



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Ryan B. Field, Assistant City Planner

MEETING DATE: August 19, 2025 – PUBLIC HEARING

FILE(S) #: PR-25-02 Private Street for Stardale Place Subdivision

OWNER/APPLICANT/REPRESENTATIVE

Antonio Conti
Ackerman-Estvold
7661 W. Riverside Drive Suite 201
Garden City, ID 83714

REQUEST

Request: The Applicant is seeking approval of a Private Street to access the previously approved Stardale Place Subdivision.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the southwest corner of N. Center Street and W. 3rd Street, Star, Idaho.

CODE DEFINITIONS

UNIFIED DEVELOPMENT CODE:

8-4D-1: PURPOSE:

The purpose of this article is to provide better circulation and safety within commercial, industrial, mixed use, multi-family and certain low-density residential (R-1 or lower) developments by allowing private streets to provide frontage and access to properties that do not have internal public streets, when clear emergency vehicle travel lanes and name addressing for the properties are established. It is not the intent to approve private streets for single-family, duplex and/or townhouse developments in higher density residential developments (R-2 or

higher, M-U) unless they are part of a planned unit development or development agreement, where creative design elements including, but not limited to, mixed uses, common area mews, live/work concepts and/or distinctive open spaces are designed within the development. **The applicability may be extended where the administrator finds it necessary to provide private streets, and Star Fire District determines that private streets will maintain or enhance the safety of a development.** All private streets within a new subdivision shall be approved by the Star Fire District and City Council. Private streets within a minor land division or parcel division may be approved by the Administrator, with Fire District approval. Any private street necessary to provide access and/or frontage in association with a public utility or infrastructure facility and does not provide access to any dwellings shall be exempt from Council approval but is still subject to fire approval.

8-4D-2: APPLICABILITY:

The provisions of this section shall apply to any eligible property that does not have frontage on a public street or where frontage is not required. **A private street shall not deny the ability to provide access or connectivity to adjacent properties, as determined by the Administrator, emergency services and/or Transportation Agencies.**

8-4D-3: STANDARDS:

All private streets shall be designed and constructed to the following standards:

A. Design Standards:

1. Easement: The private street shall be constructed on a perpetual ingress/egress easement or a single platted lot (with access easement) that provides access to all applicable properties.
2. Connection Point: Where the point of connection of the private street is to a public street, the private street shall be approved by the transportation authority.
3. Emergency Vehicle: The private street shall provide sufficient maneuvering area for emergency vehicles as determined and approved by the Star Fire District.
4. Gates: Private gates or other obstacles shall not be allowed, unless approved by Council and the Fire District.

B. Construction Standards:

1. Obtain approval from the county street naming committee and/or City for a private street name(s);
2. Contact the transportation authority to install an approved street name sign that complies with the regulations of the county street naming ordinance;
3. Roadway and Storm Drainage: The private street shall be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the

city of Star based on plans submitted by a certified engineer.

4. Street Width and Construction: The private street may be constructed within an easement for low density developments of R-1 or less with a Fire District approved base and width of no less than 28'. All other residential developments shall be constructed within a common lot and shall have a 36' street width, and shall meet ACHD/CHD4 construction standards, unless otherwise determined by the Council and Star Fire District.

5. Sidewalks: A minimum five foot (5') detached sidewalk shall be provided on at least one side of the street in commercial districts. This requirement may be waived if the applicant can demonstrate that an alternative pedestrian path exists. Residential private streets in some lower density developments may request a modification or waiver of sidewalks to be approved by Council. All other residential developments shall have a minimum 5' detached sidewalks on both sides of the street and shall further meet the requirements of 8-4A-17 of this title.

6. All private streets shall be paved unless a waiver is obtained by Council. Waivers for paving shall only be considered in low density developments of R-1 or less. Any unpaved streets shall be required to meet all Highway District standards for paving the approaches onto public streets.

7. Fire Lanes: All drive aisles as determined by the Star Fire District to be fire lanes, shall be posted as fire lanes with no parking allowed. In addition, if a curb exists next to the drive aisle, it shall be painted red.

8. Permits shall not be issued for any structure using a private street until the private street has been approved and inspected by the City Engineer and Fire District, and the transportation authority has signed off on all permits associated with access to a public street.

