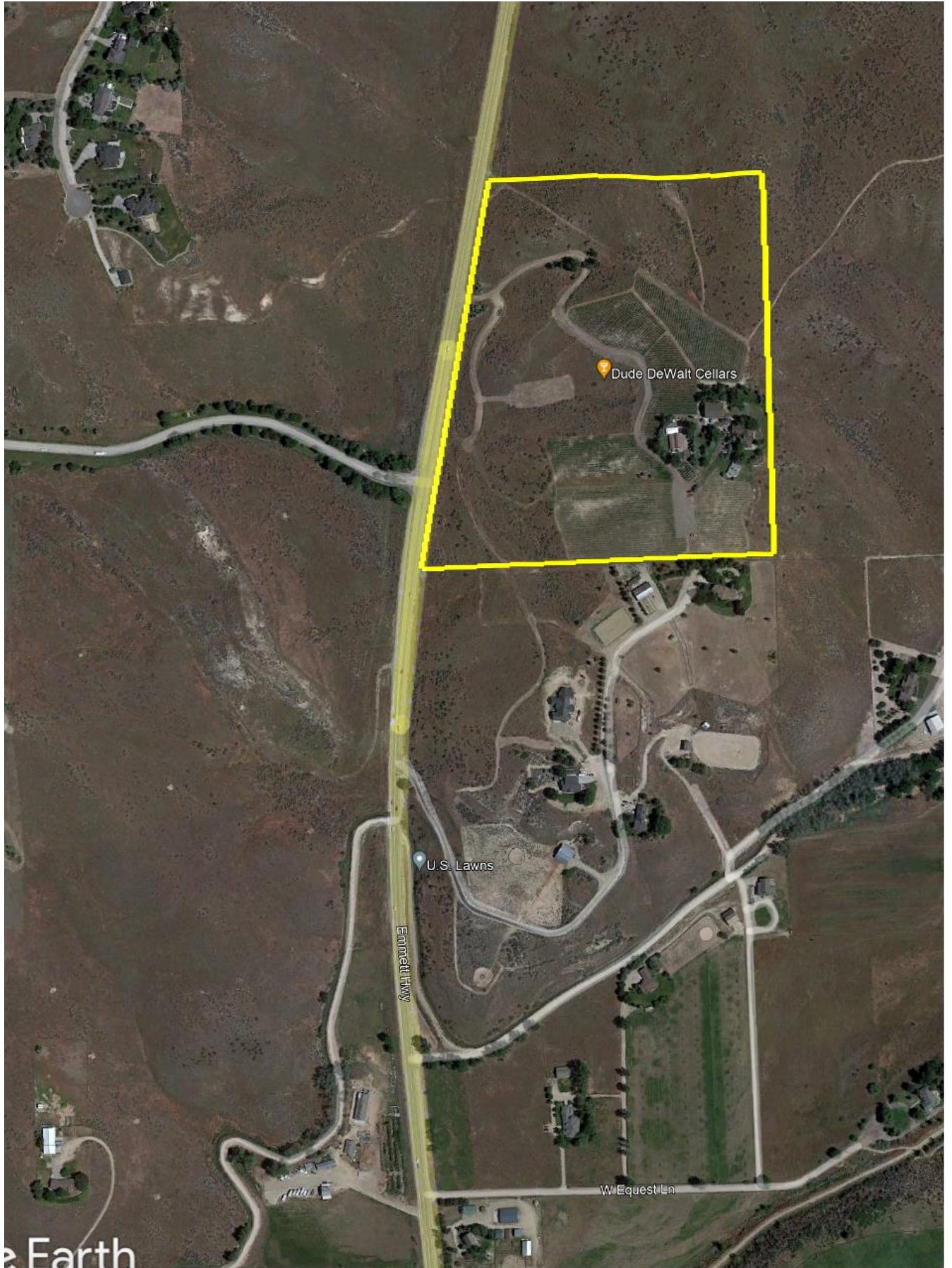
1. All County, City Council and Staff Conditions of Approval as adopted above shall be incorporated into these conditions.

STANDARD CONDITIONS OF APPROVAL

2. The approved Conditional Use shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
3. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through occupancy that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of any construction.**
4. The applicant shall obtain all the proper building permits from the City Building Department prior to occupancy or the unit.
5. The Conditional Use Permit may be revoked or modified by the City Council for any violation of any Condition of Approval.
6. The applicant shall obtain a sign permit for any new signage along Hwy 16.
7. A Certificate of Zoning Compliance will be required prior to the start of construction.
8. **Any additional Condition of Approval as required by Staff and City Council.**

COUNCIL DECISION

The Star City Council _____ File Number AZ-23-02/CPA-23-01/DA-23-04/CU-23-05 for Dude DeWalt Winery and Event Center on _____, 2023.





ANNEXATION & ZONING - REZONE APPLICATION

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

FILE NO.: AZ-23-02
Date Application Received: 5/22/23 Fee Paid: _____
Processed by: City: Barbara Norgrove

Applicant Information:

PRIMARY CONTACT IS: Applicant Owner Representative

Applicant Name: Trae and Johnna Buchert
Applicant Address: 5446 Hwy 16, Eagle, ID Zip: 83616
Phone: 208.286.0246 Email: johnna@dudedewalt.com

Owner Name: same as above
Owner Address: _____ Zip: _____
Phone: _____ Email: _____

Representative (e.g., architect, engineer, developer):
Contact: Jay Gibbons Firm Name: South, Beck & Baird
Address: 2002 S Vista Ave., Boise, ID Zip: 83705
Phone: (208) 761-1508 Email: gibbons@sbbgo.com

Property Information:

Site Address: 5446 Hwy 16, Eagle, ID 83616 Parcel Number: S0328427800
Total Acreage of Site: 34.602
Total Acreage of Site in Special Flood Hazard Area: None
Proposed Zoning Designation of Site: Rural Residential

Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	RR	Mixed Use	Vineyard/Winery/Event Center
Proposed	RR	Mixed Use	Vineyard/Winery/Event Center
North of site	RR	Mixed Use	Bare ground
South of site	RR	Rural Residential	Rural Residential
East of site	BLM	BLM	BLM/bare ground
West of site	RR	Rural Residential	Rural Residential


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

Areas of Critical Environmental Concern - None
 Evidence of Erosion - None
 Fish Habitat - None
 Floodplain - None
 Mature Trees - Around residence, otherwise none
 Riparian Vegetation - None
 Steep Slopes - Yes
 Stream/Creek - None
 Unique Animal Life - None
 Unique Plant Life - Sagebrush
 Unstable Soils - None
 Wildlife Habitat - Coyotes, Badgers, Ground Squirrels, Quail, Turkeys and Rabbits
 Historical Assets - None

Application Requirements:

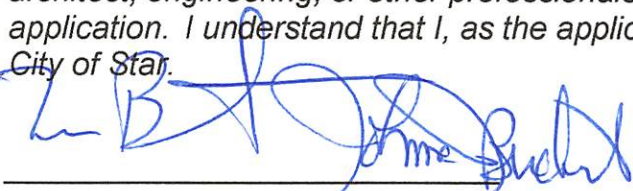
(Applications are required to contain one copy of the following unless otherwise noted. **When combining with other applications (Prelim Plat, CUP, etc.) please include one paper copy for all applications**)

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

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

5.22-23
Date



COMPREHENSIVE PLAN TEXT AND/OR MAP AMENDMENT APPLICATION

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

FILE NO.: **CPA-23-01**
 Date Application Received: **05/22/23** Fee Paid: _____
 Processed by: **Barbara Norgrove**

Applicant Information:

PRIMARY CONTACT IS: Applicant Owner Representative

Applicant Name: Trae and Johnna Buchert
 Applicant Address: 5446 Hwy 16, Eagle, ID Zip: 83616
 Phone: (208) 286-0246 Email: johnna@dudedewalt.com

Owner Name: same as above
 Owner Address: _____ Zip: _____
 Phone: _____ Email: _____

Representative (e.g., architect, engineer, developer, planner):
 Contact: Jay Gibbons Firm Name: South, Beck & Baird
 Address: 2002 S. Vista Ave., Boise, ID Zip: 83705
 Phone: (208) 761-1508 Email: gibbons@sbbgo.com

Property Information:

Site Location: 5446 Hwy 16, Eagle, ID 83616
 Total # of Acres of Site: 34.602
 Total # of Acres in Special Flood Hazard Area: None
 Site Parcel Number(s): S0328427800

Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	RR	Mixed Use	Vineyard/Winery/Event Center
Proposed	RR	Mixed Use	Vineyard/Winery/Event Center
North of site	RR	Mixed Use	Bare Ground
South of site	RR	Mixed Use	Rural Residential
East of site	BLM	BLM	BLM/bare ground
West of site	RR	Mixed Use	Rural Residential



CONDITIONAL USE PERMIT APPLICATION

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

FILE NO.: CU-23-05
Date Application Received: 5/22/23 Fee Paid: _____
Processed by: City: Barbara Norgrove

Applicant Information:

PRIMARY CONTACT IS: Applicant Owner Representative

Applicant Name: Trae and Johnna Buchert
Applicant Address: 5446 Hwy 16, Eagle, ID Zip: 83616
Phone: (208) 286-0246 Email: johnna@dudedewalt.com

Owner Name: same as above
Owner Address: _____ Zip: _____
Phone: _____ Email: _____

Representative (e.g., architect, engineer, developer):
Contact: Jay Gibbons Firm Name: South, Beck & Baird
Address: 2002 S Vista Ave., Boise, ID Zip: 83705
Phone: (208) 761-1508 Email: gibbons@sbbgo.com

Property Information:

Site Address: 34.602 Parcel Number: S0328427800
Requested Condition(s) for Conditional Use: Winery/Event Center

	Zoning Designation	Comp Plan Designation
Existing	RR	Mixed use
Proposed	RR	Mixed Use
North of site	RR	Mixed Use
South of site	RR	Rural Residential
East of site	BLM	BLM/bare ground
West of site	RR	Rural Residential

Site Data:

Total Acreage of Site: 34.602
Proposed Percentage of Site Devoted to Bldg Coverage: less than 3%
Proposed Percentage of Site Devoted to Landscaping: 20%
Number of Parking spaces: Proposed up to 150 Required _____
Requested Front Setback: TBD Requested Rear Setback: TBD
Requested Side Setback: TBD Requested Side Setback: TBD
Requested Side Setback: TBD
Existing Site Characteristics: Vineyard and native landscaping, existing winery facilities.

Number and Uses of Proposed Buildings: 4 buildings, storage, production and tasting rooms
Location of Buildings: see MSP
Gross Floor Area of Proposed Buildings: 40000 square feet
Describe Proposed On and Off-Site Traffic Circulation: see MSP

Proposed Signs – number, type, location: see MSP
(include draft drawing) _____

Public Services (state what services are available and what agency is providing the service):
Potable Water - self
Irrigation Water - self
Sanitary Sewer - self
Schools - Meridian
Fire Protection - Star
Roads - State Hwy 16

Flood Zone Data (This Info Must Be Filled Out Completely Prior to Acceptance):

Subdivision/Project Name: _____ Phase: _____

Special Flood Hazard Area: total acreage _____ number of homes/structures _____

- a. A note must be provided on the site plan documenting the current flood zone in which the property or properties are located. The boundary line must be drawn on the plan in situations where two or more flood zones intersect over the property or properties being surveyed.
- b. FEMA FIRM panel(s): #160xxxxxC, 160xxxxxE, etc.: _____
FIRM effective date(s): mm/dd/year _____
Flood Zone(s): Zone X, Zone A, Zone AE, Zone AH, etc.: _____
Base Flood Elevation(s): AE _____.0 ft., etc.: _____
- c. Flood Zones are subject to change by FEMA and all land within a floodplain is regulated by Chapter 10 of the Star City Code.

Application Requirements:

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

Applicant (√)	Description	Staff (√)
✓	Pre-application meeting with Planning Department required prior to neighborhood meeting.	
✓	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. (Please contact the City for addresses & labels) (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
✓	Completed and signed Conditional Use Application	
✓	Fee: Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	
✓	Narrative fully describing the existing use, and the proposed project. (must be signed by applicant)	
✓	Legal description of the property (word.doc and electronic version with engineer's seal):	
✓	Copy of recorded warranty deed.	
	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. N/A	
✓	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.	
	List of names(s) and address(es) of all canal or irrigation ditches within or contiguous to the proposed development. N/A	
✓	Vicinity map showing the location of the subject property	
✓	One (1) full-size copy and One (1) 11"x 17" reduction of the Site Plan	
✓	One (1) full-size copy and One (1) 11"x 17" reduction of the landscape plan (if applicable)	
✓	Building elevations showing construction materials STEEL SIDING	
✓	Two (2) copies electronic versions of submitted application including signed application, narrative, legal description, warranty deed, vicinity map, site plan, landscape plan, building elevations, shall be submitted in original pdf format (no scans) on a thumb drive only (no discs) with the files named with project name and plan type. We encourage you to also submit at least one (1) color version for presentation purposes.	
	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.	

Site Plan (If applicable):

	The following items must be included on the site plan:	
✓	<ul style="list-style-type: none"> • Date, scale, north arrow, and project name 	
✓	<ul style="list-style-type: none"> • Names, addresses, and phone number of owner(s), applicant, and engineer, surveyor or planner who prepared the site plan 	
✓	<ul style="list-style-type: none"> • Existing boundaries, property lines, and dimensions of the lot 	
✓	<ul style="list-style-type: none"> • Relationship to adjacent properties, streets, and private lanes 	
✓	<ul style="list-style-type: none"> • Easements and right-of-way lines on or adjacent to the lot 	
✓	<ul style="list-style-type: none"> • Existing and proposed zoning of the lot, and the zoning and land use of all adjacent properties 	
✓	<ul style="list-style-type: none"> • Building locations(s) (including dimensions to property lines) 	
✓	<ul style="list-style-type: none"> • Parking and loading areas (dimensioned) 	
✓	<ul style="list-style-type: none"> • Traffic access drives and traffic circulation (dimensioned) 	

✓	• Open/common spaces	
✓	• Refuse and service areas	
✓	• Utilities plan, including the following: Sewer, water, irrigation, and storm drainage (existing & proposed)	
✓	• All on-site lighting proposed – Must Meet City “Dark Sky” Ordinances	

Landscape Plan (If applicable):

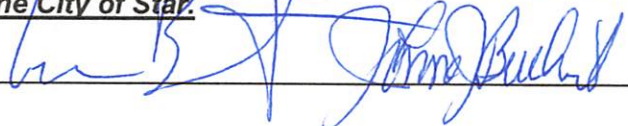
	The following items must be included on the landscape plan:	
✓	• Date, scale, north arrow, and project name	
✓	• Names, addresses, and phone numbers of the developer and the person and/or firm preparing the plan	
✓	• Existing natural features such as canals, creeks, drains, ponds, wetlands, floodplains, high groundwater areas, and rock outcroppings	
✓	• Location, size, and species of all existing trees on site with trunks 4 inches or greater in diameter, measured 6 inches above the ground. Indicate whether the tree will be retained or removed.	
✓	• Existing buildings, structures, planting areas, light poles, power poles, walls, fences, berms, parking and loading areas, vehicular drives, trash areas, sidewalks, pathways, storm water detention areas, signs, street furniture, and other man-made elements	
✓	• Existing and proposed contours for all areas steeper than 20% slope. Berms shall be shown with one-foot contours	
✓	• Sight Triangles as defined in 8-4 A-7 of this Ordinance	
✓	• Location and labels for all proposed plants, including trees, shrubs, and groundcovers (trees must not be planted in City water or sewer easements). Scale shown for plant materials shall reflect approximate mature size	
✓	• Proposed screening structures	
	• Design drawings(s) of all fencing proposed	
	• Calculations of project components to demonstrate compliance with requirements of this ordinance, including: <ul style="list-style-type: none"> ➢ Number of street trees and lineal feet of street frontage ➢ Width of street buffers (exclusive of right-of-way) ➢ Width of parking lot perimeter landscape strip ➢ Buffer width between different land uses ➢ Number of parking stalls and percent of parking area with internal landscaping ➢ Total number of trees and tree species mix ➢ Mitigation for removal of existing trees, including number of caliper inches being removed 	

SIGNS (If applicable):

All signs will require separate submittal of a sign application.

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.**

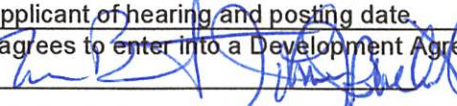


5-22-23

Application Requirements:

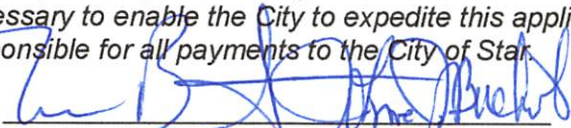
(Applications are required to contain one copy of the following unless otherwise noted.)

Applicant (✓)	Description	Staff (✓)
✓	Pre-application meeting with the Planning Department required prior to neighborhood meeting.	
✓	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. (Please contact the City for addresses & labels) (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
✓	Completed and signed Comprehensive Plan Text and/or Map Amendment Application	
✓	Fee: (Include Development Agreement Fee). Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	
✓	Narrative fully describing the proposed amendment request: (must be signed by applicant) <ul style="list-style-type: none"> • Justification for the request • Specific description of the changes being requested • Address how the proposed amendment provides any improved guide to future growth and development of the City • Any other data and information that would support this request 	
Additional Requirements for Map Amendments		
✓	Include the following additional information in the narrative: <ul style="list-style-type: none"> • Specific information on any property involved • Description of the condition or situation which warrants a change • Development intentions for any land involved 	
✓	Legal description of the property to be annexed and/or rezoned: <ul style="list-style-type: none"> • Include a metes & bounds description to the section line/centerline of all adjacent roadways, stamped and signed by a registered professional land surveyor, with a calculated closure sheet. • Scaled exhibit map showing the boundaries of the legal description in compliance w/the requirements of the Idaho State Tax Commission Property Tax Administrative Rules IDAPA 35.01.03.225.01h. • If requesting more than one zoning designation, include a legal description for each zone along with an overall annexation/rezone boundary description. Also include the boundaries of each different zone on the map. • Submit word.doc and pdf version with engineer's seal. 	
✓	Recorded warranty deed for the subject property	
	If the signature on this application is not the owner of the property, an original notarized statement (Affidavit of Legal Interest) from the owner stating the applicant is authorized to submit this application. <small>N/A</small>	
✓	One (1) 8½" X 11" copy and electronic copy in pdf. format of vicinity map showing the location of the subject property	
✓	One (1) full-size 24" X 36" copy and one (1) 11" X 17" copy of associated CUP/PUD Site Plan/Preliminary Plat. If this application is not accompanied by a plat or site plan, please submit conceptual development plan for the property.	
✓	Electronic copy in pdf. format of submitted plat, site or conceptual plan.	
✓	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.	
	List of name(s) and address(es) of all canal or irrigation ditches within or contiguous to the proposed development. <small>N/A</small>	
✓	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, 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.	
	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.	
✓	*Applicant agrees to enter into a Development Agreement with this application. Applicant's Signature: 	
Additional Requirements for Text Amendments		
	Include the following additional information in the narrative: <ul style="list-style-type: none"> • Underline and strikeout changes for text amendments 	

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

5-22-23
 Date

**DUDE DEWALT CELLARS
WINERY AND EVENT CENTER
ANNEXATION AND ZONING/REZONING,
MASTER SITE PLAN APPLICATIONS
WRITTEN NARRATIVE**

Dated: 5/22/23

Introduction:

Trae and Johnna Buchert hereby file the following applications:
Annexation and Zoning-Rezone Application
Comprehensive Plan Text and/or Map Amendment Application
Conditional Use Permit Application
all of which relate to one 34.602 acre parcel, where they also reside.

Future improvements include changes to the building sizes and some relocations. The Land Use Map Designation in the Star Comp Plan states that RR may include active agriculture and viticulture. The parcel is located off the east side of Highway 16, approximately 3 miles north of Highway 44. The property borders Kling Estates on the south side, consisting of 4 each 10 acre residential lots, BLM to the East, GWC Spring Valley to the North, and portions of Medici Hills and Hillsdale Estates on the West.

Existing Use on the Property:

Property currently operates under three separate CUPs from Ada County as a winery production facility, tasting room, and event center, and primary residence, with the ability to construct a new tasting room, winery production facility, storage facility, and operate as an event center. The parcel currently consists of a winery production facility, tasting rooms, vineyards, commercial outbuildings, caretaker's quarters, and event center operating under the name Dude DeWalt Cellars. The hours of operation are from 10 a.m. to 10 p.m. daily, and 24/7 for winery production/agriculture operations. There are approximately 8 acres of vines planted.

Comprehensive Plan and Surrounding Land Uses:

The City of Star's Land Use Map designates the area as Rural Residential District (RR). The applicant is requesting annexation and zoning to RR. The surrounding uses within the immediate area are as follows: South-Ada County RR; East-BLM; North-Ada County RR; East/South-City of Star RR, East/North-Ada County RR. State Highway 16 borders property along the West Side. Additionally, Firebird Raceway is located 1 mile to the North. The new Eagle Parks and Recs youth facilities are located at the bottom of the hill to the East. The Eagle Rodeo is now located ½ mile to the South. New large projects including Spring Valley, Hillsdale Estates, and Medici Hills surround the property. The property is located in the Eagle Foothills American Viticultural Area, which is on the verge of becoming a burgeoning wine area.

