



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star – Planning Department
MEETING DATE: **September 6, 2022 – PUBLIC HEARING**
FILE(S) #: RZ-22-02 Commercial Rezone – Baron Properties
DA-22-05 Development Agreement

APPLICANT/REPRESENTATIVE/OWNER

Applicant/Owner:

Baron Properties
Calhoun Comm, LLC
1401 17th Street, Ste. 700
Denver, Colorado 80202

Representative:

Elizabeth Koeckeritz
Givens Pursley, LLP
6001 W. Bannock Street
Boise, Idaho 83702

REQUEST

Request: The Applicant is seeking approval of a Rezone (C-1 to C-2) and a Development Agreement for a parcel of land consisting of 11.38 acres. The property is located at 342 S. Calhoun Place in Star, Idaho.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the northeast corner of W. Wildbranch Street and S. Calhoun Place, on the south side of W. State Street. Ada County Parcel No S0416120900.

Surrounding Land Use/Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Commercial C-1	Commercial	Vacant – Pasture
Proposed	Commercial C-2	Commercial	Commercial, Retail
North of site	ITD Right of Way	Commercial	State Street (Hwy 44)
South of site	Residential (R-14)	High Density Residential	Crystal Springs Apts.
East of site	ITD Right of Way	Commercial/Industrial Corridor	State Hwy 16
West of site	Commercial (C-2)/Light Office (LO)	Commercial/Compact Residential	Vacant – Pasture

8-3A-4 Zoning District Dimensional Standards for Commercial (C-2):

Dimensional Standards	C-1	C-2	L-O	CBD
Front Setback	0'	0'	20'	0'
Rear Setback	20'	20'	20'	0'
Interior Side Setback	0'	0'	0'	0'
Street Side Setback	20'	20'	20'	0'
Maximum Building Height	35'	35'	35'	35'
Parking Requirements	See Chapter 4, Article B , "Off Street Parking And Loading Requirements", of this title			
Landscape Requirements	See Chapter 4, Article D , "Landscaping Requirements", of this title			

Existing Site Characteristics: The property is currently vacant.

Irrigation/Drainage District(s): Pioneer Ditch Company
P.O. Box 70
Star, Idaho 83669

Flood Zone This property is currently located in Flood Hazzard Area AE.
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 known areas.
- ✧ Fish Habitat – No known areas.
- ✧ Mature Trees – Yes.
- ✧ Riparian Vegetation – No known areas.
- ✧ Steep Slopes – None.
- ✧ Stream/Creek – Pioneer Canal runs through the property.
- ✧ 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.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	June 7, 2022
Neighborhood Meeting Held	May 31, 2022
Application Submitted & Fees Paid	June 22, 2022
Residents within 300' Notified	August 11, 2022
Agencies Notified	July 27, 2022
Legal Notice Published	August 14, 2022 & August 26, 2022
Property Posted	August 25, 2022

HISTORY

On April 4, 2017, the Council approved a rezone of the property from Rural Transition (RT) to C-1-DA (Ord 258).

From the records that are available, it appears that the property was originally annexed into the City sometime around 2009.

CODE DEFINITIONS / COMPREHENSIVE PLAN
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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.

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

District	Purpose
Commercial (C-2) General Business District	To provide for the establishment of areas for commercial uses allowed in other commercial zones and commercial uses which are more intensive than those permitted in other commercial zones, and typically located adjacent to arterial roadways and not immediately adjacent to residential, including the establishment of areas for travel related services such as hotels, motels, service stations, drive-in restaurants, offices, limited warehousing, commercial services and retail sales.
Development Agreement (DA)	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.

TABLE 8-3A-3 - USES WITHIN ZONING DISTRICTS

<u>ZONING DISTRICT USES</u>		
USES	C-1	C-2
Accessory structure - Residential or Commercial	A	A
Adult business/adult entertainment	N	N
Agriculture, forestry, fishing	N	N
Airport	N	N
Animal care facility ¹	P	P
Artist studio ¹	P	P
Arts, entertainment, recreation facility ¹	C	P
Asphalt plant ¹	N	N
Auction facility	N	C
Automated Teller Machine (ATM) ¹	A	A
Automotive hobby ¹	N	N
Automotive mechanical/electrical repair and maintenance	C	P
Bakery- Retail or Manufacturing	P	P
Bar/tavern/lounge/drinking establishment	C	P
Barbershop/styling salon	P	P
Bed and breakfast	P	P
Beverage bottling plant	N	N
Boarding house	N	N
Brewery/Distillery	C	P
Brewpub/Wine Tasting	C	P