C. The applicant or owner shall establish an on-going maintenance fund through the Owner's association with annual maintenance dues to ensure that funds are available for future repair and maintenance of all private streets. This shall be a requirement in a development agreement and/or as part of a planned unit development. A reserve account condition shall be included in the recorded CC&R's and shall be provided to the City for review. The condition of approval shall include the following:

1. Private Street Reserve Study Requirements.

- a. At least once every three years, the board shall cause to be conducted a reasonably competent and diligent visual inspection of the private street components that the association is obligated to repair, replace, restore, or maintain as part of a study of the reserve account requirements of the common interest development, if the current replacement value of the major components is equal to or greater than one-half of the gross budget of the association, excluding the association's reserve account for that period. The board shall review this study, or cause it to be reviewed, annually and shall

consider and implement necessary adjustments to the board's analysis of the reserve account requirements as a result of that review.

- b. The study required by this section shall at a minimum include:
 - i. Identification of the private street components that the association is obligated to repair, replace, restore, or maintain.
 - ii. Identification of the probable remaining useful life of the components identified in paragraph (1) as of the date of the study.
 - iii. An estimate of the cost of repair, replacement, restoration, or maintenance of the components identified in paragraph (1).
 - iv. An estimate of the total annual contribution necessary to defray the cost to repair, replace, restore, or maintain the components identified in paragraph (1) during and at the end of their useful life, after subtracting total reserve funds as of the date of the study.
 - v. A reserve funding plan that indicates how the association plans to fund the contribution identified in paragraph (4) to meet the association's obligation for the repair and replacement of all private street components.
- c. A copy of all studies and updates shall be provided to the City, to be included in the development application record.

8-4D-4: REQUIRED FINDINGS:

In order to approve the application, the administrator and/or Council shall find the following:

- A. The design of the private street meets the requirements of this article;
- B. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and
- C. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

PROJECT OVERVIEW

The applicant is requesting approval of a private street to access the previously approved Stardale Place Subdivision (PP-22-03), approved by Council in July 2022. The original preliminary plat was approved with a public street to access the 22 residential lots within the subdivision. The property was partially constructed before being taken back by the bank after the original developer faulted on the loan. After sitting vacant for several years, a new developer is in the process of completing the development. Construction was completed and a Final Plat has been submitted for approval by Council. During review of the Final Plat, staff discovered that the roadway was built as a private street, although built to public street standards, including curb, gutter, detached sidewalks and a 36' road width. The applicant has stated that confusion due to the history of the approval of development and bank ownership, along with ACHD indicating in their review that a private street was approved, is the reason for that the street was built as a private street

instead of a public street. The applicant requests that Council approve the completed roadway as a private street.

AGENCY RESPONSES

None

PUBLIC RESPONSES

There have been no public responses to this application.

STAFF RECOMMENDATION

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.

PROPOSED CONDITIONS OF APPROVAL
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1. TDB

COUNCIL DECISION

The Star City Council _____ File #PR-25-02 for Private Street on _____, 2025.

STARDALE PLACE



July 17, 2025

City Of Star

Please find enclosed request for a private road for the Stardale Place Subdivision.

Endlsey Court was approved and constructed under the assumption that it was intended to be a private road. This was confirmed through a conversation with Greg Korask, ACHD Plan Checker.

In ACHD's purview the reason for the road to be private is that it cannot be extended in the future and it does not provide a benefit to the public to own and maintain a road not benefitting the public at large.

The application originally submitted to the City did not identify the street as a private road.

The road as currently constructed meets the requirements of a public road both for width and road section.

We cordially request the Council to approve this request.

Respectfully submitted

Graybird, LLC

Brayden Sparrow, Manager



PRIVATE STREET APPLICATION

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

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

Applicant Information:

PRIMARY CONTACT IS: Applicant ___ Owner ___ Representative X
R8

Applicant Name: Graybird, LLC
Applicant Address: 710 W 100 S, Smithfield, UT Zip: 84335
Phone: _____ Fax: _____ Email: beej15@gmail.com

Owner Name: Graybird, LLC
Owner Address: 710 W 100 S, Smithfield, UT Zip: 84335
Phone: _____ Fax: _____ Email: beej15@gmail.com

Representative (e.g., architect, engineer, developer):
Contact: Antonio Conti Firm Name: Ackerman-Estvold
Address: 7661 W Riverside Dr., Ste 201, Garden City, ID Zip: 83714
Phone: 208.853.6470 Fax: _____ Email: antonio.conti@ackerman-estvold.com

Property Information:

Subdivision Name: Stardale Subdivision
Site Location: SW corner N center st. and W 3rd Street

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. (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.)	
AMC	Completed and signed Private Street Application	
	Fee	
	Narrative (Letter of Intent) fully describing the proposed project (must be signed by applicant)	
	Recorded warranty deed for the subject property	
	Legal description of the private street easement (with surveyor's seal)	
	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.	