Annexation and Rezone:

The applicant is requesting annexation into the City of Star with zoning of RR. The property borders Medici Hills, which is currently annexed into the City of Star. Property will be used as described. Star's current comprehensive plan for a Rural Residential District states that active agriculture and vineyards are a permitted use. This area along Hwy 16 is one of the busiest corridors in the State of Idaho, and thus is very well set up for commercial and recreational businesses and activities.

Winery Description:

Dude Dewalt Cellars consists of 34.602 acres. The proposed project is in line with what is already approved by Ada County under separate CUPs. The project as it currently exists, has a primary residence, tasting room, production facility, vineyards, and operates as an event center. The project when completed will have a new production facility, two new storage facilities, expanded tasting room, new tasting room, guest RV parking, event center with outdoor seating and patio areas. The applicant shall phase the buildings and amenities as needed. The first building will start within one (1) year, however, subsequent buildings will be built as required with no planned start date, and could be as much as 5 years or longer between additional buildings.

Events: There will be a maximum number of guests on the premises of 250 at any given time. Events under 125 will be unlimited. Events between 126 and 250 will be limited to 24 annually. Events are defined as: Non-Operational activities that are either advertised and ticketed or are private. These are events for which the reason for attending is the event, not for the enjoyment of the winery. Events include but are not limited to concerts, fundraisers, car shows, Christmas parties, business meetings or team building events, fun runs, art shows, birthdays, weddings, engagement parties, etc.

Operational Winery Activities: Operational activities are activities that are part of the normal operations of a winery. They may be ticketed, for example, such as with Winemaker Dinners, wine education classes, paint and sips, or industry-related events such as Savor Idaho or Spring Release Weekends. Other operational activities which may or may not be ticketed include but are not limited to Wine Club Releases, wine industry meetings or other holiday offerings and/or promotions, for example, special pairings which often coincide with holidays, 2 for 1's, and special tastings, etc.. Also included in operational winery activities are food trucks and the hiring of musicians for the enjoyment of our guests. Operational Winery Activities are unlimited.

Personal Activities: Any activities that would normally be allowed by a resident are still permitted by the caretakers who reside in the residence, including but not limited to for example a friend/family wedding,

Landscaping and Buffering: Landscaping is shown on the master site plan, and already includes native shrubs and brush, approximately 8 acres of vineyard, a 300' landscaped berm on the south end of the property, with additional landscaping along the south end of the property. Any additional landscaping will be per the master site plan. The Bucherts agree to a 125' setback from the property line directly in front of the Fiorino's home. This setback does not include a 125' setback from the entire property line.

Road Materials: Road materials to be dustless products, but shall not be required to be paved except as required by ADA Code.

Sewer and Water Facilities:

The property currently operates with its own water and septic systems. A single well services both domestic, commercial, and agriculture purposes, and has been approved by IDWR. Septic systems will be operated and installed in conjunction with SWDH.

Transportation:

The project has been designed in compliance with Idaho Transportation Department. A third
WRITTEN NARRATIVE - 2

party traffic study has been completed by CR Engineering, and with this information, ITD has stipulated a northbound right turn lane off of highway 16 be installed. This part of the project is currently in final engineering and being approved for construction.

Traffic Impact Study:

A traffic impact study was prepared for the project by CR Engineering on January 13, 2022, and submitted to Idaho Transportation Department for review and approval. Based on this study, winery operations were found to have minimal impact on SH 16. Under worst case scenario, the social hall/event center, was found to warrant a northbound right turn lane. Both findings are included in this report. See Exhibits A and B.

Irrigation And Drainage:

The property is currently operated from a single well. This well is used for all commercial, domestic, and irrigation purposes. A future well may be built at some time. All surface drainage and storm water will remain on the property.

Floodplain:

No portion of the project resides within a floodplain.

Amenities:

The property consists of approximately 8 acres of vineyards and provides wine tasting, club events, great views of the surrounding valley, weddings, concerts, and small group outings for the community. It is intended that the property remain a rural feeling landscape for the community to enjoy.

Master Site Plan:

Overall Master Site Plan Data:

Total Site Area: 34.602 acres

Proposed Zoning: RR

Winery Use: Conditional

Event Center Use: Conditional

Planted Vineyard: 8 acres

Caretakers Quarters: 1 structure 6,000 ft²

Tasting rooms: 3,000 ft²

Future tasting room: 4,000 ft²

Winery Storage Buildings: 3 structures of up to 6,000 ft² each

Production Facilities: 1 structure of up to 14,000 ft²

Agricultural Storage: 2 structures of up to 7,000 ft² each

Gazebos and shade areas: multiple

RV Parking: Up to 10 improved spaces, unlimited unimproved spaces

General Parking: 50 spaces

Overfill parking: Up to 100 spaces

See Exhibits C, D, E, F and G for front elevations for the proposed buildings.

The property is designated as an allowed use for viticulture and wineries. The map amendment complies with the applicable provisions of the comprehensive plan, and with the regulations outlined for the proposed district. The map

amendment shall not be materially detrimental to the public, health, safety and welfare, and shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city of Star. The project will be a great attribute to the city of Star, bringing in fantastic recreational activities to the fast growing community, and annexation is in the best interests of the city.

Regarding the comprehensive plan, the proposed amendment is consistent with the other elements of the comprehensive plan, provides an improved guide to future growth and development of the city, is internally consistent with the goals, objectives and policies of the comprehensive plan and the comprehensive plan future land use map, is consistent with its unified development code, and is in the best interests of the city of Star.

Pertaining to our conditional use permit, the site at nearly 35 acres, is large enough to accommodate the proposed use and meet all the dimensional and development regulation in the district. The proposed use meets the basic intent of the Star comprehensive plan, and would be currently, and as proposed, in compliance with it. The design, construction, operation and maintenance of property, currently and as proposed is and will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity. The current and proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity. The current and 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. The current and 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. The current and proposed use will not involve activities or processes, materials, equipment and conditions of operations 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. 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.

Thank you, in advance, for your review of these applications.

Trae and Johnna Buchert
5446 Hwy 16
Eagle, ID 83616
(208) 867-4730 (Trae)
(208) 286-0246 (Johnna)



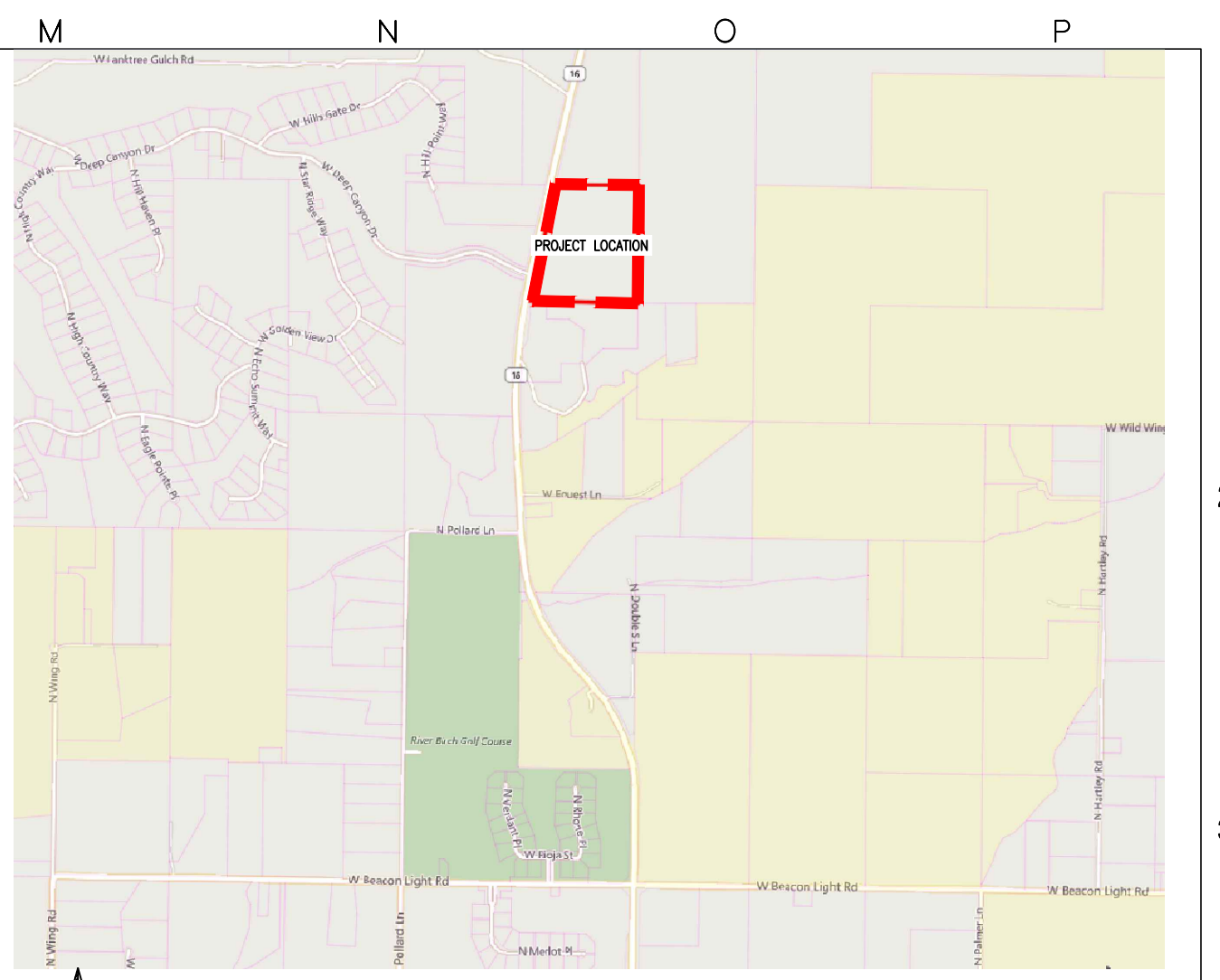
- ### CALLOUT LEGEND
- | | |
|--|---|
| 1 STANDARD ADA PARKING STALLS ON PAINTABLE ACCESSIBLE SURFACE. | 17 EXISTING CONCRETE PATIO AREA. |
| 2 FUTURE OUTDOOR EVENT AND WINE TASTING SEATING FLEX SPACE. | 18 WALL LIGHT LOCATION @ 15' HEIGHT. |
| 3 APPROXIMATE SEPTIC FIELD LOCATION TO BE SIZED BY CIVIL. | 19 MONUMENT SIGN UP-LIGHTING @ 3' HEIGHT. |
| 4 APPROXIMATE STORM WATER RETENTION AREA TO BE SIZED BY CIVIL. | 20 ENTRY GATE UP-LIGHTING @ 3' HEIGHT. |
| 5 PEDESTRIAN PATHWAY. | 21 WALL SIGN LIGHTING @ 20' HEIGHT. |
| 6 CONCRETE / PAVED PEDESTRIAN PATHWAY. | 22 OUTDOOR SPEAKER LOCATION - NOT TO EXCEED NOISE ORDINANCE CODE. |
| 7 VINEYARD ACCESS / MAINTENANCE ROAD. | 23 RESIDENTIAL PARKING AREA. |
| 8 LOADING STALL. | 24 EXISTING ADA PARKING TO BE RELOCATED AFTER FUTURE TASTING ROOM CONSTRUCTION. |
| 9 EXISTING WELL LOCATION AND IRRIGATION BACKFLOW PREVENTOR. | 25 EXPANSION TO EXISTING PARKING AREA. |
| 10 EXISTING SEPTIC FIELD LOCATION. | 26 APPROXIMATE IDAHO POWER TRANSFORMER LOCATION. |
| 11 MONUMENT SIGN, SEE NARRATIVE. | 27 MOTORCYCLE AND UTV PARKING. |
| 12 LOG POLE CONSTRUCTION RANCH STYLE ENTRY GATE. | 28 BICYCLE PARKING FOR FOUR (4). |
| 13 HAMMERHEAD FIRE TURN AROUND. | 29 ALTERNATE TASTING ROOM LOCATION - 5000 SF WITH ADDITIONAL PARKING. |
| 14 LANDSCAPE BERM FOR LIGHT & NOISE BARRIER. | 30 ALTERNATE 4800 SF STORAGE FACILITY LOCATION. |
| 15 CONCRETE PATIO AREA. | 31 POTENTIAL FUTURE AMPITHEATER LOCATION. |
| 16 FUTURE TASTING ROOM. | |

- ### SITE DEVELOPMENT FEATURES
- | | |
|---|--------------------|
| PROPERTY AREA | 34.602 ACRES TOTAL |
| ZONING | RR |
| SINGLE-FAMILY DETACHED | PERMITTED |
| VINYARD | PERMITTED |
| BREW/PUB/WINE TASTING | ACCESSORY ALLOWED |
| WINERY USE | CONDITIONAL |
| EVENTS CENTER, PUBLIC OR PRIVATE, OUTDOOR | CONDITIONAL |
| (125' Setback from residential use, 10pm event termination with illumination till 11pm, 6' Berm and landscaping for all property lines abutting a residential district) | |
| OUTDOOR STORAGE USE | ACCESSORY ALLOWED |
| (6' Screen fence on three sides and landscaping) | |
| AGRICULTURAL / ACCESSORY STRUCTURE USE | ACCESSORY ALLOWED |
| (The accessory structure shall portray the architectural character of the principal permitted dwelling) | |
| AGRICULTURAL / ACCESSORY STRUCTURE (IN FRONT OF MAIN BUILDING) | CONDITIONAL |
| (The accessory structure shall portray the architectural character of the principal permitted dwelling) | |
| RV PARK | NOT PERMITTED |
| (CONDITIONAL USE REQUESTED FOR SHORT TERM STAYS) | |
- NOTE: ALL USES & BUILDINGS ARE TO BE PHASED AND HAVE NO SPECIFIC CONSTRUCTION ORDER OR TIMELINE.
- SETBACKS:
 FRONT: 30'
 REAR: 30'
 INTERIOR / STREET SIDE: 20'
 HIGHWAY 16: 50' (PROVIDED)
- Wildland-urban Fire Interface:
 50' Defensible space around all habitable structures.
 5' Gravel shoulder on either side of drive travel lanes.
 30' Private Road easement

- ### PARKING REQUIREMENTS
- PARKING STANDARDS:
 Dwelling, single-family attached or detached or additional dwelling:
 2 per dwelling unit including 1 covered
 REQUIRED = 2 PROVIDED = 4 + 3 covered (in garage)
 Restaurants, dining rooms, taverns, nightclubs, etc.:
 1 per 150 square feet of gross floor area (6500sf)
 REQUIRED = 43 PROVIDED = 43
 Outdoor "club" capacity:
 1 per 4 seats (256)
 REQUIRED = 64 PROVIDED = 64
 Manufacturing, processing:
 1 per 500 square feet of gross floor area + 1 per 300 square feet of Office (18280 / 160)
 REQUIRED = 37 PROVIDED = 37
 Storage (Building & Outdoor):
 1 per 1,000 square feet of gross (floor / enclosed) area (14,000)
 REQUIRED = 14 PROVIDED = 14
 RV Lot:
 1 per each trailer space (5)
 REQUIRED = 5 PROVIDED = 5
- TOTAL PARKING REQUIRED = 165
 TOTAL PARKING PROVIDED = 161 STANDARD + 6 ADA STALLS = 167 TOTAL (not including private residence)
- One 10' x 30' loading space required and provided at production facility.
- Bicycle parking 1 per 25 required spaces (99):
 REQUIRED = 7 PROVIDED = 7
- NOTE: ALL PARKING TO BE PHASED IN WITH EACH ASSOCIATED DEVELOPMENT AS REQUIRED.

FIRE REQUIREMENTS

PER STAR FIRE DEPARTMENT COMMENTS, AN EARLY DETECTION SYSTEM WILL BE REQUIRED FOR ALL NEW BUILDINGS. NEW FIRE HYDRANTS ARE TO BE INSTALLED WHEN CITY WATER BECOMES AVAILABLE. EXISTING COMMERCIAL BUILDINGS ARE TO BE REVIEWED FOR ANY NECESSARY UPDATES TO ALARMS, FIRE EXTINGUISHER, AND EXIT SIGNS.



- ### MATERIAL LEGEND
- | | |
|--|--|
| | EXISTING TREES AND SHRUBS TO REMAIN |
| | CONCRETE WHEEL STOP |
| | EDGING, AS SPECIFIED |
| | EDGE OF EXISTING ROAD |
| | EDGE OF PAVEMENT |
| | EDGE OF GRAVEL (STABILIZED RAP) |
| | PROPERTY LINE |
| | SECTION LINE |
| | PROPOSED PROPERTY LINE |
| | BUILDING SETBACKS |
| | PROPOSED SEPTIC FIELD LOCATION |
| | SCORE JOINT (TYPICAL) |
| | EXPANSION JOINT (TYPICAL) |
| | ACCESSIBLE RAMP LOCATION WITH DETECTABLE WARNING SURFACE |
| | NEW CONCRETE FLATWORK |
| | SIGN LOCATION, SEE DETAIL |
| | SITE SIGNAGE IDENTIFICATION |
| | WALL SCONCE BUILDING LIGHTING |
| | LOW VOLTAGE PATHWAY LIGHTING |
| | OUTDOOR SPEAKERS FOR AMBIENT BACKGROUND MUSIC |
- ### MATERIAL LEGEND
- | | |
|--|--|
| | STABILIZED RECYCLED ASPHALT |
| | CONCRETE FLATWORK |
| | ASPHALT PAVING |
| | PROPOSED BUILDING LOCATION |
| | EXISTING BUILDING LOCATION |
| | EXISTING NATIVE VEGETATION TO REMAIN |
| | EXISTING VINEYARDS |
| | PROPOSED VINEYARDS |
| | 3/4" MINUS COMPACTED GRAVEL WALKING PATH |
| | BOULDER RETAINING WALL |
| | SEPTIC DRAIN FIELD |
- ### SIGNAGE LEGEND
- | | | | |
|---|---|---|---|
| S1 WELCOME
WINTERS TASTING ROOM
PROMONTORY TASTING ROOM
PRODUCTION FACILITY
OVERFLOW PARKING
24" x 30" | S2 STOP
30" x 30" | S3 WELCOME
WINTERS TASTING ROOM
PROMONTORY TASTING ROOM
ADA PARKING
MAIN PARKING
24" x 30" | S15 RV
PARKING
18" x 24" |
| S4 PRIVATE RESIDENCE
DO NOT ENTER
18" x 24" | S5 WELCOME TO DUDE DEWALT CELLARS
WINTERS TASTING ROOM
PROMONTORY TASTING ROOM
18" x 30" | S6 WELCOME TO DUDE DEWALT CELLARS
OVERFLOW PARKING
OVERFLOW PARKING
24" x 30" | S7 STATE APPROVED DISABLED PARKING SIGN
12" x 18"
PROVIDE VAN SIGN WHERE APPLICABLE
12" x 6" |
| S8 Dude DeWalt CELLARS
8" x 36" | S9 DO NOT ENTER
24" x 24" | S10 WELCOME TO DUDE DEWALT CELLARS
ADDITIONAL OVERFLOW PARKING
12" x 30" | S14 WELCOME TO DUDE DEWALT CELLARS
OVERFLOW PARKING
PRODUCTION
18" x 30" |
| S11 PRIVATE RESIDENCE
NO PARKING
18" x 24" | S12 SERVICE VEHICLES ONLY
NO ACCESS MAINTENANCE PERSONNEL ONLY
18" x 24" | S13 KEEP RIGHT
18" x 24" | |

OVERALL MASTER SITE PLAN, LIGHTING PLAN, AND SIGN PLAN

DUDE DEWALT CELLARS
 A PARCEL OF LAND; #S0328427800 LOCATED IN THE NORTH WEST 1/4 OF THE SOUTH EAST 1/4, EAST OF HIGHWAY 16 SECTION 28, T. 5N., R. 1W., BOISE MERIDIAN, ADA COUNTY IDAHO
 NOVEMBER 2020

FIRE REQUIREMENTS
 PER STAR FIRE DEPARTMENT COMMENTS, AN EARLY DETECTION SYSTEM WILL BE REQUIRED FOR ALL NEW BUILDINGS. NEW FIRE HYDRANTS ARE TO BE INSTALLED WHEN CITY WATER BECOMES AVAILABLE. EXISTING COMMERCIAL BUILDINGS ARE TO BE REVIEWED FOR ANY NECESSARY UPDATES TO ALARMS, FIRE EXTINGUISHER, AND EXIT SIGNS.

STAMP: PRELIMINARY NOT FOR CONSTRUCTION LANDSCAPE

DATE: 7/10/2023

811
 2023 S. Vista Ave
 Boise, ID 83705
 208.342.2899 Office
 info@southbeck.com
 www.southbeck.com

SOUTH BECK & BAIRD
 South Landscape Architecture P.C.
 Dba South Beck & Baird Landscape Architecture P.C.