Building material, garden equipment and supplies	C	P
Campground/RV park ₁	N	N
Caretaker Unit ₁	A	A
Cement or clay products manufacturing	N	N
Cemetery ₁	N	N
Chemical manufacturing plant ₁	N	N
Child Care center (more than 12) ₁	C	C
Child Care family (6 or fewer) ₁	A	A
Child Care group (7-12) ₁	C	C
Child Care-Preschool/Early Learning ₁	C	C
Church or place of religious worship ₁	P	P
Civic, social or fraternal organizations	P	P
	<u>C-1</u>	<u>C-2</u>
Concrete batch plant ₁	N	N
Conference/convention center	P	P
Contractor's yard or shop ₁	N	N
Convenience store	C	P
Dairy farm	N	N
Drive-through establishment/drive-up service window ₁	<u>C</u>	<u>C</u>
Dwelling:		
Multi-family ₁	N	N

Secondary ¹	N	N
Single-family attached	N	N
Single-family detached	N	N
Two-family duplex ¹	N	N
Live/Work Multi-Use ¹	N	N
<u>Single-family build to rent ¹</u>	<u>N</u>	<u>N</u>
Educational institution, private	C	C
Educational institution, public	C	C
Equipment rental, sales, and services	C	P
Events Center, public or private (indoor/outdoor)	C	C
Fabrication shop	N	P
Farm	N	N
Farmers' or Saturday market	C	C
Feedlot	N	N
Financial institution	P	P
Fireworks Stands	P	P
Flammable substance storage	N	N
Flex Space	C	P
Food products processing	C	C
Fracking	N	N
Gasoline, Fueling & Charging station with or without convenience store ¹	C	P

Golf course/Driving Range	C	C
Government office	P	P
Greenhouse, private	N	N
Greenhouse, commercial	C	P
Guesthouse/granny flat	N	N
Healthcare and social services	P	P
Heliport	N	N
Home occupation ¹	N	N
Hospital	C	P
Hotel/motel	C	P
Ice manufacturing plant	N	N
Industry, information	P	P
Institution	C	P
Junkyard	N	N
Kennel	N	C
Laboratory	P	P
Laboratory, medical	P	P
Lagoon	N	N
Laundromat	P	P
Laundry and dry cleaning	P	P
Library	P	P
Manufactured home ¹	N	N
Manufactured home park ¹	N	N

Manufacturing plant	N	C
Meatpacking plant	N	N
Medical clinic	P	P
Mining, Pit or Quarry (excluding accessory pit) ¹	N	N
Mining, Pit or Quarry (for accessory pit) ¹	A	A
Mortuary	C	P
Museum	P	P
Nursery, garden center and farm supply	P	P
Nursing or residential care facility ¹	P	P
Office security facility	P	P
Parking lot/parking garage (commercial)	C	C
Parks, public and private	P	P
Pawnshop	P	P
Personal and professional services	P	P
Pharmacy	P	P
Photographic studio	P	P
Portable classroom/modular building (for private & public Educational Institutions) ¹	<u>P</u>	<u>P</u>
Power plant	N	N
Processing plant	N	N

Professional offices	P	P
Public infrastructure; Public utility major, minor and yard ¹	C	C
Public utility yard	C	C
Recreational vehicle dump station	C	C
Recycling center	C	C
Research activities	P	P
Restaurant	C	P
Retail store/retail services	C	P
Retirement home	C	N
Riding Arena or Stable, Private/ Commercial	N	N
Salvage yard	N	N
Sand and gravel yard	N	N
Service building	P	P
Shooting range (<u>Indoor/Outdoor</u>)	C/N	C/N
Shopping center	C	P
Short Term Rentals ¹	N	N
Solid waste transfer station	N	N
Storage facility, outdoor (commercial) ¹	C	<u>C</u>
Storage facility, self-service (commercial) ¹	C	<u>C</u>
Swimming pool, commercial/public	P	P

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

Notes:

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

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Commercial

Suitable primarily for the development of a wide range of commercial activities including offices, retail, and service establishments. Rezoning to this designation should not be allowed unless adequate ingress/egress to major transportation corridors are assured. Light industrial uses may be considered at the discretion of the City Council without amending this plan.

8.4 Objectives:

- Preserve the family friendly feel of Star.
- 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.
- Retain and encourage rural areas where it will not result in increased costs for urban services.
- Work to create a vibrant Central Business District.
- Encourage public participation in the land use planning process.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.
- Require the conservation and preservation of open spaces and public access to the Boise River and BLM lands and interconnected pathways to be open to the public in new developments.
- Discourage development within the floodplain.
- Encourage commercial development that is consistent with a family friendly feel, not overburdening the community with big box and franchise uses and discourage the development of strip commercial areas.