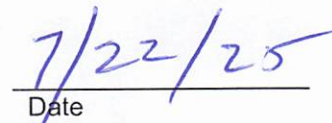
	One (1) 8 ½" X 11" vicinity map showing the location of the subject property	
	One (1) Full-sized, drawn to scale and One (1) 8 ½" X 11" copy of the Preliminary Plat or Site Plan showing all existing and proposed private streets, easements, property lines, structures, and existing and proposed connection to a public street.	
	Names and addresses, printed on one (1) set of 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.	
	Identify which of the following is being processed: ☒ New Private Street ☐ Other ☐ New Private Gate ☐ Extension of a Private Street ☐ Existing Private Street to be Widened & Paved (Access to more than four properties)	
	Identify users of the private street.	
	Identify if the private street currently has an easement, and if any restrictions are placed on said easement.	
	Number of Properties that will use the Private Street 22	
	Number of properties that the Private Street will provide frontage and Access to.	
	Private Street is/will be in: ☐ Easement ☒ Separate Lot	
	Private Street Cross Section , including the following information: ☐ Show the intersection of the proposed private street with a public street. ☐ Turnaround configuration at terminus of private street. ☐ Grade of proposed private street ☐ Length of proposed private street ☐ Width of private street ☐ Easement width (Inside City Limits or Area of Impact: 50') ☐ Detailed description of proposed paving materials.	
	Gate (only for exceptional circumstances – to be approved by Council only). Submit evidence for an exceptional circumstance necessary to improve safety or to halt environmental degradation in the area. Including the following information: ☐ Dimensions of proposed gate and opening ☐ Include traffic direction and proposed locking device(s) ☐ Include letter of approval from Fire District	
	Draft Maintenance Agreement (must be submitted at time of application submittal)	
	Draft Maintenance Fund (See UDC Section 8-4D-3C) – Include in Letter of Intent	
	Proposed Street Name W ENDSLEY COURT	
	One (1) Electronic version of submitted application including signed Private Street application, legal description of property, recorded warranty deed, affidavit of legal interest, vicinity map, preliminary plat map or site plan, names and addresses of property owners within three hundred feet (300') in word document format, copy of letter of intent in word document format.	
	Signed Certification of Posting with pictures. (see attached posting requirements and certification form) – To be completed and submitted prior to public hearing	

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.*

I further agree that if this request is granted the Star Fire and Police Department shall be given access codes for this gate and under no circumstances shall the access codes be changed without first granting them to the Star Fire & Police Department.

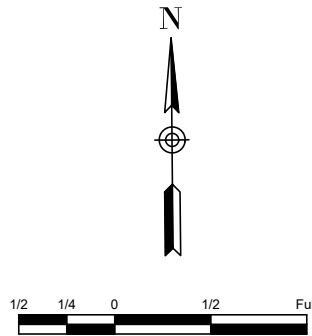

 Applicant/Representative Signature


 Date

FINAL PLAT FOR
STARDALE PLACE SUBDIVISION

A PORTION OF THE SOUTHWEST 1/4 OF THE
SOUTHEAST 1/4 OF SECTION 7, T.4N., R.1W.,
CITY OF STAR, ADA COUNTY, IDAHO.

2025 SCALE: 1" = 40' SHEET 1 OF 3



Graphic Scale:

Attention is Drawn to the Fact That Drawing Scales May be
Altered During Reproduction Processes. Scales Shown
Hereon are Based on a Full Scale Sheet Size of 18" x 27".