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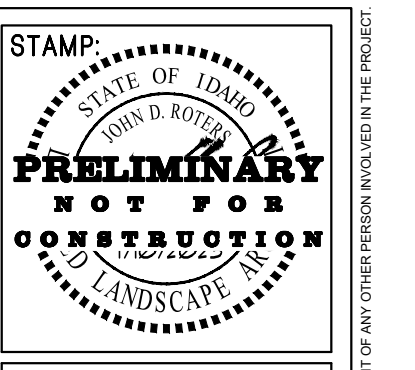
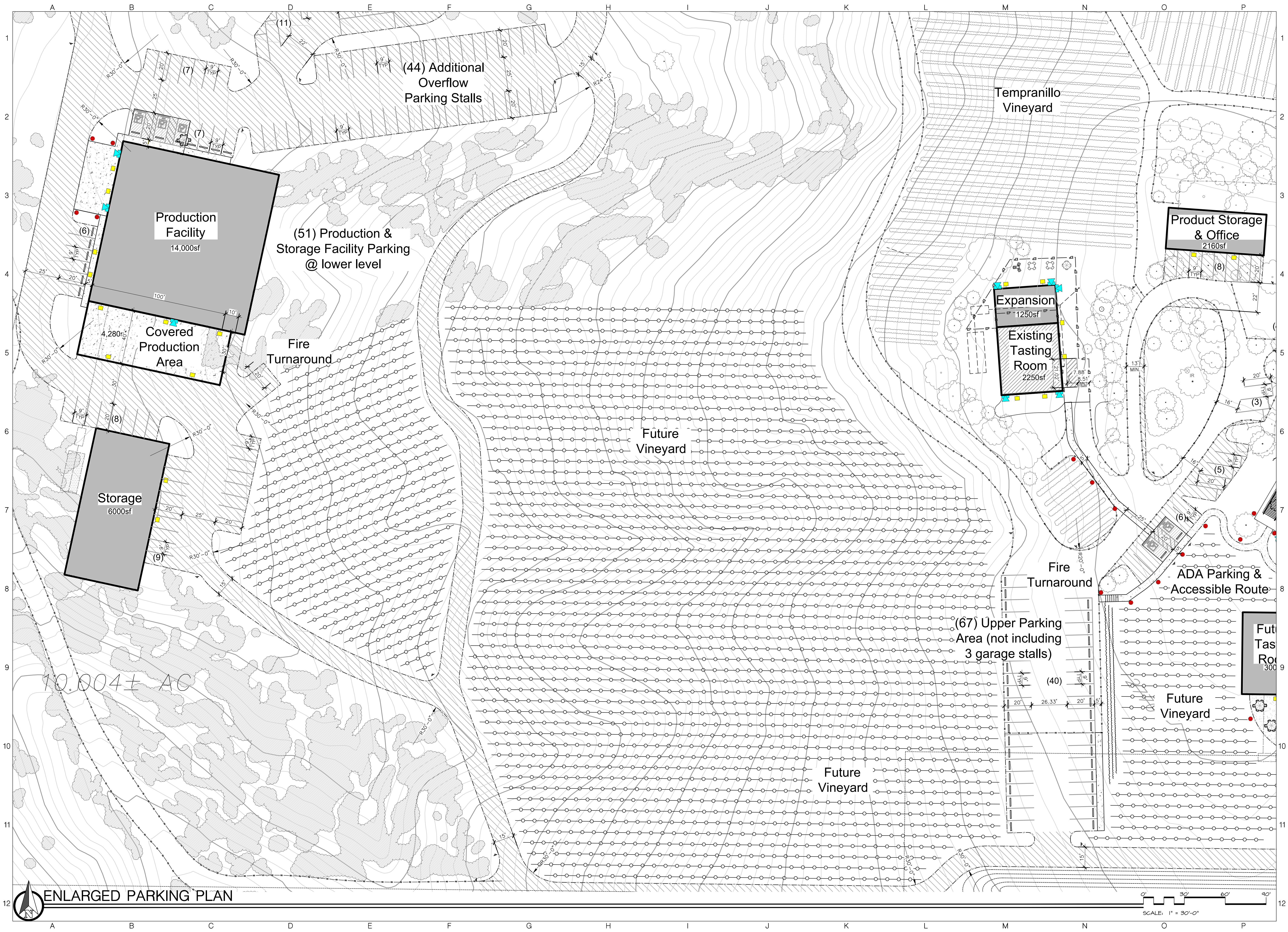
REVISIONS:

No.	Date	Description

Overall Site Plan
Dude DeWalt Cellars
 5446 N. Hwy 16 Eagle, ID 83616

DRAWN BY: AUW
 CHECKED BY: JDR
 PROJECT NUMBER: 20-067
 SHEET: MSP 1.0

Master Site Plan



DATE: 7/10/2023

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 www.southbeck.com
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 Dba South Beck & Baird Landscape Architecture P.C.

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REVISIONS:

No.	Date	Description

Parking Layout Plan
Dude DeWalt Cellars
 5446 N. Hwy 16 Eagle, ID 83616

DRAWN BY: AUW

CHECKED BY: JDR

PROJECT NUMBER
20-067

SHEET:

MSP 1.1

Master Site Plan

IRRIGATION NOTES:

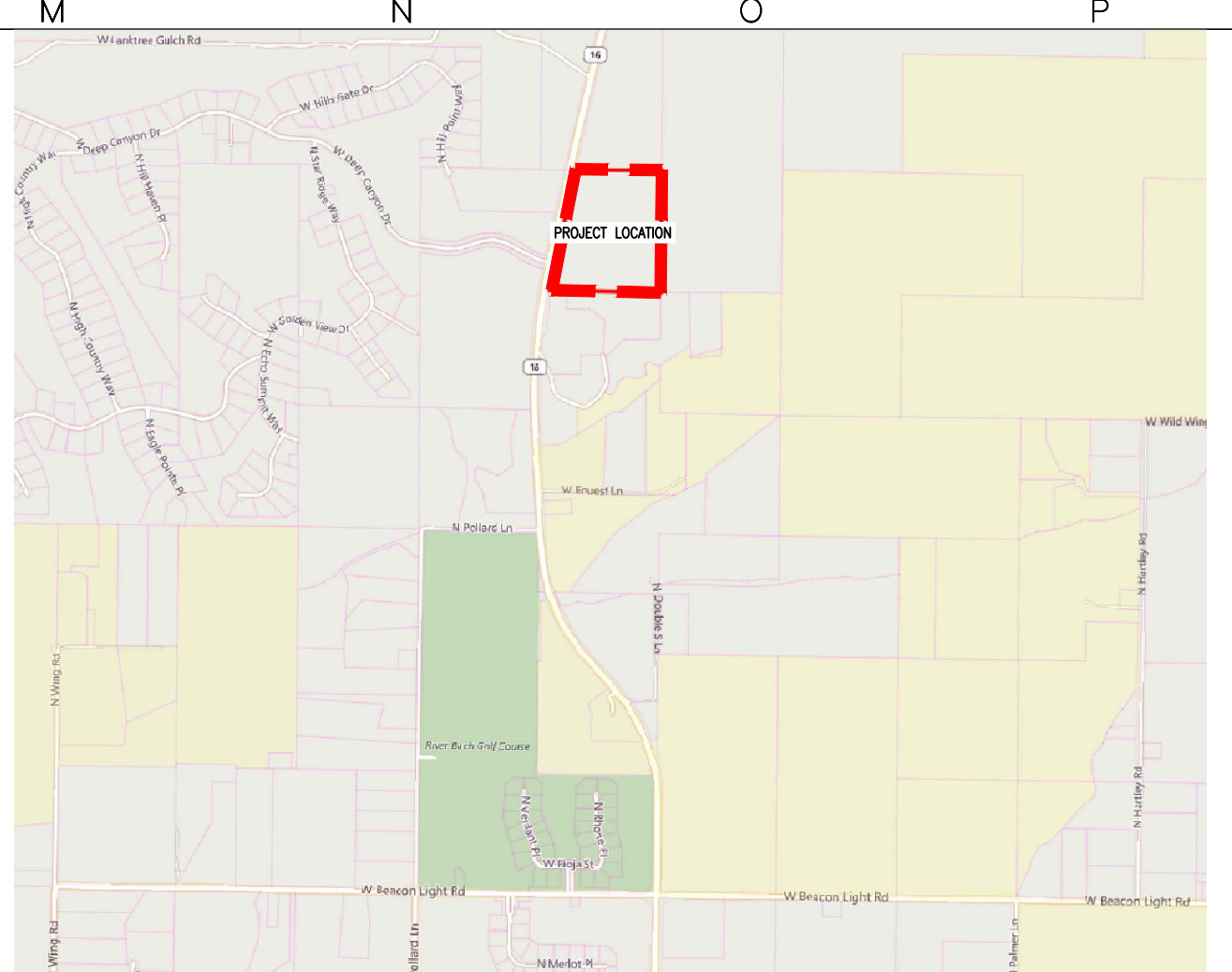
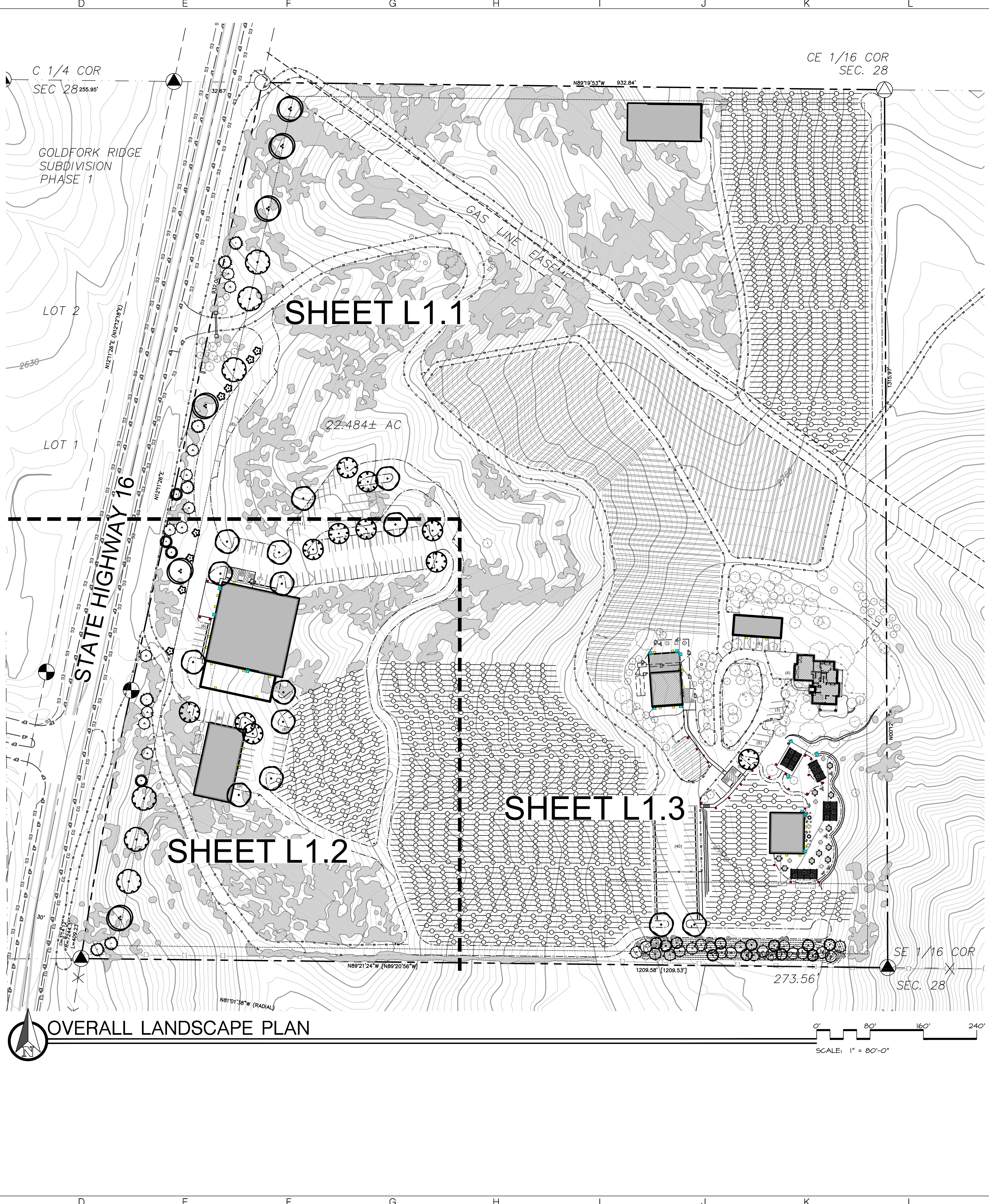
- ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE COVERAGE AND PROPERLY ZONED FOR REQUIRED WATER USES. EACH HYDROZONE IS TO BE IRRIGATED WITH SEPARATE INDIVIDUAL STATIONS.
- PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO-ZONES.
- POP-UP SPRINKLER HEADS SHALL HAVE A MINIMUM RISER HEIGHT OF 4 INCHES AT LAWN AREAS AND 18" AT PLANTER BEDS.
- PLANTER BEDS ARE TO HAVE DRIP IRRIGATION SYSTEM OR POP-UP SPRINKLER SYSTEM.
- ELECTRONIC WATER DISTRIBUTION/TIMING CONTROLLERS ARE TO BE PROVIDED. MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS:
 - PRECISE INDIVIDUAL STATION TIMING
 - RUN TIME CAPABILITIES FOR EXTREMES IN PRECIPITATION RATES
 - AT LEAST ONE PROGRAM FOR EACH HYDROZONE
 - SUFFICIENT MULTIPLE CYCLES TO AVOID WATER RUN-OFF
 - POWER FAILURE BACKUP FOR ALL PROGRAMMED INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
- INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE 100% HEAD TO HEAD COVERAGE WITH TRIANGULAR SPACING.
- SPRINKLER HEADS SHALL BE ADJUSTED TO REDUCE OVERSPRAY ONTO IMPERVIOUS SURFACES (BUILDINGS, SIDEWALKS, DRIVEWAYS, AND ASPHALT AREAS).
- PROVIDE MINIMUM (1) QUICK COUPLER VALVE PER EACH (6) AUTOMATIC VALVE ZONES. APPROVE Q.C.V. LOCATIONS WITH LANDSCAPE ARCHITECT.
- POINT OF CONNECTION TO BE APPROVED BY JURISDICTION PROVIDING WATER SOURCE.

LANDSCAPE NOTES:

- ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE SHOWN. PLANTS WILL BE REJECTED IF NOT IN A SOUND AND HEALTHY CONDITION.
- ALL PLANT MATERIAL SHALL BE GRADE #1 OR BETTER.
- PLANTING BEDS AND TREE WELLS IN LAWN AREAS (WELLS TO BE 3" IN DIAMETER) SHALL BE COVERED WITH A MINIMUM OF 3" DEPTH OF 1" BARK MULCH. SUBMIT SAMPLE FOR APPROVAL BY OWNER.
- ALL LAWN AREAS SHALL BE SODDED WITH 100% TURF TYPE TALL FESCUE (FESTUCA ARUNDINACIA). CONTRACTOR SHALL VERIFY AND MATCH THE VARIETY EXISTING IN THE ADJACENT DEVELOPMENT.
- ALL PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE BY OWNER. REPLACE ALL PLANT MATERIAL FOUND DEAD OR NOT IN A HEALTHY CONDITION IMMEDIATELY WITH THE SAME SIZE AND SPECIES AT NO COST TO THE OWNER.
- PLANTING BACKFILL FOR TREES AND PLANTING BEDS SHALL BE 5 PARTS TOPSOIL AND 1 PART COMPOST WITH STRAW. STAKE ALL TREES PER DETAILS.
- ALL LAWN AREAS SHALL HAVE 6" OF TOPSOIL AND ALL PLANTING BEDS SHALL HAVE 12" OF TOPSOIL (MINIMUM). TOPSOIL SHALL BE A LOOSE, FRIABLE, SANDY LOAM, CLEAN AND FREE OF TOXIC MATERIALS, NOXIOUS WEEDS, WEED SEEDS, ROCKS, GRASS, OR OTHER FOREIGN MATERIAL LARGER THAN 1" IN ANY DIMENSION, A PH FROM 5.5 TO 7.0. TOP SOIL FROM SITE SHALL BE USED, IF MEETING THESE STANDARDS. PLACE 1/2" COMPOST OVER ALL LANDSCAPED AREAS AND ROTOTILL INTO TOP 4". SPREAD, COMPACT, AND FINE GRADE TOPSOIL TO A SMOOTH AND UNIFORM GRADE, 1" BELOW SURFACE OF WALKS AND CURBS IN AREAS TO BE SODDED AND 3" IN PLANTING BED AREAS.
- FERTILIZE ALL TREES AND SHRUBS WITH "AGRIFORM" PLANTING TABLETS, 21 GRAM. QUANTITY PER MANUFACTURER'S RECOMMENDATION.
- PLANT MATERIAL SHALL NOT BE SUBSTITUTED WITHOUT THE WRITTEN PERMISSION OF OWNER. SUBMIT NAMES OF THREE SUPPLIERS CONTACTED IF SUBSTITUTION IS REQUESTED AND PLANT MATERIAL SPECIFIED IS NOT AVAILABLE.
- SHRUB PLANTING BEDS SHALL BE SHOVEL EDGED TO CREATE A DISTINCT SEPARATION OF LANDSCAPE TYPES.
- IMMEDIATELY CLEAN UP ANY TOPSOIL, OR OTHER DEBRIS ON SITE CREATED FROM LANDSCAPE OPERATION AND DISPOSE OF PROPERLY OFF SITE.
- ALL LANDSCAPE AREAS SHALL HAVE AN STATE OF THE ART AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE COVERAGE AND IS PROPERLY ZONED FOR REQUIRED WATER USES AND HAS A WEATHER STATION CAPABLE OF TURNING OFF FOR RAIN/FREEZE EVENTS. ALL SHRUB ZONES, SPRAY ZONES AND GEAR DRIVEN ZONES SHALL BE PLACED ON SEPARATE ZONES. DO NOT EXCEED A MAXIMUM OF 5 FPS IN ALL MAINLINE AND LATERAL LINES.
- COORDINATE ALL DRAINAGE AREAS AND UTILITIES WITH TREE LOCATIONS AND ADJUST PER FIELD CONDITIONS.
- ALL EXISTING TREES SHOWN TO REMAIN SHALL BE RETAINED AND PROTECTED THROUGHOUT CONSTRUCTION.
- NO TREES SHALL BE PLANTED WITHIN THE 10 FOOT CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES.
- STORM PONDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.
- ALL TREES TO BE LOCATED A MINIMUM OF 5 FEET OR GREATER FROM THE BACK OF ANY SIDEWALK.
- TRIM ALL TREES WITHIN VISION TRIANGLES TO 8' ABOVE FINISH GRADE TO MEET ACHD STANDARDS.

DISCLAIMER:

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VICINITY MAP

MATERIAL LEGEND

- EXISTING TREES AND SHRUBS TO REMAIN
- CONCRETE WHEEL STOP
- EDGING, AS SPECIFIED
- EDGE OF EXISTING ROAD
- EDGE OF PAVEMENT
- EDGE OF GRAVEL (STABILIZED RAP)
- PROPERTY LINE
- SECTION LINE
- PROPOSED PROPERTY LINE
- BUILDING SETBACKS
- PROPOSED SEPTIC FIELD LOCATION

LANDSCAPING INFORMATION

- ROADWAY LANDSCAPE BUFFERS:**
 - HIGHWAY 16 - STREET TREES / LANDSCAPED COMMERCIAL STRIP
 - 40' STREET BUFFER
 - 1,341 FEET STREET BUFFER
 - SHADE TREES @ 1/35' = 38 TREES REQUIRED
 - EVERGREENS @ 2:1 = 40 EVERGREENS REQUIRED
 - ORNAMENTALS @ 2:1 = 22 EVERGREENS PROPOSED + 18 EXISTING
 - SHRUBS @ 5/35' = 8 ORNAMENTALS TREES REQUIRED
 - 435 SHRUBS EXISTING
- PARKING LOT INTERIOR:**
 - 1 TREE / 10 STALLS @ 167 / 10 = 17
 - PLUS 1 FOR EACH END OF ROW @ 14 ROWS = 31 TREES REQUIRED
 - 25 TREES PROPOSED + 6 EXISTING
- RESIDENTIAL USE BUFFER:**
 - MINIMUM 6' HEIGHT AND 10' WIDE BUFFER WITH MORE THAN 60% SIGHT BLOCKING
 - 5' TALL BERM WITH A MIX OF EVERGREEN AND DECIDUOUS TREES AND SHRUB PROVIDING 100% VISUAL COVERAGE FOR 320' OF EXISTING NEIGHBORS ALONG HIGHEST USE AREA. ADDITIONAL 888' OF REQUIRED BUFFER IS COVERED WITH EITHER NATIVE VEGETATION OF FUTURE VINYARDS AND PROVIDING 6' MINIMUM HEIGHT OF 100% VISUAL COVERAGE WITH A WIDTH OF OVER 200' TO NEAREST USE AREA.
- OVERALL LANDSCAPE TREE REQUIREMENTS**
 - TOTAL TREES REQUIRED = 69
 - TOTAL SPECIES PROVIDED = 10
- NOTE:**
 - CONIFERS AND ORNAMENTAL TREES ARE SUBSTITUTED AT THE RATE OF 2 PER SHADE TREE.
- MITIGATION FOR REMOVAL OF EXISTING TREES:**
 - ALL EXISTING TREES ON THE SITE ARE TO REMAIN - NO MITIGATION NECESSARY - COORDINATE WITH THE CITY FORESTER IN THE FIELD BEFORE ANY EXISTING TREES ARE DAMAGED OR REMOVED. DUE TO THE SIZE OF THE PROPERTY AND QUANTITY OF EXISTING TREES A TREE MITIGATION PLAN SHALL BE DEVELOPED IN THE FUTURE PRIOR TO ANY BUILDING PERMITS BEING ISSUED.
- LANDSCAPE AS A PERCENT OF SITE:**
 - TOTAL PROPERTY SIZE = 34,062 AC = 1483740.72 SF
 - BUILDINGS = 35893 SF
 - HARDSCAPE = 160919 SF
 - LANDSCAPE = 1286928 SF (86.74%)