8.5.6 Policies Related Mostly to the Commercial Planning Areas:

- Assist in the provision of coordinated, efficient, and cost-effective public facilities and utility services, carefully managing both residential and non-residential development and design, and proactively reinforcing downtown Star's role as the urban core while protecting existing property rights.
- Encourage commercial facilities to locate on transportation corridors.
- Locate neighborhood services within walking distance to residential development.
- Discourage the development of strip commercial areas.

- Maintain and develop convenient access and opportunities for shopping and employment activities.
- Commercial areas of five acres or less should be encouraged in residential land use designations with appropriate zoning to allow for commercial services for residential neighborhoods and to limit trip lengths. Such commercial areas should be submitted for approvals with a Conditional Use Permit or Development Agreement to assure that conditions are placed on the use to provide for compatibility with existing or planned residential uses. These areas should be oriented with the front on a collector or arterial street.
- Allow for some light industrial uses within the commercial areas at the sole discretion of the City Council.

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.
- 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.

PROJECT OVERVIEW

REZONE & POTENTIAL LAND USES:

The rezone from Commercial (C-1) to Commercial (C-2) will allow for the property zoning to be consistent with the Comprehensive Plan and provide the applicant with the ability to market the property for commercial uses intended to be located within the C-2 District. At this time, the applicant states that an end user has not yet been determined. The rezone will allow the property as much flexibility as possible for the applicant to attract potential businesses. Future

uses may be subject to additional review from the City, either as a Conditional Use Permit or as a Certificate of Zoning Compliance staff review.

ADDITIONAL ITEMS FOR CONSIDERATION:

Site Development Plan:

Streetlights - All future lighting, including streetlights and parking lot lighting will need to be reviewed by staff and will be required to meet all Dark Sky lighting standards that may apply.

Sidewalks - With the surrounding properties also in the State Street commercial corridor and future development anticipated along W. State Street, providing safe pedestrian access and circulation to existing sidewalks through the Central Business District is a priority. Staff will require sidewalks be completed as part of any future development.

Fire -The Star Fire District has not provided a review of this rezone request. Any new use will be required to meet all requirements of the District regarding access and safety.

Land Uses – Specific land uses have not been proposed by the applicant as part of this application request. Future uses will need to be evaluated by staff , using the most current zoning ordinance, to determine if additional Council approval is necessary. This would be the case for any requested conditional uses in the Commercial (C-2) zone.

AGENCY RESPONSES

None

PUBLIC RESPONSES

No responses have been received from the public at this time.

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of this proposal as submitted and believes that approval of this application by the Council will meet the intent of the Comprehensive Plan by encouraging continued economic growth in the State Street commercial corridor. Future uses will be required to meet the standards of the zoning ordinance that is in affect at the time of submittal for a future land use application, including conditional use permits and certificates of zoning compliance for principally permitted uses.

A future development site plan will need to provide details regarding the following:

- Landscape Plan – Street Trees, Buffer Landscaping
- Streetlights
- Fire District Approval
- Parking Lot/Spaces
- Buffering/Fencing between Commercial and Residential Uses

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. In addition, the Development Agreement allows the Council to prohibit certain allowed uses outright or require Conditional Use approval should Council desire to have further input on the use. Items that can be considered by the applicant and Council include the following:

- Specific uses within the Commercial (C-2) zone that the Council may approve outright as part of the development agreement. The applicant has not proposed any specific uses at this time.

To be consistent with the intent of the Council on the recently approved commercial rezone of the Larson property to the west, and to protect this important commercial property at the entrance to the City, Staff is recommending similar conditions of approval be placed in the Development Agreement for this rezone request:

- **Uses in the C-2 zone subject to further Conditional Use approval:**
 - **Bar/tavern/lounge/drinking establishment**
 - **Brewery/Distillery**
 - **Brewpub/Wine Tasting**
 - **Building material, garden equipment and supplies**
 - **Hospital (Private)**
 - **Mortuary**
 - **Nursing or Residential Care Facility**
 - **Vehicle Sales or Rental and Services**
 - **Any other currently listed Conditional Uses**
- **Prohibited Uses in the proposed C-2 Zone:**
 - **Churches**
 - **Storage Facilities**
 - **Non-profit Hospitals**

Based upon the information provided to staff in the application and agency comments received to date, the proposed rezone meets the requirements, standards and intent for a rezone as it relates to the Comprehensive Plan and Unified Development Code. The Council should consider

the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the application, 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.

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:

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 the Central Business District is to encourage a vibrant downtown center for the community. Uses encouraged are commercial, retail, civic, private offices, and entertainment. High density housing is encouraged on the upper floors of mixed-use buildings and at the fringes of the land use designation. Developments in this district are to place an emphasis on pedestrian and bicycle access and compatibility. The City must find compliance with the intent of the Comprehensive Plan.

