



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department

MEETING DATE: **June 7, 2022 – PUBLIC HEARING (Tabled from May 3, 2022)**

FILE(S) #: AZ-22-04 Annexation and Zoning
RZ-21-04 Rezone
DA-22-02 Development Agreement
PP-22-03 Preliminary Plat for Stardale Place Subdivision

OWNER/APPLICANT/REPRESENTATIVE

Applicant/Owner:

Bruce Hessing
Piedmont Project, LLC
2338 W. Boulder Bar Dr.
Meridian, Idaho 83646

Representative:

Antonio Conti
Ackerman-Estvold
7661 W. Riverside Dr., Ste. 102
Garden City, Idaho 83714

REQUEST

Request: The Applicant is seeking approval of Annexation and Zoning (R-7-DA), Rezone (R-4 to R-7), a Development Agreement, and Preliminary Plat for a proposed residential subdivision consisting of 26 residential lots and 3 common lots. The property is located at 331, 343 and 385 N. Center Street in Star, Idaho and consists of 3.39 acres with a proposed density of 7.67 dwelling units per acre.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the southwest corner of N. Center Street and W. 3rd Street. Ada County Parcel No's. R8108001065, R8108001125, R8108001183, R8108001185, and R8108001240.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Residential (R-4) and RUT (County)	Compact Residential	Single Family Residential
Proposed	(Residential) R-7-DA	Compact Residential	Single Family Residential
North of site	Residential (R-3)	Neighborhood Residential	Saddlebrook Subdivision
South of site	Residential (R-7)	Compact Residential	Proposed Addington Subdivision
East of site	Residential (R-4)	Central Business District	Single Family Residential
West of site	Residential (R-7)	Compact Residential	Endsley Court Subdivision

Existing Site Characteristics: The property is currently vacant with several outbuildings, an old home and mobile home.

Irrigation/Drainage District(s): Middleton Irrigation Assn. Inc.
Middleton Mill Ditch Company
P.O. Box 848
Middleton, Idaho 83644

Flood Zone: This property is not currently located in a Flood Hazard Area.
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 – None.
- ✧ Riparian Vegetation – No.
- ✧ Steep Slopes – None.
- ✧ 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	February 1, 2022
Neighborhood Meeting Held	May 17, 2022
Application Submitted & Fees Paid	March 1, 2022
Application Accepted	March 24, 2022
Residents within 300' Notified	April 13, 2022
Agencies Notified	March 24, 2022
Legal Notice Published	May 3, 2022
Property Posted	April 21, 2022

HISTORY

Three of the parcels involved in this application were originally annexed into the City with an R-4 zone. Staff does not have documents of that annexation.

CODE DEFINITIONS / COMPREHENSIVE PLAN

UNIFIED DEVELOPMENT CODE:

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

B. Standards:

1. The subject property shall meet the minimum dimensional standards of the proper district.
2. The city may require a development agreement in conjunction with the annexation and zoning, or rezone, pursuant to Idaho Code section 67-6511A, which may include a concept plan. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through execution of a development agreement. A development agreement and concept plan shall be required for any rezone to a mixed-use zone, high density zone or land which includes steep slope (land over 25%) or floodway.
3. The termination of a development agreement shall result in the reversal of the official zoning map amendment approval and applicable development approval for any undeveloped portion of property subject to the development agreement. The undeveloped property subject to the development agreement shall be rezoned to the district classification as designated by the development agreement. When no designation is provided, the property shall revert to its original zoning or, if the original designation no longer exists, to the closest current equivalent zoning as determined by the current Comprehensive Plan Land Use Map designation.
4. An amendment or termination of a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.

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

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

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

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

R RESIDENTIAL DISTRICT: To provide regulations and districts for various residential neighborhoods. Gross density in a Residential (R) district shall be determined according to the numeral following the R. The numeral designates the maximum number of dwelling units per acre. In zoning designations of R-1, R-2, R-3, R-4 and R-5, housing shall be single family detached unless approved with a PUD or development agreement. Connection to municipal water and sewer facilities are required for all subdivision and lot split applications submitted after the effective date hereof in all districts exceeding one dwelling unit per acre. Wells and septic systems may be permitted for larger lots in this land use designation that are not adjacent to municipal services, as determined by the Sewer District, and if approved by the applicable Health Department. Private streets may be approved in this district for access to newly subdivided or split property. This district does allow for some non-residential uses as specified in 8-3A-3.

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

8-3A-3: USES WITHIN ZONING DISTRICTS

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

<u>ZONING DISTRICT USES</u>	A	R-R	R
Accessory structure	A	A	A
Dwelling:			
Multi-family 1	N	N	C
Secondary 1	A	A	A
Single-family attached	N	N	C
Single-family detached	P	P	P
Two-family duplex	N	N	P

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-6 to R-11 Detached Housing	35 feet	15 ft to living area, 20 ft to garage, 10 ft if alley load	15 ft, 4 ft if alley load	3 feet	20 feet

Notes:

1. Interior side yard setbacks for lots with 50' or less of lot width shall be allowed 5' interior side yard setbacks for one and two-story structures.
2. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhang onto the sidewalk.

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

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

1. The total land area of all common open space shall equal or exceed fifteen percent (15%) of the gross land area of the development. Ten percent (10%) of that area shall be usable open space.
2. Each development is required to have at least one site amenity.

3. One additional site amenity shall be required for each additional twenty (20) acres of development area, plus one additional amenity per 75 residential units.
 4. Developments with a density of less than 1 dwelling units per acre may request a reduction in total required open space and amenities to the Council. Developments with a density of less than 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.
 5. For multi-family developments, see Section 8-5-20 for additional standards.
- B. Qualified Open Space: The following may qualify to meet the common open space requirements:
1. Any open space that is active or passive in its intended use, and accessible or visible by all residents of the development, including, but not limited to:
 - a. Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;
 - b. Qualified natural areas;
 - c. Ponds or water features where active fishing, paddle boarding or other activities are provided (50% qualifies towards total required open space, must be accessible by all residents to qualify.) ponds must be aerated;
 - d. A plaza.
 2. Additions to a public park or other public open space area.
 3. The buffer area along collector and arterial streets may be included in required overall common open space for residential subdivisions.
 4. Parkways along local residential streets with detached sidewalks that meet all the following standards may count toward the common open space requirement:
 - a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk and includes street trees as specified otherwise herein.
 - b. Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.
 - c. Stormwater detention facilities do not qualify to meet the common area open space requirements, unless all of the following is met:
 1. Must be at least fifty feet by one hundred feet (50' x 100') in area;
 2. Specifically designed as a dual use facility, as determined by the administrator, to include minimal slopes, grass throughout, and guarantee of water percolation within 24 hours of storm event.

3. Is located in a development that has a second usable open space area that contains a qualified site amenity as herein defined.

5. Visual natural space, including open ditches, wetlands, slopes or other areas that may not be readily accessible to residents, and is provided with open style fencing, may qualify for up to 20% of the required open space total.

C. Qualified Site Amenities: Qualified site amenities shall include, but not be limited to, the following:

1. Clubhouse;
2. Fitness facilities, indoors or outdoors;
3. Public art;
4. Picnic area; or
5. Recreation amenities:
 - a. Swimming pool.
 - b. Children's play structures.
 - c. Sports courts.
 - d. Additional open space in excess of 5% usable space.
 - e. RV parking for the use of the residents within the development.
 - f. School and/or Fire station sites if accepted by the district.
 - g. Pedestrian or bicycle circulation system amenities meeting the following requirements:
 - (1) The system is not required for sidewalks adjacent to public right of way;
 - (2) The system connects to existing or planned pedestrian or bicycle routes outside the development; and
 - (3) The system is designed and constructed in accord with standards set forth by the city of Star;
- D. Location: The common open space and site amenities shall be located on a common lot or an area with a common maintenance agreement.

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Compact Residential

Suitable primarily for residential use allowing a mix of housing types such as single family, two family, and multifamily. Densities range from 5.01 units per acre to 10 units per acre.

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.