Scale: 1" = 40'

LEGEND:

- SET 5/8" REBAR WITH PLASTIC CAP MARKED
LS 18350
- ▲ FOUND MONUMENT AS NOTED
- CALCULATED POINT - NOTHING FOUND OR SET
- B.O.B. BASIS OF BEARING
- CP&F CORNER PERPETUATION AND FILING RECORD

- SUBJECT PARCEL
- - - PROPERTY LINE
- - - REFERENCE BOUNDARIES
- - - EASEMENT LINE

NOTES:

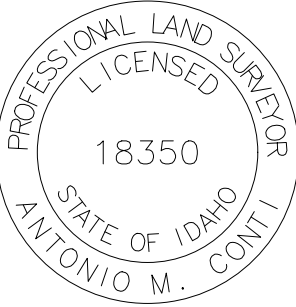
1. BASIS OF BEARING: SOUTH LINE OF SUBJECT PARCEL BEING N87°29'59"W AS ESTABLISHED BETWEEN FOUND MONUMENTS
2. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF STAR APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF THE ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
3. EASEMENTS TO BE PROVIDED PER CITY OF STAR STANDARDS.
4. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT TO THE TIME OF RE-SUBDIVISION.
5. LOTS 1, 2, 21 AND 27 ARE COMMON AREA LOTS HAVING A BLANKET EASEMENT FOR ACCESS, PUBLIC UTILITIES, PRESSURE IRRIGATION AND DRAINAGE, AND WILL BE OWNED AND MAINTAINED BY THE STARDALE PLACE HOMEOWNERS ASSOCIATION.
6. ALL LOT LINES COMMON TO ANY PRIVATE ROADS, REAR LOT LINES, EXTERIOR BOUNDARY LINES ARE HEREBY DESIGNATED AS HAVING A PERMANENT TEN FOOT WIDE (10') EASEMENT FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE. INTERIOR LOT LINES ARE HEREBY DESIGNATED AS HAVING A PERMANENT A FIVE FOOT WIDE (5') EASEMENT FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE.
7. INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR ALL STORMWATER AND DRAINAGE FACILITIES TO CONTAIN ALL WATER TO THE PROPERTY.
8. DEVELOPMENT STANDARDS FOR RESIDENTIAL DEVELOPMENT SHALL COMPLY WITH THE EFFECTIVE BUILDING AND ZONING REQUIREMENTS AT TIME OF BUILDING PERMIT ISSUANCE.
9. THE DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503 RIGHT TO FARM ACT, WHICH STATES " NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
10. THIS SUBDIVISION IS LOCATED WITHIN ZONE X AS SHOWN ON FIRM PANEL 16027C0300F AND 16027C0259G, CITY OF STAR, ADA COUNTY, IDAHO AND INCORPORATED AREAS. A BUILDING PERMIT SHALL NOT BE ISSUED FOR ANY LOT THAT IS LOCATED WITHIN THE MAPPED FLOODPLAIN UNTIL A FLOOD PLAIN DEVELOPMENT PERMIT IS OBTAINED FOR THE INDIVIDUAL LOT. EACH LOT WITHIN THE MAPPED FLOODPLAIN SHALL REQUIRE AN INDIVIDUAL FLOOD PLAIN DEVELOPMENT PERMIT



Curve Table			
Curve #	Length	Radius	Chord
C1	353.95'	71.00'	S2° 00' 57"W 85.82'
C2	18.44'	20.00'	S61° 34' 36"E 17.79'
C3	43.13'	71.00'	S56° 36' 21"W 42.47'
C4	18.44'	20.00'	S65° 36' 31"W 17.79'