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DATE: 7/10/2023

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No.	Date	Description

Overall Landscape Plan
Dude DeWalt Cellars
5446 N. Hwy 16 Eagle, ID 83616

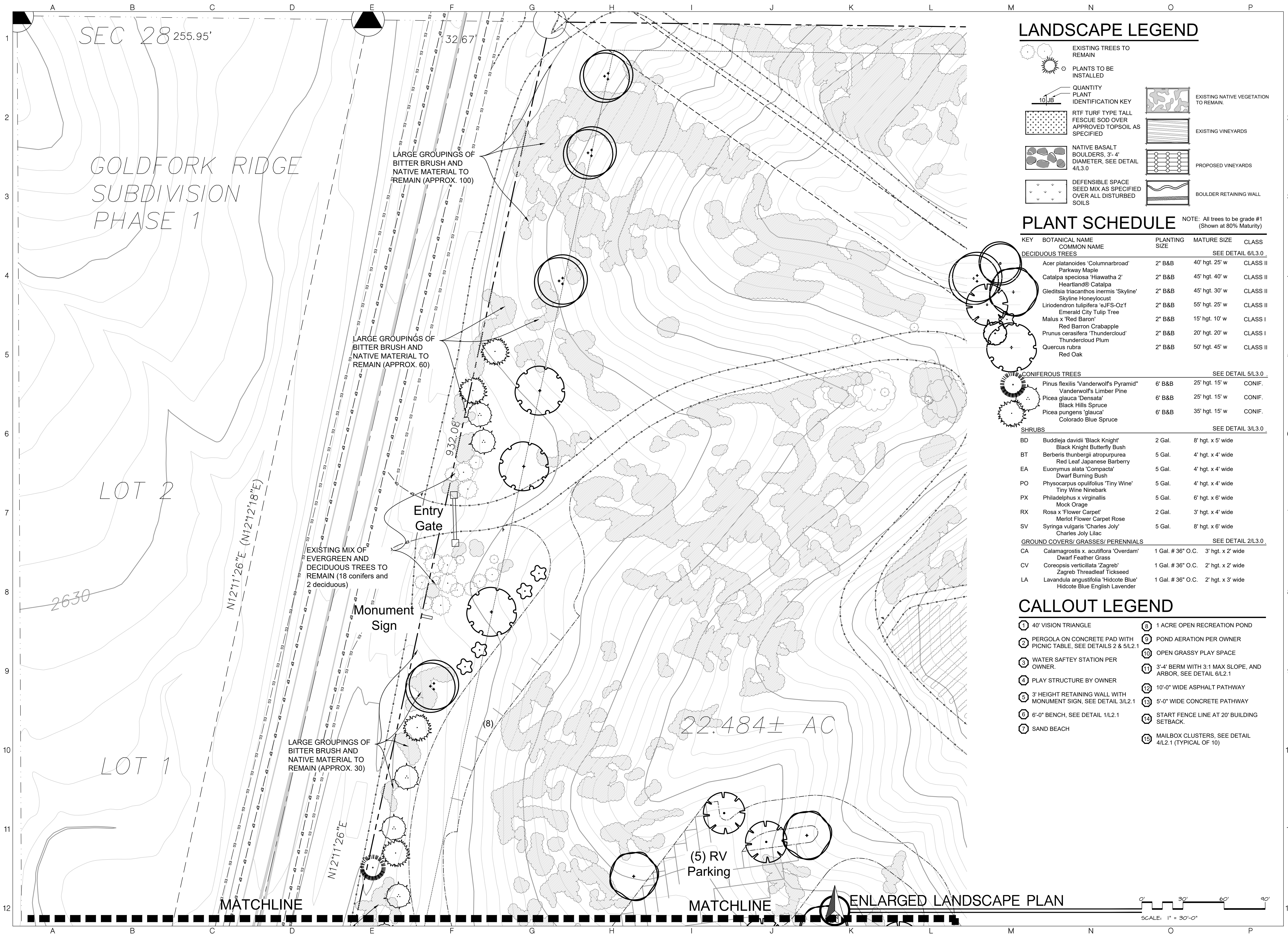
DRAWN BY: AUW

CHECKED BY: JDR

PROJECT NUMBER: 20-067

SHEET: MSP 2.0

Master Site Plan



LANDSCAPE LEGEND

- EXISTING TREES TO REMAIN
- PLANTS TO BE INSTALLED
- QUANTITY PLANT IDENTIFICATION KEY
- RTF TURF TYPE TALL FESCUE SOD OVER APPROVED TOPSOIL AS SPECIFIED
- NATIVE BASALT BOULDERS, 3'-4' DIAMETER, SEE DETAIL 4/L3.0
- DEFENSIBLE SPACE SEED MIX AS SPECIFIED OVER ALL DISTURBED SOILS
- EXISTING NATIVE VEGETATION TO REMAIN
- EXISTING VINEYARDS
- PROPOSED VINEYARDS
- BOULDER RETAINING WALL

PLANT SCHEDULE

NOTE: All trees to be grade #1 (Shown at 80% Maturity)

KEY	BOTANICAL NAME COMMON NAME	PLANTING SIZE	MATURE SIZE	CLASS
DECIDUOUS TREES SEE DETAIL 6/L3.0				
	Acer platanoides 'Columnarbrood'	2" B&B	40' hgt. 25' w	CLASS II
	Parkway Maple			
	Catalpa speciosa 'Hiawatha 2'	2" B&B	45' hgt. 40' w	CLASS II
	Hesleria Catalpa			
	Gleditsia triacanthos inermis 'Skyline'	2" B&B	45' hgt. 30' w	CLASS II
	Skyline Honeylocust			
	Liriodendron tulipifera 'eJFS-Oz'f	2" B&B	55' hgt. 25' w	CLASS II
	Emerald City Tulip Tree			
	Malus x 'Red Baron'	2" B&B	15' hgt. 10' w	CLASS I
	Red Barron Crabapple			
	Prunus cerasifera 'Thundercloud'	2" B&B	20' hgt. 20' w	CLASS I
	Thundercloud Plum			
	Quercus rubra	2" B&B	50' hgt. 45' w	CLASS II
	Red Oak			
CONIFEROUS TREES SEE DETAIL 5/L3.0				
	Pinus flexilis 'Vanderwolf's Pyramid'	6" B&B	25' hgt. 15' w	CONIF.
	Vanderwolf's Limber Pine			
	Picea glauca 'Densata'	6" B&B	25' hgt. 15' w	CONIF.
	Black Hills Spruce			
	Picea pungens 'glauca'	6" B&B	35' hgt. 15' w	CONIF.
	Colorado Blue Spruce			
SHRUBS SEE DETAIL 3/L3.0				
BD	Buddleja davidii 'Black Knight'	2 Gal.	8' hgt. x 5' wide	
	Black Knight Butterfly Bush			
BT	Berberis thunbergii atropurpurea	5 Gal.	4' hgt. x 4' wide	
	Red Leaf Japanese Barberry			
EA	Euonymus alata 'Compacta'	5 Gal.	4' hgt. x 4' wide	
	Dwarf Burning Bush			
PO	Physocarpus opulifolius 'Tiny Wine'	5 Gal.	4' hgt. x 4' wide	
	Tiny Wine Ninebark			
PX	Philadelphus x virginialis	5 Gal.	6' hgt. x 6' wide	
	Mock Orange			
RX	Rosa x 'Flower Carpet'	2 Gal.	3' hgt. x 4' wide	
	Merlot Flower Carpet Rose			
SV	Syringa vulgaris 'Charles Joly'	5 Gal.	8' hgt. x 6' wide	
	Charles Joly Lilac			
GROUND COVERS/ GRASSES/ PERENNIALS SEE DETAIL 2/L3.0				
CA	Calamagrostis x. acutiflora 'Overdam'	1 Gal. # 36" O.C.	3' hgt. x 2' wide	
	Dwarf Feather Grass			
CV	Coreopsis verticillata 'Zagreb'	1 Gal. # 36" O.C.	2' hgt. x 2' wide	
	Zagreb Threadleaf Tickseed			
LA	Lavandula angustifolia 'Hidcote Blue'	1 Gal. # 36" O.C.	2' hgt. x 3' wide	
	Hidcote Blue English Lavender			

CALLOUT LEGEND

- 1 40" VISION TRIANGLE
- 2 PERGOLA ON CONCRETE PAD WITH PICNIC TABLE, SEE DETAILS 2 & 5/L2.1
- 3 WATER SAFETY STATION PER OWNER.
- 4 PLAY STRUCTURE BY OWNER
- 5 3' HEIGHT RETAINING WALL WITH MONUMENT SIGN, SEE DETAIL 3/L2.1
- 6 6'-0" BENCH, SEE DETAIL 1/L2.1
- 7 SAND BEACH
- 8 1 ACRE OPEN RECREATION POND
- 9 POND AERATION PER OWNER
- 10 OPEN GRASSY PLAY SPACE
- 11 3'-4" BERM WITH 3:1 MAX SLOPE, AND ARBOR, SEE DETAIL 6/L2.1
- 12 10'-0" WIDE ASPHALT PATHWAY
- 13 5'-0" WIDE CONCRETE PATHWAY
- 14 START FENCE LINE AT 20' BUILDING SETBACK.
- 15 MAILBOX CLUSTERS, SEE DETAIL 4/L2.1 (TYPICAL OF 10)

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VALUATION OF THE
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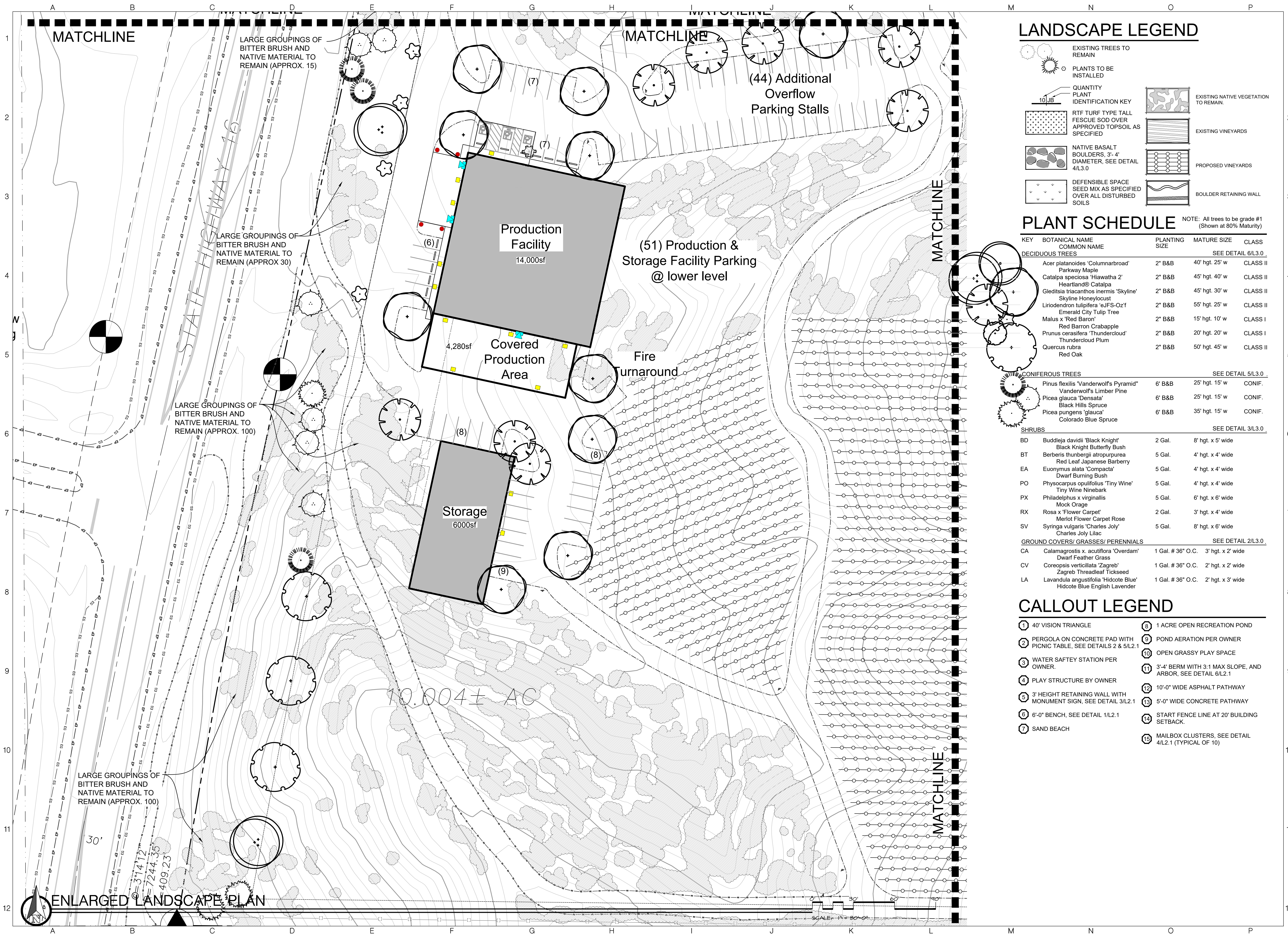
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No.	Date	Description

Landscape Plan
Dude DeWalt Cellars
5446 N. Hwy 16 Eagle, ID 83616

DRAWN BY: AUW
CHECKED BY: JDR
PROJECT NUMBER: 20-067
SHEET: MSP 2.1

USER:ADM V JOHNSTON LOCATION:PROJECTS\PROJECTS\CK ENGINEERING\08-067 BLUE BEVALD CELLARS\CAD SHEETS\08-067 LANDSCAPE\DWG PRINT DATE:7/9/2023 8:43 PM

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LANDSCAPE LEGEND

- EXISTING TREES TO REMAIN
- PLANTS TO BE INSTALLED
- QUANTITY PLANT IDENTIFICATION KEY
RTF TURF TYPE TALL FESCUE SOD OVER APPROVED TOPSOIL AS SPECIFIED
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- PROPOSED VINEYARDS
- BOULDER RETAINING WALL

PLANT SCHEDULE

NOTE: All trees to be grade #1 (Shown at 80% Maturity)

KEY	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	MATURE SIZE	CLASS
DECIDUOUS TREES SEE DETAIL 6/L3.0					
	Acer platanoides	'Columnarbrood'	2" B&B	40' hgt. 25' w	CLASS II
	Catalpa speciosa	'Hiawatha 2'	2" B&B	45' hgt. 40' w	CLASS II
	Gleditsia triacanthos	'inermis' 'Skyline'	2" B&B	45' hgt. 30' w	CLASS II
	Liriodendron tulipifera	'eJFS-Oz'f	2" B&B	55' hgt. 25' w	CLASS II
	Malus x 'Red Baron'		2" B&B	15' hgt. 10' w	CLASS I
	Prunus cerasifera	'Thundercloud'	2" B&B	20' hgt. 20' w	CLASS I
	Quercus rubra	Red Oak	2" B&B	50' hgt. 45' w	CLASS II
CONIFEROUS TREES SEE DETAIL 5/L3.0					
	Pinus flexilis	'Vanderwolf's Pyramid'	6" B&B	25' hgt. 15' w	CONIF.
	Picea glauca	'Densata'	6" B&B	25' hgt. 15' w	CONIF.
	Picea pungens	'glauca'	6" B&B	35' hgt. 15' w	CONIF.
SHRUBS SEE DETAIL 3/L3.0					
BD	Buddleja davidii	'Black Knight'	2 Gal.	8' hgt. x 5' wide	
BT	Berberis thunbergii	atropurpurea	5 Gal.	4' hgt. x 4' wide	
EA	Euonymus alata	'Compacta'	5 Gal.	4' hgt. x 4' wide	
PO	Physocarpus opulifolius	'Tiny Wine'	5 Gal.	4' hgt. x 4' wide	
PX	Philadelphus x virginialis	Mock Orange	5 Gal.	6' hgt. x 6' wide	
RX	Rosa x 'Flower Carpet'		2 Gal.	3' hgt. x 4' wide	
SV	Syringa vulgaris	'Charles Joly'	5 Gal.	8' hgt. x 6' wide	
GROUND COVERS/ GRASSES/ PERENNIALS SEE DETAIL 2/L3.0					
CA	Calamagrostis x. acutiflora	'Overdam'	1 Gal. # 36" O.C.	3' hgt. x 2' wide	
CV	Coreopsis verticillata	'Zagreb'	1 Gal. # 36" O.C.	2' hgt. x 2' wide	
LA	Lavandula angustifolia	'Hidcote Blue'	1 Gal. # 36" O.C.	2' hgt. x 3' wide	

CALLOUT LEGEND

- ① 40" VISION TRIANGLE
- ② PERGOLA ON CONCRETE PAD WITH PICNIC TABLE, SEE DETAILS 2 & 5/L2.1
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- ⑤ 3' HEIGHT RETAINING WALL WITH MONUMENT SIGN, SEE DETAIL 3/L2.1
- ⑥ 6'-0" BENCH, SEE DETAIL 1/L2.1
- ⑦ SAND BEACH
- ⑧ 1 ACRE OPEN RECREATION POND
- ⑨ POND AERATION PER OWNER
- ⑩ OPEN GRASSY PLAY SPACE
- ⑪ 3'-4" BERM WITH 3:1 MAX SLOPE, AND ARBOR, SEE DETAIL 6/L2.1
- ⑫ 10'-0" WIDE ASPHALT PATHWAY
- ⑬ 5'-0" WIDE CONCRETE PATHWAY
- ⑭ START FENCE LINE AT 20' BUILDING SETBACK.
- ⑮ MAILBOX CLUSTERS, SEE DETAIL 4/L2.1 (TYPICAL OF 10)

STAMP: PRELIMINARY NOT FOR CONSTRUCTION LANDSCAPE

DATE: 7/10/2023

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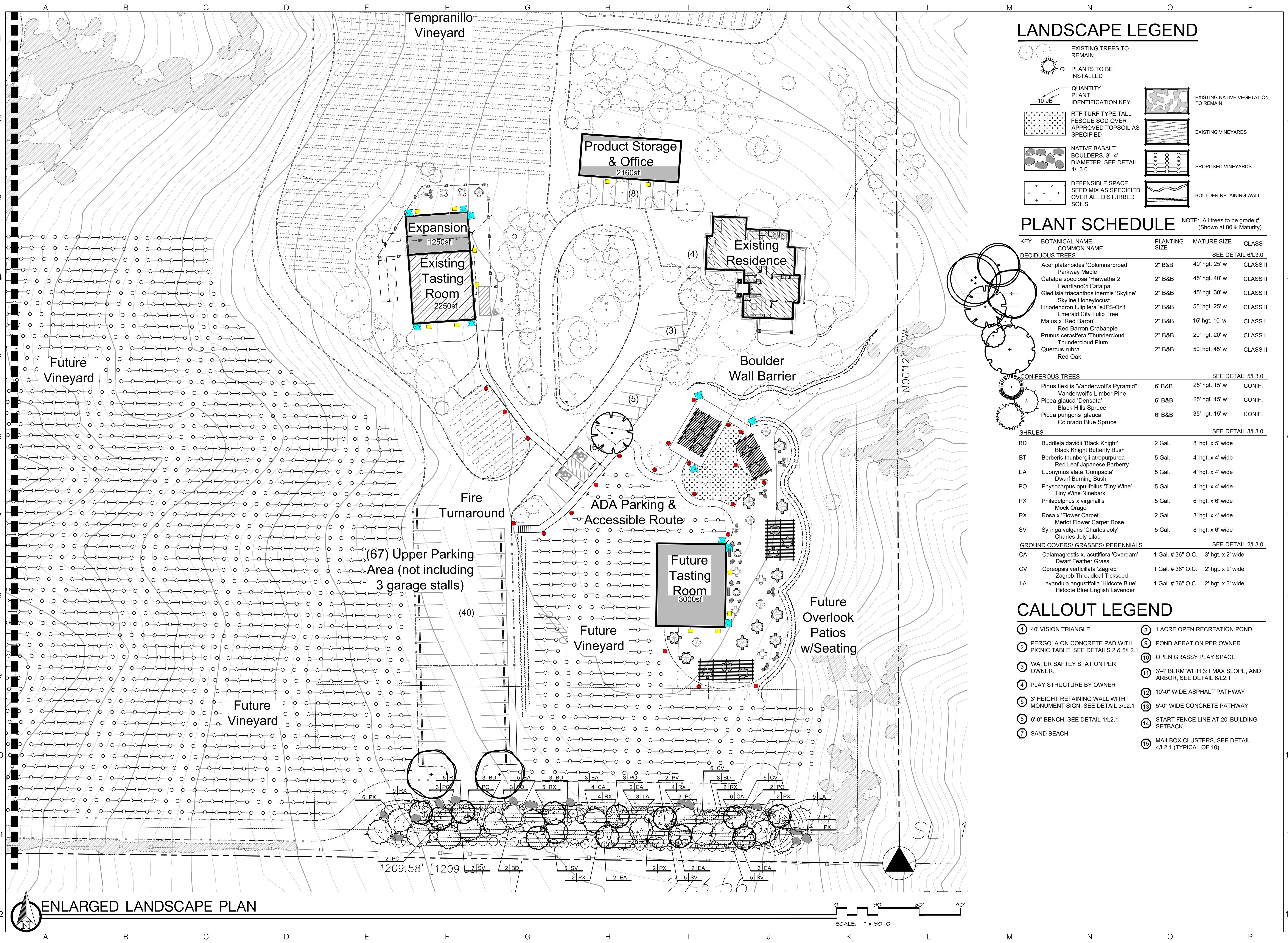
No.	Date	Description

