



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department

MEETING DATE: **March 7, 2023 – PUBLIC HEARING**

FILE(S) #: CUP-23-02 – Dutch Brothers

OWNER/APPLICANT/REPRESENTATIVE

Representative:

Chris Todd
Green Mountain Resources
& Planning, LLC
12537 W. Goldcrest Street
Star, Idaho 83669

Applicant:

Dutch Brothers
c/o Randall Inc.
2114 N. Elder Street
Nampa, Idaho 83687

Owner:

Stonecrest, LLC
12495 w. Goldcrest Street
Star, Idaho 83669

REQUEST

Request: The Applicant is seeking approval of a Conditional Use Permit for a proposed coffee drive-through restaurant. The property is located at 12490 W. Goldcrest Street in Star, Idaho. The property consists of a total of 0.533 acres.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the southwest corner of W. State Street (Hwy 44) and S. Ripplerock Avenue. Ada County Parcel Number R8180750940.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	February 2, 2023
Neighborhood Meeting Held	February 2, 2023
Application Submitted & Fees Paid	February 9, 2023
Application Accepted	February 16, 2023
Residents within 300' Notified	February 16, 2023

Agencies Notified
Legal Notice Published
Property Posted

February 16, 2023
February 21, 2023
February 23, 2023

HISTORY

September 17, 2019 Council approved the Annexation (AZ-19-06) and Preliminary Plat/Planned Unit Development (PUD-19-0) for the Stonecrest development.

April 21, 2021 Council unanimously approved the Final Plat (FP-20-02) for Stonecrest Subdivision.

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Central Business District/Planned Unit Development (CBD/PUD)	Central Business District	Vacant
Proposed	Central Business District/Planned Unit Development (CBD/PUD)	Central Business District	Coffee Drive Through Restaurant
North of site	Central Business District	Central Business District	Vacant/Norterra Development
South of site	Central Business District/Planned Unit Development (CBD/PUD)	Central Business District	Live-Work Units/Stonecrest Development
East of site	Central Business District/Planned Unit Development (CBD/PUD)	Central Business District	Vacant/Proposed Christian Brothers Automotive
West of site	Central Business District/Planned Unit Development (CBD/PUD)	Central Business District	Vacant/Stonecrest Development

ZONING ORDINANCE STANDARDS / COMPREHENSIVE PLAN

UNIFIED DEVELOPMENT CODE:

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

The following zoning districts are hereby established for the interpretation of this title, the zoning districts have been formulated to realize the general purposes as set forth in this title. In addition, the specific purpose of each zoning district shall be as follows:

(CBD) CENTRAL BUSINESS DISTRICT: To provide for commercial, retail, civic, office, and entertainment uses. High density housing is encouraged on the upper floors of mixed-use buildings and may also be allowed at the fringes of the land use designation shown on the comprehensive plan. Live/work designed development is also encouraged in this district. Developments in this district are to place an emphasis on pedestrian and bicycle access and compatibility. Special emphasis shall be placed on development in the central downtown area to encourage and create a vibrant, walkable downtown community that incorporates the Boise River as an active amenity.

8-3A-3: USES WITHIN ZONING DISTRICTS

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

ZONING DISTRICT USES	CBD
Drive-through establishment/drive-up service window	C

Notes:

1. Indicates uses that are subject to specific use standards in accord with chapter 5 of this title.

8-3C-2: ADDITIONAL CENTRAL BUSINESS DISTRICT STANDARDS:

- A. Comply with Section 8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED.
- B. High density residential may be permitted within the CBD in mixed use buildings with commercial or office type uses on the first floor and high density residential on upper floors.
- C. New development on Main Street and Star Road, generally south of State Street, shall include transition consisting of a compatible mix of lower intensity commercial, retail and office type uses mixed with live/work type residential. Existing Single-Family uses are encouraged to convert to or redevelop as non-residential uses.
- D. Big Box commercial, generally a single-story single use building over 50,000 square feet, shall not be permitted and any single-story single use building which is large in

scale, such as approaching the 50,000 square foot size, shall be located to front on Highway 44 or Star Road.

- E. The Council may place requirements on a mixed-use development, including a ratio of uses and/or timing of phases, to ensure that the overall development maintains its commercial intent.

8-1B-4: CONDITIONAL USES:

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

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

C. Process:

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

D. Standards: In approving any conditional use, the city council may prescribe appropriate conditions, bonds and safeguards in conformity with this title that:

1. Minimize adverse impact of the use on other property.
2. Control the sequence and timing of the use.
3. Control the duration of the use.
4. Assure that the use and the property in which the use is located is maintained properly.
5. Designate the exact location and nature of the use and the property development.
6. Require the provision for on site or off-site public facilities or services.
7. Require more restrictive standards than those generally required in this title.

8. Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, that provides services within the city.

8-1B-4E. FINDINGS: The council shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

2. That the proposed use will be harmonious with the Star comprehensive plan and in accord with the requirements of this title.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

2. That the proposed use will be harmonious with the Star comprehensive plan and in accord with the requirements of this title.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.
5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.
6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

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

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front ⁽¹⁾	Rear	Interior Side	Street Side
CBD	35'	0'	0'	0' ⁴	0'

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. Zero-Lot-Line and reduced front and rear setback waivers may be requested through the Development Agreement process. All other side yard setback requests for detached structures shall not be granted waivers, unless as part of a Planned Unit Development.
3. All setbacks in the CBD, C-1, C-2, LO, IL, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone.
4. As approved by the Fire District.

Note Conditions:

D. Maximum Height Limit:

1. Height exceptions shall not be permitted except by discretion of the council with the submittal of a conditional use permit or development agreement application.

8-4B-3: REQUIRED NUMBER OF OFF-STREET PARKING SPACES:

Restaurant with drive-through	1 per 200 square feet gross floor area plus; plus, queue space for 5 cars for drive-up service.
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8-5-13: DRIVE-THROUGH ESTABLISHMENT:

A. A drive-through establishment shall be an accessory use where the drive-through portion of the facility (including stacking lanes, speaker and/or order area, pick up windows, and exit lanes) is not immediately adjacent to the drive-through portion of another facility, or immediately adjacent to a residential district or an existing residence, unless approved through a planned unit development.

B. All establishments providing drive-through service shall identify the stacking lane, menu and speaker location (if applicable), and window location on applicable permit applications.

C. A site plan shall be submitted that demonstrates safe pedestrian and vehicular access and circulation on the site and between adjacent properties. At a minimum the plan shall demonstrate compliance with the following standards:

1. Stacking lanes shall have sufficient capacity to prevent obstruction of the public right of way by patrons;
 2. The stacking lane shall be a separate lane from the circulation lanes needed for access and parking;
 3. The stacking lane shall not be located within ten feet (10') of any residential district or existing residence;
 4. Any stacking lane greater than one hundred feet (100') in length shall provide for an escape lane;
 5. A letter from the transportation authority indicating the site plan is in compliance with the authority's standards and policies shall be required.
- D. The applicant shall provide a six-foot (6') sight obscuring fence where a stacking lane or window location adjoins a residential district or an existing residence.
- E. Menu boards are considered as signs.
- F. Approval from the Fire District is required for the location and access of the drive-thru facility.

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Central Business District

The Central Business District is planned to be 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.

8.3 Goal:

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

8.4 Objectives:

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

8.5.5 Policies Related Mostly to The Central Business District Planning Areas:

- The CBD zoning district should allow for a mix of commercial, office, institutional, and civic type uses with specific provisions for residential use in appropriate locations with compatible densities.
- The city should develop a street improvement plan for the CBD identifying drainage and street improvements with a functional grid system and use public private partnerships to assure the system is built and that "ad hoc" development of parcels within the CBD do not block good planning.
- The city should develop a downtown grid system, in part, planning for the easterly extension of Tempe Lane and easterly extension of West First Street to help provide better downtown access and parking facilities.
- The east west public road from the Heron River Development, south of the LDS Church on Main Street, should be extended to Star Road.
- Implement, review, and update the 2011 Star Downtown Revitalization Plan for development strategies within the plan intended to stimulate development within the CBD.

- As recommended in the 2011 Star Downtown Revitalization Plan, the city should create an Urban Renewal District to stimulate development within the CBD.
- The city should encourage assemblage of the smaller properties where appropriate.

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. B. Encourage commercial facilities to locate on transportation corridors. C. Locate neighborhood services within walking distance to residential development. D. Discourage the development of strip commercial areas. E. Maintain and develop convenient access and opportunities for shopping and employment activities. F. 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.
- 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.

PROJECT OVERVIEW

CONDITIONAL USE PERMIT:

The applicant is requesting approval of a Conditional Use Permit for an approximately 1,600 square foot coffee store, with a drive through. The applicant is proposing 25 parking spaces, 1 of which is ADA compliant. Section 8-4B-3H of the Unified Development Code states that one bicycle parking space shall be provided for every twenty-five (25) vehicle parking spaces. The applicant is proposing a bicycle rack on the south side of the building satisfying this requirement.