REFERENCES

- R1 UNFILED SURVEY BY BRIGGS ENGINEERING
- R2 ROS 12158
- R3 ENDSLEY COURT SUBDIVISION



STARDALE PLACE SUBDIVISION
385 N CENTER STREET
STAR, IDAHO

DRAWN BY: CDJ
CHECKED BY: AMC

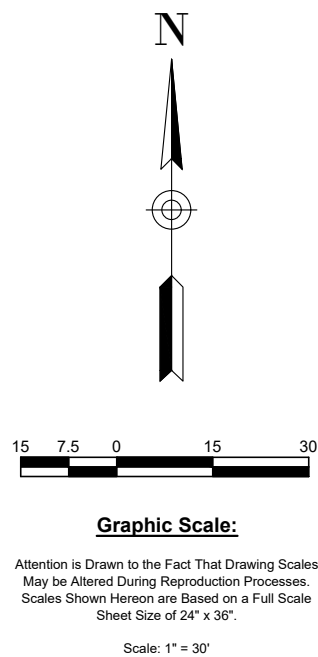
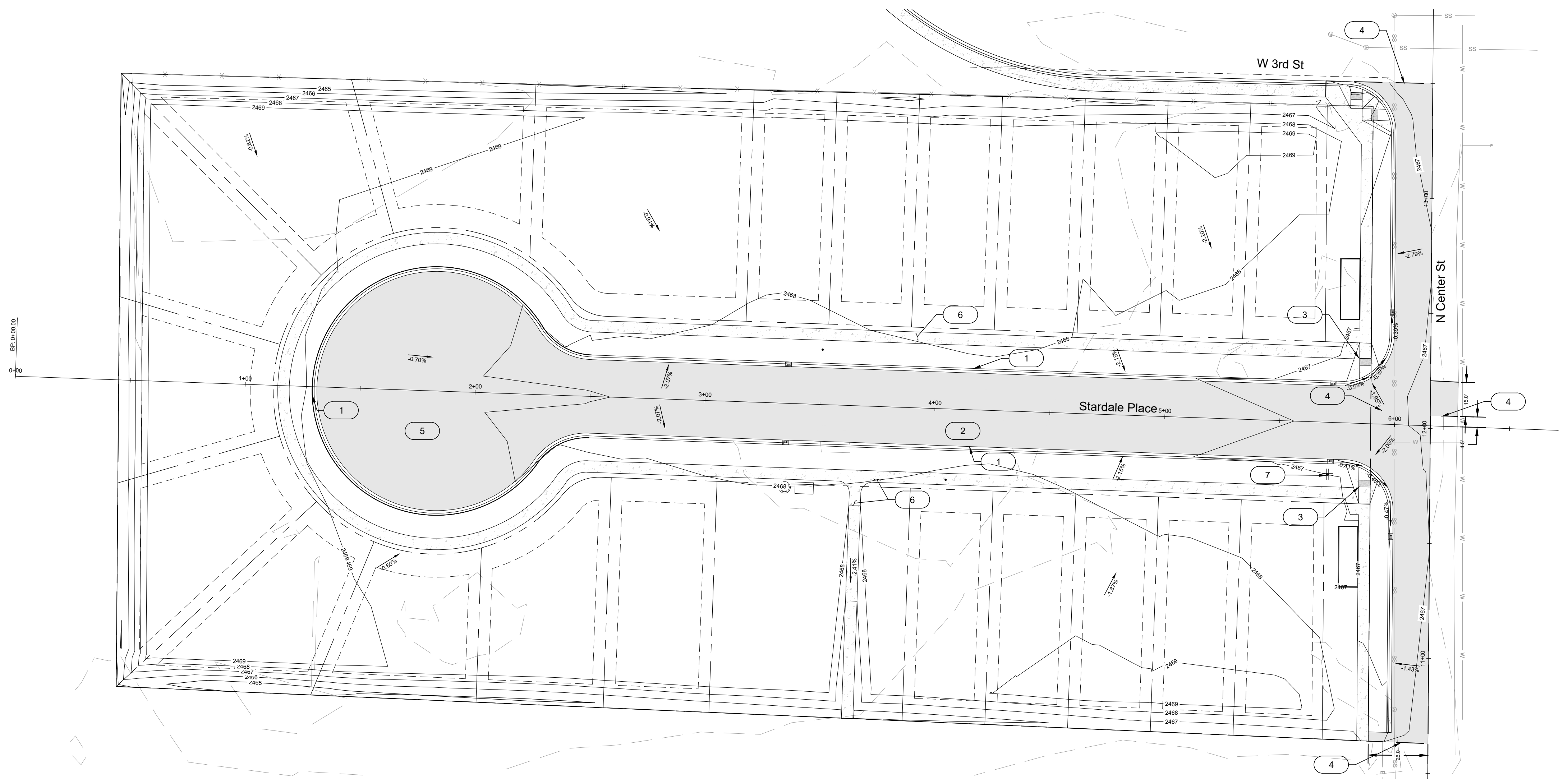
DATE: 05/10/2023

REVISIONS	
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Project No.
R21227