8.5.3 Policies Related Mostly to the Urban Residential Planning Areas:

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

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

8.5.9 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

ANNEXATION & REZONE:

The applicant is requesting approval of an annexation and zoning (R-7), with a rezone application of Residential (R-4 to R-7) on 3.39 acres. This zoning district would allow for a maximum residential density of 10 dwelling unit per acre. The Comprehensive Plan Future Land Use Map indicates that these properties are within the Compact Residential designation. The property is located in an area that will be serviceable with central sewer and water provided by Star Sewer and Water District. The property will be accessed by a public road and all roads in the development will be public. The rezone request includes a development agreement that will address future density and development standards.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 26 single family residential lots and 3 common area lots on 3.39 acres with a proposed density of 7.67 dwelling units per acre. The lots will have access and frontage from public streets. Lots will range in size from 3,434 square feet to 6,687 square feet with the average buildable lot being 3,979 square feet. The submitted preliminary plat is showing a local road with a 50-foot wide right of way with paved streets measuring 36 feet from back of curb to back of curb. Primary access for the development will be from N. Center Street. Sidewalks are proposed to be attached with a 5-foot, concrete sidewalk. Street names must be obtained by the Ada County Street Naming Committee prior to signature of the final plat. The applicant is proposing 0.51 acres (15%) of usable open space which satisfies the Unified Development Code.

The Unified Development Code, Section 8-4E-2 requires a development of this size to have a minimum of 1 site amenity. The applicant is proposing a walking path with connections to the north and south, enhancing community connectivity.

ADDITIONAL DEVELOPMENT FEATURES:

- Sidewalks
Internal sidewalks are proposed at five-foot (5') widths and will be attached throughout the development.
- Lighting

Streetlights shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire development. The applicant has submitted a proposed streetlight plan. All proposed light locations satisfy City code.

Applicant has not provided a streetlight design/cut sheet for City approval.

Applicant will be required to work with Staff and submit a cut sheet and design before signature of the final plat.

- Street Names

Applicant has not provided documentation from Ada County that the street name is acceptable and have been approved. This will be required at final plat

- Subdivision Name

Applicant has provided a letter from Ada County that the subdivision name has been approved and reserved for this development.

- Landscaping - As required by the Unified Development Code, Chapter 8, Section 8-8C-2-M (2) Street Trees; A minimum of one street tree shall be planted for every thirty-five (35) linear feet of street frontage. The applicant shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code. Section 8-8C-2, J5 states that a minimum of one deciduous shade tree per four thousand (4,000) square feet of common area shall be provided. **The submitted landscape plan appears to satisfy these requirements for the open areas. Streets in the development do not show the appropriate number of trees. These will need to be added once driveways are designed to receive occupancy permits.**

- Setbacks – **The applicant is not requesting any setback waivers.**

- Block lengths – All blocks meet the 750' block length requirement.

- Mailbox Cluster – Applicant has provided documentation from the Star Postmaster depicting the approved location for the mailbox cluster. This documentation was included in the application packet.

- Phasing – The development is proposing to be built out in a single phase.

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. Items that should be considered by the applicant and Council include the following:

- Density;
- ITD Proportionate Share Fees;
- Emergency Access
- Future Development

AGENCY RESPONSES

DEQ	April 1, 2022
ACHD	April 18, 2022
Central District Health	April 6, 2022

PUBLIC RESPONSES

No public comments have been received.

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 preliminary plat meets the requirements, standards and intent for development as they relate to the Comprehensive Plan and Unified Development Code. The proposed density of 7.67 dwelling unit per acre is within the range of 6-10 dwelling units per acre allowed in the Compact Residential Comprehensive Plan Future Land Use Map. Staff is supportive of proposed diversity in lot sizes, housing sizes and density that the (R-7) zoning designation will provide.

The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the applications, either as presented or with added or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date. A development agreement will also be brought back to the Council for review of proposed Conditions of Approval for the rezone.

FINDINGS

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

ANNEXATION/REZONE FINDINGS:

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

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

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

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

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

The Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the residential districts is to provide regulations and districts for various residential neighborhoods with gross densities in compliance with the intent of the Comprehensive Plan designation. Housing shall be single family detached unless approved with a PUD or development agreement. Connection to municipal water and sewer facilities are required for all subdivision and lot split applications in all districts exceeding one dwelling unit per acre. Private streets may be approved in this district for access to newly subdivided or split property.

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

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

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

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

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

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

PRELIMINARY PLAT FINDINGS:

1. The plat is in compliance with the Comprehensive Plan.
The City must find that this Plat follows designations, spirit and intent of the Comprehensive Plan regarding residential development and meets several of the objectives of the Comprehensive Plan such as:
 1. *Designing development projects that minimize impacts on existing adjacent properties, and*
 2. *Managing urban sprawl to protect outlying rural areas.*
2. Public Services are available or can be made available and are adequate to accommodate the proposed development.
The City must find that Agencies having jurisdiction on this parcel were notified of this action, and that it has not received notice that public services are not available or cannot be made available for this development.
3. There is public financial capability of supporting services for the proposed development;
The City must find that they have not been notified of any deficiencies in public financial capabilities to support this development.
4. The development will not be detrimental to the public health, safety or general welfare;
The City must find that it has not been presented with any facts stating this Preliminary Plat will be materially detrimental to the public health, safety and welfare. Residential uses are a permitted use.
5. The development preserves significant natural, scenic or historic features;
The City must find that there are no known natural, scenic, or historic features that have been identified within this Preliminary Plat.

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. The approved Preliminary Plat for the Stardale Place Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. **The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. ITD has calculated the fees to be \$1,000.00 per buildable lot. These fees will be**

collected by the City of Star, by phase, prior to final plat signature. The development agreement shall be signed and recorded as part of the ordinance for annexation and zoning and shall contain the details of the fees to be collected.

3. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Homeowners Association. **Streetlights shall be installed and energized prior to issuing of building permits.** Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. **Applicant/Owner shall work with staff and submit a streetlight design that meets city standards prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative.**
4. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
5. The property associated with this approved Final Plat, in addition to the property of all future phases shall be properly maintained throughout the construction process to include trash picked up and trash receptacles emptied with regular frequency, streets swept and cleaned weekly, including any streets used to access the property and all debris shall be prevented from accumulating on any adjacent property or public right of way and shall remove all debris from public way at least daily.
6. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
7. **Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees. Applicant shall provide locations for the local street trees at the time of final plat. If driveway locations will not be determined until sale of the lot, Applicant agrees to not receive the Certificate of Occupancy until street trees are confirmed in place.**
8. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
9. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
10. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
11. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met, including annexation into the District.
12. **Prior to signing the final plat, Applicant shall provide approval from Ada County for all street names and they should be accurately reflected on the plat.**
13. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
14. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
15. All common areas shall be owned and maintained by the Homeowners Association.

16. 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 home sales 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 construction.**
17. A sign application is required for any subdivision signs.
- 18. Owner/Developer will agree to install a 2" (High Density Polyethylene) HDPE SDR-11 roll pipe in the shared utility trench to be used for future fiber optic and/or copper telecommunication cables.**
- 19. Any additional Condition of Approval as required by Staff and City Council.**

COUNCIL DECISION

The Star City Council _____ File Number AZ-22-02/RZ-21-04/DA-22-02/PP-22-03 for Stardale Place Subdivision on _____, 2022.

VICINITY MAP 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.

JANUARY 2022 SCALE: 1" = 1000' SHEET 1 OF 1



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 8.5" x 11".

Scale: 1" = 1000'

PROJECT NO. R21227		SCALE (H): 1"=1000'		NO. REVISIONS		BY		DATE		APPR.	
DRAWING NAME		SCALE (V): N/A									
DRAWING NAME		DRAWN BY: ALA									
		DESIGNED BY: ALA									
		CHECKED BY: AMC									
		DATE: 1/18/22									

January 21, 2022

City of Star
Planning and Zoning
10769 W. State Street
Star, ID 83669

RE: Detailed Letter for Stardale Place Preliminary Plat

To whom it may concern,

Attached to this letter are application documents for a preliminary plat at 385 North Center Street, Star, Idaho. This application pertains to Stardale Place Subdivision, consisting of 5 parcels for a total of 3.39 acres. The parcels and corresponding owners are listed below.

<u>Parcel #</u>	<u>Owner</u>	
R8108001125	Fremantle Development, Inc.	784 S Clearwater Loop, Ste B, Post Falls, ID
R8108001065	Fremantle Development, Inc.	784 S Clearwater Loop, Ste B, Post Falls, ID
R8108001240	Frank Rowe	343 N Center Street, Star, ID
R8108001185	Frank Rowe	343 N Center Street, Star, ID
R8108001183	Frank Rowe	343 N Center Street, Star, ID

Parcel R8108001240 is an unincorporated county island property, approximately 0.75 acres, surrounded by incorporated City property. We propose to annex this parcel, so the entire site is within city limits.

The existing property contains one single family home in disrepair which has been vacant for years. There is also one manufactured home and one mobile home on the property that are both currently occupied. Additionally, there are various outbuildings, trailers, and vehicles on the property.

The property is currently zoned R4. The surrounding area is zoned R3 to the north, R4 to the west, and R7 to the east and south. This project proposes a change in zoning to R7, consistent with the comprehensive plan and in compliment to the existing surrounding uses.