The Unified Development Code, Section 8-4B-3 requires a drive-through to provide room to queue 5 cars. The Applicant is proposing room for 37 cars to queue, along with an exit lane that is proposed to be 12 feet wide satisfying this section of the code. The drive through is proposed to have a lighted menu board, but no speakers to be used for orders. The building is proposed to have outdoor speakers that will play music during the hours of operation. The noise ordinance will need to be followed between the hours of 10:00 PM and 7:00 AM, seven days a week.

Primary access to the site will be from W. Goldcrest Street off S. Ripplerock Avenue. The proposed parcel is in an approved commercial development, the Applicant will need to obtain the appropriate approvals from ACHD for this access point. **Applicant will be required to secure a cross access agreement for the southern and western parcels. A shared parking agreement will also need to be obtained for the parking to the west and south of the parcel. These agreements shall be recorded before occupancy will be given.**

All signage, including building and directionals require separate permit and approval from Staff prior to installation.

Applicant has not submitted a lighting plan for the site. **Prior to issuing building permits, the applicant shall submit a full plan for all lighting on site, including fixture type and a photometric plan.** Shields and other modifications may be necessary to avoid fugitive light and changes may be required even after installation. Existing residential uses will need to be protected from fugitive lighting and unreasonable noise.

Applicant is proposing a building with a maximum height of approximately 24 feet. The Unified Development Code, Section 8-3A-4 provides for a maximum height of 35 feet. The proposed building satisfies this section of the code.

The applicant has submitted color renderings of the proposed building, which will still need to go through design review (Certificate of Zoning Compliance) for approval.

Unified Development Code, Section 8-4B-2 requires parking spaces to be 20 feet in depth and a minimum of 9 feet wide. The applicant is proposing 18 feet deep stalls that are 9 feet wide. The UDC states that when a vehicle bumper overhangs onto a sidewalk or landscape area, the parking stall dimensions may be reduced two (2) feet in length if two (2) feet is added to the width of the sidewalk or landscaped area, and the additional area is planted in ground cover. The proposed parking stalls satisfy this section of the development code.

The Applicant has submitted the general landscape plan for the Stonecrest Development. Given the changes to the lots and the current uses, the Applicant will need to submit a revised landscape plan for the area associated with this proposed use prior to issuing the building permit.

The application further complies with the Specific Use Standards in Section 8-5-13 of the UDC for the proposed use. This includes compliance with the maximum building height, vehicle stacking requirements for the drive through, location of the stacking lane and required 10' minimum buffer from existing residential lots.

Building Design Review

The Applicant has provided color renderings of the proposed building. The proposed building colors are dark gray, dark blue, charcoal, and ash. They are proposing to use a natural spruce material for the soffit, providing a wood look when under the canopy. The base of the building will be slit face CMU the upper portions a combination of vintage wood look fiber cement board and a smooth look fiber cement board. Windows and door frames will be aluminum and in light gray. The standard blue wall will have the trademark white windmill on three sides. Canopy pillars will be built out of CMU.

These materials are aligned with the design standards for the Central Business District. The colors are not entirely neutral earth tones as called for in the design standards. **The building will need to be reviewed by the Design Review Committee for final approval. At that time, the committee will work with the Applicant on complying with the design standards. This review will take place after the public hearing, during a regularly scheduled Committee meeting.** All signage will require separate sign permits to be approved by Staff.

AGENCY RESPONSES

ITD
ACHD

February 23, 2023
Pending (transmitted to agency on 2/16/23)

PUBLIC RESPONSES

No public comments have been received.

STAFF ANALYSIS & RECOMMENDATIONS

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed conditional use permit, as conditioned, meets the requirements, standards and intent for development as they relate to the Unified Development Code and Comprehensive Plan.

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.

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:

Findings for Conditional Use Permits (UDC §8-6B-6):

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The Council must find that the site of the proposed use would be large enough to accommodate the proposed use or meet all of the dimensional and development regulations in the district in which the use would be located.

2. That the proposed use will be harmonious with the Star comprehensive plan and in accord with the requirements of this title.

The Council must find that the proposed use request is harmonious with the Star Comprehensive Plan and is in accord with the requirements of this Title. The proposed development should meet the intent or purpose of the Mixed-Use District.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

The Council must find that the operation of the proposed use would be compatible with the other uses in the general area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

The Council must find that the proposed use, with imposed conditions of approval, would not adversely affect other property in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The Council must find that the proposed use be adequately served by essential public facilities and services.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

The Council must find that the proposed use would not create excessive additional costs for public facilities and would not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The Council must find that the proposed use would involve activities that would not be detrimental to any person, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

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

CONDITIONS OF APPROVAL

1. The approved Conditional Use shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. **Prior to issuance of a building permit, all Star Sewer and Water District requirements shall be met. A letter of approval from the District shall be submitted with the building permit.**
3. **Prior to issuance of a building permit, the applicant shall submit a full plan for all lighting on site, including fixture type and a photometric plan. Shields and other modifications may be necessary to avoid fugitive light and changes may be required even after installation.**
4. **The building will need to go through the design review process and receive approval prior to issuing of building permits.**
5. **The applicant may be responsible for additional mitigation measures regarding noise and lighting for existing, adjacent residential uses when it is determined by the City that unreasonable, negative impacts are a direct result of the business activity. This shall include, but not be limited to additional landscaping, fencing/walls, and light shields or relocation of light poles.**
6. **Applicant shall submit a revised landscape plan for the proposed use prior to issuing building permits.**
7. **Prior to final occupancy, a cross access agreement for the southern and western parcels in the subdivision, and a shared parking agreement for parking to the west and south of the parcel shall be recorded for the property.**
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 form signed by the Star Sewer & Water District shall be submitted to the City prior to issuance of building permit stating that all conditions of the district have been met, including annexation into the District.

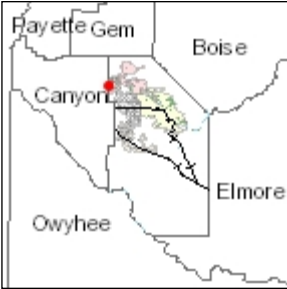
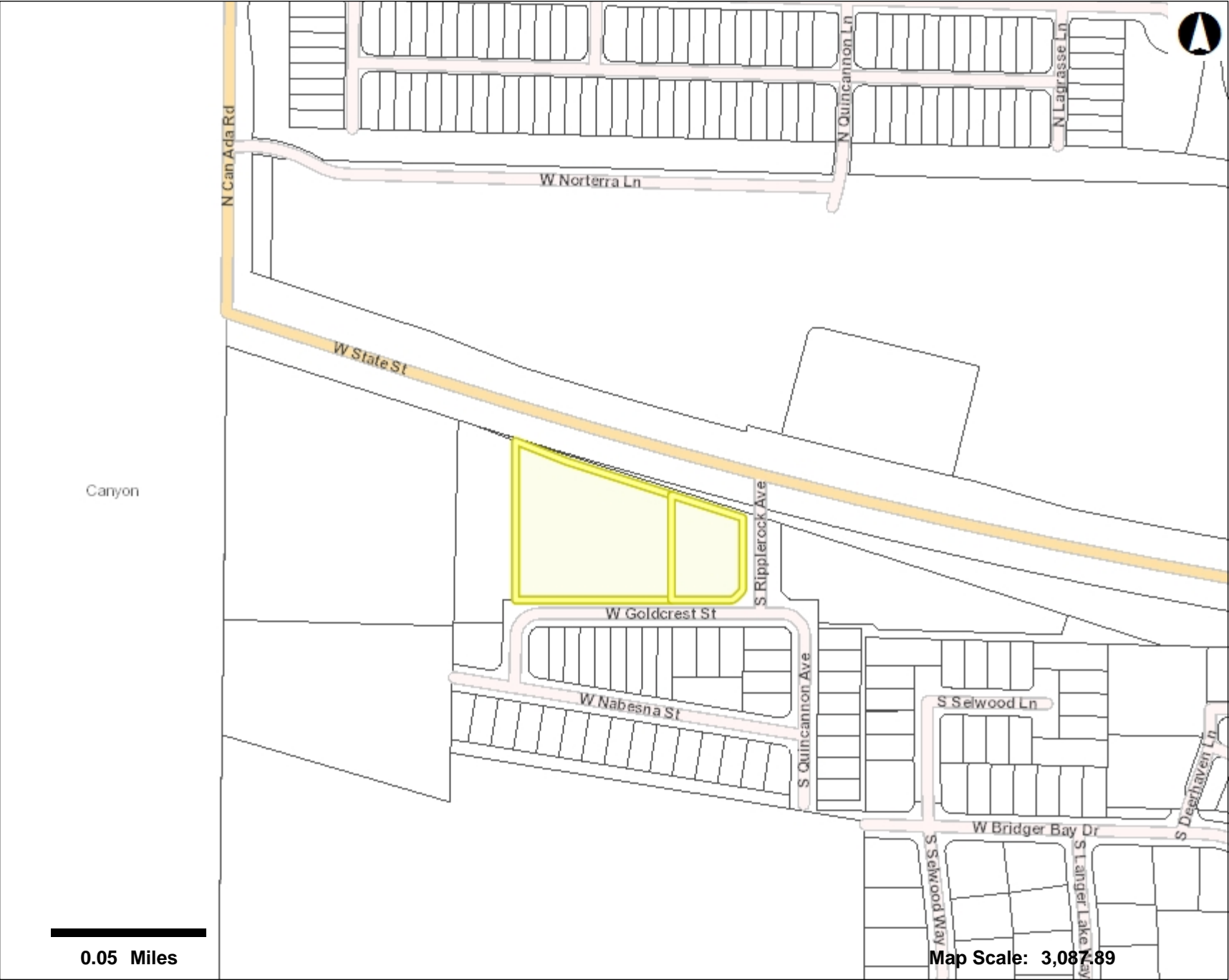
10. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through occupancy that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of any construction.**
11. The applicant shall obtain all the proper building permits from the City Building Department prior to occupancy or the unit.
12. The Conditional Use Permit may be revoked or modified by the City Council for any violation of any Condition of Approval.
- 13. The applicant shall obtain a sign permit prior to any signage being placed on the site or building.**
14. A Certificate of Zoning Compliance will be required prior to the start of construction.
15. Any additional Condition of Approval as required by Staff and City Council.
16. Any Conditions of Approval as required by Star Fire Protection District.