Landscape Plan
Dude DeWalt Cellars
5446 N. Hwy 16 Eagle, ID 83616

DRAWN BY: AJW
CHECKED BY: JDR
PROJECT NUMBER: 20-067
SHEET: MSP 2.2

Master Site Plan

USER:NDM V JOHNSTEN LOCATION:PROJECTS\PROJECTS\CAD\ENGINEERING\08-067 DUDE DEWALT CELLARS\CAD\SHEETS\08-067 LANDSCAPE\DWG PRINT DATE:7/9/2023 8:43 PM



LANDSCAPE LEGEND

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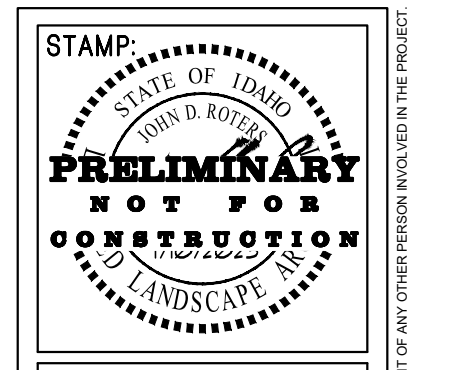
PLANT SCHEDULE

NOTE: All trees to be grade #1 (Shown at 80% Maturity)

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DECIDUOUS TREES SEE DETAIL 6/L3.0					
	<i>Acer platanoides</i>	'Columnarbroad' Parkway Maple	2" B&B	40' hgt. 25' w	CLASS II
	<i>Catalpa speciosa</i>	'Hiawatha 2'	2" B&B	45' hgt. 40' w	CLASS II
	<i>Hesperaloe parviflora</i>	Catalpa	2" B&B	45' hgt. 30' w	CLASS II
	<i>Gleditsia triacanthos</i>	'Skyline'	2" B&B	45' hgt. 30' w	CLASS II
	<i>Liriodendron tulipifera</i>	'eJFS-Oz'f Emerald City Tulip Tree	2" B&B	55' hgt. 25' w	CLASS II
	<i>Malus x 'Red Baron'</i>	Red Baron Crabapple	2" B&B	15' hgt. 10' w	CLASS I
	<i>Prunus cerasifera</i>	'Thundercloud'	2" B&B	20' hgt. 20' w	CLASS I
	<i>Quercus rubra</i>	Red Oak	2" B&B	50' hgt. 45' w	CLASS II
CONIFEROUS TREES SEE DETAIL 5/L3.0					
	<i>Pinus flexilis</i>	'Vanderwolf's Pyramid'	6" B&B	25' hgt. 15' w	CONIF.
	<i>Vanderwolf's</i>	Limber Pine	6" B&B	25' hgt. 15' w	CONIF.
	<i>Picea glauca</i>	'Densata'	6" B&B	25' hgt. 15' w	CONIF.
	<i>Picea pungens</i>	'glauca'	6" B&B	35' hgt. 15' w	CONIF.
	<i>Colorado Blue</i>	Spruce			
SHRUBS SEE DETAIL 3/L3.0					
BD	<i>Buddleja davidii</i>	'Black Knight'	2 Gal.	8' hgt. x 5' wide	
BT	<i>Berberis thunbergii</i>	Butterfly Bush	5 Gal.	4' hgt. x 4' wide	
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PO	<i>Physocarpus opulifolius</i>	'Tiny Wine'	5 Gal.	4' hgt. x 4' wide	
PX	<i>Philadelphus x virginialis</i>	Mock Orange	5 Gal.	6' hgt. x 6' wide	
RX	<i>Rosa x 'Flower Carpet'</i>	Merlot Flower Carpet Rose	2 Gal.	3' hgt. x 4' wide	
SV	<i>Syringa vulgaris</i>	'Charles Joly'	5 Gal.	8' hgt. x 6' wide	
	<i>Charles Joly</i>	Lilac			
GROUND COVERS/ GRASSES/ PERENNIALS SEE DETAIL 2/L3.0					
CA	<i>Calamagrostis x. acutiflora</i>	'Overdam'	1 Gal. # 36" O.C.	3' hgt. x 2' wide	
CV	<i>Coreopsis verticillata</i>	'Zagreb'	1 Gal. # 36" O.C.	2' hgt. x 2' wide	
LA	<i>Lavandula angustifolia</i>	'Hidcote Blue'	1 Gal. # 36" O.C.	2' hgt. x 3' wide	
	<i>Hidcote Blue</i>	English Lavender			

CALLOUT LEGEND

- 1 40" VISION TRIANGLE
- 2 PERGOLA ON CONCRETE PAD WITH PICNIC TABLE, SEE DETAILS 2 & 5/L2.1
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- 11 3'-4" BERM WITH 3:1 MAX SLOPE, AND ARBOR, SEE DETAIL 6/L2.1
- 12 10'-0" WIDE ASPHALT PATHWAY
- 13 5'-0" WIDE CONCRETE PATHWAY
- 14 START FENCE LINE AT 20' BUILDING SETBACK.
- 15 MAILBOX CLUSTERS, SEE DETAIL 4/L2.1 (TYPICAL OF 10)



DATE: 7/10/2023

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No.	Date	Description

Landscape Plan
Dude DeWalt Cellars
5446 N. Hwy 16 Eagle, ID 83616

DRAWN BY: AUW
CHECKED BY: JDR
PROJECT NUMBER: 20-067
SHEET: MSP 2.3

DEFENSIBLE SPACE DRYLAND SEEDING REQUIREMENTS

GENERAL OVERVIEW

THIS REPORT OUTLINES RECOMMENDED REVEGETATION AND SLOPE STABILIZATION MEASURES FOR DISTURBED CUT AND FILL SLOPES WITHIN THE PROJECT LIMITS AS DEFINED ON THE ACCOMPANYING PLAN WHICH WILL BE SEEDED WITH THE DRYLAND SEED MIX AND NOT IRRIGATED. THESE RECOMMENDATIONS ARE MADE TO PREVENT SHORT TERM AND LONG TERM SOIL EROSION AS WELL AS TO PROVIDE AN AESTHETIC REVEGETATION WHICH WILL BLEND WITH THE EXISTING NATURAL SURROUNDING AREA. THE MEASURES INCLUDE REVEGETATION AND HYDROMULCHING PROCEDURES FOLLOWING TOPSOIL DISTRIBUTION AND FINE GRADING. THE AREA TO BE REVEGETATED CONSISTS OF ALL DISTURBED AREAS RELATED TO GRADING FOR CONSTRUCTION AND ANY OTHER AREAS DISTURBED IN THE PROCESS OF CONSTRUCTION. THE SLOPES TO BE AFFECTED VARY WIDELY IN DEGREE AND ASPECT.

GENERAL EARTHWORK

ALL WORK SHALL BE LIMITED TO THE AREA REQUIRED FOR CONSTRUCTION WITH MINIMAL, IF ANY, DISTURBANCE TO THE SURROUNDING NATURAL SLOPE OR VEGETATION. ALL FINISHED GRADES SHALL BE SMOOTH AND ROUNDED TO ENSURE A NATURAL TRANSITION BETWEEN NEW AND EXISTING GRADES. REFER TO GRADING AND DRAINAGE PLANS FOR ADDITIONAL REQUIREMENTS.

SITE PREPARATION

EARTHWORK PROCESS SHOULD BEGIN WITH CLEARING LARGE SHRUBS FROM THE AREAS TO BE DISTURBED. WOODY STEMS AND BRANCHES SHALL BE CHIPPED ON SITE TO IMPROVE THE AMOUNT OF ORGANIC MATERIAL IN THE TOP SOIL. NATURAL TOPSOIL OCCURS AT VARYING DEPTHS ON THE PROJECT SITE. THE TOPSOIL SHOULD BE EXCAVATED AND STOCKPILED AT DESIGNATED STORAGE AREAS PRIOR TO THE PROPOSED GRADING OPERATIONS.

TOPSOIL DISTRIBUTION

ONCE THE GENERAL EARTHWORK IS COMPLETE AND ROUGH GRADING HAS BEEN ACCOMPLISHED, THE TOPSOIL SHOULD BE REDISTRIBUTED OVER THE AREA TO MINIMUM DEPTHS AS SPECIFIED. WHERE NEEDED, SLOPES SHOULD BE GRADED WITH SERRATION TO HOLD TOPSOIL ADEQUATELY. TOPSOIL SHOULD BE SPREAD AND LIGHTLY COMPACTED UTILIZING A SMALL CLEATED TRACTOR MOVING PERPENDICULAR TO THE CONTOURS OR ANOTHER METHOD WITH EQUAL CAPABILITY. IT IS OUR RECOMMENDATION THAT ANY NECESSARY MECHANICAL MEANS OF EROSION CONTROL BE IN PLACE PRIOR TO BEGINNING SITE DISTURBANCE.

ONCE TOPSOIL HAS BEEN DISTRIBUTED AND GRADED, REVEGETATION SEEDING SHALL FOLLOW IMMEDIATELY. IN ORDER TO ELIMINATE SURFACE CRUSTING AND TO FACILITATE BETTER ROOT PENETRATION, THE SURFACE SHOULD BE SCARIFIED PRIOR TO SEEDING.

SEEDING

APPLY SEED TO THE PROJECT SITE BY HYDROSEEDING. THE FOLLOWING INFORMATION PROVIDES MATERIAL AND EXECUTION FOR SEEDING.

SEED MIXTURE: PURE LIVE SEED % MIX

JUNE PRARIEGRASS	20%
ROADCREST WHEATGRASS	20%
BLUEGRAMMA GRASS	5%
BUFFALOGRASS	10%
BIG SHERMAN BLUEGRASS	20%
MICROCLOVER	5%
SHEEPS FESCUE	5%
HARD FESCUE	5%

SEEDING RATE

INSTALL @ 35 LBS / ACRE ON SLOPES LESS THAN 10%
INSTALL @ 50 LBS / ACRE ON SLOPES GREATER THAN 10%

FIBER MULCH MATERIAL

GROW NUTRIBASE FROM "QUATTRO ENVIRONMENTAL". A COMPOSTED POULTRY BASED MULCH MATERIAL FREE OF GROWTH OR GERMINATION INHIBITING INGREDIENTS. APPLY AT THE RATE OF 2000 LBS. PER ACRE.

ORGANIC SOIL AMENDMENT

GROW NUTRIBOOST FROM "QUATTRO ENVIRONMENTAL" (OR APPROVED EQUAL) APPLIED AT 5 GALLONS PER ACRE.

TACKIFIER

MULCH TACKIFIER SOIL STABILIZER - ECOLOGY CONTROLS M-BINDER. TACKIFIER APPLIED AT THE RATE OF 80 LBS. PER ACRE.
GRANITE SEED
1697 WEST 2100 NORTH
P.O. BOX 177
LEHI, UTAH 84043
1-800-768-4433
(OR APPROVED EQUAL)

HYDROSEEDING

MIX SPECIFIED SEED AND ORGANIC SOIL AMENDMENT IN WATER PER MANUFACTURER'S RECOMMENDATIONS. APPLY SEEDED SLURRY EVENLY IN TWO INTERSECTION DIRECTIONS. DO NOT HYDROSEED AREA IN EXCESS OF THAT WHICH CAN BE MULCHED ON SAME DAY. KEEP OFF ROADS, WALKS, STRUCTURES AND AREAS NOT TO BE SEED. CLEAN UP THESE AREAS. AFTER HYDROSEED, TRACK IN SEED USING A CLEATED CRAWLER WITH TRACK MARKS PERPENDICULAR TO THE SLOPE. AFTER TRACKED, MULCH SLOPE WITH 2000 LBS. PER ACRE OF FERTILE-FIBER MULCH MATERIAL AND 80 LBS. PER ACRE OF TACKIFIER.

MAINTENANCE

IMMEDIATELY RESEED AREAS WHICH SHOW BARE SPOTS. MINIMUM ACCEPTABLE PLANT COVERAGE IS 80 PERCENT AFTER ONE GROWING SEASON. PROTECT SEEDED AREAS WITH WAINING SIGNS DURING MAINTENANCE PERIOD. THE SEED WILL REQUIRE APPROXIMATELY NINETY (90) DAYS OF FAVORABLE GROWING CONDITIONS TO GERMINATE AND BECOME ESTABLISHED FOR SUCCESSFUL SURVIVAL WITH NORMAL MINIMAL SUMMER PRECIPITATION.

SEEDING TIME

THE OPTIMAL SEEDING TIME SHALL BE IN FALL, BETWEEN MID SEPTEMBER AND MID OCTOBER. IF SEEDING IS APPLIED TOO EARLY OR TOO LATE AND PROPER GERMINATION IS NOT REALIZED PRIOR TO FALL DORMANCY, THEN RESEEDING SHALL BE APPLIED IN EARLY SPRING, AS SOON AS SOIL IS WORKABLE (NOT MUDDY) BETWEEN MARCH AND MID MAY. THIS PLANTING TIME PROVIDES THE OPTIMUM WEATHER CONDITIONS FOR SEED GERMINATION AND SEEDLING SURVIVAL RATE. SEEDING AFTER NOVEMBER 20, "DORMANT SEEDING" INSURES THAT THE SEED DOES NOT GERMINATE PRIOR TO FREEZING WINTER TEMPERATURES AND SEED SHOULD BE IN PLACE FOR THE EARLY SPRING RAINS.

WATER

THE CONTRACTOR WILL PROVIDE SUPPLEMENTAL WATER TO ENSURE PROPER SEED GERMINATION.

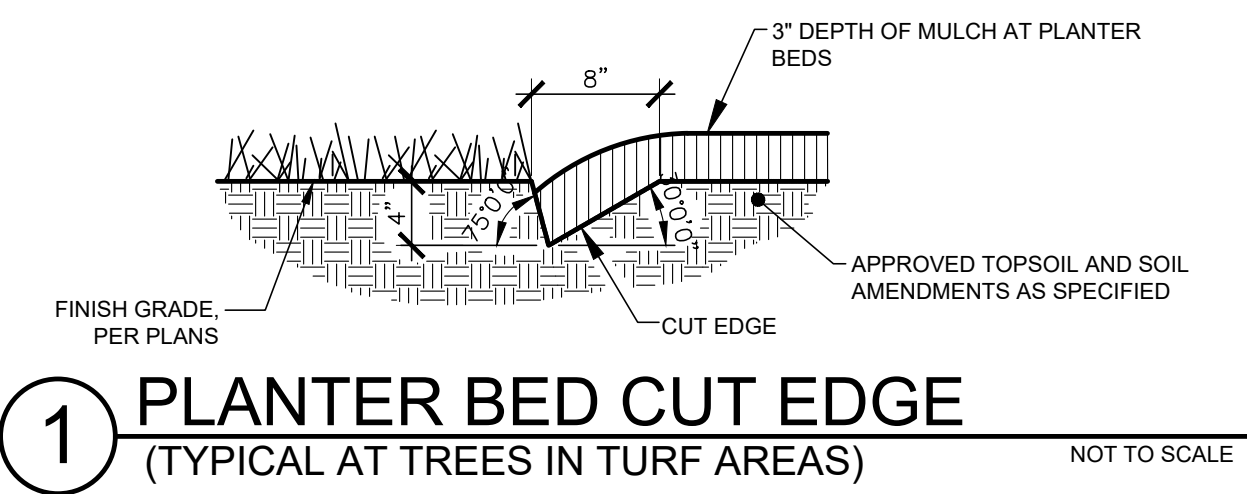
FERTILIZATION

FERTILIZATION IS NOT RECOMMENDED FOR RECLAMATION SEEDING DUE TO PROMOTION OF WEED COMPETITION. IF WEEDS ARE APPARENT, CONTACT LANDSCAPE ARCHITECT FOR WEED REMOVAL REQUIREMENTS.

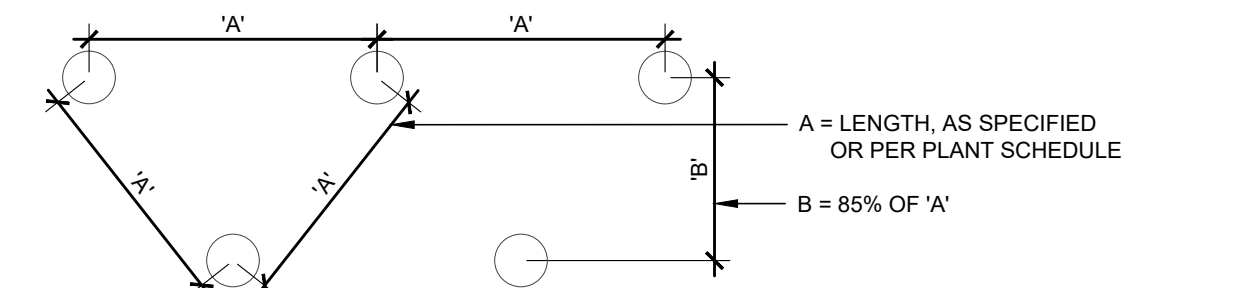
EROSION CONTROL

UNDER NORMAL CIRCUMSTANCES AND ADHERENCE TO THE CONSTRUCTION PRACTICES DESCRIBED IN THE SPECIFICATIONS, THE ABOVE RECOMMENDED EROSION CONTROL MEASURE SHOULD PROVIDE A STABLE SLOPE CONDITION. TO AVOID INCIDENTAL EROSION, IT IS IMPERATIVE THAT THE SLOPES, ONCE PREPARED, REMAIN UNDISTURBED UNTIL SEEDING GERMINATES AND IS ESTABLISHED.

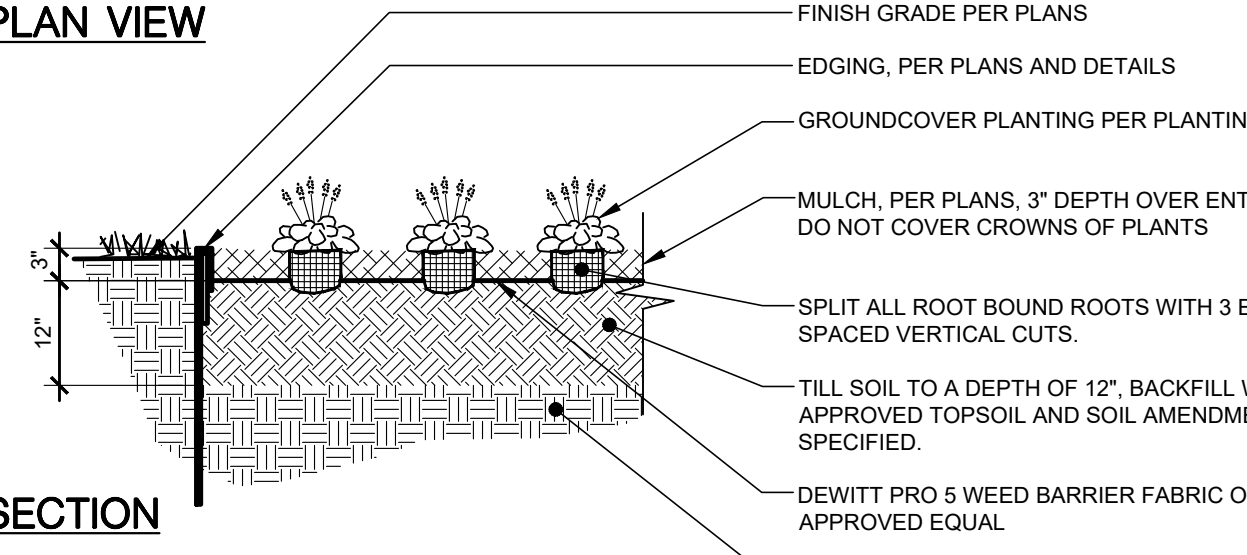
AN 80% VEGETATION COVER IS RECOMMENDED TO CONTROL EROSION. SURFACE CONDITIONS SHOULD BE MONITORED DAILY. IF EROSION DETRIMENTAL TO THE SLOPE IS OBSERVED OR ANTICIPATED DUE TO EXCESSIVE RAINFALL, REMEDIAL MEASURES SHALL BE IMPLEMENTED AS REQUIRED. REFER TO THE STORM WATER POLLUTION PREVENTION PLAN FOR ADDITIONAL REQUIREMENTS.