This project proposes the development of the 3.39-acre lot into 26 single family residential lots and 4 common lots. The common lots are to be used for a public road, irrigation pumps, and open space. Water and sewer services will be provided by the Star Sewer and Water District. Future connections will be in accordance with all city codes. Access to Stardale Place Subdivision will be from N Center Street, east of the property. All extensions of existing public roads will be consistent with ACHD and City of Star standards, including streets, curbs, gutters, sidewalks, and streetlights.

A neighborhood meeting was held on March 17, 2021 at the Star Community River House Building. The development plan and site layout of the proposed subdivision were discussed at the meeting. A list of attendees is attached to this application.

Thank you in advance for your consideration and support. We look forward to working with the city staff.

Respectfully submitted,



Antonio M Conti, P.E., P.L.S.



PRELIMINARY PLAT APPLICATION

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

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

Applicant Information:

PRIMARY CONTACT IS: *Applicant* ___ *Owner* ___ *Representative* X

Applicant Name: Bruce Hessing
Applicant Address: 2338 W Boulder Bar Dr., Meridian, ID Zip: 83646
Phone: 208.831.7111 Email: bruce.hesscom@aol.com

Owner Name: Piedmont Place, LLC
Owner Address: 2338 W Boulder Bar Dr., Meridian, ID Zip: 83646
Phone: _____ Email: _____

Representative (e.g., architect, engineer, developer):
Contact: Antonio Conti Firm Name: Ackerman-Estvold
Address: 7661 W Riverside Drive, Ste. 102, Garden City, ID Zip: 83714
Phone: 208.853.6470 Email: Antonio.Conti@Ackerman-Estvold.com

Property Information:

Subdivision Name: Stardale Place
Site Location: 385 and 331 N Center Street, Star, ID
Approved Zoning Designation of Site: Residential
Parcel Number(s): R8108001240, R810800183, R8108001185, R8108001065, R8108001125

Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	R-4	Compact Residential	SFR
Proposed	R-7	Compact Residential	Single Family Detached
North of site	R-3	Neighborhood Residential	Single Family Detached
South of site	R-7	CBD	Vacant R-7/Commercial
East of site	R-4	CBD	Single Family Detached
West of site	R-7	Compact Residential	Single Family Detached

SITE DATA:

Total Acreage of Site - 3.39 Acres
Breakdown of Acreage of Land in Contiguous Ownership - 2.38 Acres
Total Acreage of Site in Special Flood Hazard Area - 0.0 Acres
Dwelling Units per Gross Acre - 7.67 Dwellings per Acre
Minimum Lot Size - 2380 SF
Minimum Lot Width - 20.2 Feet

Total Number of Lots - 29
Residential - 26
Commercial - 0
Industrial - 0
Common - 3

Total Number of Units - 26
Single-family - 26
Duplex - 0
Multi-family - 0

Percent of Site and Total Acreage of Common Area - 15.0 % / 0.51 acres
Percent of Common Space to be used for drainage - 0.0%
Describe Common Space Areas (amenities, landscaping, structures, etc.) - Grass

Proposed Dedicated Lots & Acreage (school, parks, etc): NA, 0 Acres

Public Streets - 36' Private Streets - None proposed
Describe Pedestrian Walkways (location, width, material) - Detached concrete sidewalk on both sides of roadway, 5' wide
Describe Bike Paths (location, width, material) - NA

FLOOD ZONE DATA: (This Info Must Be Filled Out Completely Prior to Acceptance):

Total Acreage of Site in Special Flood Hazard Area - 0.0 Acres

- a. A note must be provided on the final plat documenting the current flood zone in which the property or properties are located. The boundary line must be drawn on the plat in situations where two or more flood zones intersect over the property or properties being surveyed.
- b. FEMA FIRM panel(s): #160xxxxxxC, 160xxxxxxE, etc.: 16001C0130J
FIRM effective date(s): mm/dd/year 06/19/2020
Flood Zone(s): Zone X, Zone A, Zone AE, Zone AH, etc.: X
Base Flood Elevation(s): AE2465.0 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.

- d. Please see link for help with FEMA information <https://msc.fema.gov/portal/search>.
- e. All maps will delineate flood plain lines.

PUBLIC SERVICES (Describe what services are available and agency providing service):

Potable Water - Star Sewer and Water District

Irrigation Water- Middleton Irrigation Association Inc.

Sanitary Sewer- Star Sewer and Water District

Fire Protection - Star Fire Protection District

Schools - Meridian School District

Roads - Ada County Highway District

SPECIAL ON-SITE FEATURES (Yes or No – If yes explain in your narrative):

Areas of Critical Environmental Concern - No Floodplain - No

Evidence of Erosion - No Fish Habitat - No

Historical Assets - No Mature Trees - No

Riparian Vegetation - No Steep Slopes - No

Stream/Creek - No Unstable Soils - No

Unique Animal Life - No Unique Plant Life - No

Application Requirements:

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

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 Preliminary Plat 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 explaining the project. (must be signed by applicant)	
✓	Legal description of the property (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.	
✓	Approval of the proposed subdivision name from Ada County Surveyor's office.	
✓	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 copy and one (1) 11" X 17" copy of the Preliminary Plat	
✓	Electronic copy in pdf. format of Preliminary Plat	
✓	One (1) full-size copy and one (1) 11" X 17" copy of the landscape plan	
✓	Electronic copy in pdf. format of landscape plan	
✓	Electronic copy in pdf. format of preliminary site grading & drainage plans	
	Phasing plan shall be included in the application if the project is to be phased.	

✓	Letter of authorization from the local Post Office approving mailbox delivery to subdivision including location(s) of mailbox clusters. Locations shall be indicated on Preliminary Plat.	
N/A	List of name(s) and addresses of all canal or irrigation ditches within or contiguous to the proposed development.	
	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.	
	Site report of the highest seasonal groundwater elevation prepared by a registered soils scientist. (If requested by City Engineer)	
✓	Special Flood Information – Must be included on Preliminary Plat and Application form.	
✓	One (1) 8½" X 11" copy and electronic copy in pdf format of streetlight design and location information. Streetlights shall meet all City "Dark Sky" requirements.	
✓	Written confirmation that a traffic impact study is not required and/or has been submitted for review to Ada County Highway District/Canyon Highway District No. 4/Idaho Transportation Department (if applicable).	
✓	One (1) copy of the Electronic versions of submitted application including neighborhood meeting information, signed application, narrative, legal description, warranty deed, vicinity map, preliminary plat, landscape plan, preliminary site grading & drainage plans, irrigation district information, streetlight design & location, confirmation of a traffic impact study <u>shall be submitted in original pdf format (no scans for preliminary plat, landscape plans or grading and drainage plans) on a thumb drive only (no discs)</u> with the files named with project name and plan type. We encourage you to also submit a colored version of the preliminary plat and/or landscape plan for presentation purposes prior to City Council.	
	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.	
	Property shall be annexed into Star Sewer and Water District prior to Final Plat approval. 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

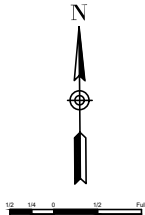
Date

PRELIMINARY 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.

JANUARY 2022 SCALE: 1" = 30' SHEET 1 OF 1



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 11" x 17".

Scale: 1" = 30'

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

PRELIMINARY PLAT DATA

TOTAL SITE AREA	3.39 ACRES
SINGLE-FAMILY RESIDENTIAL (70.20%)	2.38 ACRES
RIGHT-OF-WAY (14.75%)	0.50 ACRES
COMMON AREA (15.05%)	0.51 ACRES
EXISTING ZONING	R-4
PROPOSED ZONING	R-7
SINGLE-FAMILY RESIDENTIAL LOTS	26
OPEN SPACE/Common LOTS	3
PUBLIC ROAD	1
TOTAL LOTS	30
GROSS RESIDENTIAL DENSITY	7.67 DU/ACRE
NET RESIDENTIAL DENSITY (EXCLUDES PUBLIC STREET & OPEN SPACE)	10.92 DU/ACRE

AMENITIES

1. WALKING PATHWAYS

NOTES

1. SANITARY SEWER AND DOMESTIC WATER SERVICES TO BE PROVIDED BY EXTENSION OF STAR SEWER & WATER DISTRICT
2. SUBJECT PROPERTY DOES NOT FALL WITHIN ANY FEMA FLOOD HAZARD ZONE - SEE FIRM PANEL 16001C0130J DATED 08/19/2020
3. ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE OVER THE TEN (10) FEET ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
4. UNLESS OTHERWISE SHOWN AND DIMENSIONED, ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE OVER THE FIVE (5) FEET ADJACENT TO ANY INTERIOR SIDE LOT LINE, AND OVER THE TEN (10) FEET ADJACENT TO ANY REAR LOT LINE OR SUBDIVISION BOUNDARY.
5. THIS SUBDIVISION WILL BE SUBJECT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE CITY OF STAR.
6. IRRIGATION WATER SHALL BE PROVIDED BY THE MIDDLETON IRRIGATION ASSOCIATION IN COMPLIANCE WITH IDAHO CODE 31-3805(B). LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND THE INDIVIDUAL LOTS WILL BE SUBJECT TO IRRIGATION WATER ASSESSMENTS.
7. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF STAR OR AS OTHERWISE APPROVED IN THE DEVELOPMENT AGREEMENT.
8. LOTS 27, 28, AND 29 ARE COMMON/OPEN SPACE LOTS TO BE OWNED AND MAINTAINED BY STARDALE PLACE HOME ASSOCIATION OR ITS ASSIGNS.
9. LOT 27 WILL CONTAIN UNDERGROUND SEEPAGE BEDS FOR DRAINAGE OF THE SUBDIVISION.