COUNCIL DECISION

The Star City Council _____ File Number CUP-23-02 for Dutch Brothers on
_____, 2023.

Ada County Assessor

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.



Legend

- Railroad
- Roads (2,000 - 4,000 s)
 - <all other values>
 - Interstate
 - Ramp
 - Principal Arterial
 - Collector
 - Minor Arterial
 - Local
 - Parks
 - Alley
 - Driveway
- Parks
- Water
- Condos
- Parcels

0.05 Miles

Map Scale: 3,087.89

2/9/2023

City of Star Planning
c/o Shawn Nickel
10769 West State Street
Star, Idaho 83669

February 9, 2023

Subject Property- Dutch Brothers @ Stonecrest Star, ID

Dear Mr. Nickel

On behalf of the Dutch Brothers Team and the land owners, Stonecrest LLC team we are excited to bring forth an application to the City of Star for the first Dutch Brothers location in the City of Star. Dutch Brothers which started in Grants Pass Oregon in 1992 has tens of thousands of customers in our area that have been waiting for Star to have a location. The franchise owners are local Idahoans that take service and involvement in their community seriously. This company is good with its customers as well as its employees. I believe the two take care of each other. The company core values are speed, quality and service. We are asking the City for approval of a conditional use permit to allow Dutch Brothers drive thru within Stonecrest on their future commercial lot.

The site is located at the corner of Highway 44 and Ripplerock at Stonecrest Subdivision Phase I. The property(1Acre) comprises parts of 2 parcels currently annexed and zoned CBD within the City of Star. A lot line adjustment will be trailing this application and a copy is attached with the application packet. Stonecrest has been approved and developed to suit a mixture of residential and commercial uses along State St. Through many meetings, pre application meetings and redesigns, we feel the site plan in front of you takes the concerns of all those affected into account. The site has been designed to maximize the space for stacking in a drive thru decreasing traffic or any possibility to block transportation routes. The drive thru will have two rows in order to queue in an orderly fashion. The building has been pushed toward the middle of the development to limit noise and block headlights. The main access road, State St is currently slated to begin construction February 2023. The current owner spent approx. \$250,000 on the State improvements with the construction of State St and continues to be a good neighbor to the City of Star. Utilities and services are on site and stubbed to the commercial parcel.

The approval of this location for a drive thru allows for maximum efficiency and is being planned and built for the future, not what is existing. The building elevations and materials will be in line with the City's design review guidelines and Dutch Brothers requirements. The building, use and layout will benefit future users, customers nearby and blend in well with the neighboring Live/Work townhomes and patio homes. The building will have an

approximate 1,000 sq foot covered patio with 2 large tables and chairs for walk up traffic. There will be a sidewalk connections to the Highway 44 sidewalk and south to Stonecrest and future Star subdivisions. The grounds will be tastefully landscaped with drought tolerant landscaping. Dutch Brothers will have one monument sign that will be reviewed and approved by City with their CZC application and design review process.

Renderings have been provided to illustrate the design and construction that will be used to have a variety of building facades that blend in with nearby developments in a harmonious way, including their trademark wind mill. The building includes state of the art siding panels that can mimic metal, wood and other materials. Their will be a masonry finish around the bottom 3-4'. It is the team's goal to have a product that has a neighborhood feel by incorporating these different components creating a more appealing location but also have the space for future growth in terms of customer drive through stacking. As designed, we do not feel the stacking and traffic will negatively affect other properties and future commercial uses. This will be the largest lot Dutch Brothers has purchased in the Treasure Valley.

Dutch Brothers will work with City and the Stonecrest HOA concerning noise concerns and has processes and improvements in place to limit noise. We spoke to the HOA members during our neighborhood meeting and explained that the building itself and main point of sales will be adjacent to State St(highway 44). Future commercial buildings and the Live Work townhomes create additional noise obstacles. Dutch Brothers hours of operation are 5am to 11pm. As a mature business Dutch Brothers has learned from previous locations and is one reason why this site fits their model perfectly. With an acre of commercial space, room for stacking and a building set on State St with two layers of noise buffering buildings to the south, we feel the site is a home run.

We appreciate the consideration of approval and thank staff, SSWD, Star/Middleton Fire for their time and patience as we worked with all parties to bring forth a quality project to the City of Star.

Thank you for your time, look forward to presenting and please contact me with any questions.

*Chris Todd
Owner
Green Mountain Resources and Planning LLC
12537 W Goldcrest St
Star, ID 83669*





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

CONDITIONAL USE PERMIT APPLICATION

***All applicable 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: Dutch Brothers c/o Randall Inc.
Applicant Address: 2114 N. Elder St Nampa ID Zip: 83687
Phone: _____ Email: _____

Owner Name: Stonecrest LLC
Owner Address: 12495 W. Goldcrest St. Star ID Zip: 83669
Phone: _____ Email: _____

Representative (e.g., architect, engineer, developer):

Contact: Chris Todd Firm Name: Green Mountain Resources & Planning LLC
Address: 12537 W Goldcrest St Star ID Zip: 83669
Phone: 899 0451 Email: Chris@firstservicesgroup.com

Property Information:

Site Address: 12490-12530 Goldcrest St Parcel Number: R8180750940, R8180750920
Requested Condition(s) for Conditional Use: _____

Drive thru allowance within CBD district
@ Stonecrest Subdivision

	Zoning Designation	Comp Plan Designation
Existing	CBD	CBD
Proposed	CBD	CBD
North of site	CBD MU	CBD MU
South of site	CBD	CBD
East of site	CBD	CBD
West of site	CBD	CBD

Site Data:

Total Acreage of Site: 1 Acre
Proposed Percentage of Site Devoted to Bldg Coverage: Approx ± 1600 sq ft
Proposed Percentage of Site Devoted to Landscaping: ± .10 Acre
Number of Parking spaces: Proposed 11 Required 6
Requested Front Setback: 5' Requested Rear Setback: 5'
Requested Side Setback: 5' Requested Side Setback: 5'
Requested Side Setback: 5' Setback over N/A as site does not
Existing Site Characteristics: have additional building
Property developed for commercial use.
All property stubs for utilities available
Number and Uses of Proposed Buildings: 1 Commercial Business
Location of Buildings: adjacent to drive thr and State St (Hwy 44)
Gross Floor Area of Proposed Buildings: ± 1600 sq. ft
Describe Proposed On and Off-Site Traffic Circulation: Access off Highway 44 via Ripplerock, improved.
Ripplerock to Goldcrest into site. Stacking for ± 40 vehicles
Proposed Signs – number, type, location: 1 Highway 44 Monument sign
(include draft drawing) _____
Public Services (state what services are available and what agency is providing the service):
Potable Water - SSWD
Irrigation Water - Stoncrest LLC
Sanitary Sewer - SSWD
Schools - West Ada
Fire Protection - Star Middleton
Roads - Private

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

Subdivision/Project Name: Stoncrest I Phase: I
Special Flood Hazard Area: total acreage _____ number of homes/structures _____

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

Application Requirements:

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

Applicant (✓)	Description	Staff (✓)
✓	Pre-application meeting with Planning Department required prior to neighborhood meeting.	
✓	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. (Please contact the City for addresses & labels) (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
✓	Completed and signed Conditional Use Application	
	Fee: Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	
✓	Narrative fully describing the existing use, and the proposed project. (must be signed by applicant)	
✓	Legal description of the property (word.doc and electronic version with engineer's seal):	
✓	Copy of recorded warranty deed.	
✓	If the signature on this application is not the owner of the property, an original notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.	
	One (1) copy of names and addresses printed on address labels, of property owners within three hundred feet (300') of the external boundaries of the property being considered as shown on record in the County Assessor's office. Please contact the City to request addresses and labels.	
	List of names(s) and address(es) of all canal or irrigation ditches within or contiguous to the proposed development.	
✓	Vicinity map showing the location of the subject property	
✓	One (1) full-size copy and One (1) 11"x 17" reduction of the Site Plan	
✓	One (1) full-size copy and One (1) 11"x 17" reduction of the landscape plan (if applicable)	
✓	Building elevations showing construction materials	
✓	Two (2) copies electronic versions of submitted application including signed application, narrative, legal description, warranty deed, vicinity map, site plan, landscape plan, building elevations, <u>shall be submitted in original pdf format (no scans) on a thumb drive only (no discs)</u> with the files named with project name and plan type. We encourage you to also submit at least one (1) color version for presentation purposes.	
	Signed Certification of Posting with pictures. (see attached posting requirements and certification form) – To be completed by application after acceptance of application. Staff will notify applicant of hearing and posting date.	