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

The City must find that the proposal complies with the proposed district and purpose statement. The purpose statement provides for allowed uses to include small scale retail, public, quasi-public and adaptive reuse of residential structures.

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

The City must find that there is no indication from the material submitted by any political agency stating that the 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 City must find that it has not been presented with any information from agencies having jurisdiction indicating 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 property is already within the City limits. The City must find that this rezone is reasonably necessary for the orderly development of the City.

COUNCIL DECISION

The Star City Council _____ File #RZ-22-02/DA-22-05 for Baron Properties
Commercial Rezone on _____, 2022.

342 S Calhoun Place





City of Star
P.O. Box 130
Star, Idaho 83669
P: 208-286-7247 F: 208-286-7569

ANNEXATION & ZONING - REZONE APPLICATION

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

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

Applicant Information:

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

Applicant Name: Baron Properties
Applicant Address: 1401 17th Street, Suite 700, Denver, CO Zip: 80202
Phone: 720-488-2000 Email: GHector@baronproperties.com

Owner Name: Calhoun Comm LLC
Owner Address: 1401 17th Street, Suite 700, Denver, CO Zip: 80202
Phone: 720-488-2000 Email: GHector@baronproperties.com

Representative (e.g., architect, engineer, developer): Attorney
Contact: Elizabeth Koeckeritz Firm Name: Givens Pursley LLP
Address: 601 W Bannock St Boise, ID Zip: 83702
Phone: 208-388-1200 Email: eak@givenspursley.com

Property Information:

Site Address: 342 South Calhoun Place Parcel Number: S0416120900
Total Acreage of Site: +/-11.386 acres
Total Acreage of Site in Special Flood Hazard Area: _____
Proposed Zoning Designation of Site: Commercial General (C-2)

Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	C-1	Commercial	Ag
Proposed	C-2	no change	
North of site	M-U & RUT	Industrial	vacant
South of site	R-14	High Density Residential	Ag
East of site	M-U	Commercial	vacant
West of site	L-O & C-2	Commercial & Compact Residential	Ag / residential

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

Areas of Critical Environmental Concern - No
Evidence of Erosion - No
Fish Habitat - No
Floodplain - Portion of the property to be lifted out of current Flood Zone AE.
Mature Trees - No
Riparian Vegetation - No
Steep Slopes - No
Stream/Creek - Pioneer Canal currently cuts through the property.
Unique Animal Life - No
Unique Plant Life - No
Unstable Soils - No
Wildlife Habitat - No
Historical Assets - No

Application Requirements:

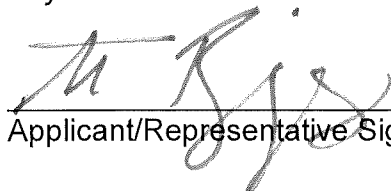
(Applications are required to contain *one* copy of the following unless otherwise noted. **When combining with other applications (Prelim Plat, CUP, etc.) please include one paper copy for all applications**)

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

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

FEE REQUIREMENT:

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


Applicant/Representative Signature

6-14-22
Date

BARON

PROPERTIES

June 14, 2022

City of Star
Attn: Shawn Nickel
Planning & Zoning Administrator
10769 W. State Street
P.O. Box 130
Star, Idaho 83669

RE: Project Narrative – Star Crest Business Park Rezone

Dear Mayor, City Councilmembers, Planning and Zoning Commissioners and Planning Staff:

On behalf of BPS Calhoun Comm LLC, we are pleased to submit this application for the Star Crest Business Park, a +/-11.386 acre parcel on the southwest corner of State Street and Highway 16. This narrative is in support of our rezone application.

With this application BPS Calhoun Comm LLC proposes to rezone Ada County Tax Parcel No. S0416120900 (the “**Property**”) to Commercial General (C-2) zoning. The Property is annexed into the City of Star and is zoned Commercial Neighborhood (C-1). The Comprehensive Plan’s Future Land Use Map (“**FLUM**”) designates the Property as Commercial.

Approval of the requested rezone is proper because each of the City’s rezone criteria are met:

- A rezone to C-2 complies with the FLUM. The Property is appropriately designated Commercial on the FLUM, which designation supports C-2 zoning. The adjacent property to the west is designated Commercial and Compact Residential and the property to the south is designated High Density Residential. Property across State Street to the north is designated Industrial, and property across Highway 16 to the east is designated Commercial.
- The rezone to C-2 supports many of the Comprehensive Plan’s goals and objectives including 8.5.6.B, which encourages commercial facilities to locate on transportation corridors, and Goal 7.3., which provides for building a stronger community through enhancing and developing Star’s economy. *Implementation Policy 7.5.D* recommends that lands along Highways 16 and 20/26 be considered as the location of a mix of uses consisting of commercial and an industrial/high-technical park with a minor component of high density residential. The development associated with this rezone will help fund numerous traffic improvements in this area, improve connectivity throughout the

June 14, 2022

Page 2

development and adjacent properties, and maintain the functionality of the roads, in furtherance of *Roadway System Goal 12.3.1*.