OWNER OF RECORD

FRANK ROWE
343 N CENTER STREET
STAR, ID 83669

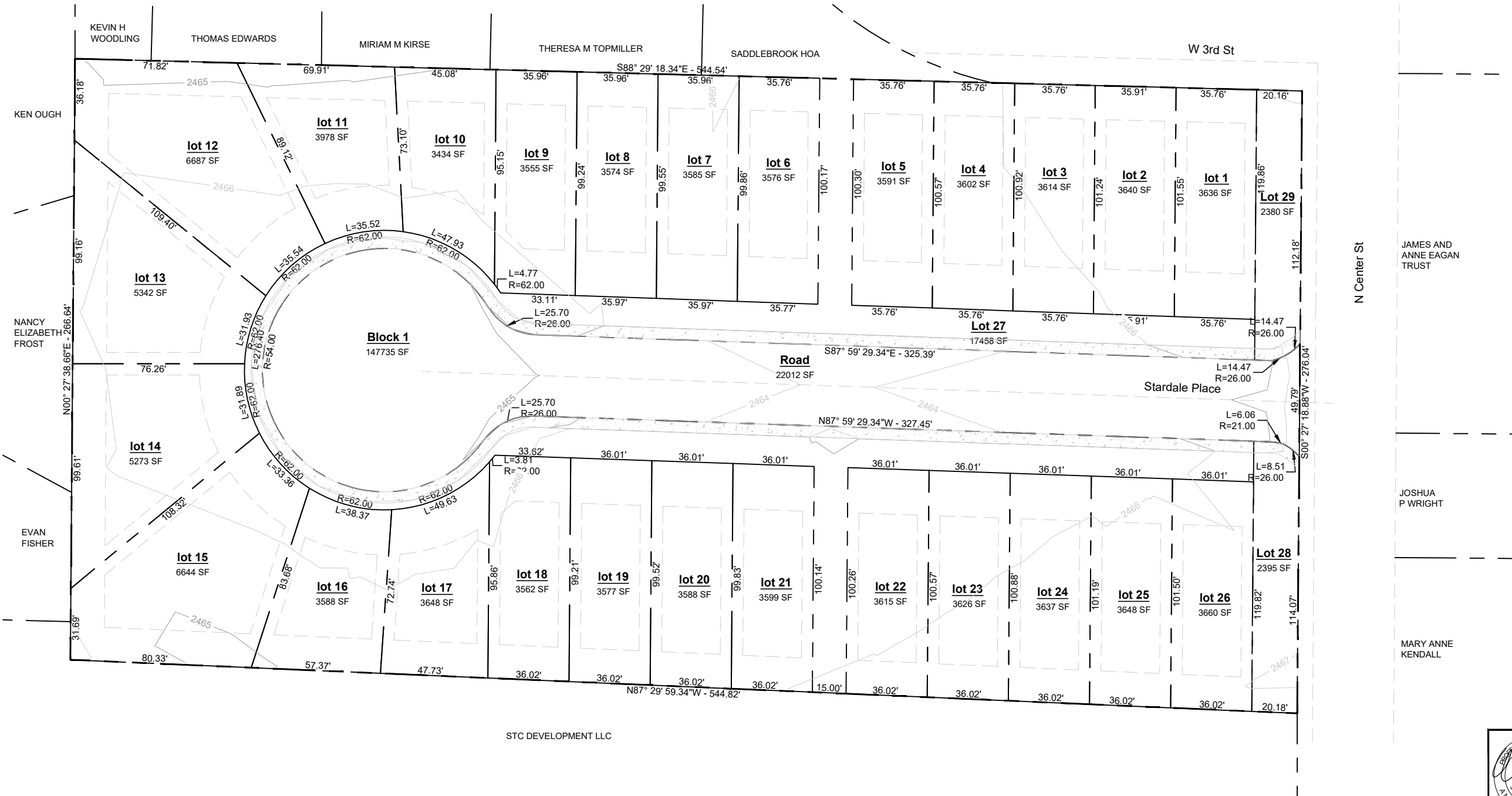
FREMANTLE DEVELOPMENT
784 S CLEARWATER LOOP STE B
POST FALLS, ID 83854

DEVELOPER

BRUCE HESSING
2338 W BOULDER BAR DR
MERIDIAN, ID 83646

ENGINEER

ANTONIO CONTI
7661 WEST RIVERSIDE DR., STE 102
GARDEN CITY, ID 83714



STC DEVELOPMENT LLC

STARDALE PLACE SUBDIVISION 385 AND 331 N CENTER STREET STAR, IDAHO

DRAWN BY: CDJ
CHECKED BY: AMC

DATE: 01/17/2022

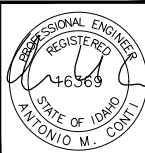
REVISIONS

#	DATE
1	01/17/2022
2	01/17/2022
3	01/17/2022

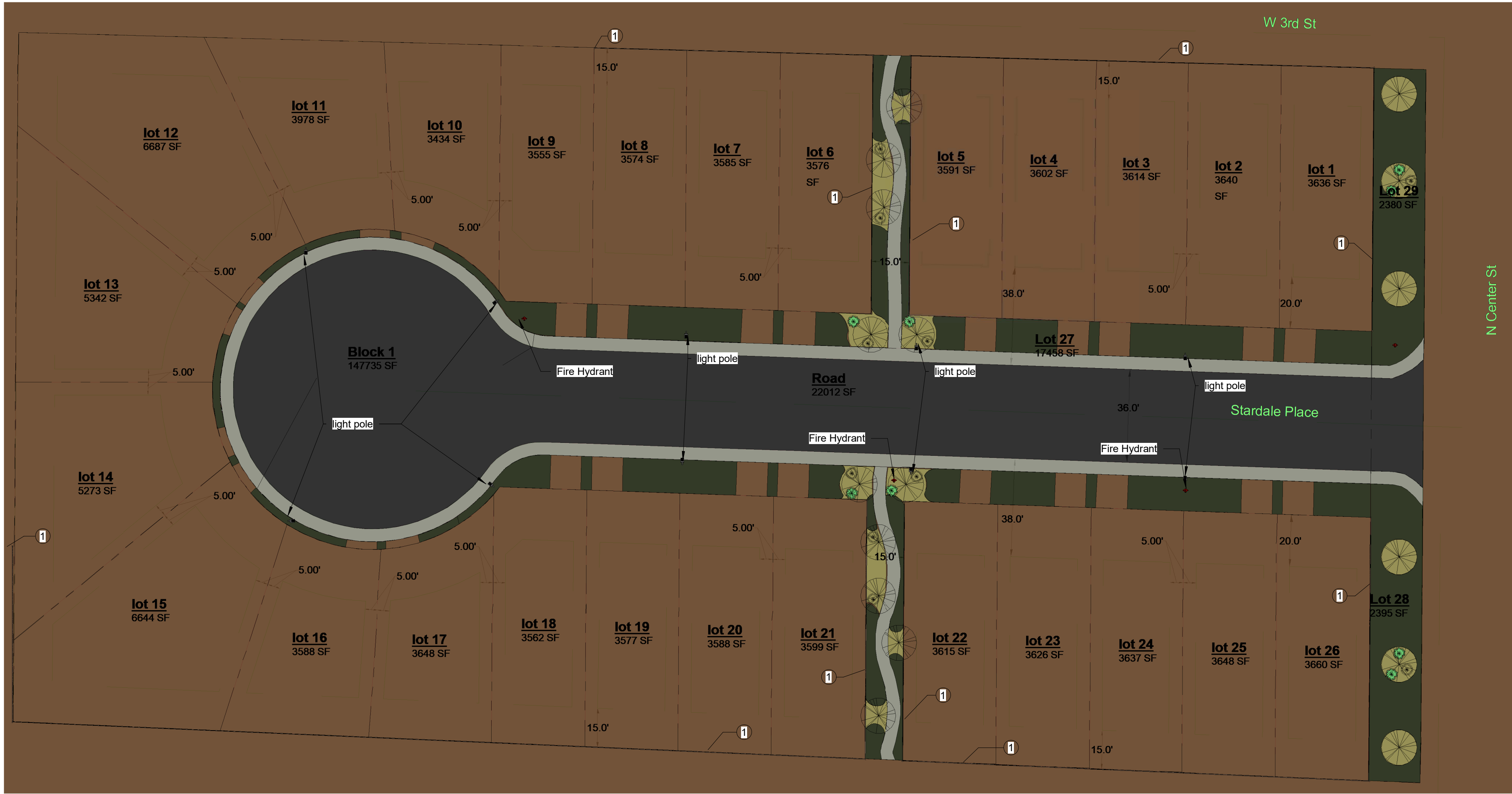
Project No.
R21077

PRELIMINARY
LAYOUT

1.0



ACKERMAN
ESTVOLD
7661 West Riverside Drive, Ste. 102 · Garden City, ID 83714
208.853.6470 · www.ackerman-estvold.com
Minot, ND | Fargo, ND | Williston, ND | Boise, ID



1 Land Landscape plan
1" = 30'-0"



Planting Ledger

Sensation Maple 'Sensation'

Emerald Galety 'Wintercreeper'

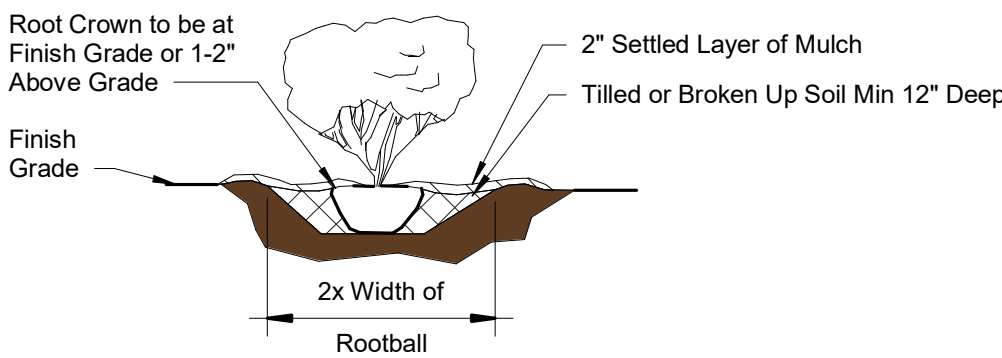
Ornamental Grass 'Fescue'

Black Brown Moulch (Rock)

Permeable Asphalt

TURF OVER APPROVED TOPSOIL PROVIDE SEED AT ALL DRAINAGE SWALES AND SOD AT ALL OOTHER LOCATIONS NATIVE SOIL.

CONCREATE CURB GUTTER AND SIDEWALK



NOTES: TYPICAL SHRUB PLANTING, INDIVIDUAL PLANTING HOLE

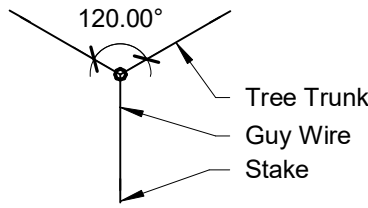
- DIG PLANTING HOLE AT LEAST 2X THE WIDTH OF THE ROOT BALL OR CONTAINER.
- SCARIFY SUBGRADE AND SIDES OF PLANTING HOLE WHEN PLANTING IN CLAY SOIL.
- SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE, OR 1-2" ABOVE IF THE SOIL IS PRONE TO SETTLING.