Site Plan (If applicable):

	The following items must be included on the site plan:	
	• Date, scale, north arrow, and project name	
	• Names, addresses, and phone number of owner(s), applicant, and engineer, surveyor or planner who prepared the site plan	
	• Existing boundaries, property lines, and dimensions of the lot	
	• Relationship to adjacent properties, streets, and private lanes	
	• Easements and right-of-way lines on or adjacent to the lot	
	• Existing and proposed zoning of the lot, and the zoning and land use of all adjacent properties	
	• Building locations(s) (including dimensions to property lines)	
	• Parking and loading areas (dimensioned)	
	• Traffic access drives and traffic circulation (dimensioned)	

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

Landscape Plan (If applicable):

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

SIGNS (If applicable):

All signs will require separate submittal of a sign application.

FEE REQUIREMENT:

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

Dorcas W Dorcas

2/9/25

"The names DUTCH BROS. and all associated logos, distinctive designs, content, information, and other materials featured, displayed, contained herein, and made available by Dutch Bros., including but not limited to, the "look and feel" of the establishments and products, all text, images, colors, configurations, graphics, designs, illustrations, photographs, and pictures (collectively, the "Materials"), are owned by and/or licensed by DB Franchising USA, LLC and are protected by copyright, trademark, trade dress, patent, and/or other intellectual property rights and unfair competition laws under the United States and foreign laws."



SITE INFORMATION

BUILDING SQ. FT.:	1,588
SITE ACREAGE (±):	1.010
SITE SQ. FT. (±):	43,990
SETBACKS:	25'
-- FRONT:	20'
-- SIDE:	25'
-- REAR:	6'
PARKING REQ.:	25
-- PROVIDED:	REFERENCE SEC. 8-3N-17
LANDSCAPING, REQ.:	20% (±) OF SITE LANDSCAPED
-- PROVIDED:	24
MIN. CAR STACKING REQ.:	37
-- PROTECTED CAR STACKING:	

DEVELOPER

COMPANY: DUTCH BROS COFFEE
ADDRESS: 110 SW 4TH STREET
GRANTS PASS, OR 97526
PHONE: 541.955.4700

ARCHITECT

COMPANY: GNICH ARCHITECTURE STUDIO
ADDRESS: 1001 SE SANDY BLVD, SUITE 100
PORTLAND, OR 97214
PHONE: 503.552.9079
EMAIL: WWW.GNICHARCH.COM

DISCLAIMER

SITE PLAN PREPARED WITHOUT BENEFIT OF TITLE OPINION, DEED RESTRICTION, OR SURVEY. SITE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS. BUILDING AND SITE SIGN LOCATION, SQUARE FOOTAGE, AND TYPE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS.