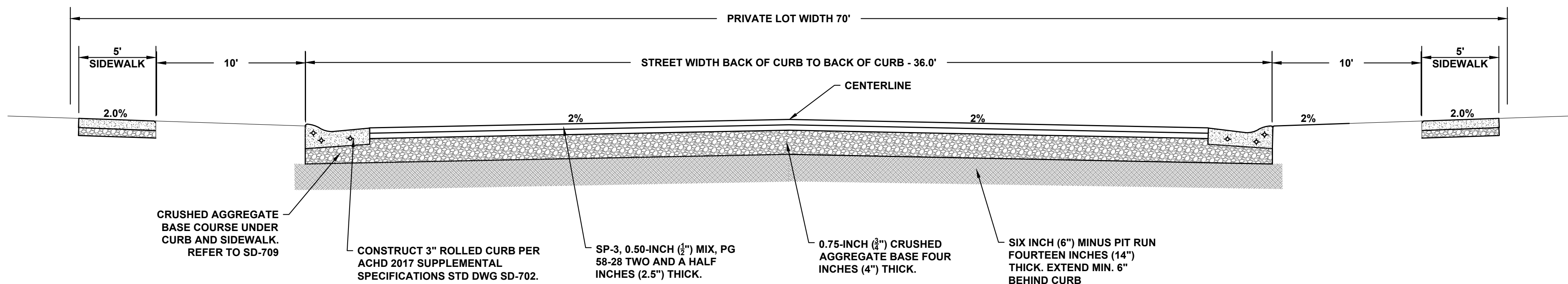
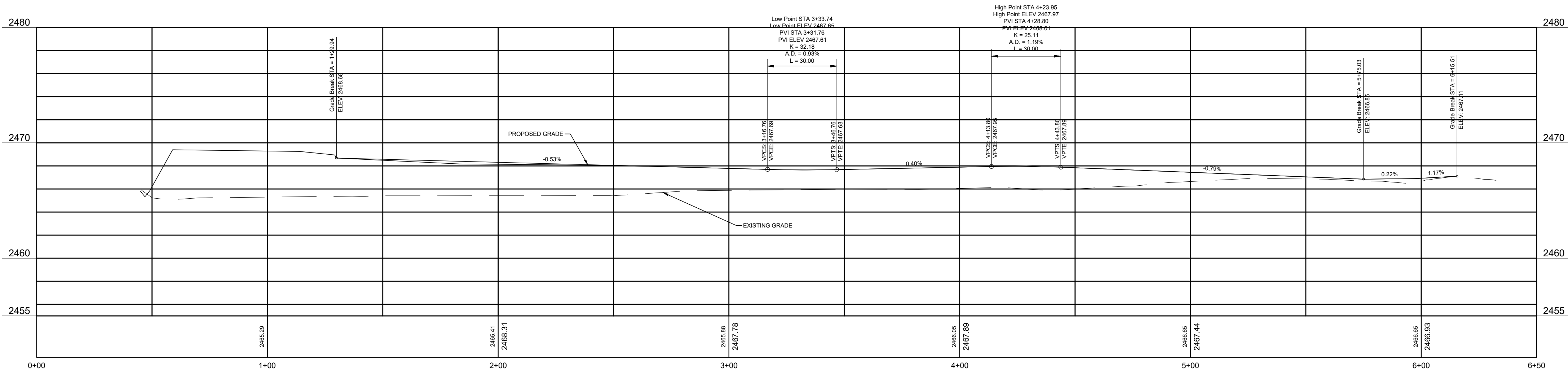
PLAN & PROFILE -
PRIVATE DR.

C5.0



STREET IMPROVEMENT KEY NOTES

1. CONSTRUCT 3" ROLLED CURB & GUTTER PER ACHD SUPPLEMENT TO ISWPC SD-702
2. CONSTRUCT ASPHALT ROADWAY SECTION ON PRIVATE DRIVE PER TYPICAL SECTION BELOW
3. CONSTRUCT ACCESSIBLE RAMP PER ACHD SUPPLEMENT TO ISWPC SD-712H. TRUNCATED DOMES SHALL BE RIGID INSERTS WET-SET INTO CONCRETE AND COLORED TRAFFIC YELLOW (PER SD-712). CONCRETE STAMP AND ADHESIVE MATS ARE NOT ALLOWED. CONTRACTOR SHALL VERIFY THAT CROSS SLOPE DOES NOT EXCEED 1.75% ±0.25%.
4. SAWCUT INTO EXISTING ASPHALT 2' MIN. TO MAINTAIN SMOOTH TRANSITION. REPAIR PER ISWPC SD-301, SD-303, SD-806.
5. CONSTRUCT CUL-DE-SAC PER ACHD SUPPLEMENT TO ISWPC SD-805
6. CONSTRUCT SIDEWALK PER ACHD SUPPLEMENT TO ISWPC SD-709
7. INSTALL STREET SIGN WITH "STOP SIGN" (MUTCD R-1)



TYPICAL ROAD SECTION:
PRIVATE ROAD