- IF CONTAINER GROWN PLANT, GENTLY SLIDE PLANT OUT OF CONTAINER. DISTURB THE ROOTS.
- IF B&B PLANT, REMOVE BURLAP FROM AT LEAST THE TOP 12 INCHES OF THE ROOTBALL, WITHOUT DISTURBING THE ROOTBALL. REMOVE ALL CORD FROM THE TRUNK. REMOVE BURLAP AND WIRE BASKET (IF PRESENT) FROM THE ROOT BALL.
- BACK FILL THE PLANTING HOLE WITH EXCAVATED NATIVE SOIL, BROKEN UP OR TILLED. WATER TO REMOVE AIR POCKETS. DO NOT ADD AMENDMENTS.
- PLACE PINE STRAW OR BARK MULCH ON THE SURFACE TO A (SETTLED) DEPTH OF 1 TO 3 INCHES.

3 Shrub Planting
1/8" = 1'-0"

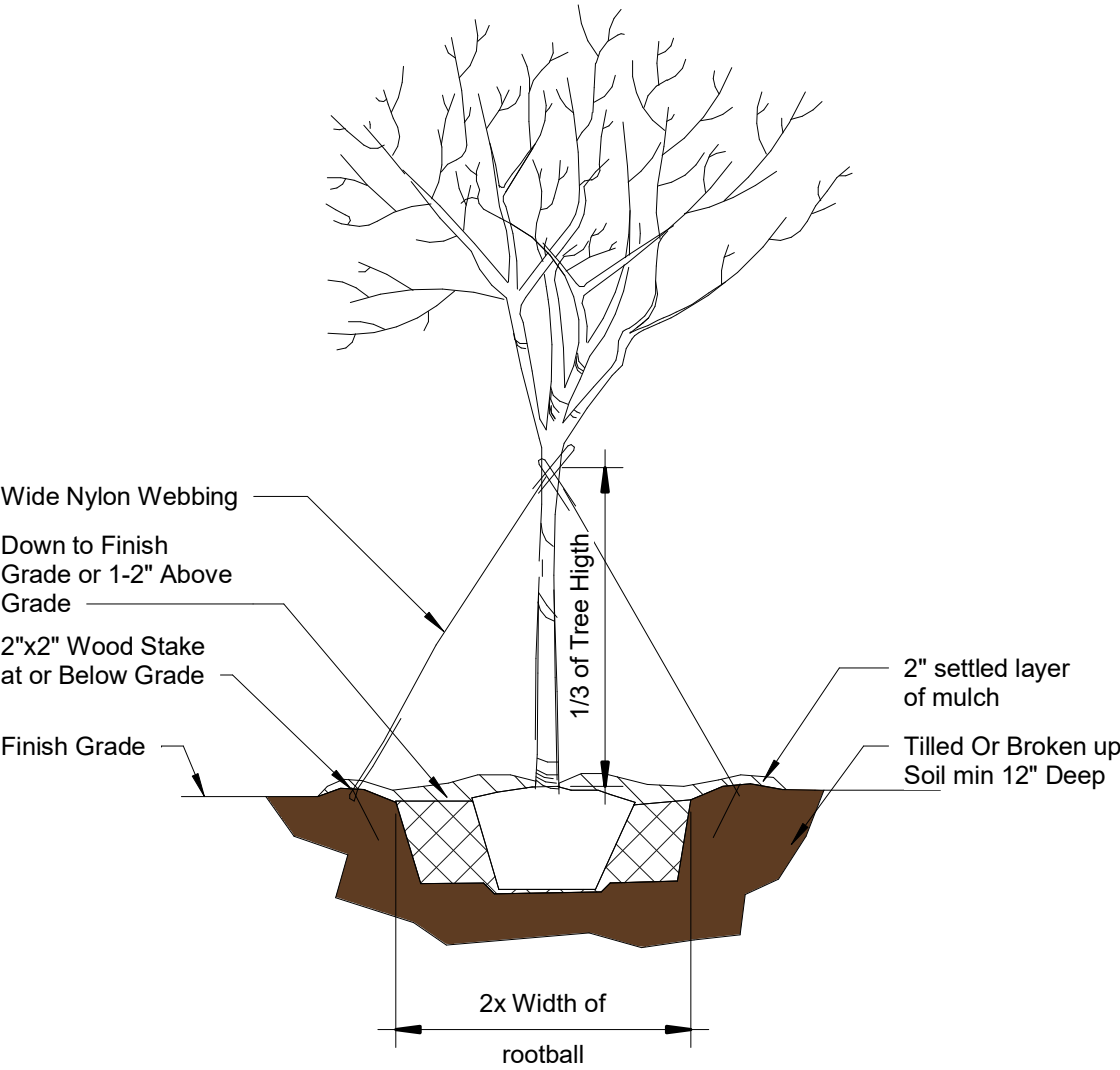
Street Lighting

- All street light construction shall be don in accordance with the current version of the ISPWC, the Meridian Supplemental Specifications to the ISPWC, and the National Electric Code.
- A street lighting electrical permit shall be openend prior to starting work. Use the online Citizen portal at [HTTP://citizenportal.meridiancity.org/CitizenAccess/](http://citizenportal.meridiancity.org/CitizenAccess/) to open a permit and request inspections.
- Installation will require inspections for the concrete bases and below ground wiring.
- Street lift bases shall be located 10' minum from tree, 5' minimum from fire hydrants and 2' minimums from water meters.
- Keep accurate asbuilts of all conduit, Junction boxes, and submit an electronic copy of the red line as-build with the approved permit to the city of Meridian at completion of project.
- Coordinat with the City transportation and Utility Coordinator @ (208) 898-5500 for questions regarding Utility conflicts, or access locked meter pedestals.