SHEET 2 OF 3



Dutch Bros Coffee

W Goldcrest St., Star, ID
Site Fit Plan w/ Aerial

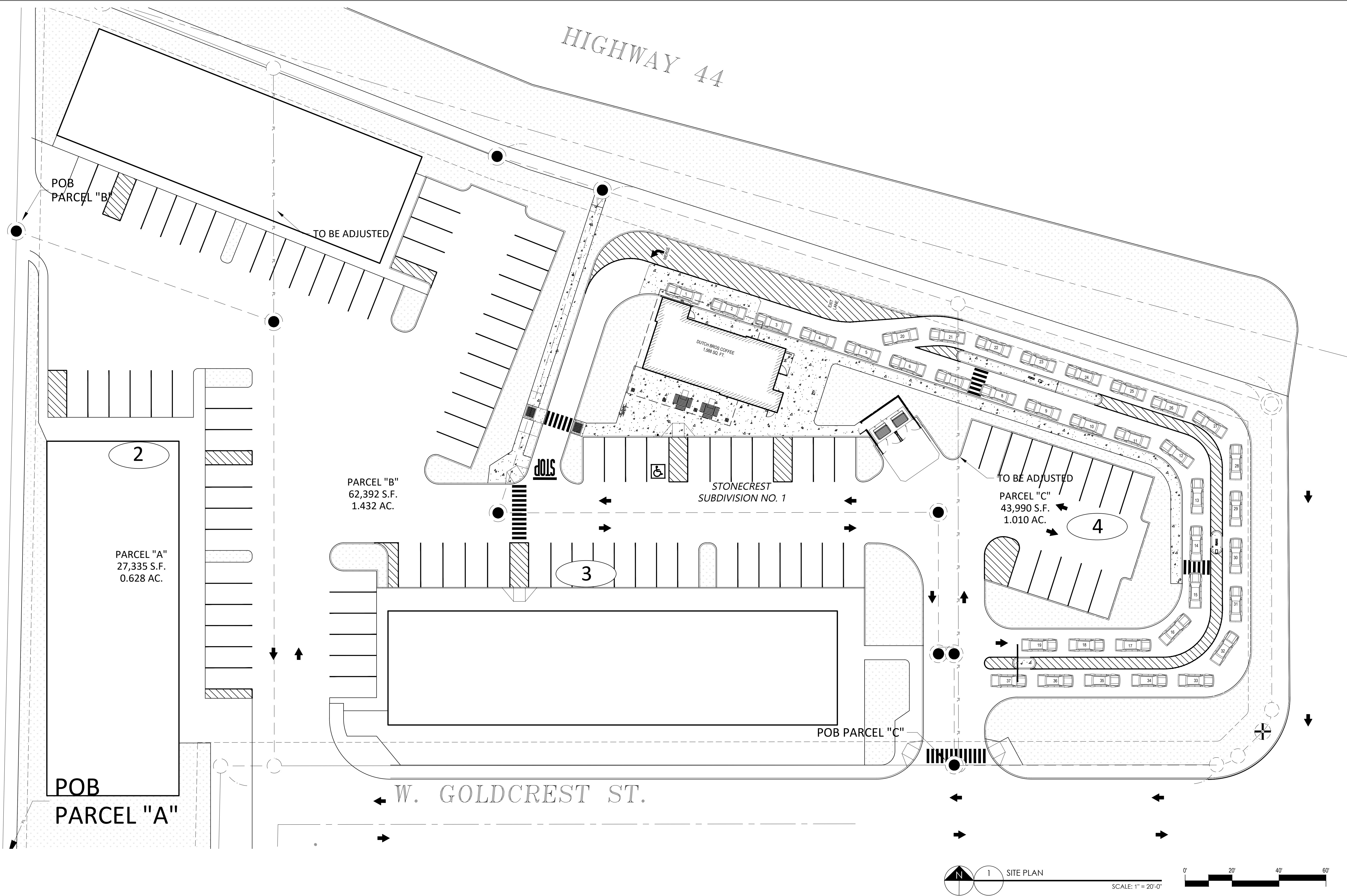
SFP-ID0003

01/20/2023



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SHEET 3 OF 3



Dutch Bros Coffee

W Goldcrest St., Star, ID
Site Fit Plan w/ Cars

SFP-ID0003

01/20/2023





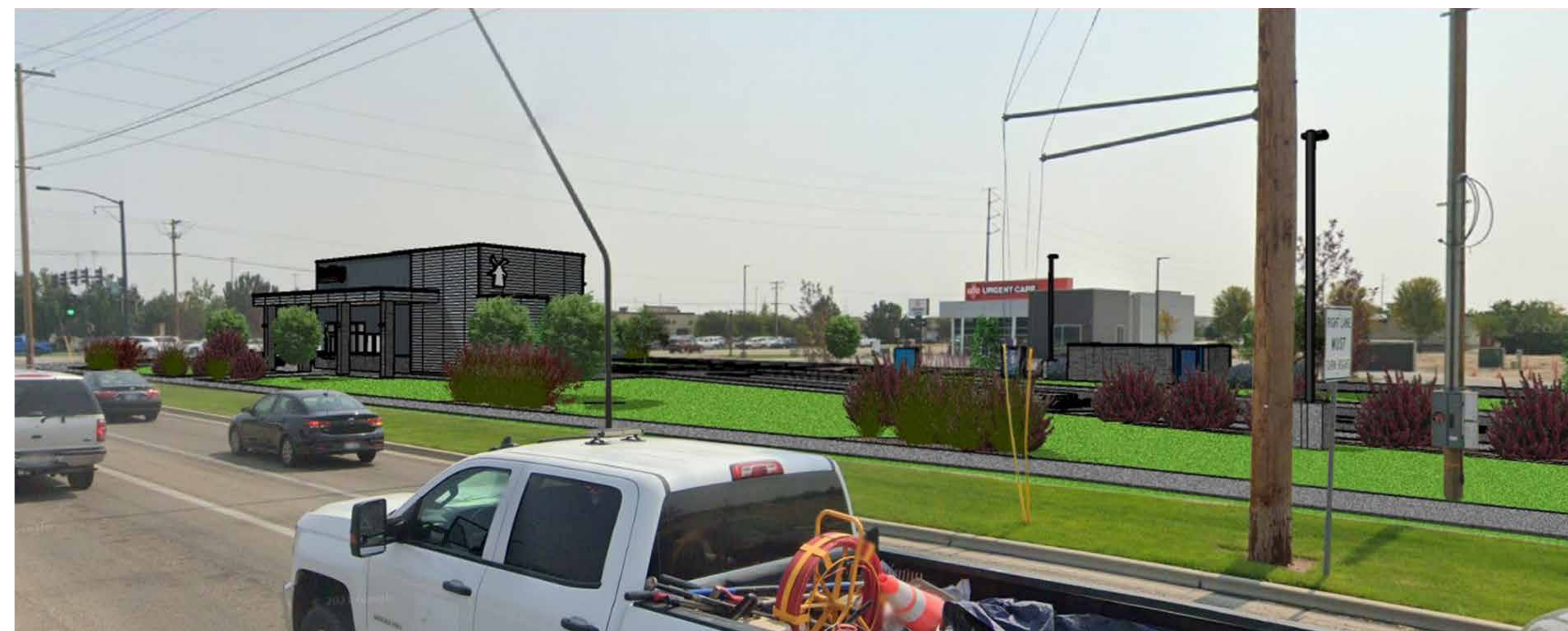
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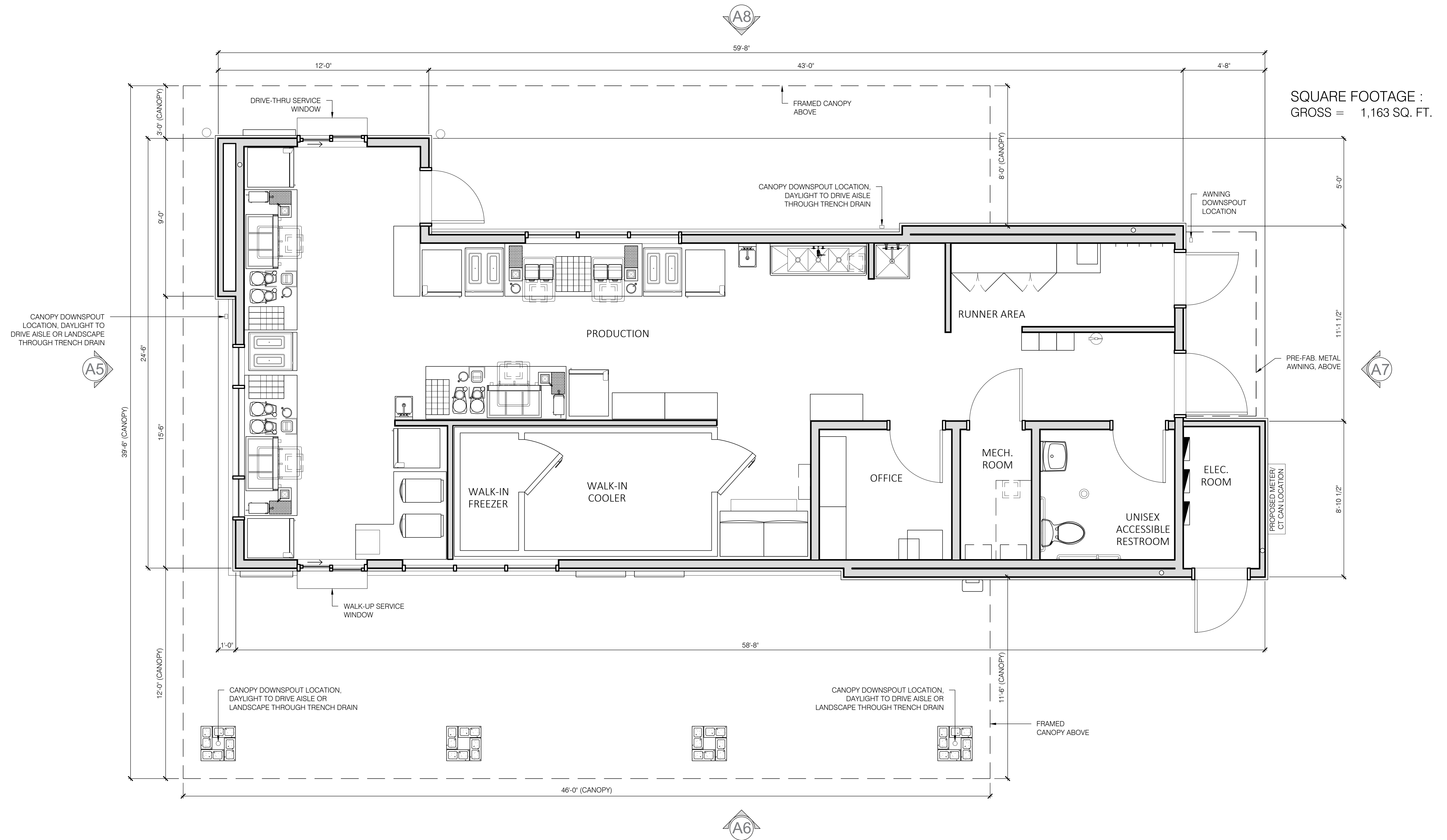
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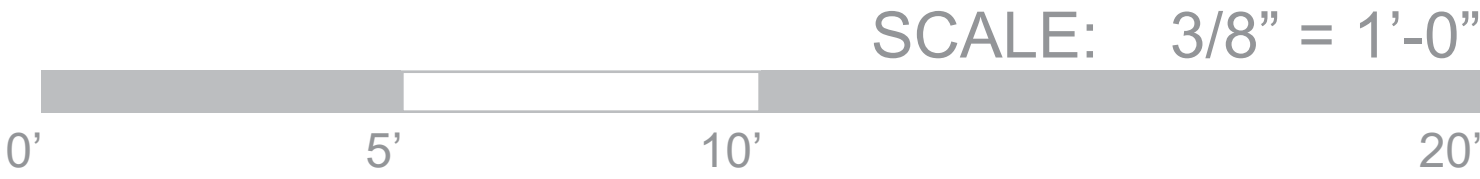
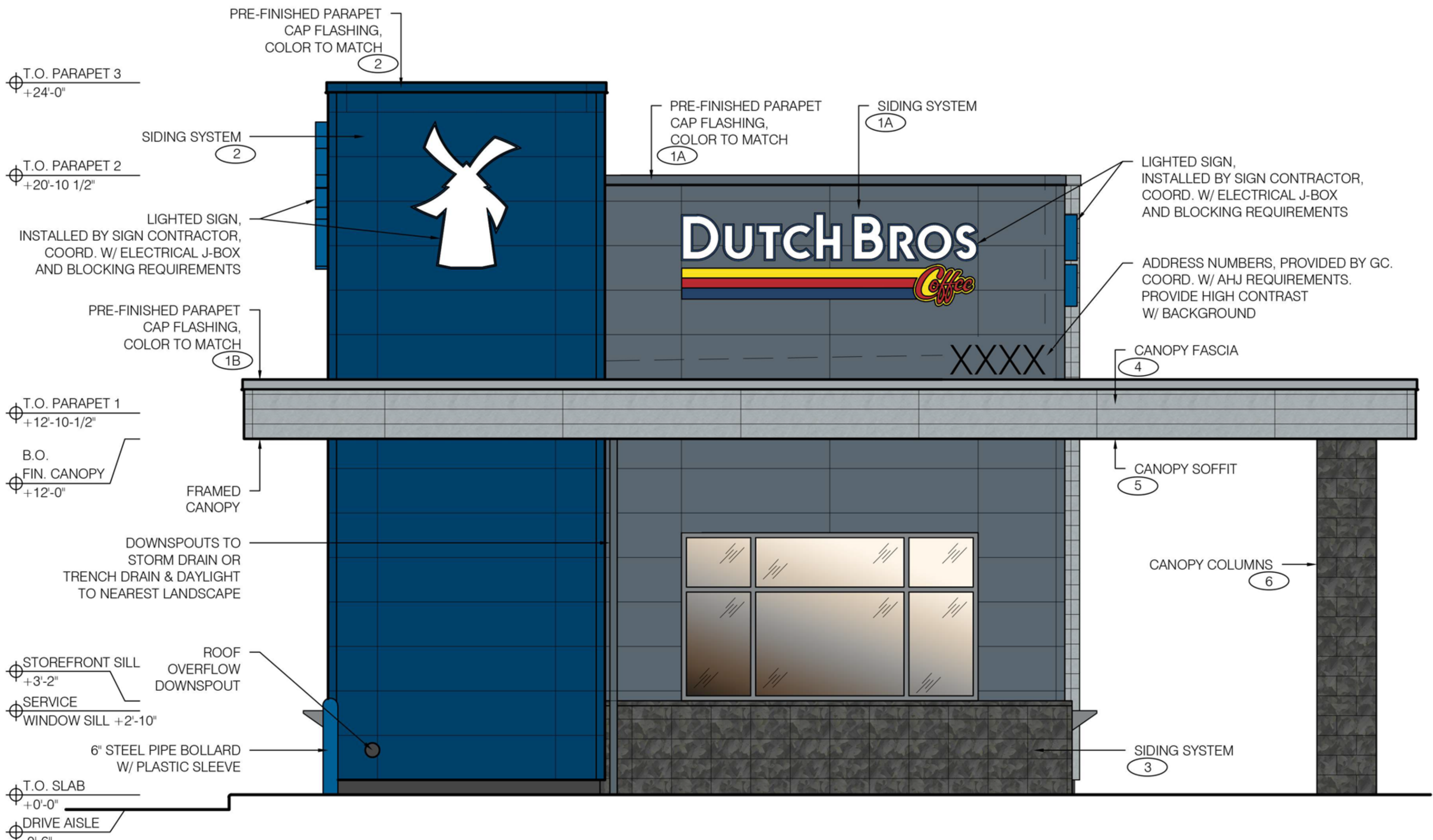
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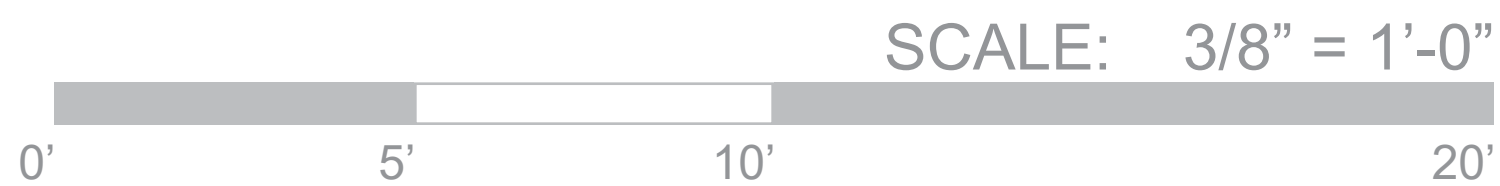
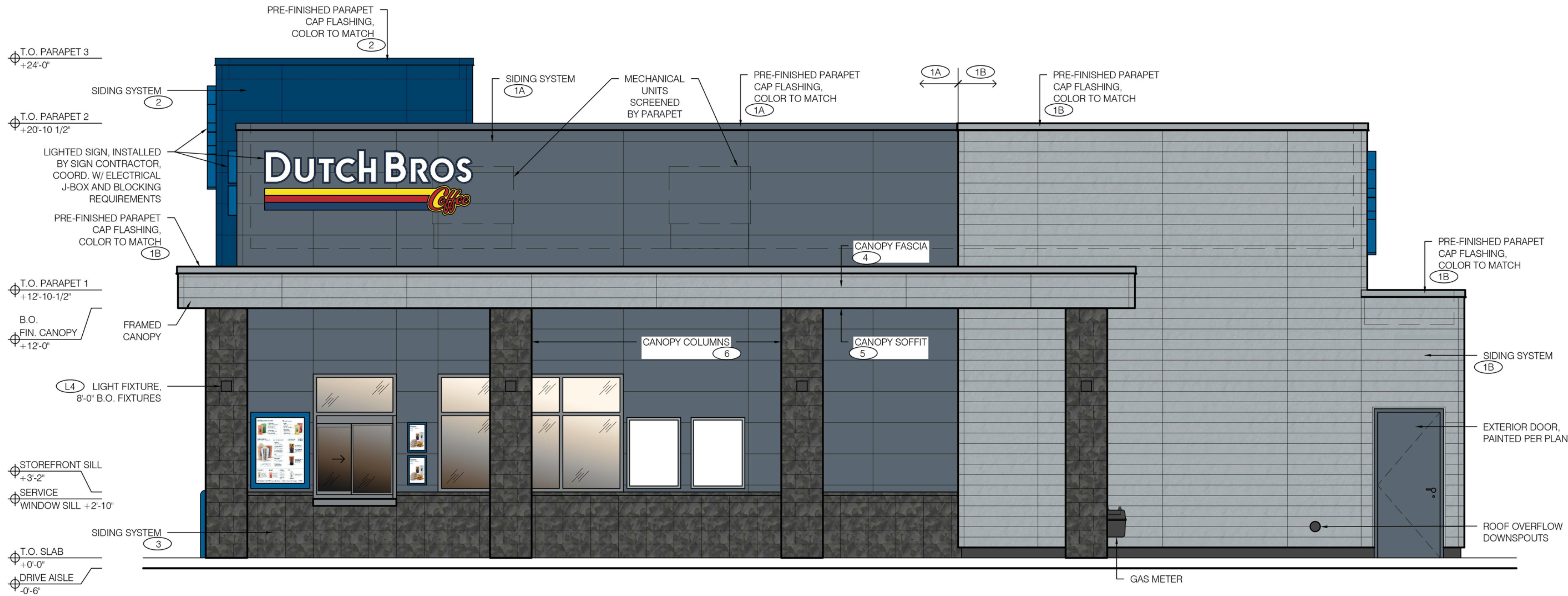
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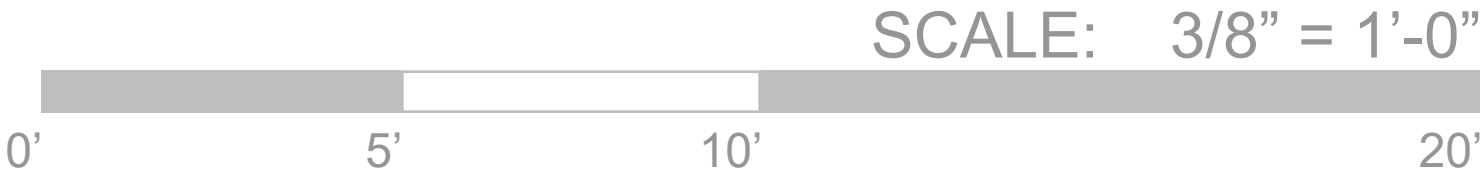
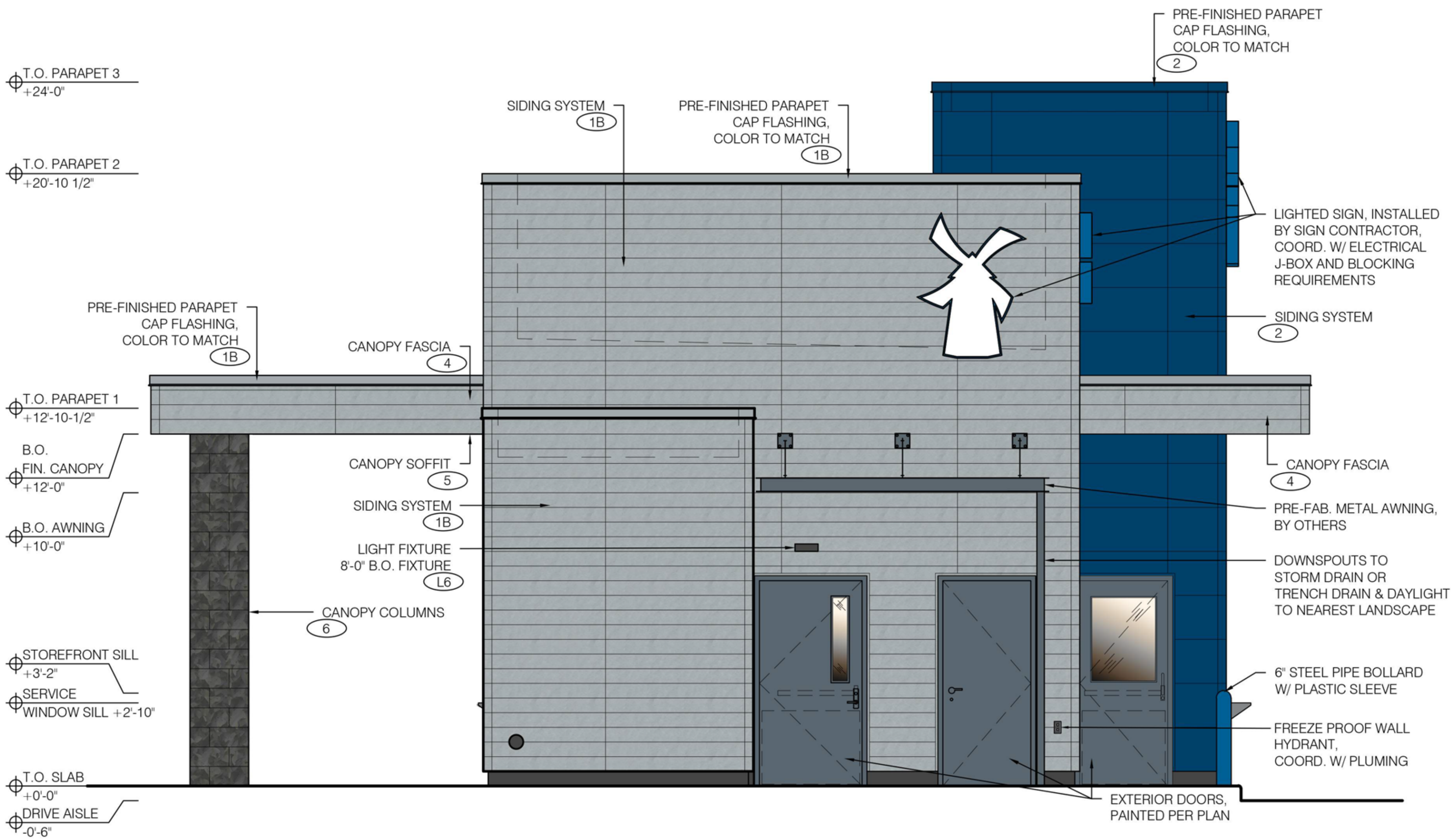
SIDING SCHEDULE				