- The stated purpose of the C-2 zoning district is to provide for the establishment of areas for commercial uses allowed in other commercial zones and commercial uses which are more intensive than those permitted in other commercial zones, and typically located adjacent to arterial roadways and not immediately adjacent to residential, including the establishment of areas for travel related services such as hotels, motels, service stations, drive-in restaurants, offices, limited warehousing, commercial services and retail sales. The Property, situated at the corner of two state highways, is ideally situated for C-2 zoning and more intensive commercial uses.
- The proposed C-2 zoning is compatible with adjoining zoning districts. To the west is limited office (L-O) and commercial general (C-2) zoning, and to the south is high density residential (R-14) zoning. To the east across Highway 16 is mixed use (M-U) zoning, and to the north across State Street is M-U zoning within the City and rural-urban transition (RUT) within the County. C-2 zoning is also compatible with the Property's location at the intersection of two State highways.
- The map amendment meets or exceeds all regulations outlined for the C-2 zone in City code.
- The map amendment will not be materially detrimental to the public health, safety and welfare. Rather, the rezone to C-2 allows for development in conformity with surrounding uses while adding to the City's economic base. It provides for a diversification of future businesses on this highly-visible intersection.
- The map amendment will not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the City. The Property is already located within the City; sewer and water are available to the Property; and the Property is within the police and fire response times.

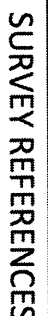
Thank you for your consideration of this request to rezone the Property to C-2. We are excited for this opportunity to bring future businesses to this busy intersection in Star.

Sincerely,

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

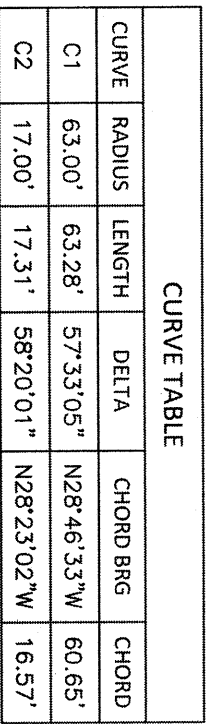
Jeff Riggs, Owner

Star River Holdings, LLC
Situating a Portion of the West 1/4 of the Northeast 1/4 of Section 16,
Township 4 North, Range 1 West, Boise Meridian, City of Star,
Ada County, Idaho



- R1. RECORD OF SURVEY No. 10793, RECORDS OF ADA COUNTY, IDAHO.
R2. RECORD OF SURVEY No. 10276, RECORDS OF ADA COUNTY, IDAHO.
R3. RECORD OF SURVEY No. 10034, RECORDS OF ADA COUNTY, IDAHO.
R4. RECORD OF SURVEY No. 8692, RECORDS OF ADA COUNTY, IDAHO.
R5. RECORD OF SURVEY No. 3404, RECORDS OF ADA COUNTY, IDAHO.
R6. RECORD OF SURVEY No. 2653, RECORDS OF ADA COUNTY, IDAHO.

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|------|-------------------------------------|
| + | FOUND ALUMINUM CAP, AS NOTED |
| + | FOUND BRASS CAP, AS NOTED |
| + | FOUND 5/8-INCH REBAR, AS NOTED |
| ⊖ | POWER POLE |
| ⊖ | ELECTRICAL VALVE/MANHOOD |
| ⊖ | TELEPHONE RECESSED |
| ⊖ | WATER VALVE |
| ⊖ | SEWER MANHOLE ID |
| ⊖ | SEWER SERVICE STRIP MARKER |
| ⊖ | STREET SIGN |
| — | SECTION LINE |
| — | PROPERTY BOUNDARY LINE |
| — | ADJACENT BOUNDARY LINE |
| — | EASEMENT LINE, AS NOTED |
| — | FEET FLOOD ZONE BOUNDARY LINE |
| — | POWER LINE |
| — | OVERHEAD POWER LINE |
| — | WATER LINE |
| — | SANITARY SEWER LINE |
| — | GAS LINE |
| — | TELEPHONE LINE |
| — | GRAVITY IRRIGATION LINE |
| — | DIE OF GRAVEL |
| — | EDGE OF PAVEMENT |
| — | TOP OF BANK |
| — | TOE OF BANK |
| — | THICE LINE (TYPE AS NOTED) |
| ~ | INDICATES CONTINUATION OF UTILITIES |
| P.S. | PROFESSIONAL LAND SURVEYOR |



GENERAL NOTES

- THE FOLLOWING DESCRIBE A PART EXCEPTED AND PROVIDED FOR THE TITLE RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF SAN JOSE, CALIFORNIA, COUNTY NO. 005929-00 CO. WITH A COMPLETION DATE OF MARCH 16, 2021.