4 LIGHTING NOTE
1" = 1'-0"



Plan View



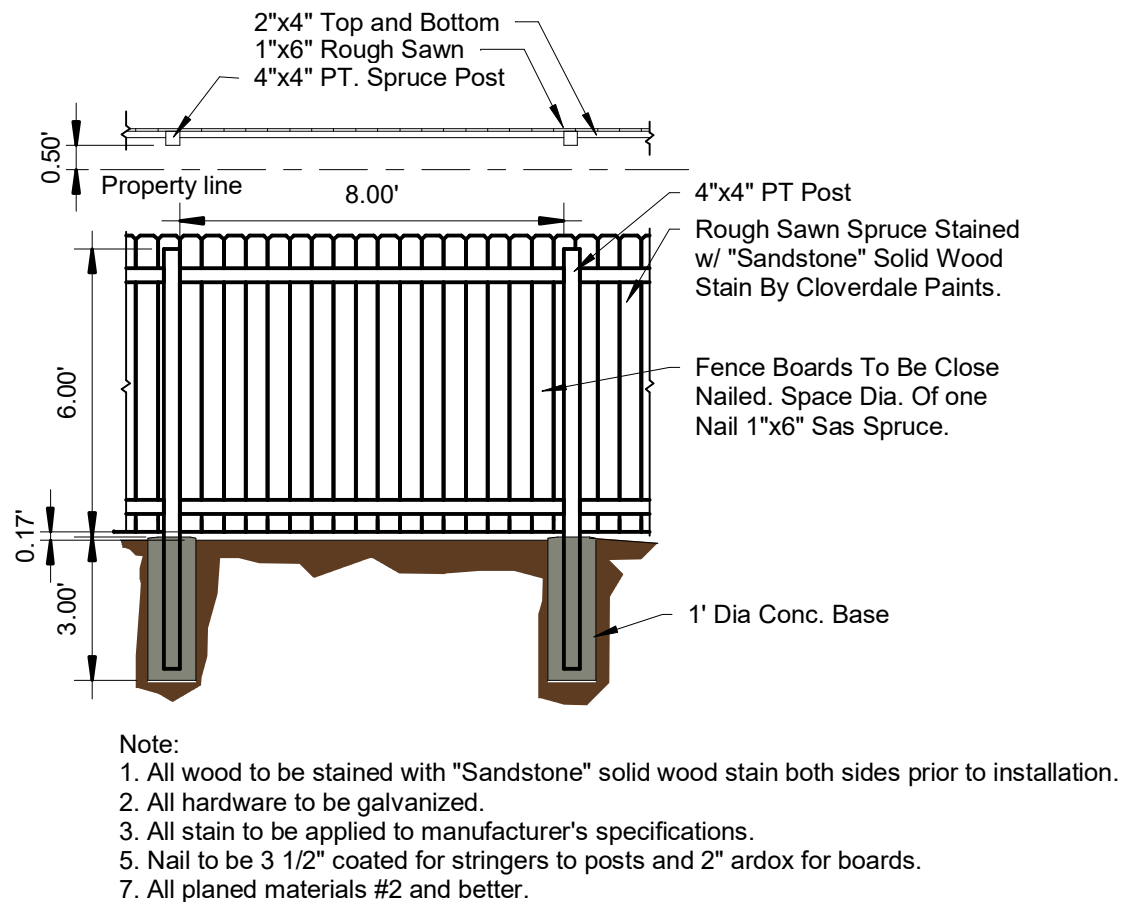
6 2" and larger tree detail
1/4" = 1'-0"

Keynote Legend

Tag	Keynote Text
1	6'-0" Ceeder fencing, see detail 5/L1

NOTES: TREE PLANTING (>2" CAL.)

- ALL PLANT MATERIALS SHALL BE IN ACCORDANCE WITH THE AMERICAN STANDARDS FOR NURSERY STOCK (ANSI Z60.1-2004). PLANT ACCORDING TO ANSI A300 PART 6.
- DIG THE PLANTING HOLE A MINIMUM OF 2x WIDTH OF ROOTBALL FOR AT LEAST THE FIRST 12 INCHES OF DEPTH. BELOW 12 INCHES, DIG HOLE WIDE ENOUGH TO PERMIT ADJUSTING. DO NOT DIG THE HOLE DEEPER THAN ROOT BALL DEPTH.
- SCARIFY THE SUBGRADE AND SIDES OF THE PLANTING HOLE WHEN PLANTING IN CLAY SOILS (MORE THAN 15% CLAY).
- LIFT AND SET THE TREE BY ROOT BALL ONLY. DO NOT LIFT USING THE TREE TRUNK AND DO NOT USE TREE TRUNK AS A LEVER.
- SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE OR SLIGHTLY HIGHER IF THE SOIL IS PRONE TO SETTLING.
- AFTER THE TREE IS SET IN PLACE, REMOVE BURLAP, WIRE AND STRAPS FROM AT LEAST THE UPPER 1/3 OF THE ROOTBALL.
- BACKFILL WITH EXISTING SOIL THAT HAS BEEN WELL-TILLED OR BROKEN UP. DO NOT ADD AMENDMENTS TO THE BACKFILL SOIL. AMEND THE SURFACE WITH MULCH.
- USE THREE 2" X 2" WOOD STAKES DRIVEN INTO UNDISTURBED SOIL A MINIMUM OF 16 INCHES. SPACE STAKES EQUALLY AROUND THE TREE.
- ATTACH 3/4" NYLON WEBBING TO CONNECT THE TREE TO STAKES. ATTACH WEBBING AT 1/3 THE TREE HEIGHT.
- APPLY A 2-3" (SETTLED) DEPTH OF PINE STRAW OR BARK MULCH TO THE PLANTING SURFACE. LEAVE A 2" SPACE AROUND THE TRUNK FOR AIR CIRCULATION.
- PRUNING SHALL BE LIMITED TO DEAD, DISEASED, OR BROKEN LIMBS ONLY AND SHALL BE IN ACCORDANCE WITH ANSI A300 SPECIFICATIONS.
- REMOVE ANY TRUNK WRAP REMAINING AT TIME OF PLANTING. NO WRAPS SHALL BE PLACED ON TRUNK.



5 Fence Detail
1/4" = 1'-0"



1710 E. Summerridge
Meridian Idaho 83646
O:208-895-0437
Plabs17@gmail.com

Hesscomm Corp. 2338 w. Boulder Bar Drive Meridian, Idaho 83646 ph. 208-789-4064			Hesscomm Corp.	
			Stardale Sub Landscape Plan	
			331 N Center St	
			Project number	BH-21-02
			Date	8-3-21
			Drawn by	Author
			Checked by	Checker
			L1	
			Scale	As indicated



Ada County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ ACZ
☐ Boise
☐ Eagle
☐ Garden City
☐ Meridian
☐ Kuna
☒ Star

Rezone/OTD # 22-21-04

Conditional/Accessory Use # _____

Preliminary / Final / Short Plat PP-22-03

Development Name/Section Stardale Place

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 5. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☒ 6. After written approvals from appropriate entities are submitted, we can approve this proposal for:
☒ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☒ central water
☐ individual sewage ☐ individual water
- ☒ 7. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☒ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☒ central water
- ☒ 8. Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the City of Boise or ACHD right-of-way, an application and fee per well, vicinity map and construction plans must be submitted to CDH.
- ☐ 9. If restroom or plumbing facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 10. An accessory use application, fee, detailed site plan and floor plans must be submitted to CDH for review.
- ☐ 11. Land development application, fee per lot, test holes and full engineering report is required.
- ☐ 12. CDH makes no guarantee a septic permit will be issued on the split off lot. A speculative site evaluation is recommended.
- ☐ 13. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☐ 14. _____