ID TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
ZONE 1 (BODY)				
1A	FIBER CEMENT SIDING	NICHIHA	ILLUMINATION, AWP 1818 w/ MATCHING PANEL CORNERS	COLOR: BLDG DB DARK GRAY
1B	FIBER CEMENT SIDING	NICHIHA	VINTAGEWOOD, AWP1818 w/ MATCHING PANEL CORNERS	COLOR: ASH
ZONE 2 (TOWER)				
2	FIBER CEMENT SIDING	NICHIHA	ILLUMINATION, AWP 1818 w/ MATCHING PANEL CORNERS	COLOR: BLDG DB BLUE
ZONE 3 (BASE)				
3	CMU VENEER AND SILL	WILLAMETTE GRAYSTONE	4-8-16, SPLIT FACE	COLOR: CHARCOAL - REVIEW FINAL COLOR SELECTION W/ DB
ZONE 4 (FRAMED CANOPY)				
4	FASCIA-FIBER CEMENT SIDING	NICHIHA	VINTAGEWOOD, AWP1818 w/ MATCHING PANEL CORNERS	COLOR: ASH
5	SOFFIT	HEWN ELEMENTS	NATURAL NORTHWESTERN SPRUCE	1x8, T&G, 1/8" REVEAL
6	COLUMNS	ELDORADO STONE	CLIFFSTONE, BANFF SPRINGS	COLOR: PER MFR.
NOTE: PROVIDE 3"x2" SMOOTH DOWNSPOUTS, AND ALL NECESSARY ADAPTORS, AT AWNING AND CANOPY LOCATIONS; COLOR: BLDG DB DARK GRAY				