 1. TAXES OR ASSIGNMENT WHICH ARE NOT SHOWN AS EXISTING LIES, OR BY THE PUBLIC RECORDS.
 2. ANY FACTS, RIGHTS, INTEREST, OR CLAIM WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF SAID LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF.
 3. PUBLIC RECORDS.
 4. ANY INDEPENDENT DISCREPANCY, VIOLATION, VIANTION, OR INTEREST OR DISCREPANCY AFFECTING THE TITLE, INCLUDING DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SUCCESSION, IN ADEQUACY OF THE DEEDS, OR THE VALIDITY OF THE SAME, THAT ARE NOT SHOWN IN THE PUBLIC RECORDS.
 5. (A) UNREGISTERED JUDICIAL CLAIMS, (B) ASSIGNATIONS OR EXCEPTIONS IN PARTS OR IN WHOLE, AUTHORIZING THE ISSUANCE THEREOF, (C) WATER RIGHTS, CLAIMS OR RIGHTS TO WATER, OR RIGHTS OF ACCESS TO THE WATERS EXCEPTED UNDER (A), (B), OR (C), ARE SHOWN BY THE PUBLIC RECORDS.
 6. ANY LEASE OR RIGHT TO A LEASE, FOR SERVICES, LABOR, MATERIAL, OR EQUIPMENT, OR OTHERWISE EXCEPTED FROM COVERAGE HEREIN.
 7. ANY EJECTMENT, ENCUMBRANCE, ASSIGNMENT, CLAIM, OR OTHER MATTER THAT APPEARS DISCLOSED BETWEEN THE COMPLETION DATE AND THE DATE ON WHICH ALL OF THE DISCLOSED MATTER IS RECORDED, OR THAT IS RECORDED AFTER THE DATE ON WHICH ALL OF THE DISCLOSED MATTER IS RECORDED, ARE NOT RECORDED.
 8. GENERAL AND SPECIAL TAXES FOR THE YEAR 2021, AN ACCRUING LIEN NOT DUE OR EXPIRED, AND THE FIRST YEAR OF WHICH IS NOT EXPIRED, UNTIL AFTER DECEMBER 20, 2021.
 9. GENERAL TAXES WHICH MAY BE ASSESSED AND EXTENDED ON ANY "ASSIGNMENT" OR "OCCUPANCY" TAX ROLL, WHICH MAY BE ASSESSED AND EXTENDED ON THE REGULAR TAX ROLL, WHICH ARE A LIEN NOT YET DUE OR PAYABLE.
 10. ANY TAX, FEE, ASSESSMENTS OR CHARGES AS MAY BE LEVIED BY CITY OF ST. JOSE.
 11. ANY TAX, FEE, ASSESSMENTS OR CHARGES AS MAY BE LEVIED BY ST. JOSE WATER & SEWER DISTRICT.
 12. THE RIGHTS, POWERS AND EASEMENTS OF DAMAGE DISTRICT NO. 2.
 13. ANY TAX, FEE, ASSESSMENTS OR CHARGES AS MAY BE LEVIED BY PIONEER DITCH COMPANY, LTD.
 14. LINES OF THE STATE OF IDAHO IN AND TO THAT PORTION OF SAID PARCELS, IF ANY, LIES IN THE BED OR FLOWER BED OF THE FLOWER RIVER, IF IT IS SWAGGED.
 15. ANY QUESTION THAT MAY ARISE DUE TO THE SHIFTING AND/OR CHANGING IN THE COURSE OF THE FLOWER RIVER.
 16. RIGHT OF WAY FOR PIONEER DITCH, TUNNELS AND TELEPHONE AND TRANSMISSION LINES STATES UNDER PROVISIONS OF SECTION 35-604, IDAHO CODE.
 17. RIGHT OF WAY FOR LITTLE FLOWER CANYON AND THE RIGHTS OF ACCESS THEREFOR TO MAINTENANCE OF SAID CANYON.
 18. RIGHTS, CLAIMS, POWERS OR ASSIGNMENT OR EASEMENTS OF THE PIONEER DITCH COMPANY AND THE PIONEER DITCH COMPANY.
 19. RIGHTS OF WAY FOR DITCHES, TUNNELS AND TELEPHONE AND TRANSMISSION LINES STATES UNDER PROVISIONS OF SECTION 35-604, IDAHO CODE.
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 95. RECORDING INFORMATION: BOOK 4