Reviewed By: Rowena

Date: 4 / 6 / 2022



Ada County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ ACZ
☐ Boise
☐ Eagle
☐ Garden City
☐ Meridian
☐ Kuna
☒ Star

Rezone/OTD # _____

Conditional/Accessory Use # _____

Preliminary / Final / Short Plat FD-22-041

Development Name/Section American Star 4

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- ☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 5. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☒ 6. After written approvals from appropriate entities are submitted, we can approve this proposal for:
- ☒ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☒ central water
☐ individual sewage ☐ individual water
- ☒ 7. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☒ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☒ central water
- ☒ 8. Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the City of Boise or ACHD right-of-way, an application and fee per well, vicinity map and construction plans must be submitted to CDH.
- ☐ 9. If restroom or plumbing facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 10. An accessory use application, fee, detailed site plan and floor plans must be submitted to CDH for review.
- ☐ 11. Land development application, fee per lot, test holes and full engineering report is required.
- ☐ 12. CDH makes no guarantee a septic permit will be issued on the split off lot. A speculative site evaluation is recommended.
- ☐ 13. We will require plans be submitted for a plan review for any:
- ☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☐ 14. _____

Reviewed By: Rowland

Date: 4 / 6 / 2022



Ada County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ ACZ
☐ Boise
☐ Eagle
☐ Garden City
☐ Meridian
☐ Kuna
☒ Star

Rezone/OTD # _____

Conditional/Accessory Use # _____

Preliminary / Final / Short Plat FP-22-07

Development Name/Section Torchlight Heights

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- ☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 5. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☒ 6. After written approvals from appropriate entities are submitted, we can approve this proposal for:
- ☒ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☒ central water
☐ individual sewage ☐ individual water
- ☒ 7. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☒ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☒ central water
- ☒ 8. Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the City of Boise or ACHD right-of-way, an application and fee per well, vicinity map and construction plans must be submitted to CDH.
- ☐ 9. If restroom or plumbing facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 10. An accessory use application, fee, detailed site plan and floor plans must be submitted to CDH for review.
- ☐ 11. Land development application, fee per lot, test holes and full engineering report is required.
- ☐ 12. CDH makes no guarantee a septic permit will be issued on the split off lot. A speculative site evaluation is recommended.
- ☐ 13. We will require plans be submitted for a plan review for any:
- ☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☐ 14. _____

Reviewed By: Rowland

Date: 4/8/2022



Ada County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☐ Meridian
- ☐ Kuna
- ☒ Star

Rezone/OTD # _____

Conditional/Accessory Use # _____

Preliminary / Final / Short Plat FP-22-06

Development Name/Section Welton Estates

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - ☐ high seasonal ground water
 - ☐ waste flow characteristics
 - ☐ bedrock from original grade
 - ☐ other _____
- ☐ 5. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☒ 6. After written approvals from appropriate entities are submitted, we can approve this proposal for:
 - ☒ central sewage
 - ☐ community sewage system
 - ☐ community water well
 - ☐ interim sewage
 - ☒ central water
 - ☐ individual sewage
 - ☐ individual water
- ☒ 7. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - ☒ central sewage
 - ☐ community sewage system
 - ☐ community water
 - ☐ sewage dry lines
 - ☒ central water
- ☒ 8. Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the City of Boise or ACHD right-of-way, an application and fee per well, vicinity map and construction plans must be submitted to CDH.
- ☐ 9. If restroom or plumbing facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 10. An accessory use application, fee, detailed site plan and floor plans must be submitted to CDH for review.
- ☐ 11. Land development application, fee per lot, test holes and full engineering report is required.
- ☐ 12. CDH makes no guarantee a septic permit will be issued on the split off lot. A speculative site evaluation is recommended.
- ☐ 13. We will require plans be submitted for a plan review for any:
 - ☐ food establishment
 - ☐ swimming pools or spas
 - ☐ child care center
 - ☐ beverage establishment
 - ☐ grocery store
- ☐ 14. _____

Reviewed By: _____

Date: 4/6/2022



Mary May, President
Alexis Pickering, Vice-President
Jim D. Hansen, 2nd Vice President
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

April 18th, 2022

To: Bruce Hessing
2338 W Boulder Bar Drive
Meridian, ID 83646

Subject: SPP22-0005/ AZ-22-02/ RZ-22-04/ DA-22-02/ PP-22-03
385 N Center Street
Stardale Place

The applicant is requesting annexation and rezone of 3.39 acres into the City of Star with R-7 zoning. The applicant is also requesting preliminary plat approval for 26 residential lots and 3 common lots.

A. Findings of Fact

1. Center Street

- a. **Existing Conditions:** Center is improved with 2-travel lanes, 24-feet of pavement and no curb, gutter, or sidewalk abutting the site. There is 51-feet of right-of-way for Center Street (26-feet from centerline).

b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

- c. **Applicant's Proposal:** The applicant has not proposed any improvements to Center Street abutting the site.
- d. **Staff Comments/Recommendations:** The applicant should be required to construct Center Street as ½ of a 36-foot street section with curb, gutter, and 5-foot wide concrete sidewalk.

For detached sidewalk located outside of the right-of-way, the applicant may provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk. The sidewalk should be wholly located in the right-of-way or wholly located within an easement.

If street trees are desired, an 8-foot wide planter strip is required.

2. 3rd Street

- a. **Existing Conditions:** 3rd Street is improved with 2-travel lanes, curb, gutter, and 5-foot wide attached concrete sidewalk abutting the site. There is 50-feet of right-of-way for 3rd Street (25-feet from centerline).

- b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net

densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

- c. **Applicant's Proposal:** The applicant has not proposed any improvements to 3rd Street abutting the site.
- d. **Staff Comments/Recommendations:** 3rd Street abutting the site is fully improved, therefore no additional street improvements or right-of-way dedication is required with this development.

Consistent with the District's Minor Improvements Policy, the applicant should be required to replace any broken or deteriorated segments of curb, gutter, or sidewalk on 3rd Street abutting the site.

3. Internal Local Street

- a. **Existing Conditions:** There are no roadways within the site.

- b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system.
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 50-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance

considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

- c. **Applicant's Proposal:** The applicant has proposed to construct a 36-foot wide local public road to serve the site. The road is proposed to be located 150-feet south of 3rd Street and to terminate in a cul-de-sac turnaround.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed. The cul-de-sac turnaround should be constructed with a minimum radius of 50-feet.

Although the applicant's proposal meets District policy, the applicant may consider constructing the internal road as a private street, as there are no stub streets to provide connectivity to the site, and the surrounding parcels are built-out and are accessed by a mix of public and private streets. If a private street is approved by the City of Star, then street name and stop signs are should be required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

4. Private Roads

- e. **Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:
 - Designed to discourage through traffic between two public streets,
 - Graded to drain away from the public street intersection, and
 - If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.
- f. **Staff Comments/Recommendations:** If the City of Star approves the private road, the applicant shall be required to pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Star, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

B. Site Specific Conditions of Approval

1. Improve Center Street as ½ of a 36-foot street section with curb, gutter, and 5-foot wide concrete sidewalk. Provide a permanent right-of-way easement for detached sidewalk located outside of the dedicated right-of-way. If street trees are desired, an 8-foot wide planer strip is required.
2. Relace any broken or deteriorated segments of curb, gutter, or sidewalk on 3rd Street abutting the site consistent with the District's Minor Improvements policy.
3. Construct one 36-foot wide local street to intersect Center Street located 150-feet south of 3rd Street, as proposed. Construct the roadway as a 36-foot wide local street with curb, gutter, and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way. Construct a cul-de-sac turnaround with a minimum radius of 50-feet at the terminus of the roadway.

OR

4. Construct a 20 to 24-foot wide private road to intersect Center Street located 150-feet south of 3rd Street. Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.
5. A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
6. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
7. Comply with the Standard Conditions of Approval as noted below.

C. Traffic Information

Trip Generation

This development is estimated to generate 245 vehicle trips per day and 26 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

Condition of Area Roadways: *Traffic Count is based on Vehicles per hour (VPH)*

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Center Street	275-feet	Local	26	N/A
3 rd Street	130-feet	Local	62	N/A

Average Daily Traffic Count (VDT): *Average daily traffic counts are based on ACHD's most current traffic counts*

- The average daily traffic count for Center Street north of 1st Street was 590 on 06/27/18.
- The average daily traffic count for 3rd Street west of Evelyn Way was 1,350 on 11/18/21.

D. Attachments

1. Vicinity Map
2. Site Plan
3. Standard Conditions of Approval
4. Appeal Guidelines

If you have any questions, please feel free to contact me at (208) 387-6132.

