

FINDINGS OF FACT AND CONCLUSIONS OF LAW
MOON VALLEY TOWNHOMES SUBDIVISION
FILE NO. PP-21-12/PR-21-11/DA-21-13MOD

The above-entitled Preliminary Plat, Private Street and Development Agreement Modification land use applications came before the Star City Council for their action on October 12, 2021, at which time public testimony was taken and the public hearing was closed. The Star City Council, having requested and taken oral and written testimony, and having duly considered the matter, does hereby make the following Findings of Fact and Conclusions of Law.

Procedural History:

A. Project Summary:

The Applicant is seeking approval of a Preliminary Plat for a proposed residential subdivision in the Mixed-Use zone consisting of 156 residential lots and 1 common lot, a Development Agreement Modification and Private Streets. The property is located 8323 W. Moon Valley Road in Star, Idaho, and consists of 12.06 acres with a proposed density of 12.94 units per acre. The subject property is generally located on the western end of W. Moon Valley Road and adjacent to Highway 16. Ada County Parcel No's. S0416110105, S0416110207 & S0416120646.

B. Application Submittal:

A neighborhood meeting was held on February 24, 2021, in compliance with the application submittal requirement of the Star Unified Development Code (Section 8-1 A-6 C). The Land Use application was deemed complete on May 10, 2021.

C. Notice of Public Hearing:

Notice of Public Hearing on the application for the City of Star Council was published in accordance with the requirements of Title 67, Chapter 65, Idaho Code and the Star Unified Development Code on August 19, 2021. Notice of this public hearing was mailed to property owners within three-hundred feet (300') of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Star Unified Development Code on August 17, 2021. Notice was sent to agencies having jurisdiction in the City of Star on May 10, 2021. The property was posted in accordance with the Star Unified Development Code on August 27, 2021.

D. History of Previous Actions:

Council approved a Comprehensive Plan Map Amendment (CPA-19-01) and Rezone from Residential (R-2) to Mixed Use (RZ-18-07) with a Development Agreement Modification (DA-19-02-MOD).

E. *Comprehensive Plan Land Use Map and Zoning Map Designations:*

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Mixed Use	Commercial	Vacant
Proposed	Mixed Use	Commercial	Residential/Townhomes
North of site	RUT/R-1/C-1	Commercial	Single Family Residential/Vacant
South of site	Mixed Use (MU-DA)	Mixed Use (MU)	Approved Moon Valley Subdivision
East of site	RUT	Mixed Use (MU)	Single Family Residential/Agricultural
West of site	Commercial (C-2)	Commercial/Industrial Corridor	Vacant/Highway 16/Agricultural

F. *Development Features.*

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 156 single family residential lots, and 1 common area lot on 12.06 acres for a density of 12.94 dwelling units per acre. The residential lots range in size from 1,164 square feet to 1,357 square feet, with an average lot size of 1,164 square feet. Each townhome will be located on individual lots to allow for private home ownership. All streets are proposed to be private streets and must be built to ACHD standards. The Applicant is also requesting two (2) gates at the front of the property. **The submitted preliminary plat indicates street widths at 25-26 feet, well below the minimum required by Section 8-4D-34B (4) of the UDC. The applicant is proposing the development to gated on both sides of the main entrance. All private streets and gates must be approved by the Council and Fire District and shall meet all Star Fire District standards.**

The development will be serviced by Star Sewer & Water District with connections that are on the southern boundary of the proposed development. The development will also connect to existing pressure irrigation.

The preliminary plat indicates that the development will contain a total of 4.40 acres (36.5%) total open space within the one common lot. The development meets the minimum of 15% open space, 10% usable space required by Code.

The current Unified Development Code, Section 8-4E-2 requires a development of this size to have a minimum of 3 site amenities. The applicant is proposing a clubhouse; pool, firepit and large gazebo with a BBQ. There will also be a walking path around the central open area. These amenities satisfy the code requirement for development amenities.

The development will be accessed from South Herons Flight Lane which is a public road. There is a secondary, emergency access on the southwest corner of the property. Applicant is proposing this to be gated.