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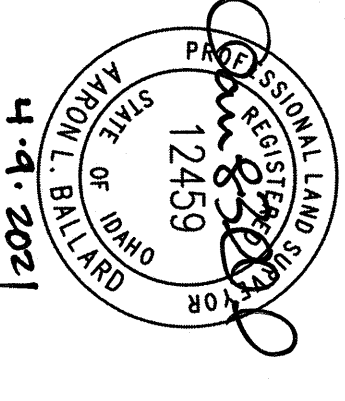
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13. AT THE TIME OF THIS SURVEY, THERE WERE NO MARKERS DELINEATING WETLANDS OBSERVED ON THE SUBJECT PROPERTY.

14. THE CURRENT ADDRESS FOR THE SUBJECT PROPERTY IS 342 SOUTH CALHOUN PLACE, PER ADA COUNTY ASSESSOR'S OFFICE.

10 STAR RIVER HOLDINGS, LLC, IT'S
INSURANCE COMPANY:

MARKON L. BRELAND
IDAHO PROFESSIONAL LAND SURVEYOR
REGISTRATION No. 12459
EMAIL: ABALLARD@KMENGLLP.COM
WWW.KMENGLLP.COM



Star River Holdings, LLC
342 South Calhoun Place Star, Idaho

ALTA/NSPS Land Title Survey
Boundary, Easement and Planimetric Map

Legal Description for Zoning

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 16, Township 4 North, Range 1 West, Boise Meridian, City of Star, County of Ada, State of Idaho, and being more particularly described as follows;

COMMENCING at the north quarter corner of said Section, from which the south quarter corner of said Section bears South 00°46'55" West – 5263.37 feet:

THENCE South 00°46'55" West along a line coincident with the west boundary of said northwest quarter of the northeast quarter for a distance of 190.59 feet to a point on the Right-of-Way of State Highway 16 and being the POINT OF BEGINNING;

THENCE along a line coincident with said Right-of-Way the following three (3) courses;

South 79°57'23" East for a distance of 187.15 feet;

South 46°03'40" East for a distance of 363.59 feet;

South 01°20'36" East for a distance of 926.84 feet to the southerly boundary of subject parcel;

THENCE North 89°13'05" West along a line coincident with said southerly boundary for a distance of 421.33 feet to a point on the easterly Right-of-Way of South Calhoun Place;

THENCE continuing North 89°13'05" West for a distance of 62.98 feet to the centerline of South Calhoun Place and a point on the westerly boundary of said northwest quarter of the northeast quarter;

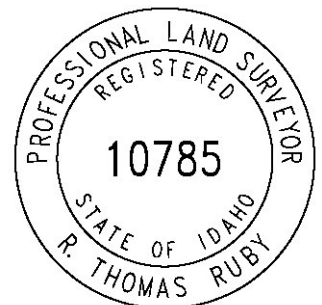
THENCE North 00°46'55" East along a line coincident with said centerline and said westerly boundary for a distance of 672.00 feet to a point on the northerly Right-of-Way of West Wildbranch Drive;