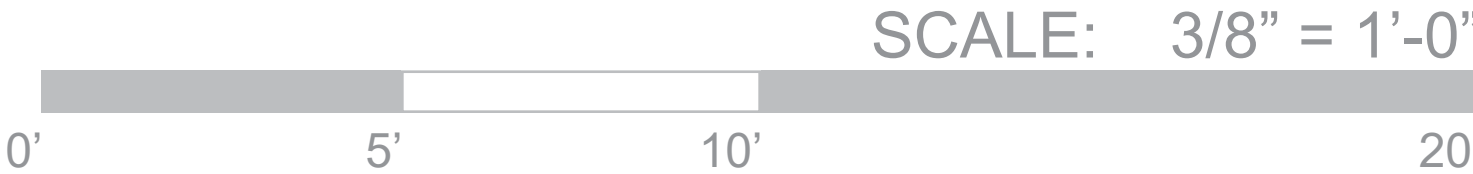
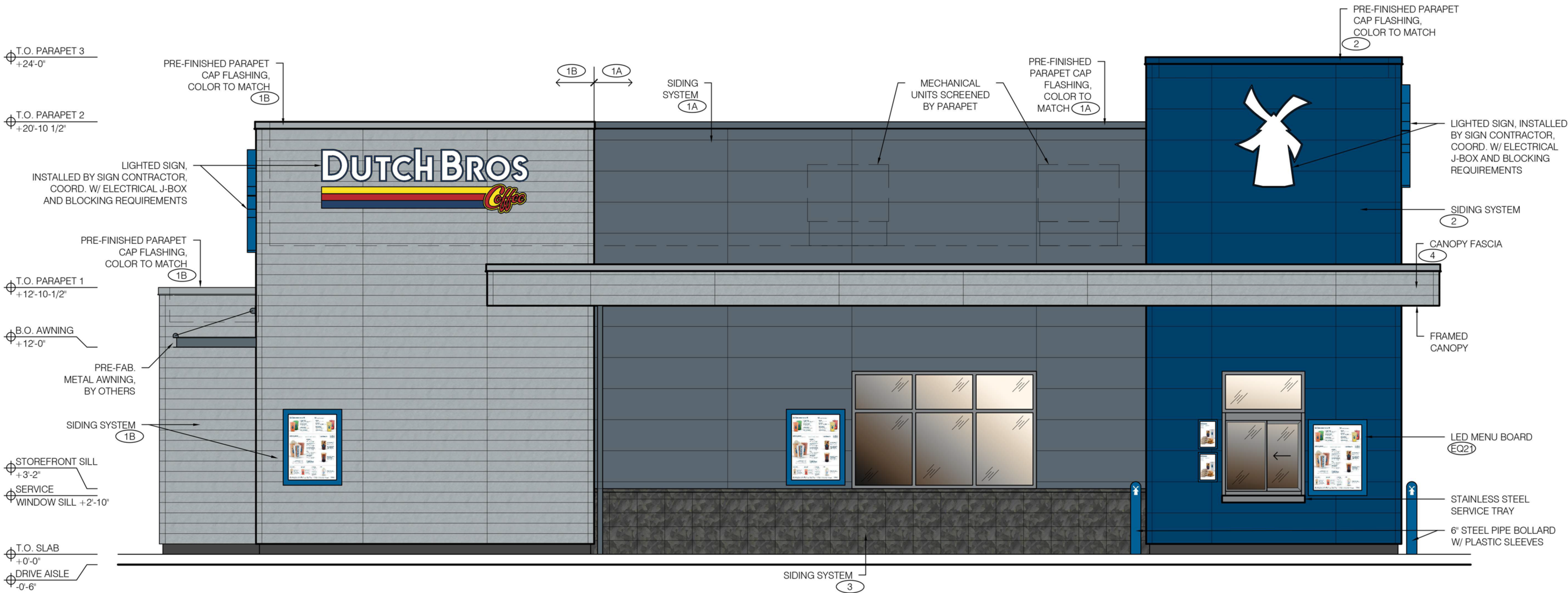
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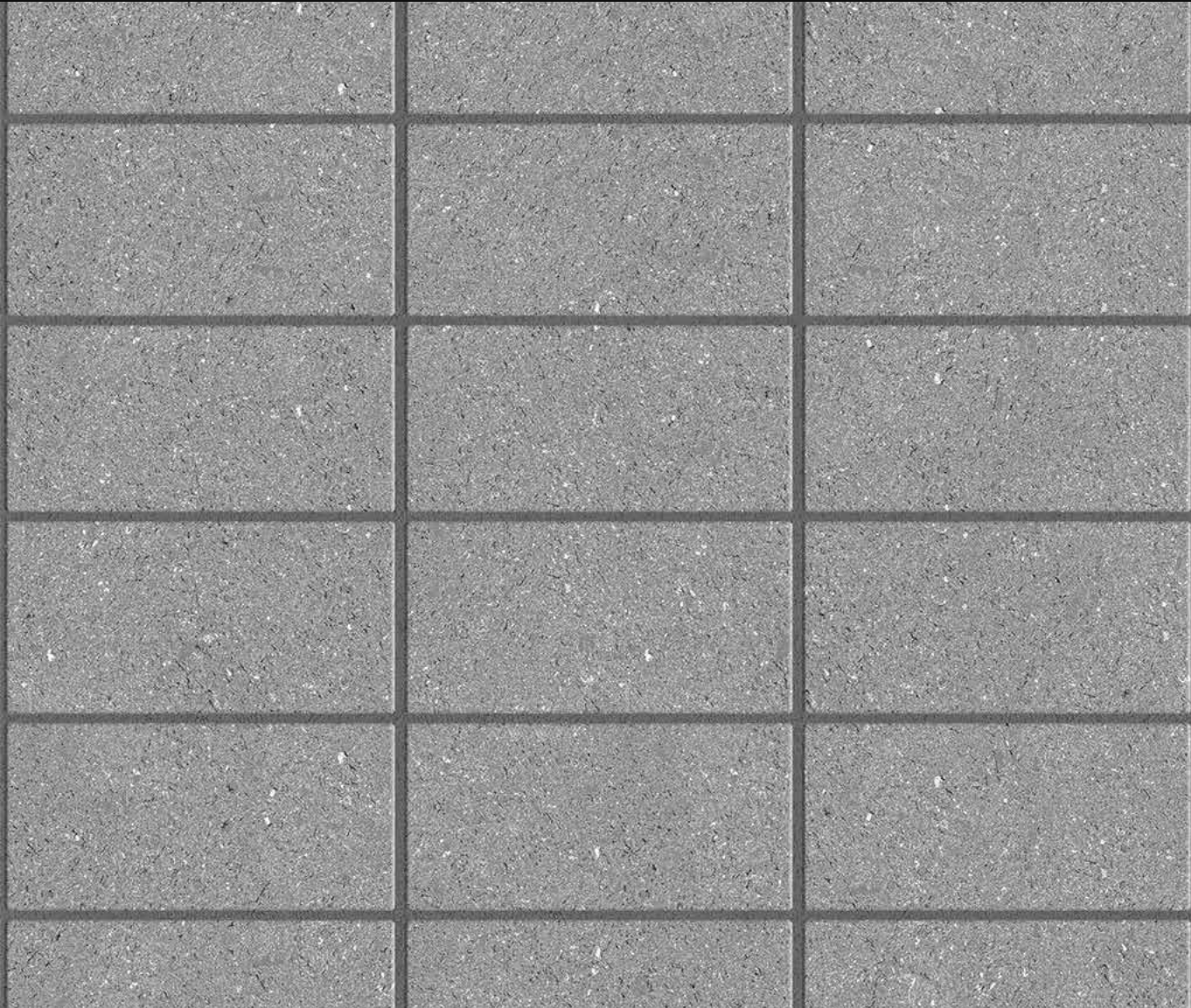
FIBER CEMENT BOARD
MANUFACTURER: NICHHA
PROFILE: ILLUMINATION
COLOR: BLDG DB BLUE