1. PLANTER BED CUT EDGE (TYPICAL AT TREES IN TURF AREAS) NOT TO SCALE



PLAN VIEW

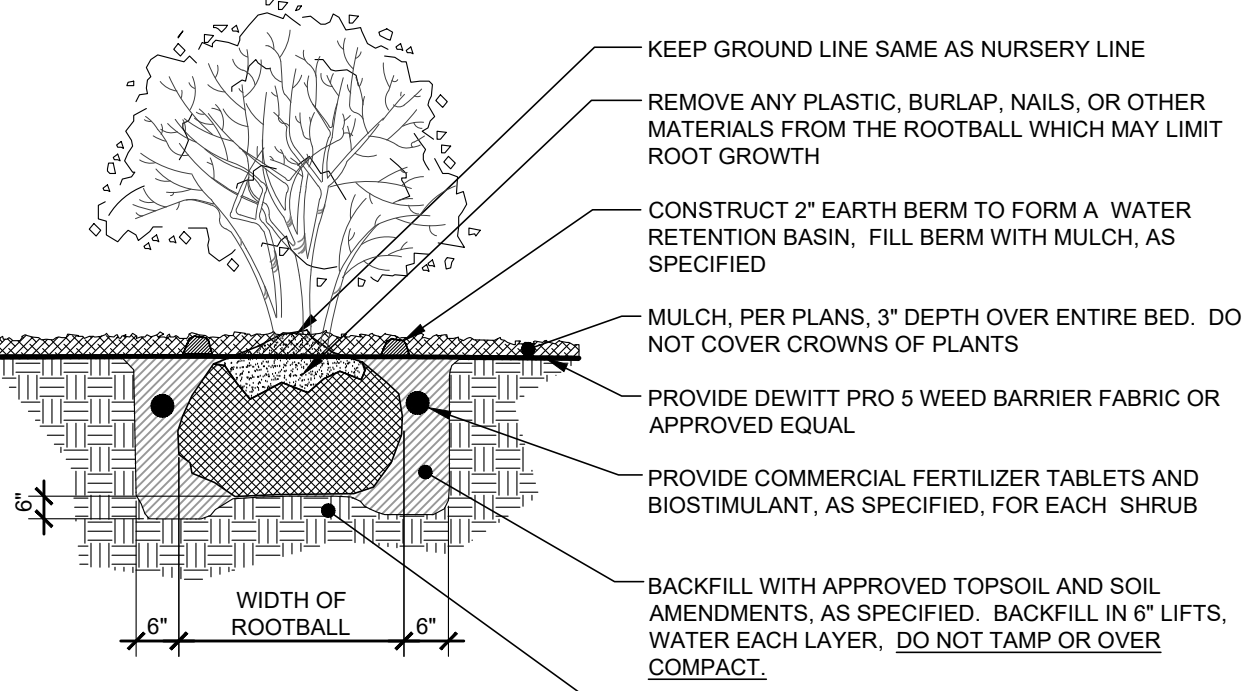


SECTION

NOTES:
1. ALL GROUNDCOVER PLANTS TO BE PLANTED ON CENTER AND IN A TRIANGULAR PATTERN
2. APPLY SPECIFIED PRE-EMERGENT PER MANUFACTURER'S RECOMMENDATIONS TO ALL GROUNDCOVER BEDS.



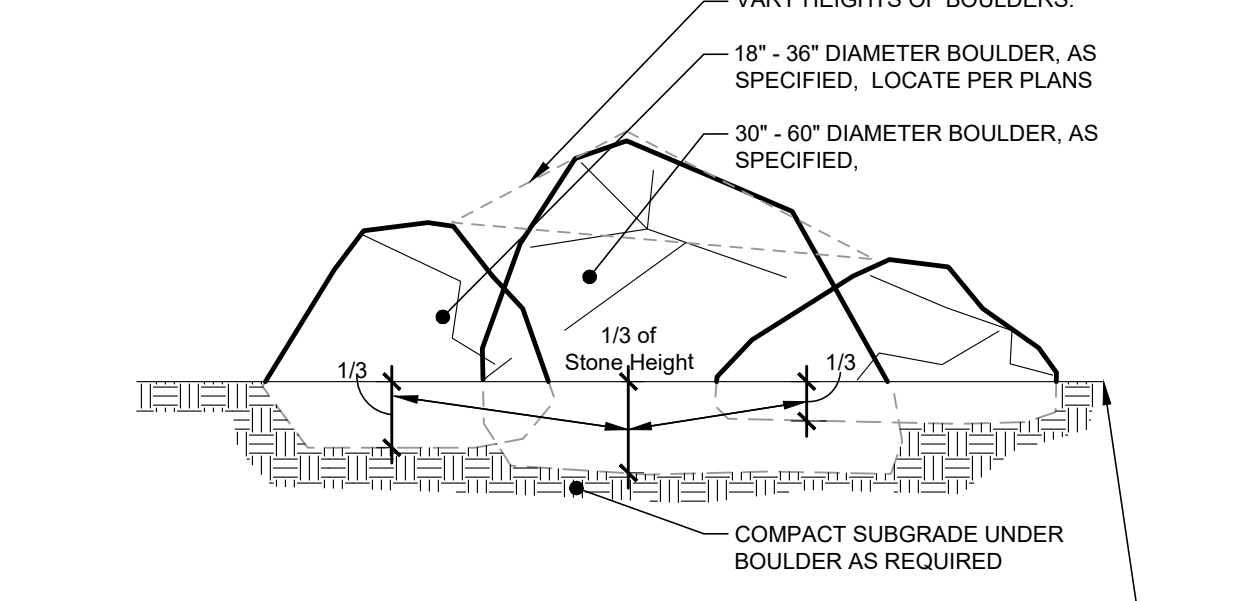
2. PERENNIAL & GROUNDCOVER PLANTING NOT TO SCALE



3. SHRUB PLANTING NOT TO SCALE



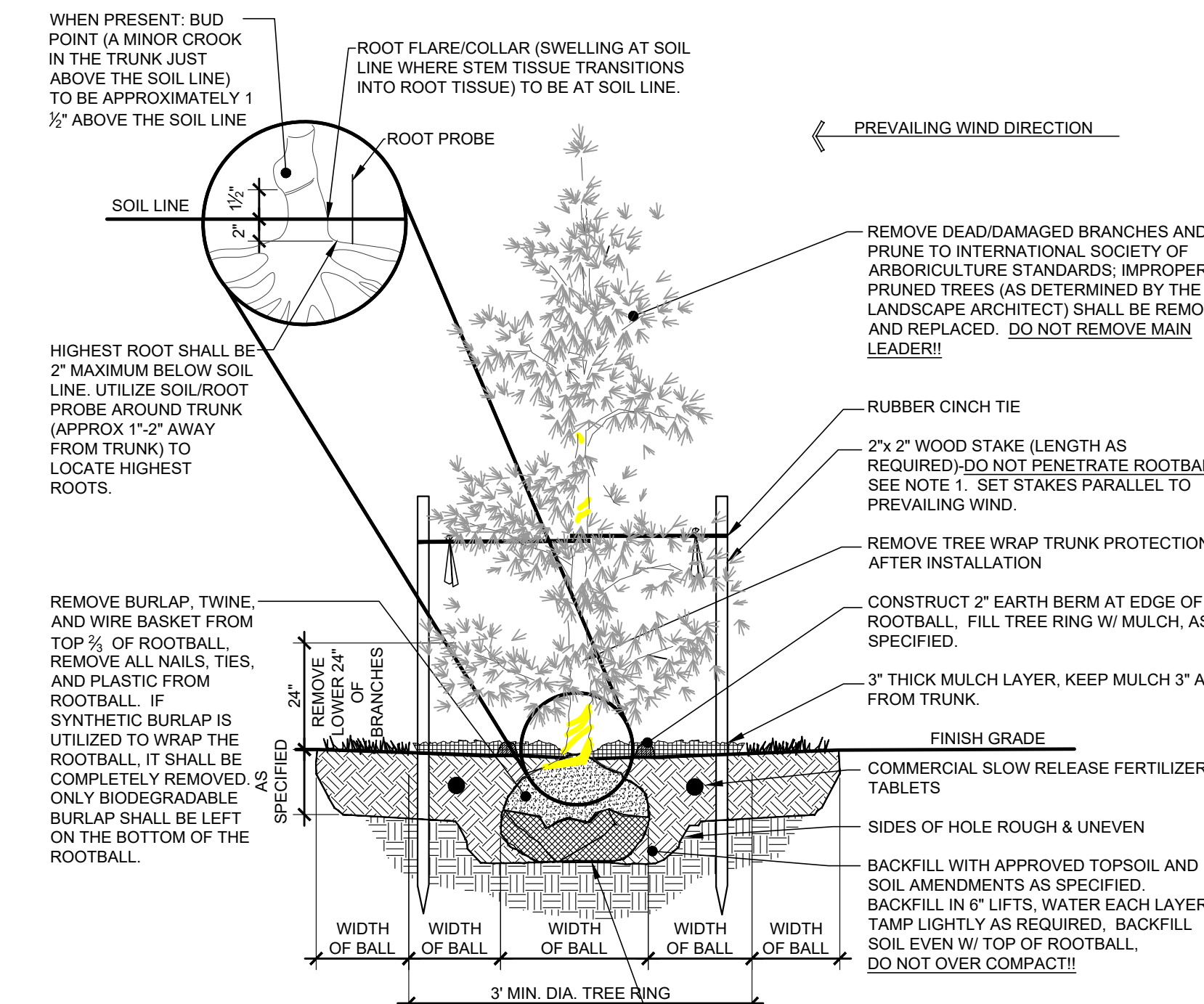
4. BOULDER INSTALLATION NOT TO SCALE



5. CONIFEROUS TREE PLANTING NOT TO SCALE

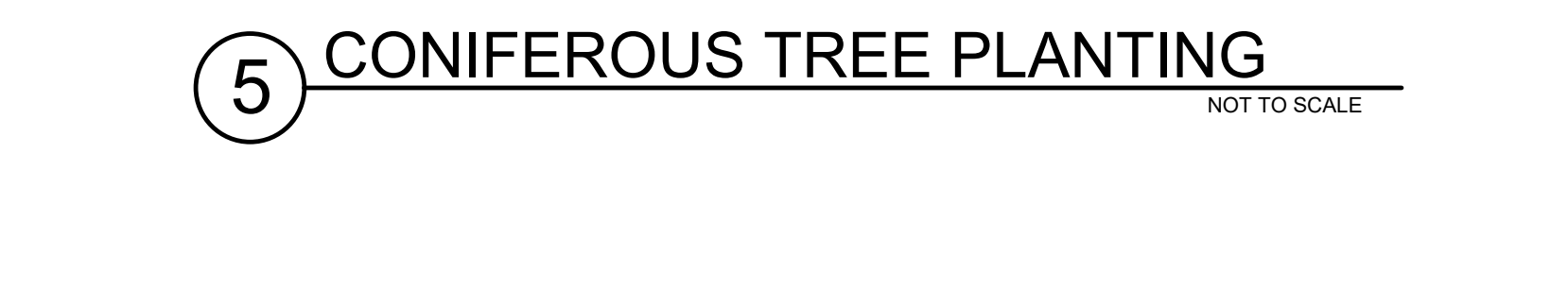


6. DECIDUOUS TREE PLANTING NOT TO SCALE

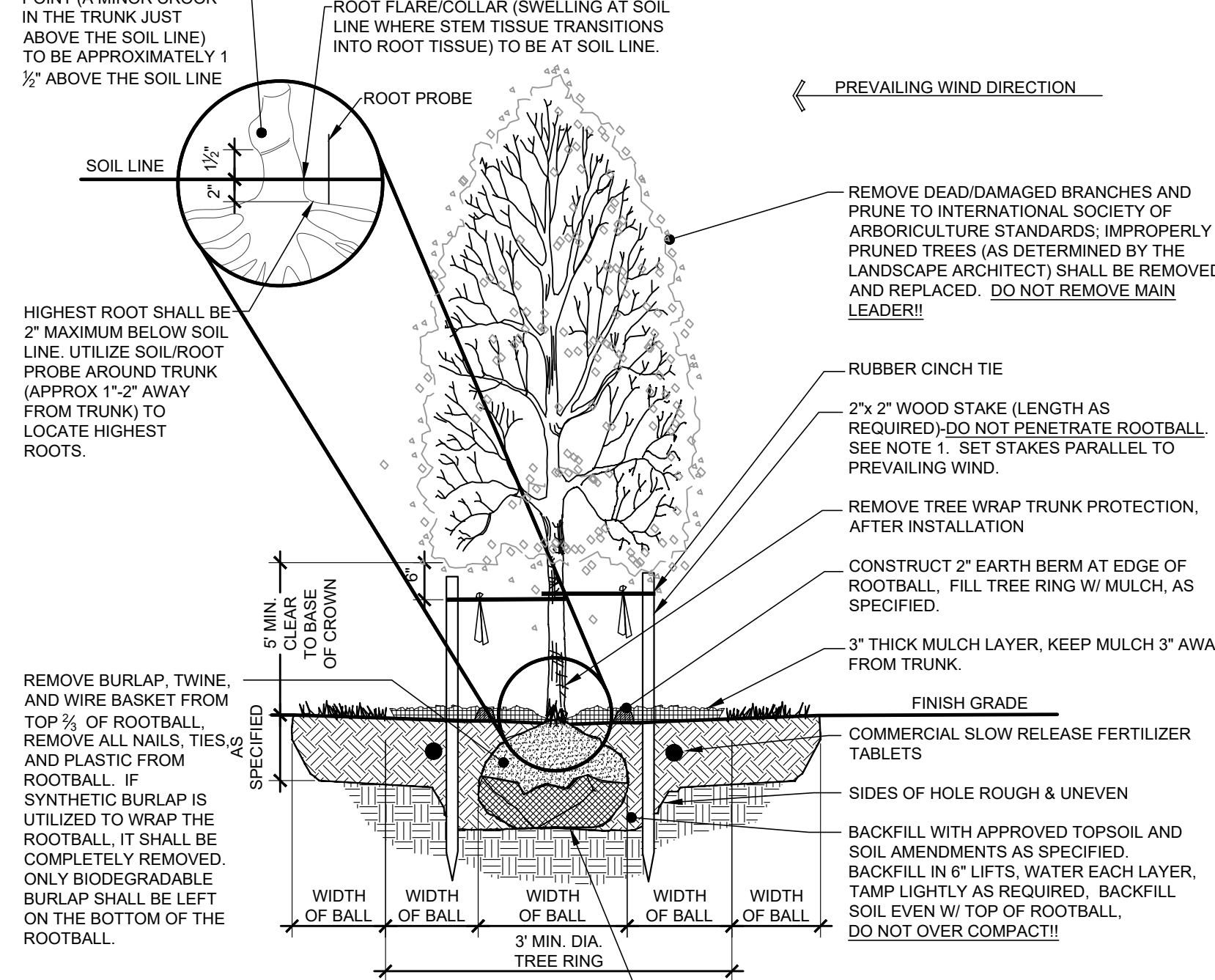


5. CONIFEROUS TREE PLANTING NOT TO SCALE

NOTES:
1. THE STAKING OF TREES IS TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND THAT THEY REMAIN STRAIGHT FOR LENGTH OF WARRANTY PERIOD OR 1 YEAR AFTER SUBSTANTIAL COMPLETION WHICH EVER IS GREATER. ALL STAKING SHALL BE REMOVED AT THE END OF THE WARRANTY PERIOD.
2. IN THE EVENT OF A QUESTION OR LACK OF CLARITY ON THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
3. LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
4. WRAP RUBBER CINCH TIES AROUND THE TREE TRUNKS AND STAKES USING EITHER THE STANDARD OR FIGURE EIGHT TYING METHOD. SECURE THE TIES TO THE STAKES WITH GALVANIZED NAILS TO PREVENT SLIPPAGE.
5. WATER TREE TWICE WITHIN THE FIRST 24 HOURS.
6. IN THE EVENT HARDPAN SOILS PREVENT TREE PLANTING AS DETAILED, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.



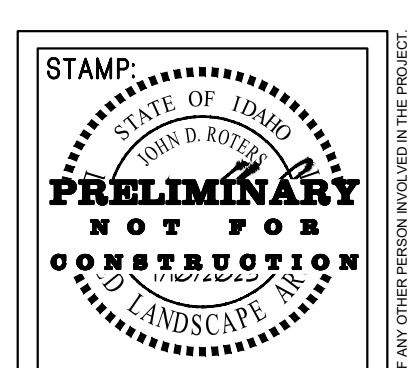
6. DECIDUOUS TREE PLANTING NOT TO SCALE



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NOTES:
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5. WATER TREE TWICE WITHIN THE FIRST 24 HOURS.
6. IN THE EVENT HARDPAN SOILS PREVENT TREE PLANTING AS DETAILED, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.
7. FOR TREES LOCATED WITHIN ROADSIDE PLANTERS LESS THAN 8'0" IN WIDTH, PROVIDE TREE ROOT BARRIER (DEEPROOT #242 OR APPROVED EQUAL). LOCATE ROOT BARRIER AT BACK OF CURB AND EDGE OF SIDEWALK. EXTEND ROOT BARRIER TO 80% OF MATURE TREE CANOPY. ALL TREE INSTALLATIONS SHALL CONFORM TO ALL AGENCY APPROVAL REQUIREMENTS, CONTRACTOR SHALL VERIFY PRIOR TO ANY INSTALLATIONS.

6. DECIDUOUS TREE PLANTING NOT TO SCALE



DATE: 7/10/2023

South Beck & Baird
Landscape Architecture P.C.
202 S. Vista Ave
Boise, ID 83705
208.342.2995 Office
208.342.2995 Cell
info@sbbg.com
www.sbbg.com

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No.	Date	Description

Landscape Details
Dude DeWalt Cellars
5446 N. Hwy 16 Eagle, ID 83616

DRAWN BY: AJW

CHECKED BY: JDR

PROJECT NUMBER: 20-067

SHEET: MSP 3.0

Master Site Plan



POTENTIAL BUILDING LIKENESSES FOR NEW STORAGE FACILITY



POTENTIAL LIKENESSES FOR PRODUCTION FACILITY



POTENTIAL BUILDING LIKENESSES FOR FUTURE TASTING ROOM/EVENT SPACE



City of Star

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

www.staridaho.org



Mayor:
Trevor A. Chadwick

Council:
Kevin Nielsen
Jennifer Salmonsén
Kevan Wheelock
David Hershey

10 July 2023

Jay Gibbons
South Beck and Baird
2022 S. Vista Ave
Boise, ID 83705

Re: Dude Dewalt – CUP Application

Dear Mr. Gibbons

The City of Star Engineering Department has reviewed the CUP for the Dude Dewalt Cellars dated May 22, 2023. We reviewed the applicant's package to check conformance with the City's Ordinances and coordinated our review with Shawn L. Nickel. We have the following comments and question based on our review.

1. Municipal potable water cannot be used for irrigation purposes. A separate pressure irrigation system will be required. Plans for an irrigation system will be required prior to the construction of additional facilities. Plan may be limited/include documentation of existing irrigation facilities.
2. Prior to construction of additional facilities, including parking lots, hardscape or roadway improvements a stormwater narrative and calculations shall be provided to the city, including documentation of existing stormwater facilities.
 - a. It is unclear if the project is proposing offsite stormwater disposal to drain ditches. If so, plan approvals and license agreements from the affected irrigation ditch companies will be required.
 - b. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
3. All new construction activities shall comply with the City of Star Hillside ordinance.

4. Finish grades at property boundaries shall match existing finish grades. Runoff shall be maintained on property unless otherwise approved.
5. Street lighting shall be in accordance with ISPWC and the City of Star Supplementals. Cut sheet for lights and light poles shall be approved in writing by the City prior to installation.
6. Easements for public sewer/water facilities will be required where placed outside of public right of way. Service lines for building do not require easements.
7. Owner shall approach the Star Sewer and Water District for annexation to provide water and sewer to the site.

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

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

Sincerely,



Ryan V. Morgan, P.E.
City Engineer



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

June 30, 2023

Shawn Nickel
Star City Hall
PO Box 130
Star, ID 83669

RE: AZ-23-02 / 5446 N Highway 16 / Dude DeWalt Cellars Winery and Events Center

Feedback has been requested regarding an annexation, comprehensive plan map amendment, development agreement, and conditional use permit application for the Dude DeWalt Cellars Winery and Events Center. The proposal is to annex approximately 34.6-acres with a zoning designation of Rural Residential (RR). The property is located at 5446 N. Highway 16, in unincorporated Ada County.

The City of Star adopted an updated Comprehensive Plan in 2022, which has not been adopted by Ada County. However, Ada County is supportive of the proposed annexation and zoning designation of RR as the property currently has an existing winery and event center. Therefore, the proposed zoning designation of RR is supported by the following Star Comprehensive Plan goal.

Goal 8.5.2.B: Rural Residential areas help to preserve Star's rural feel and huge manicured "Rural Residential" lots are discouraged in order to preserve land for more rural/agricultural type use. The manicured home site areas on these properties should be minimal and subordinate to open rural ground for pastures, farming, and other rural uses.

As the existing winery and events center are located off Highway 16, and the use is of a commercial nature, the proposal is supported by the following Star Comprehensive Plan goal.

Goal 8.5.6.B: Encourage commercial facilities to locate on transportation corridors.

As the existing winery and event center provides for social and recreational entertainment, it is supported by the following Star Comprehensive Plan goal.

Goal 8.3: 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.

Ada County looks forward to working with the City of Star in the renegotiation and adoption of the updated Comprehensive Plan.

Please feel free to contact me with any questions.

Sincerely,

Stacey Yarrington

Stacey Yarrington
Community & Regional Planner
Ada County Development Services



BEFORE THE BOARD OF ADA COUNTY COMMISSIONERS

In re:

Application of Keith Hill and Johnna and Trae Buchert

Project No. 202102577 A (x_ref: 202102577 CU-MSP)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

If any of these Findings of Fact are deemed Conclusions of Law, they are incorporated into the Conclusions of Law section.

A. The Board finds that the record is comprised of:

1. Exhibits to the Staff Report.
2. All other information contained in Ada County Development Services File for Project Nos. 202102577 A and 202102577 CU-MSP.
3. All information and testimony presented at the Public Hearing held on November 18, 2021.
4. All information and testimony presented at the Public Hearing held on December 9, 2021.
5. All information and testimony presented at the Public Hearing held on February 10, 2022.
6. All information and testimony presented at the Public Hearing held on March 10, 2022.
7. All information and testimony presented at the Public Hearing held on June 1, 2022.
8. All information and testimony presented at the Public Hearing held on June 28, 2022.