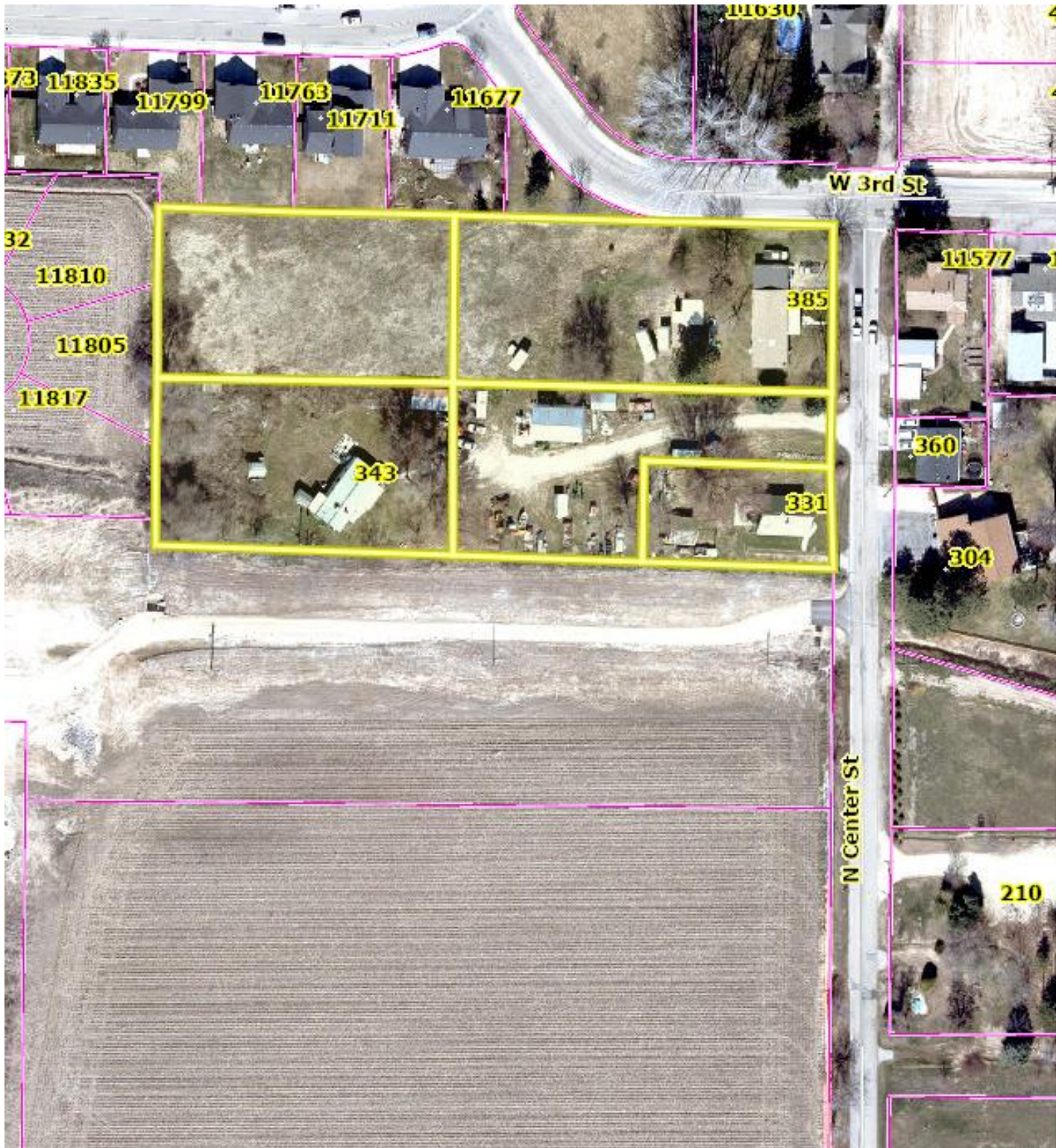
Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Bruner". The signature is fluid and cursive, with the first name "Kelly" and last name "Bruner" clearly distinguishable.

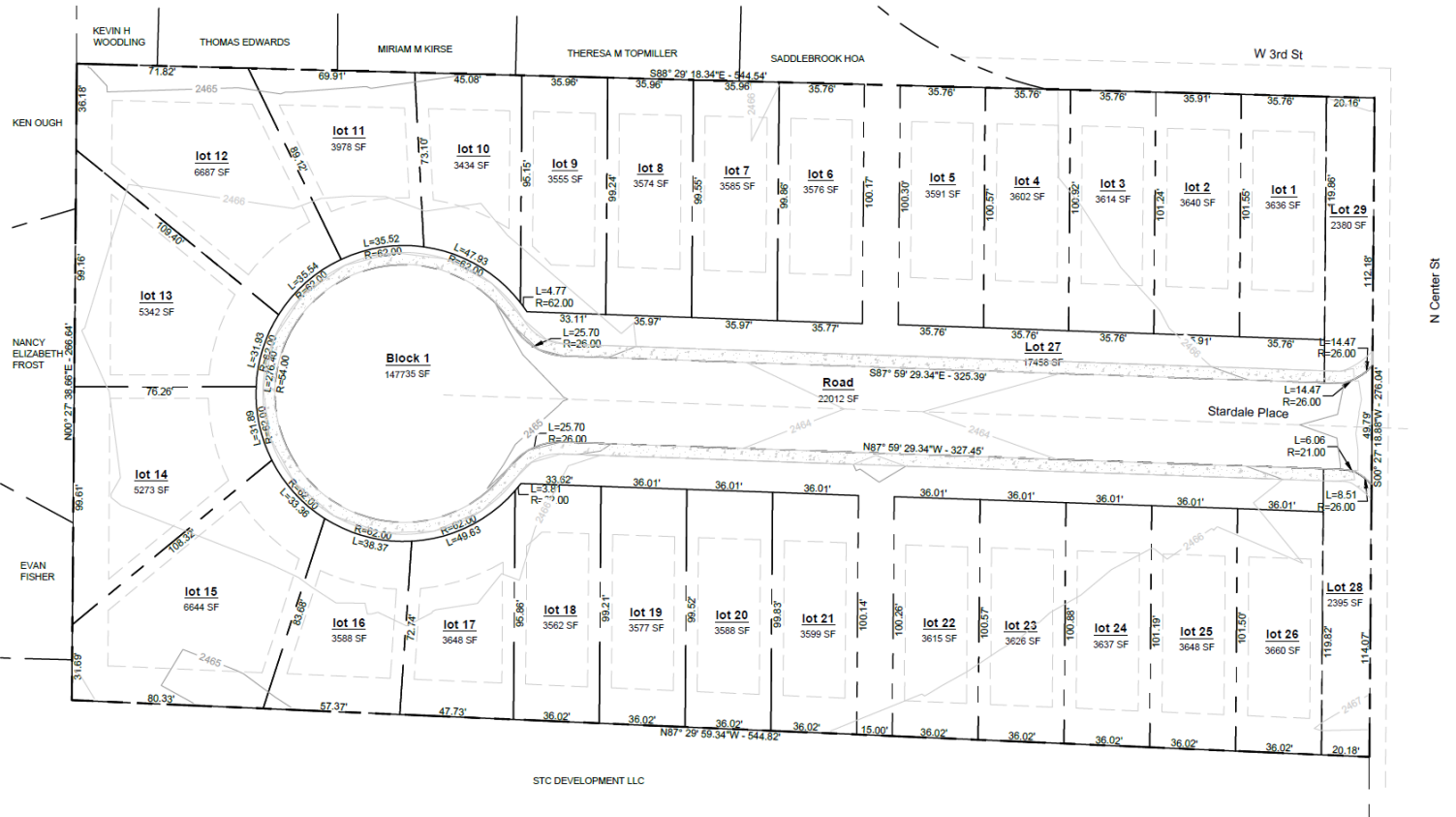
Kelly Bruner
Planner
Development Services

cc: City of Star (Shawn Nickel, via email)
Antonio Conti, via email

VICINITY MAP



SITE PLAN



Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 N Orchard Street, Boise, ID 83706
(208) 373-0550

Brad Little, Governor
Jess Byrne, Director

April 1, 2022

By e-mail: snickel@staridaho.org

City of Star
P.O. Box 130
Star, Idaho 83669

Subject: Stardale Place Subdivision, AZ-22-02/RZ-21-04/DA-22-02/PP-22-03

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).
- All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

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,

A handwritten signature in black ink that reads "Aaron Scheff". The signature is written in a cursive, flowing style.

Aaron Scheff
Regional Administrator
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