ADDITIONAL DEVELOPMENT FEATURES:

- Private Streets
The development is proposed to contain private streets. As was approved with the rest of the Moon Valley development, all private streets should be built to ACHD roadway standards, including a minimum of 33 feet of improved width. The applicant may request approval through the development agreement for alternatives to this requirement. However, Star Fire District must approve the use of these streets as proposed. **The Fire District has requested that the applicant meet with the District to discuss the planned access.**
- Sidewalks
Sidewalks are proposed at five-foot (5') widths and will be attached throughout this portion of the subdivision.
- Lighting
Streetlights shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire development.
- Street Names and Addressing
Street names and addressing must be approved by the Ada Street Naming Committee prior to signature of final plat.
- 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 should request a waiver of this requirement through the Development Agreement for an alternative landscaping plan for the omission of the street trees.** The applicant shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code.
- Setbacks – The applicant has requested special setbacks for the attached units with zero-lot-lines.
- Parking – The development requires a minimum of 39 visitor parking spaces and the applicant is proposing 55, satisfying Section 8-4B-3 of the Unified Development Code.

DEVELOPMENT AGREEMENT - MODIFICATION

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

- Density;
- Percentage of Residential in Mixed Use Zone;
- ITD Proportionate Share Fees;
- Private Road Maintenance;
- Private Road Study Every Three (3) Years;
- Emergency Access;

G. Existing Site Characteristics:

Existing Site Characteristics: The property is currently vacant.

Irrigation/Drainage District(s): - Little Pioneer Ditch, P.O. Box 70, Star, Idaho 83669
- Drainage District #2, c/o Sawtooth Law Offices, 1101 W. River Street Ste. 110, Boise, Idaho 83707

Flood Zone: The development is located in a special flood hazard zone per FEMA FIRM panel #16001C0130 H and 16601C0140 H. Base flood elevation in the AE zone is 2491-2494.

Special On-Site Features:

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

H. Agencies Responding:

The following agencies responded, and correspondence was attached to the staff report.

Star Fire District
Keller and Associates
ITD

August 30, 2021
May 28, 2021
June 16, 2021

ACHD
Central District Health Dept
DEQ

August 4, 2021
May 12, 2021
May 21, 2021

I. Staff received the following letters & emails for the development:

Staff has received multiple letters from concerned neighbors regarding the development. These letters are on file with the City.

J. Comprehensive Plan and Unified Development Code Provisions:

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Mixed Use:

Generally suitable for a mixture of uses which may, at the sole discretion of the Council, include office, commercial, and/or residential depending upon the specific area designated as Mixed Use. See Mixed Use Implementation Policies for specific criteria. Development within this land use designation is to proceed through the PUD and/or development agreement process. Identifying areas for mixed-use development has two objectives. The first objective is to give the city a better tool to manage the type of developments through the planned unit development and/or the Development Agreement process. The second objective is that this land use designation will allow the development community to be more innovative in design and placement of structures. Development design guidelines should also be established to guide development within mixed-use areas. Rezoning within this land use designation is to be strictly monitored by the city to assure that the Mixed-Use areas are not being used simply to justify high density residential use.

8.3 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

8.5.7 Policies Related Mostly to the Mixed-Use Planning Areas

- A. Council, at their sole discretion, shall determine what mix of uses are appropriate for any mixed-use area considering existing property owners rights.
- B. Development within the Mixed-Use Designation is to proceed through the CUP, PUD, and/or Development Agreement process, and a concept plan must be included with any such proposed use.
- C. In general, mixed-use areas along state highways should be predominantly commercial with a very minor component of residential unless the residential is placed on upper floors as part of a mixed-use building.
- D. Mixed-use areas along state and U.S. Highways where direct access to the state highway is prohibited, like along State Highway 16 between State Highway 44 and US Highway 20/26, should be predominately residential with a minor component of neighborhood commercial, or light industrial if sufficient roadway access, by means of backage or other roads, to the State Highway is provided.
- E. Mixed-use areas located between commercial and residential land use designations are to provide a compatible transition between the higher intensity use of commercial and the lower intensity use of Neighborhood Residential. Uses for these mixed-use areas could include multi-family housing and or office related uses if determined by the Council through the public hearing process, to be appropriate.