FIBER CEMENT BOARD
MANUFACTURER: NICHHA
PROFILE: ILLUMINATION
COLOR: BLDG DB DARK GRAY



FIBER CEMENT BOARD
MANUFACTURER: NICHHA
PROFILE: VINTAGEWOOD
COLOR: ASH



CMU
MANUFACTURER: WILLAMETTE-GRAYSTONE
PROFILE: SLIT FACE
COLOR: CHARCOAL, OR SIM.



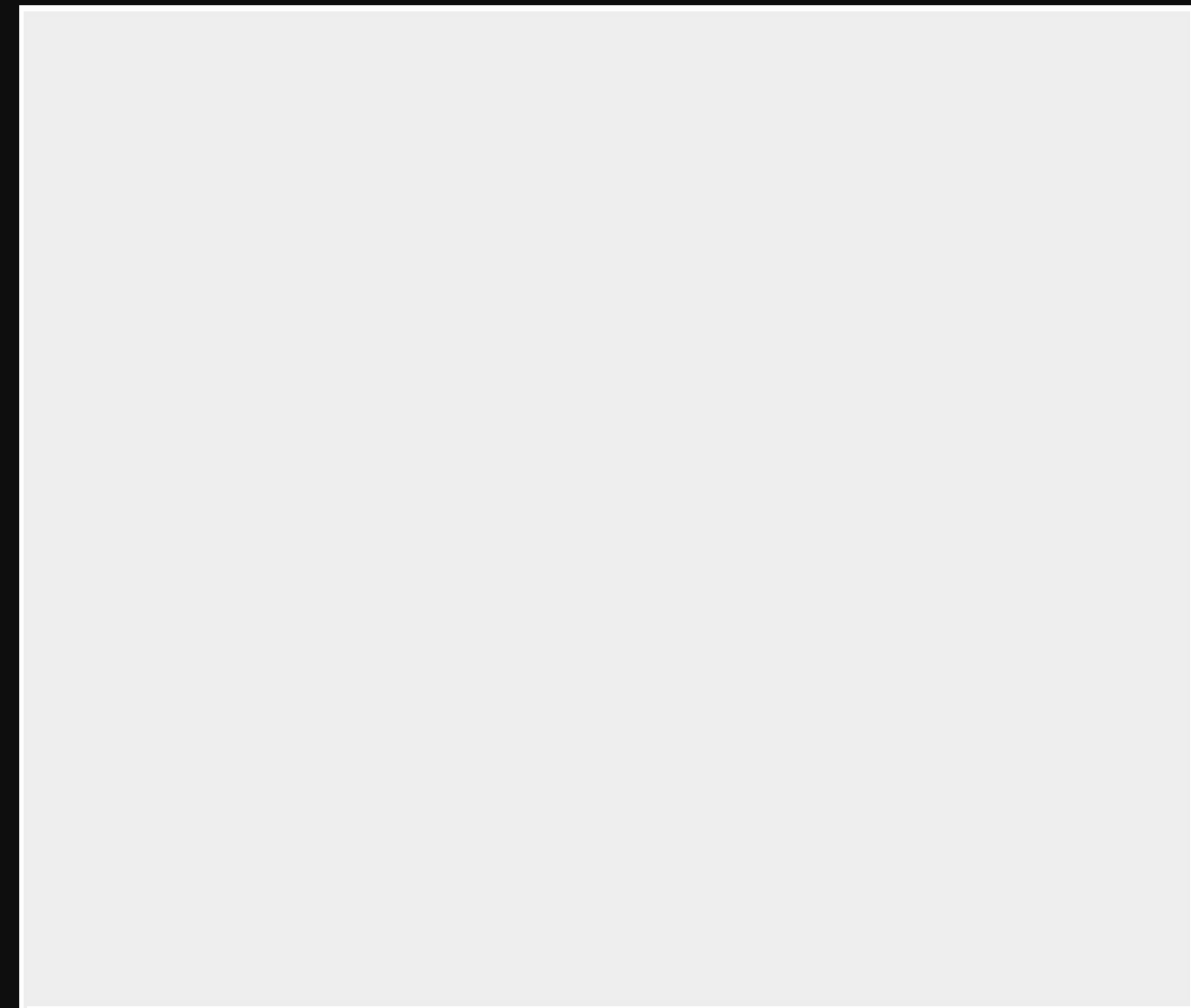
CANOPY SOFFIT
MANUFACTURER: HEWN
PROFILE: NW SPRUCE
NATURAL & SEALED
COLOR: PER MFR.



WINDOW SYSTEM
MANUFACTURER: KAWNEER OR SIMILAR
PROFILE: CLEAR ANODIZED ALUMINUM
FINISH: CLEAR NO 14 / 17



AWNINGS & DOORS - PAINT
MANUFACTURER: SHERWIN-WILLIAMS
COLOR: BLDG DB GRAY DARK



ROOFING MATERIAL
MANUFACTURER: DURO-LAST
DL-60 - 60 MIL
COLOR: WHITE



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

IDAHO TRANSPORTATION DEPARTMENT

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

February 23, 2023

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

Re: Dutch Brothers, CU-23-02

Dear Mr. Nickels,

Idaho Transportation Department (ITD) appreciates this opportunity to provide comments regarding Dutch Brothers located at mile post 9.75, on the south side of SH-44, Star, Idaho. Please see the below comments:

1. This project abuts State Highway 44 (SH-44).
2. No direct access to the State Highway system has been requested with this application and none is approved.
3. Based on the typical square footage of Dutch Brothers, it appears that the proposed commercial use is below the threshold for a Traffic Impact Study (TIS). No stacking of vehicles is allowed on the State Highway system.
4. Any addition, modification, change use, relocation, maintaining, or removal of an encroachment of the state highway or use of highway right-of-way for any purpose other than normal travel, shall obtain an Encroachment Permit to use state right-of-way.
5. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway.
6. The Idaho Administrative Procedures Act (IDAPA) 39.03.60 governs advertising along the State highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at (208) 334-8832 for more information.

ITD reserves the right to make further comments upon review of any submitted TIS or other documents.

Sincerely,

Wendy I. Howell
Development Services Coordinator
ITD. District 3