B. As to procedural items, the Board finds the following:

1. On March 10, 2022, the Planning and Zoning Commission approved the Conditional Use and Master Site Plan to allow Dude DeWalt Cellars to operate a Winery and Club, Lodge, or Social Hall to host events in excess of 50 people.
2. On March 18, 2022 and March 23, 2022, Development Services received applications from Keith Hill and Johnna and Trae Buchert appealing the Planning and Zoning Commission's decision and scheduled the appeal for public hearing before the Board of Ada County Commissioners on June 1, 2022.
3. On April 8, 2022, staff notified other agencies of this application and solicited their comments. Any comments received were incorporated into the staff report and are attached as Exhibits.
4. On April 15, 2022, property owners within 1000 feet of the site were notified of the hearing by mail. Legal notice of the Board's hearing was published in The Idaho Statesman on May 17, 2022. Notices of the public hearing were posted on the property by May 22, 2022 and a certification sign posting was submitted to the director by May 23, 2022.

C. As to the project description, the Board finds based on the application materials found in the file for Project No. 202102577 A the following:

1. PROPOSED USES: Winery and Club, Lodge, or Social Hall.
2. PROPOSED STRUCTURES: No new proposed structures.
3. PROPOSED SITE IMPROVEMENTS: Lighting and speakers.

D. Based on the materials found in the file for Project No. 202102577 A, the Board finds the following concerning the project description:

1. PARCEL NUMBER AND LOCATION: The parcel number is S0328427800. The property is located at 5446 N. Highway 16 in Section 28, T. 5N, R. 1W.
2. OWNERSHIP: Trae & Johnna Buchert.
3. SITE CHARACTERISTICS

Property size: 34.60 acres

Existing structures: 12,800 sq. ft. production facility, 4,000 sq. ft. equipment storage structure, 4,000 sq. ft. materials storage structure, 3,000 sq. ft. agricultural structure, 5,615 square foot single-family dwelling with a 1,022 square foot attached garage, and a 2,250 square foot tasting room.

Existing vegetation: Vineyards, residential landscaping, and dryland shrubs, grasses, and forbs.

Slope: Portions of the property have steep slopes from 15% up to 50%. Irrigation: Well.

Drainage: The natural drainage of the property is away from the existing single-family dwelling and tasting room to the west, north, south, and east.

Views: Portions of the property are visible from Highway 16.

E. Based on the officially adopted Ada County land use maps, the Board finds the following concerning the current land use and zoning:

The site is a winery with a single-family dwelling and is zoned Rural Residential (RR).

F. Based on the officially adopted Ada County land use maps, the Board finds the following concerning the surrounding land use and zoning:

North: The site is rangeland in the Rural Residential (RR) District.

South: The site is rural residential in the Kling Estates Subdivision in the Rural Residential (RR) District.

East: The site is BLM rangeland in the Rural Residential (RR) District.

West: The site is rural residential in the Goldfork Ridge Phase No. 1 Subdivision and unplatted fallow ground in the Rural Residential (RR) District.

G. Based on the officially adopted Ada County land use maps and materials found in the file for Project No. 202102577 A, the Board finds the following concerning services:

Access Street and Designation: Access to the property is from Highway 16, which is designated as an expressway.

Fire Protection: Star Fire District.

Sewage Disposal: Individual Septic System. Water Service: Individual Well.

Irrigation District: None.

Drainage District: None.

H. As to the applicable law, the Board finds the following:

This section details the comp plan goals, objectives and policies; the zoning ordinance regulations; and other applicable standards regarding development of the subject property.

1. The Board finds **Section 8-7-7 of the Ada County Code** is applicable because the appellant is appealing the Planning and Zoning Commission's approval of a Winery and Club, Lodge, or Social Hall. The Board finds the application complies with **Section 8-7-7 of the Ada County Code**. Regarding Section 8-7-7 the Board finds the following:

A. Application: Any decision or action may be appealed as set forth in this chapter. The appellant shall be an affected person as defined in Idaho Code section 67-6521(1)(a).

1. A person aggrieved by a final decision or action within the jurisdiction and authority of the Board (see subsection 8-7-2A of this chapter), the hearing examiner (see subsection 8-7-2F of this chapter), or the commission (see subsection 8-7-2D of this chapter) may appeal to the board.

The Board finds that the appellants are Keith Hill and Johnna and Trae Buchert, who are a resident of the area and a resident/business owner of the area, respectively, where the Winery and Club, Lodge, or Social Hall are proposed. Both appellants provided public testimony on the project prior to the Planning and Zoning Commission's decision.

B. Appeal Procedures:

1. Appeals of written decision shall be filed with the director within fifteen (15) days after the date of the written decision, or it shall not be accepted. An application and fees as set forth in article A of this chapter, shall be submitted to the director on forms provided by the development services department.

The Board finds that Keith Hill and Johnna and Trae Buchert filed appeals with the Director on March 18, 2022 and March 23, 2022, respectively, which are within fifteen (15) days after the date of the written decision made on March 10, 2022.

2. The Director shall schedule and the board shall hold a public hearing and make a decision pursuant to the procedures as set forth in section 8-7A-8 of this chapter.

The Board finds that the Director scheduled a public hearing in front of the Board of County Commissioners on June 1, 2022 and that the Board held a public hearing on June 1, 2022. The Board made a decision pursuant to the procedures as set forth in Section 8-7A-8.

3. At the public hearing the board shall consider the order, requirements, permit, decision, or determination of the Commission, and any attached conditions

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Project No. 202102577 A

Keith Hill and Johnna and Trae Buchert

thereto. The board shall consider any additional evidence that may be offered by the public, applicant, director, and/or Commission.

The Board finds that they have at their June 1, 2022 public hearing considered the order, decision, determination, and supporting materials from the Planning and Zoning Commission's decision as well as evidence submitted to the Board at their June 1, 2022 public hearing.

The Board finds that the appellants have submitted detailed letters (Exhibit #5a and #6a) illustrating why the Board should modify the Planning and Zoning Commission's decision on the Conditional Use and Master Site Plan (Project No. 202102577 CU-MSP).

The main points of the appellant's arguments are detailed below:

Keith Hill

- a. *Due to the frequency and noise associated with the number of new events allowed, particularly the larger events, the following conditions should be placed on the project to mitigate impacts on neighboring properties:*
 - i. *The existing barn, tasting room, and patio shall be screened to protect the homeowners to the south by erecting a fifty (50) foot long by eight (8) foot tall wall. The wall must be stone, concrete or concrete block for sound mitigation. (6 & 17 on Master Site Plan).*
 - ii. *The hilltop open area (7 & 22 on master site plan) must have a seventy five (75) foot long by eight (8) foot tall wall erected to protect the homeowners to the south. This wall must be stone, concrete or concrete block. (south of 17 "Event Center Area on Master Site Plan).*
 - iii. *Eight (8) trees of at least ten (10) feet in height planted at south end of parking area. (4 on the Master Site Plan).*
 - iv. *No amplified music outside. All amplified music and speakers must be inside a building on the master site plan.*
 - v. *No tents (such as white wedding/event tents) may be used.*
 - vi. *The three (3) outside speakers on production facility (s8 and 18) shall be removed from approval.*
 - vii. *The requirement previously approved to move the production facility fifty (50) feet north be altered to simply allow the production facility where originally proposed.*
 - viii. *That hours of operation be adjusted to be 10 am to 6 pm. The reason is that will mitigate noise and the issue of folks who have*

enjoyed Dude DeWalt Wine from imbibing and driving in the dark on highway 16 known for its highest its peril and accidents. And the fact that the number contributing factor to accidents and fatal accidents in Ada County and Idaho is drunk driving.

- ix. *No busses on site. All of the fifteen (15) events authorized to exceed fifty (50) persons may only have patrons come by car and park in the eighty three (83) authorized spaces only.*

Johnna and Trae Buchert

- a. *The restriction of a maximum of fifteen (15) larger events based on staff's interpretation of ITD's review of the project should be removed based on other approvals Ada County has made regarding Clubs, Lodges, or Social Halls.*
- b. *Advanced notification to the Director for events should not be required given the increased frequency of events likely to occur based on Ada County's approval of the property for a Club, Lodge, or Social Hall.*
4. The Board may affirm, reverse, modify, in whole or in part the order, requirement, permit, decision, or determination appealed from, or make or substitute any additional conditions that in its deliberations it may find warranted.

The Board finds that they have at their June 1, 2022 public hearing considered the order, decision, determination, and supporting material from the Planning and Zoning Commission's decision as well as evidence submitted to the Board before and at their June 1, 2022 public hearing.

The Board denies the appeal and affirms the Planning and Zoning Commission's decision. In response to the appellant's arguments stated in item "3" above, the Board provides the following:

Keith Hill

Several conditions have already been placed on both the Winery and Club, Lodge or Social Hall approvals for this project to mitigate impacts on neighboring properties. These include limitations on hours of operation, lighting, parking, number of large (more than fifty (50) people), landscaping and screening, locations of buildings, and required improvements to both Highway 16 and the driveway that serves the subject property.

Johnna and Trae Buchert

Limiting the number of larger events (more than fifty (50) people) to a maximum of fifteen (15) per year as well as requiring advanced notification to the Director for events will mitigate impacts on neighboring properties.

Ada County Comprehensive Plan:

2. The Board finds that the **Ada County Comprehensive Plan** is applicable because the property is not located within an Area of City Impact. The Board finds the application complies with Ada County Comprehensive Plan. Regarding the **Ada County Comprehensive Plan** the Board finds the following:

The Future Land Use Map of the Ada County Comprehensive Plan designates the property as Rangeland which lists seasonal grazing by domestic livestock or wild animals as a primary use, and hiking, hunting, fishing, and other recreational activities as secondary uses. The majority of the property will either remain undisturbed or be used for agricultural production. The associated wine tasting use constitutes a recreational activity, the proposed application is compatible with the adopted Future Land Use Map.

The Board finds that the proposal to incorporate an agricultural-based commercial use on property located outside of the Areas of City Impact is supported by the following Comprehensive Plan goals.

Goal 2.3: Provide opportunities for limited residential and non-residential development in unincorporated area outside ACIs.

Goal 2.3c: Provide limited opportunities for commercial uses intended to primarily serve the immediate surrounding area, travelers passing through, or the agricultural community in accordance with the goals and policies contained in this Plan.

The Board finds that as the proposed social hall will support an existing winery located on the property, it is compatible with the following goals and strategies which encourage agricultural industries and operations within Ada County.

Goal 2.5: Continue to support the agricultural industry and preservation of agricultural land in rural, unincorporated parts of Ada County.

Goal 2.5e: Consider the economic impact of agricultural operations in land use decisions.

Strategy 3.3b: Establish incentives and regulations that provide opportunities for and encourage small-scale or specialized agricultural operations in rural areas and ACIs.

Goal 3.3: Maintain Ada County's strong agricultural industry..

Ada County Code:

3. The Board finds **Article 8-3B of the Ada County Code** is applicable as the subject property is in the Wildland Urban Fire Interface Overlay District. The Board finds as conditioned that that the application complies with **Article 8-3B of the Ada County Code**. As conditioned, the master site plan shall indicate that there will be fifty (50) foot defensible space around all habitable structures and there will be five (5) foot gravel shoulders on either side of the driveway to ensure it will be kept clear of vegetation.

4. The Board finds **Article 8-3H of the Ada County Code** is applicable as the subject property is in the Hillside Overlay District. The Board finds as conditioned that the application complies with **Article 8-3H of the Ada County Code**. As conditioned, if there is any grading, filling, clearing, or excavation of any kind where there are slopes that exceed fifteen percent (15%) or adverse conditions associated with slope stability, erosion, or sedimentation are present, as determined by the County Engineer, the applicant shall apply for a hillside permit.
5. The Board finds **Section 8-4E-5 of the Ada County Code** is applicable because the applicant has applied for winery and club, lodge, or social hall uses. The Board finds that the application complies with **Section 8-4E-5 of the Ada County Code**. Regarding Section 8-4E-5 the Board finds the following regarding the master site plan.

- A. The master site plan complies with this title and the applicable comprehensive plan;

The Board finds as evidenced by Findings of Fact Section H that the master site plan for the winery and club, lodge, or social hall complies with the applicable required findings of fact as outlined herein. As evidenced in Findings of Fact Section H(2) herein, the master site plan complies the Ada County Comprehensive Plan.

- B. The applicant has submitted a natural features analysis (subsection 8-4E-4D of this article) identifying the constraints presented by such natural features, and the proposed development sufficiently addresses such features;

The Board finds per Section 8-4E-3B of the Ada County Code that a natural features analysis is not required if the entire subject property already had a natural features analysis completed from a previously approved master site plan.

The Board finds that a natural features analysis for the subject property was completed with the initial conditional use and master site plan (Project No. 201900403 CU-MSP) for the existing winery. This natural features analysis identified the hydrology, soil types, topography, vegetation, historic resources, hazardous areas, and impact on natural features. There are no wetlands, streams, ponds, lakes, swales, or seasonal high-water areas on the property. The soil types are Lankbush-Brent sandy loam soil. The property is located at the top of a hill and portions of the property have slopes greater than 15%. The property has native vegetation such as lupine, balsamroot, cheat and bunch grass, rabbit brush, sagebrush, and bitter brush in addition to the grape vines and residential landscaping. The Idaho Department of Fish & Game indicated that they had no records of any federally listed threatened or endangered species or critical habitat within the property. There are no historic resources present on the subject property. The Tesoro natural gas pipeline runs through the northwestern portion of the property. The impact on natural features will be minimal as the majority of the property will remain open.

- C. The proposed landscaping meets the requirements of article F of this chapter;

The Board finds that the applicant has already been approved for an existing landscaping plan. An alternative landscape and screening plan were approved by the Commission for the existing winery (Project No. 201900403 CU-MSP). Additional

landscaping and screening was also approved through Project No. 202002735-CU-MSP.

- D. The proposed parking and loading spaces meet the requirements of article G of this chapter;

The Board finds as conditioned that the proposed parking and loading spaces meet the requirements of Article 8-4G of the Ada County Code. A parking plan was previously approved through Project No. 202002735-CU-MSP. A Club, Lodge, or Social Hall requires one (1) parking space per 200 square feet of gross floor area. The property has 83 total parking spaces. The parking is located in two (2) areas of the property. The first area is by the existing and proposed tasting rooms. The second is closer to Highway 16. The Board has conditioned that overflow parking for up to 150 parking spaces shall be provided. As conditioned, parking of Winery or Social Hall guests or employees shall occur only in designated parking spots and areas.

- E. The proposed lighting plan meets the requirements of article H of this chapter;

The Board finds that the applicant has submitted product specification sheet for the light fixtures they plan to install at the winery (Exhibit #7). As conditioned, the applicant and/or owner shall submit a lighting plan that complies with the requirements of Article 8-4H of the Ada County Code. The lighting plan will need to show the location, orientation, and height of all proposed exterior light fixtures along with the type of illumination including the watts, luminous areas, and photometric test report for each light source.

- F. The proposed master site plan complies with the applicable base district standards, overlay district standards, and specific use standards of this title;

The Board finds that the master site plan complies with the base district standards of the Rural Residential (RR) District. As evidenced on the master site plan (Exhibit #6), the club, lodge, or social hall complies with the 50 foot setback from Highway 16 and the 25 foot property line setback not fronting a roadway. Also, the square footage of the structures does not exceed the maximum 5% lot coverage of 75,358.80 square feet.

The Board finds as evidenced by Findings of Fact Section H(2) that the master site plan complies with the Wildland Urban Fire Interface Overlay District.

The Board finds as evidenced by Findings of Fact Section H(3) that the master site plan complies with the Hillside Overlay District.

The Board finds as evidenced by Findings of Fact Section H(5) that the master site plan complies with the specific use standards for a club lodge, or social hall.

- G. The proposed master site plan is consistent with the APA ridge to rivers pathways plan; and

The Board finds that the master site plan is consistent with the APA ridge to rivers pathways plan as there are no proposed pathways and trails on the property.

- H. Adequate utilities and public services are available or provided for the proposed development, and the development would not be premature by reasons of lack of utilities, transportation, schools, fire protection, or other essential services.

The Board finds that adequate utilities and public services are available or provided for the winery. The application was transmitted to applicable agencies and political subdivisions on April 8, 2022.

- *Brent Moore, Comprehensive & Regional Planner responded in Exhibit #18 that the Future Land Use Map of the Ada County Comprehensive Plan designates the property as Rangeland which lists seasonal grazing by domestic livestock or wild animals as a primary use, and hiking, hunting, fishing, and other recreational activities as secondary uses. As the majority of the property will remain undisturbed or be used for agricultural production, and as the proposed social hall constitutes a recreational activity, the application is compatible with the adopted Land Use Map.*
- *The Ada County Building Official replied in Exhibit #16 that the Building Division has no objection to the proposed conditional use however, the applicant should be aware that the only building on the site that is approved as a “tasting room.” B occupancy and only approved for an occupant load of 39. This will limit the area to be used as the “tasting room” to 279 square feet unless tables and chairs are installed which would allow for 585 square feet. The rest of the building is supposed to be for wine storage. If the use area or the occupant load changes it will require another permit to change the use and occupancy. This will require an application for permit and a complete code analysis by an Architect licensed in the state of Idaho and compete floor plan if the occupant load is to exceed 50 it would become an A occupancy.*
- *The Central District Health Department stated in Exhibit #19 that the applicant shall submit an accessory use application with a detailed plan in order to determine if the septic system can support larger events.*
- *Star Fire District stated in Exhibit #20 that they approve the application with the following conditions:*
 - *With the increased capacity of the tasting area inside the building to a max of fifty (50) proper exits, exit lighting and exit signs need to be in place with proper amount of fire extinguishers.*
 - *During the time that the future construction of the production facility happens, the current driveway will need to be expanded to 26’ with two (2) turnouts. This road layout will need to be approved by Fire District during that time.*
 - *If a gate is ever installed in the future it will need to be equipped with KNOX key lock specific to Star Fire District.*

- *The Idaho Transportation Department (ITD) initially responded in Exhibit #17, stating that they object to the development until a Traffic Impact Study is completed.*
 - *The Idaho Transportation Department commented in Exhibit #21, following the Traffic Impact Study, and has noted that the change in use and increase in trips warrants the need to limit larger events to fifteen (15) per year. In addition, a right turn lane will be required.*
6. The Board finds **Section 8-5-3-29 of the Ada County Code** is applicable because the applicant has applied for a Conditional Use and Master Site Plan to operate a Club, Lodge, or Social hall. The Board finds that the application complies with **Section 8-5-3-29 of the Ada County Code**. Regarding Section 8-5-3-29 the Board finds the following:

- A. All structures shall meet the minimum required setbacks for the applicable base district, or a minimum setback of thirty-five feet (35') from any public street and twenty-five feet (25') from any other property line, whichever is greater.

The Board finds that all previously approved structures meet the setbacks for the Rural Residential (RR) District.

- B. Any food service shall be approved by the central district health department.

The Board finds, as conditioned, all food service shall be approved by the Central District Health Department.

7. The Board finds **Section 8-5B-5 of the Ada County Code** is applicable because the applicant has applied for a Conditional Use to operate Club, Lodge, or Social Hall. The Board finds that the application complies with **Section 8-5B-5 of the Ada County Code**. Regarding Section 8-5B-5 the Board finds the following:

- A. The proposed use shall not be detrimental to the public health, safety, or welfare;

The Board finds that the Club, Lodge, or Social Hall is not detrimental to the public health, safety, and welfare because it is in conformance with the specific use standards for a Club, Lodge, or Social Hall as evidenced by Findings of Fact Section H(5).

- B. The proposed use shall not create undue adverse impacts on surrounding properties;

The Board finds as conditioned, that the Club, Lodge, or Social Hall will not create undue adverse impacts on surrounding properties since the use is rural in nature and the surrounding properties are rural in nature. Previous conditions to provide landscape buffering, increased setbacks, and regulate outdoor speaker systems will mitigate potential impacts surrounding properties.

- C. The proposed use is consistent with the applicable comprehensive plan;

The Board finds as evidenced in Findings of Fact Section H(2) herein, that the proposed Club, Lodge, or Social Hall is consistent with the Ada County Comprehensive Plan.

- D. The proposed use complies with the purpose statement of the applicable base district and with the specific use standards as set forth in this chapter;

The Board finds that the club, lodge, or social hall complies with the purpose statement of the Rural Residential (RR) District as it complies with the applicable design and dimensional standards for the RR District. As evidenced on the Master Site Plan (Exhibit #6) the winery complies with the 50 foot setback from Highway 16 and the 25 foot property line setback not fronting a roadway. Also, the square footage of the structures does not exceed the maximum 5% lot coverage of 75,358.80 square feet.

The Board finds as evidenced by Findings of Fact Section H(2) that the Master Site Plan complies with the Wildland Urban Fire Interface Overlay District.

The Board finds as evidenced by Findings of Fact Section H(3) that the Master Site Plan complies with the Hillside Overlay District.

The Board finds as evidenced by Findings of Fact Section H(5) that the Master Site Plan complies with the specific use standards for a Club, Lodge, or Social Hall.

- E. The proposed use complies with all applicable county ordinances;

The Board finds that the Club, Lodge, or Social Hall complies with all applicable county ordinances as outlined in Findings of Fact Section B and as outlined herein.

- F. The proposed use complies with all applicable state and federal regulations;

The Board finds that all uses are innately required to comply with all applicable state and federal regulations as a matter of law.