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Encourage landscaping to enhance the appearance of subdivisions, structures, and parking areas.
- Require more open space and trees in subdivisions.
- 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.
- The City should utilize the 2018 Treasure Valley Tree Selection Guide when requiring trees within developments.

18.4 Implementation Policies:

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

Unified Development Code:

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

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

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

8-3A-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	MU
Accessory structure	A	A	C/P
Dwelling:			
Multi-family 1	N	C	C
Secondary 1	A	A	C
Single-family attached	N	C	C
Single-family detached	P	P	C
Two-family duplex	N	P	C

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

Zoning District	Maximum Height	Minimum Yard Setbacks Note Conditions			
	Note Conditions	Front (1)	Rear	Interior Side	Street Side
MU	35'	For MU and CBD – Unless otherwise approved by the Council as a part of a PUD or Development Agreement, all residential buildings shall follow the residential setbacks shown in this table based upon the project density and all other buildings shall follow setbacks for the C-2 zone (3).			
R-12 and higher	35'	15' to living area 20' to garage	15' 4' if alley load	5' for single story 10' for multi-story	20'

Notes:

1. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhang onto the sidewalk.
2. Interior side yard setbacks for lots with 50' or less of lot width shall be allowed 5' interior side yard setbacks for one and two-story structures.
3. All setbacks in the M-U zone shall be a minimum of 15' when adjacent to a residential use or zone.

8-4D-3: STANDARDS (PRIVATE STREETS):

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

A. Design Standards:

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

B. Construction Standards:

1. Obtain approval from the county street naming committee for a private street name(s);
2. Contact the transportation authority to install an approved street name sign that complies with the regulations of the county street naming ordinance;
3. Roadway and Storm Drainage: The private street shall be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the city of Star based on plans submitted by a certified engineer.
4. Street Width: The private street shall be constructed within the easement and shall have a travel lane that meets ACHD width standards for the City of Star, or as determined by the Council and Star Fire District.
5. Sidewalks: A five foot (5') attached or detached sidewalk shall be provided on one side of the street in commercial districts. This requirement may be waived if the applicant can demonstrate that an alternative pedestrian path exists.
6. Fire Lanes: All drive aisles as determined by the Star Fire District to be fire lanes, shall be posted as fire lanes with no parking allowed. In addition, if a curb exists next to the drive aisle, it shall be painted red.
7. No building permit shall be issued for any structure using a private street for access to a public street until the private street has been approved.

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

shall include the following:

1. Private Road Reserve Study Requirements.
 - a. At least once every three years, the board shall cause to be conducted a reasonably competent and diligent visual inspection of the private road components that the association is obligated to repair, replace, restore, or maintain as part of a study of the reserve account requirements of the common interest development, if the current replacement value of the major components is equal to or greater than one-half of the gross budget of the association, excluding the association's reserve account for that period. The board shall review this study, or cause it to be reviewed, annually and shall consider and implement necessary adjustments to the board's analysis of the reserve account requirements as a result of that review.
 - b. The study required by this section shall at a minimum include:
 - i. Identification of the private road components that the association is obligated to repair, replace, restore, or maintain.
 - ii. Identification of the probable remaining useful life of the components identified in paragraph (1) as of the date of the study.
 - iii. An estimate of the cost of repair, replacement, restoration, or maintenance of the components identified in paragraph (1).
 - iv. An estimate of the total annual contribution necessary to defray the cost to repair, replace, restore, or maintain the components identified in paragraph (1) during and at the end of their useful life, after subtracting total reserve funds as of the date of the study.
 - v. A reserve funding plan that indicates how the association plans to fund the contribution identified in paragraph (4) to meet the association's obligation for the repair and replacement of all private road components.
 - c. A copy of all studies and updates shall be provided to the City, to be included in the development application record.

8-4D-4: REQUIRED FINDINGS (PRIVATE STREETS):

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

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

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

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 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.