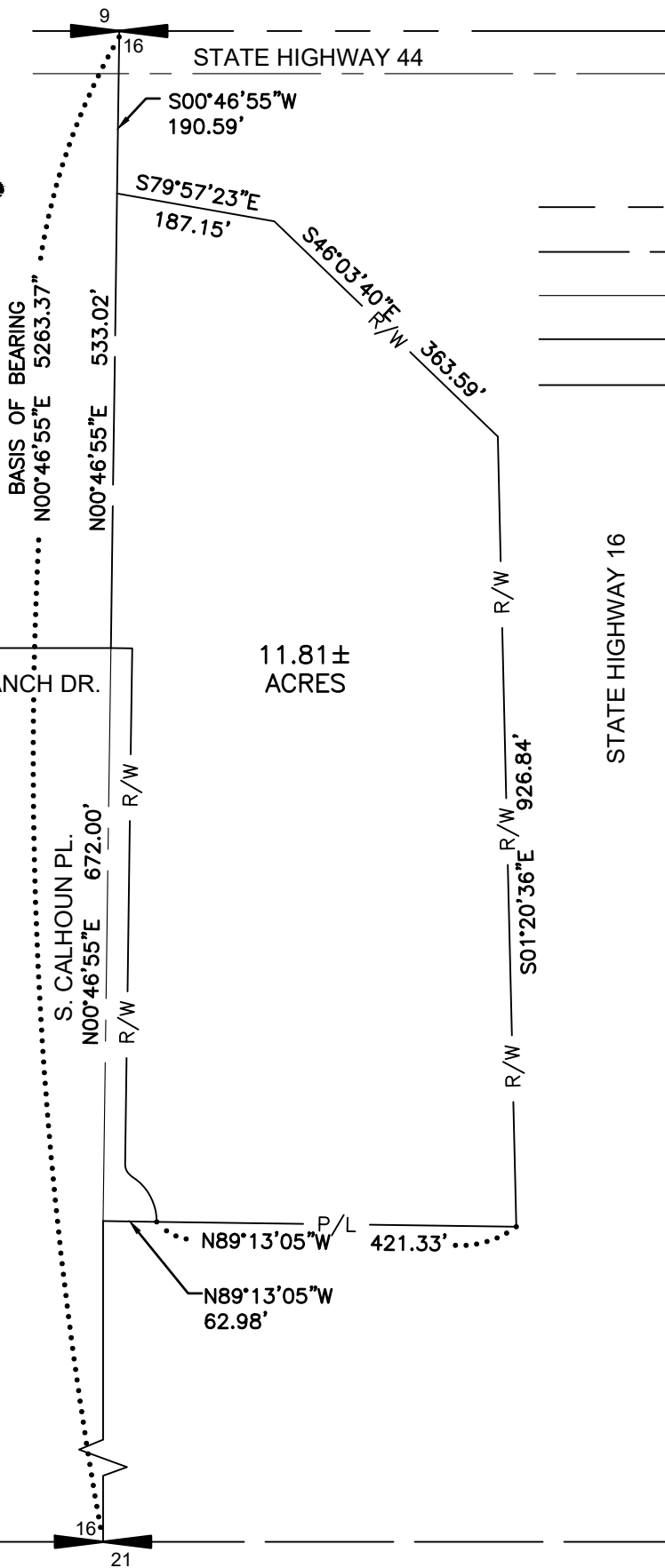
THENCE continuing North 00°46'55" East along a line coincident with said westerly boundary for a distance of 533.02 feet to the POINT OF BEGINNING.

The above described parcel contains 11.81 acres, more or less, and is subject to easements, covenants and restrictions of record.

This description was prepared from Ada County Record of Survey Instrument Number 2017-007907, and does not represent the results of a land boundary survey conducted by J-U-B ENGINEERS, Inc.

This description was prepared by me or under my immediate supervision. If any portion of this description is modified or removed without the written consent of R. Thomas Ruby, PLS, all professional liability associated with this document is hereby declared null and void.

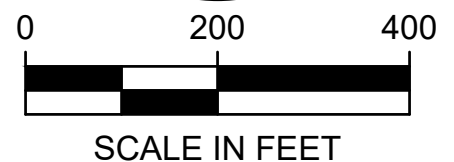
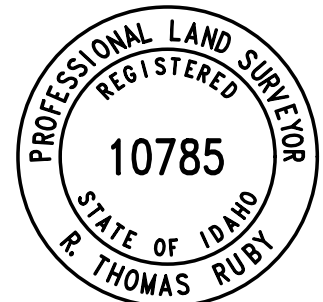




LEGEND

	SECTION LINE
	QUARTER LINE
	CENTER LINE
	RIGHT OF WAY
	PROPERTY LINE
	QUARTER CORNER

PREPARED FROM ADA COUNTY
RECORD OF SURVEY
INSTRUMENT #2017-007907



SCALE IN FEET

Plot Date: 8/18/2022 11:32 AM Plotted By: George Kinslow II
Data Created: 8/18/2022 JUB.COM\CENTRAL\CLIENTS\BARONPROPERTIES\PROJECTS\10-21-080_CRYSTALSRC\COMMONCONCEPTS\SURVEY\DWG\10-21-080-007_EX.DWG

REUSE OF DRAWINGS			FILE: 10-21-080-007_EX		
J-U-B SHALL RETAIN ALL COMMON LAW, STATUTORY, COPYRIGHT AND OTHER RESERVED RIGHTS OF THESE DRAWINGS, AND THE SAME SHALL NOT BE REUSED WITHOUT J-U-B'S PRIOR WRITTEN CONSENT. ANY REUSE WITHOUT WRITTEN CONSENT BY J-U-B WILL BE AT CLIENT'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO J-U-B.			JUB PROJ. #: 10-21-080		
			DRAWN BY: GCK		
			DESIGN BY:		
			CHECKED BY: RTR		
NO	REVISION DESCRIPTION	BY	DATE	LAST UPDATED: 8/18/2022	



BARON PROPERTIES ZONING CHANGE EXHIBIT

LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 16, T. 4 N., R. 1 W., B.M., CITY OF STAR, COUNTY OF ADA, STATE OF IDAHO

SHEET

1