- G. The proposed use and facilities shall not impede the normal development of surrounding property;

The Board finds that there is no evidence in the record that indicates that the Club, Lodge, or Social Hall will impede the normal development of surrounding properties as the use is compatible with surrounding properties.

- H. Adequate public and private facilities such as utilities, landscaping, parking spaces, and traffic circulation measures are, or shall be, provided for the proposed use;

The Board finds that adequate utilities and public services are available or provided for the winery. The application was transmitted to applicable agencies and political subdivisions on September 30, 2021.

- *Brent Moore, Comprehensive & Regional Planner responded in Exhibit #18 that the Future Land Use Map of the Ada County Comprehensive Plan*

designates the property as Rangeland which lists seasonal grazing by domestic livestock or wild animals as a primary use, and hiking, hunting, fishing, and other recreational activities as secondary uses. As the majority of the property will remain undisturbed or be used for agricultural production, and as the proposed social hall constitutes a recreational activity, the application is compatible with the adopted Land Use Map.

- *The Ada County Building Official replied in Exhibit #16 that the Building Division has no objection to the proposed conditional use however, the applicant should be aware that the only building on the site that is approved as a “tasting room.” B occupancy and only approved for an occupant load of 39. This will limit the area to be used as the “tasting room” to 279 square feet unless tables and chairs are installed which would allow for 585 square feet. The rest of the building is supposed to be for wine storage. If the use area or the occupant load changes it will require another permit to change the use and occupancy. This will require an application for permit and a complete code analysis by an Architect licensed in the state of Idaho and complete floor plan if the occupant load is to exceed 50 it would become an A occupancy.*
- *The Central District Health Department stated in Exhibit #19 that the applicant shall submit an accessory use application with a detailed plan in order to determine if the septic system can support larger events.*
- *Star Fire District stated in Exhibit #20 that they approve the application with the following conditions:*
 - *With the increased capacity of the tasting area inside the building to a max of fifty (50) proper exits, exit lighting and exit signs need to be in place with proper amount of fire extinguishers.*
 - *During the time that the future construction of the production facility happens, the current driveway will need to be expanded to 26' with two (2) turnouts. This road layout will need to be approved by Fire District during that time.*
 - *If a gate is ever installed in the future it will need to be equipped with KNOX key lock specific to Star Fire District.*
- *The Idaho Transportation Department (ITD) initially responded in Exhibit #17, stating that they object to the development until a Traffic Impact Study is completed.*
- *The Idaho Transportation Department commented in Exhibit #21, following the Traffic Impact Study, and has noted that the change in use and increase in trips warrants the need to limit larger events to fifteen (15) per year. In addition, a right turn lane will be required.*

I. Political subdivisions, including school districts, will be able to provide services for the proposed use.

The Board finds that the application was transmitted to political subdivisions on September 30, 2021 and there has not been any evidence submitted into the record to indicate that political subdivisions would not be able to provide services to the club, lodge, or social hall.

CONCLUSIONS OF LAW

If any of these Conclusions of Law are deemed to be Findings of Fact they are incorporated into the Findings of Fact section.

1. The Board concludes that Project No. 202102577 A complies with Section 8-7-7 of the Ada County Code.
2. The Board concludes that Project No. 202102577 CU-MSP complies with the Ada County Comprehensive Plan.
3. The Board concludes that Project No. 202102577 CU-MSP complies with Section 8-3B of the Ada County Code.
4. The Board concludes that Project No. 202102577 CU-MSP complies with Section 8-3H of the Ada County Code.
5. The Board concludes that Project No. 202102577 CU-MSP complies with Section 8-4E-5 of the Ada County Code.
6. The Board concludes that Project No. 202102577 CU-MSP complies with Section 8-5-3-29 of the Ada County Code.
7. The Board concludes that Project No. 202102577 CU-MSP complies with Section 8-5B-5 of the Ada County Code.

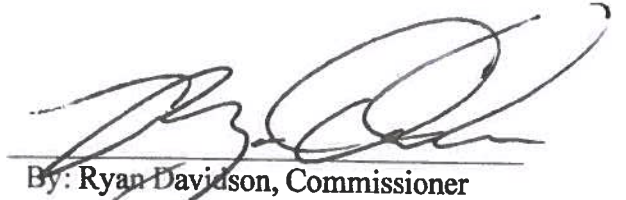
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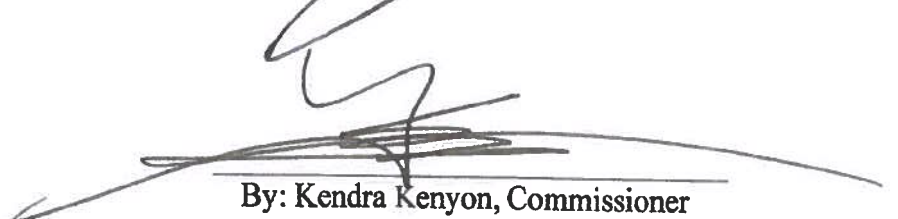
Based upon the Findings of Fact and Conclusions of Law contained herein and the testimony from the public hearing, the Board denies Project No. 202102577 A and affirms the Planning and Zoning Commission's approval of Project No. 202102577 CU-MSP subject to the Conditions of Approval attached as Exhibit A and the Master Site Plan.

DATED this 28th day of June, 2022

**BOARD OF ADA COUNTY
COMMISSIONERS**


By: Rod Beck, Commissioner


By: Ryan Davidson, Commissioner


By: Kendra Kenyon, Commissioner

ATTEST:

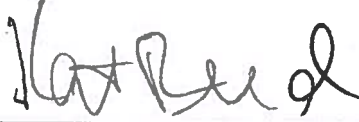

Phil McGrane, Ada County Clerk
by Katle Reed, Assistant Deputy Clerk

EXHIBIT A

CONDITIONS OF APPROVAL

REQUIRED ACTIONS. THE FOLLOWING LIST DETAILS THE TASKS THAT MUST BE COMPLETED BEFORE THE APPROVAL OF PROJECT NO. 202102577 CU-MSP WILL BE CONSIDERED FINAL. THE APPLICANT AND/OR OWNER HAVE UNTIL TWO YEARS OF THE WRITTEN DECISION TO COMPLETE THE REQUIRED ACTIONS AND TO OBTAIN A ZONING CERTIFICATE UNLESS A TIME EXTENSION IS GRANTED. SEE SECTION 8-7-6 OF THE ADA COUNTY CODE FOR INFORMATION ON TIME EXTENSIONS. IF A BUILDING PERMIT IS REQUIRED, THE ZONING CERTIFICATE SHALL BE ISSUED WITH THE BUILDING PERMIT. THIS APPROVAL SHALL BECOME VOID IF A VALID ZONING CERTIFICATE HAS NOT BEEN ISSUED BY THAT DATE. SITE IMPROVEMENTS ARE NOT ALLOWED UNTIL THE ZONING CERTIFICATE HAS BEEN ISSUED.

1. The applicant and/or owner shall obtain written approval of the development (site plan and/or use) from the agencies noted below. All site improvements are prohibited prior to approval of these agencies.
 - a) Central District Health must approve the septic permit.
 - b) The Star Fire District must approve all fire flow requirements and/or building plans.
 - c) The County Engineer must approve a surface drainage run-off plan. The plan shall contain all proposed site grading. Please contact the County Engineer at (208) 287-7900 for fee and application information. See Section 8-4A-11 of the Ada County Code for drainage plan standards.
2. As required by the Commission, the master site plan shall be modified to include the following items:
 - a) The applicant and/or owner shall provide a site plan showing the plantings around the production facility for the Director to review.
 - b) The applicant and/or owner shall provide detailed plans of the parking areas showing that the parking spaces comply with the minimum stall depth of 20'0" and the minimum stall width of 9'0" and has a two-way driving aisle that exceeds 25'0".
 - c) The applicant and/or owner shall depict how patrons will get from the overflow parking area to the tasting rooms.
 - d) The applicant and/or owner shall submit a lighting plan that complies with the requirements of Article 8-4H of the Ada County Code.
 - e) The applicant and/or owner shall submit a new plan showing the tasting room and associated patio located a minimum of 125' from the southern property line.
 - f) The applicant and/or owner shall construct an additional 2' on the 6' berm for the area along the new tasting facility (50' from the eastern edge of the existing berm) from the southern property line.
 - g) The applicant and/or owner shall extend to the existing 6' berm 50' to the west along the southern property line.

- h) ~~The applicant and/or owner shall move the production facility to the north a minimum of 50' from the current proposed location.~~
 - i) Additional screening in the form of minimum 6' tall trees shall be provided between the upper parking lot area and the residences to the south.
 - j) Additional parking for a total of one hundred and fifty parking spaces on site must be installed and inspected by Development Services Staff prior to the commencement of events exceeding one hundred (100) people in size.
3. A complete code analysis from a licensed Idaho Architect for each individual structure is required as the project moves forward.
 4. For any retaining walls greater than four (4) feet in height as measured from the bottom of the footing to the top of the wall the applicant and/or owner shall provide structural engineering calculations.
 5. The applicant and/or owner shall submit building elevation drawings to the Director for any structures greater than 10,000 square feet showing that the structure has been designed such that the building mass and bulk are distributed.
 6. The applicant and/or owner shall submit plans for a food or beverage establishment to the Central District Health Department for plan review.
 7. The applicant and/or owner shall submit plans to the Idaho Department of Water Resources for the well construction and water availability.
 8. The applicant and/or owner shall pay the Ada County Highway District (ACHD) traffic impact fees prior to the issuance of a building permit.
 9. If the off-street parking areas are not surfaced with asphaltic concrete, then the County Engineer must approve some comparable all weather dustless material.
 10. The applicant and/or owner shall either install a placard or striping that clearly identifies and demarcates the ADA accessible parking space.
 11. The applicant and/or owner shall obtain written verification from ITD that they have approved the signs visible from Idaho State Highway 16.
 12. The applicant and/or owner is responsible for completing the EPA required SWPPP, NOI and/or Low Erosivity Waiver prior to construction.
 13. The applicant, owner, engineer or record and/or contractor shall notify the County Engineer when a construction start date is established.
 14. The Engineer of Record shall submit a letter to the Director stating the work has been completed in substantial compliance with the approved plans for the construction of the driveways and parking areas.
 15. The applicant and/or owner shall schedule a final inspection with the County Engineer upon completion of the project.

16. The applicant and/or owner shall schedule a final inspection with the Star Fire District prior to the issuance of the Certificate of Occupancy.
17. If required by the Ada County Building Code as set forth in Title 7, Chapter 2, of the Ada County Code, the applicant and/or owner shall obtain a building permit prior to commencing any development. Please contact the County Building Official at (208) 287-7900 for fee and application information. The design and construction of the development shall comply with the approved and stamped master site plan and the Ada County Code.
18. The applicant and/or owner shall submit an accessory use application to Central District Health with a detailed plan and provide Development Services with an approval letter.
19. With the increased capacity of the tasting area inside the building to a max of 50, proper exits, exit lighting and exit signs need to be in place with proper amount of fire extinguishers as required by Star Fire District.
20. During the time that the future construction of the production facility happens, the current driveway will need to be expanded to 26' with 2 turnouts. This road layout will need to be approved by the Star Fire District during that time.
21. A northbound right turn lane shall be constructed to the Idaho Transportation Department's current standards to mitigate for entering traffic.
22. A Certificate of Occupancy will be issued when all of the above conditions have been met. In the event conditions cannot be met by the desired date of occupancy, the owner and/or applicant may request a surety agreement in lieu of completing the improvements. See Title 8, Chapter 4, Article K of the Ada County Code for the terms and regulations of surety agreements.

TERMS OF APPROVAL. THE FOLLOWING TERMS MUST BE COMPLIED WITH AT ALL TIMES OR YOUR APPROVAL MAY BE REVOKED.

23. A zoning certificate and/or a building permit may not be issued until 15 days after the Commission issued the written decision on the proposed development. In the event the decision of the Commission is appealed, the building permit may not be issued until the appeal is resolved in favor of the proposed development. See Section 8-7-7 of the Ada County Code for more information on appeals.
24. The Director must approve any modification and/or expansion to the master site plan. See Section 8-4E-3 of the Ada County Code.
25. The use must comply with the specific use standards for a club, lodge, or social hall in Section 8-5-3-29 of the Ada County Code.
26. If a gate is ever installed, it will need to be equipped with a KNOX key lock specific to Star Fire District.
27. The outdoor public address/speaker system shall comply with the noise regulations of Section 5-13-3 of the Ada County Code.

28. Food service for events shall be approved by the Central District Health Department.
29. Any events of more than ~~fifty (50)~~ one hundred (100) people and no greater than two hundred and fifty (250) shall be limited to ~~fifteen (15)~~ twenty four (24) events per year.
30. ~~Prior to any events of more than fifty (50) people, the applicant and/or owner shall provide the Director in writing the date and time of the upcoming event.~~
31. The use must comply with the specific use standards for a winery in Section 8-5-3 of the Ada County Code, excluding the standard regarding promotional events.
32. The days and hours of operation for the wine tasting and events use are from 10:00 A.M. to 10:00 P.M., daily; Mondays and Tuesdays, hours of operation shall be limited to 10 a.m. to 6 p.m. The operation of the winery use is allowed 24 hours/7 days a week.
33. If there is any grading, filling, clearing, or excavation of any kind where there are slopes that exceed fifteen percent (15%) or adverse conditions associated with slope stability, erosion, or sedimentation are present, as determined by the County Engineer shall apply for a hillside permit.
34. The applicant and/or owner shall comply with the Ada County Highway District's site specific and standard conditions of approval.
35. The applicant and/or owner shall comply with ITD Permit No. 3-19-504. Should the use of the parcel change causing any increase in trip generation, or the parcel is split, the property owner shall reapply for access with ITD.
36. All drainage shall be retained onsite during and after construction.
37. During construction earthmoving equipment operation hours shall be limited to between 7:00 A.M. and 6:00 P.M.
38. The fire apparatus access turnaround shall meet the 2015 International Fire Code Appendix D.
39. The applicant and/or owner is responsible for restoring all disturbed areas. Restoration shall match the approved plans. For unapproved areas of disturbance, the County Engineer shall determine the level of restoration. This could include geotechnical reports, grading, erosion control blankets and hydro seeding.
40. Any signs must be located outside of the Idaho Transportation Department's Right-of-Way.
41. The applicant and/or owner shall have a continuous obligation to maintain the driveway and winery site in accordance with Ada County Code 8-3B (Wildland Urban Fire Interface Overlay District).
42. The property must be managed and maintained consistent with the standard regulations in Title 8, Chapter 4, Article A of the Ada County Code. Please note that this Article contains specific regulations regarding the accumulation of junk, atmospheric emissions, construction sites, hazardous material storage, outdoor public address systems, outdoor storage of chemicals and fertilizers, transmission line corridors, and utilities.

43. Any lighting on the site shall comply with the lighting regulations in Title 8, Chapter 4, Article H, of the Ada County Code.
 44. The use must comply with the noise regulations in Ada County Code, Title 5, Chapter 13.
 45. For projects where the Commission approved a phasing plan, the phases shall be completed as noted in the phasing plan.
 46. A review of the project shall be performed by the Director after one (1) year of the commencement of the use.
 - 47.
- * Revised conditions added by the Ada County Board of Commissioners at the public hearing held on June 14, 2022.

1445 N. Orchard St.
Boise ID 83706 • (208) 373-0550



Brad Little, Governor
Jess Byrne, Director

June 29, 2023

Shawn L. Nickel
Planning Director and Zoning Administrator
Star City Hall
P.O. Box 130
Star, Idaho 83669
snickel@staridaho.org

Subject: Dude Dewalt Winery & Events Center

Dear Mr. Nickel:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.

- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
 - For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
 - If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
 - The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
 - The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.
- For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator

c:

2021AEK



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

IDAHO TRANSPORTATION DEPARTMENT

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

June 28, 2023

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

Re: Dude Dewalt Cellars Winery and Events Center, File No. AZ-23-02, CPA-23-01, DA-23-04, CU-23-05

Dear Mr. Nickels,

Idaho Transportation Department (ITD) appreciates this opportunity to provide comments regarding Dude Dewalt Cellars Winery and Events Center located at 5446 Highway 16 (Mile Post 103.5), Star, Idaho. Please see the following ITD comments:

1. This project abuts State Highway 16 (SH-16).
2. This proposal does not require a new Traffic Impact Study (TIS).
3. The applicant is working with Spring Valley Development (north of said project) to incorporate the right-turn lane for the Dewalt Cellars Winery and Events Center Development into Spring Valley's project. Please contact Luke Rudolph at Luke.Rudolph@itd.idaho.gov for any questions or changes.
4. Direct access to SH-16 will need to obtain a *Right-of-Way Encroachment Application and Permit Approaches or Public Street* permit. Contact Josh Nopens for any permit questions 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.

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



DATE: July 7, 2023

TO: City of Star – Planning and Zoning

FROM: Victor Islas, Deputy Chief

SUBJECT: Fire District Comments

PROJECT NAME: Dude Dewalt Cellars Winery and Event Center
File AZ-23-02, CPA-23-01, DA-23-04, CU-23-05

Fire District Summary Report:

1. **Overview:** This is a report regarding Dude Dewalt Cellars Winery and Event Center. The Star Fire Protection District will service the development. The development must comply with the most recent adopted International Fire Code and Code of the City of Star.
2. **Services:** The Star Fire Protection District provides 24-hour Fire and EMS services to the citizens of the district. The district utilizes the County Ambulance services for Advanced Life Support and Transport.
3. **Response Time/Station Coverage:**
 - a. Primary – This development will be served by the Star Fire Protection District Station 51, located at 11665 W. State St., Star, Idaho 83669. Station 51 is primary response station located 5.5 miles from entrance off Hwy 16. Station 51 travel time under ideal driving conditions is 10 minutes.
 - b. Future – Star Fire Protection District Station 55 will be located on Floating Feather Rd, west of N. Pollard Ln. When construction is complete, and the station is in service, the entrance off Hwy 16 will be 3.1 miles with a travel time of 5 minutes under ideal driving conditions.
 - c. Response times are subject to change as road infrastructure is improved.
4. **Accessibility:** Roadway Access, Traffic, Radio Coverage
 - a. Access roads shall be provided and maintained following Appendix D and Section 503 of the IFC. Access shall include adequate roadway widths, signage, turnarounds, and turning radius for fire apparatus.
5. **Water Supply:** Requirements for water supply/fire flow will be followed as described in Appendix B of the 2018 International Fire Code unless agreed upon by the Fire District.



6. **Impact Fees:** Impact fees provide funding for essential public safety infrastructure that Star Fire Protection District needs to manage the increase in calls for service created by growth.
 - a. This project will be subject to the impact fee set forth by the fire district.

7. **Additional Comments:**
 - a. Prior requirements set forth by the Fire District in writing to Ada County will apply.
 - b. Additional review, comment, and approval are required by the Fire District for building permits.
 - c. It shall be the responsibility of the applicant to submit appropriate applications and supporting documents to the Fire District for review.
 - d. Any overlooked hazardous condition and/or violation of the International Fire Code does not imply approval of such condition or violation. The applicant will mitigate the hazardous condition and/or violation as per Code working with the Fire Code Official.

Shawn Nickel

From: Keith Hill <unconsult@aol.com>
Sent: Friday, June 30, 2023 11:36 AM
To: Shawn Nickel
Cc: barbara@blfairbanks.com; paul@paulhudson.com; idhazens@gmail.com; jfior313@aol.com; cfior313@aol.com
Subject: Dude DeWalt Cellars / City of Star
Attachments: Dude DeWalt Star Shawn Nickel.docx

Shawn Nickel,

Thanks for the hour of your time yesterday along with Ryan and Ryan.

Your question was what conditions or mitigations to adverse effects would be acceptable to us as neighbors.

First, we have no issues with the vineyard and wine production.

The issues are the collateral that Dude DeWalt Cellars wants in this rural residentially zoned area. Their request makes them an events center, bar and restaurant.

We would want:

1000 Foot set back. That includes parking. Their current parking lot has been expanded beyond the scope of anything they applied for with Ada County. Further we expected that parking lot would follow the setbacks Ada County had for buildings as well. A simple 1000 foot set back on this 34.60 acres is reasonable as it would protect the neighbors from noise in the parking lot, and two existing patios would be not allowed. The current parking lot should be used for building or vineyard and not a parking lot.

All Wine Tastings and Music be indoors.

Daily capacity of 50 people.

12 events of 75 people.

Hours 10am – 6pm Monday through Saturday. No operations on Sundays.

I have no problems with the Operational Winery Activities described in application. I have trouble with all the activities described as events. This is rural residential and weddings, car shows, and concerts are not what needs to happen in residential.

Additionally, the plan takes the residence and calls it the caretaker location. CUPs in residential must fundamentally remain residential and that residence must not in my opinion every be used as part of the winery. If the Bucchert's leave and it is not a residence for them then the CUP should be null and void. Part of the reason now they do not think they are bad neighbors are they are not there to experience what goes on often enough.

Lastly, I want Star to recognize that the Ada County Alcohol permit is illegal in that they never achieved the 75% neighbor approval outlined in Ada 4-3-1 thru 4-3-17. Further this applicant made material false statements on that application by submitting her own signature. The evidence I have collected that they regularly sold alcohol to underage patrons should be taken into consideration. I'd like as a condition in this CUP that Star makes Dude DeWalt (applicant) go thru the 75% approval process again in 2023 as a condition of getting the Star alcohol permit.

Sincerely,

Keith Hill

Keith Hill
The World's Leading Authority On Music Scheduling
252-453-8888
unconsult@aol.com