E. Maintenance:

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

8-6A-7: REQUIRED FINDINGS:

In consideration of a preliminary plat or combined preliminary and final plat, the decision-making body shall make the following findings:

- A. The plat is in conformance with the comprehensive plan;
- B. Public services are available or can be made available and are adequate to accommodate the proposed development;
- C. There is public financial capability of supporting services for the proposed development;
- D. The development will not be detrimental to the public health, safety or general welfare; and
- E. The development preserves significant natural, scenic or historic features.

8-6A-7: PRELIMINARY PLAT FINDINGS:

1. The plat is in conformance with the Comprehensive Plan;
The Council finds that the Preliminary Plat, as proposed does not meet all requirements associated with Section 8-6A-3 of the UDC and is not consistent with the Comprehensive Plan and Mixed-Use land use designation. Mixed-use should provide a mixture of uses which may, at the sole discretion of the Council, include office, commercial, and/or residential depending upon the specific area designated as Mixed Use. One of the objectives of the area is that this land use designation will allow the development community to be more innovative in design and placement of structures. As part of the original findings of fact for the annexation and zoning of the property in question, rezoning within this land use designation was to be strictly monitored by the city to assure that the Mixed-Use areas are not being used simply to justify high density residential use. The Council finds that, to date, the entire development has been developed as residential, with no non-residential uses proposed by the applicant.
2. Public Services are available or can be made available and are adequate to accommodate the proposed development;
The Council finds that Agencies having jurisdiction on this parcel were notified of this action. The City did not receive notice that public services are not available or cannot be made available for this development. Emergency services were reviewed and mitigation recommended by the Star Fire District.
3. There is public financial capability of supporting services for the proposed development;

The Council finds that the City has not received notice from any jurisdictional agency that there are any problems with public financial capability for this development.

4. The development will not be detrimental to the public health, safety or general welfare;
The Council was made aware through public testimony, that a detriment in the form of additional traffic will be caused by this development. The Council finds that approval of the higher density residential would have a negative effect to the public health, safety and welfare.
5. The development preserves significant natural, scenic or historic features;
The Council finds that there are no known natural, scenic, or historic features that have been identified with this Preliminary Plat.

8-4D-4: PRIVATE STREET FINDINGS:

- A. The design of the private street meets the requirements of this article;
Council finds that the proposed private street did not meet the design standards in the Code.
- B. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity:

Council finds that the private street, when associated with the proposed preliminary plat, would cause damage, hazard or nuisance, or other detriment to persons, property or uses in the vicinity.

- C. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

Council finds that the proposed use, when associated with the proposed preliminary plat, is in conflict with the comprehensive plan.

Public Hearing of the Council:

- a. A public hearing on the application was heard by the City Council, at which time testimony was heard and the public hearing was closed. The City Council made their decision at that time.
- b. Oral testimony regarding the application was presented to the City Council by:
 - Mark Tate, M-3
 - Robert Piazza
 - Kamala Rawlins
 - James Theriault
 - William Connelly

- Lloyd Akins
- Lisa Hines-Boyd
- Jim Tracy
- Hal Sullivan
- Quentin Nesbitt
- Paul Akins
- Donna Boswath
- Danny Boswath

c. Written testimony in favor of or opposing the application was presented to the City Council at the hearing by:

None

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this proposed preliminary plat and private street application in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in discussions on the Comprehensive Plan, traffic, Mixed-use developments, platting of lower densities, future non-residential uses. The Council concluded that the Applicant's request does not meet the requirements for a preliminary plat and private street. Council hereby incorporates the staff report dated October 12, 2021 into the official decision as part of these Findings of Fact, Conclusions of Law.

Statement of Compliance:

Council finds the Applicant has not met all requirements of the Unified Development Code and the intent and purpose of the Comprehensive Plan and Map requirements.

Council Decision:

The Council voted 3-0 to deny the Preliminary Plat and Private Street for Moon Valley Subdivision on October 12, 2021.

Dated this 7th day of December 2021.

Star, Idaho

By: _____

Trevor A. Chadwick, Mayor

ATTEST:

Jacob M. Qualls, City Clerk