



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department
MEETING DATE: **December 20, 2022 – PUBLIC HEARING**
FILE(S) #: CUP-22-08 – First Interstate Bank

OWNER/APPLICANT/REPRESENTATIVE

Representative:

Adam Schlegel
Cushing Terrell
411 E. Main Street, Ste. 101
Bozeman, MT 59715

Owner/Applicant:

First Interstate Bank
401 N. 31st Street
Billings, MT 59101

REQUEST

Request: The Applicant is seeking approval of a Conditional Use Permit to construct a drive through within a new bank facility. The property is located at 10615 W. State Street in Star, Idaho. The property is currently zoned Commercial (C-1-DA).

PROPERTY INFORMATION

Property Location: The subject property is generally located on the southwest corner of W. State Street and S. Cosmo Ave. Ada County Parcel No. S0417212585.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	August 11, 2022
Neighborhood Meeting Held	November 2, 2022
Application Submitted & Fees Paid	November 10, 2022
Application Accepted	November 28, 2022
Residents within 300' Notified	November 29, 2022
Agencies Notified	November 28, 2022

Legal Notice Published
Property Posted

December 2, 2022
December 12, 2022

HISTORY

- On February 9, 2006, a Development Agreement was signed and recorded by the City of Star as part of a Comprehensive Plan Amendment and Rezone approval for the property (CPA-RZ-06-02).

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:

C-1 NEIGHBORHOOD BUSINESS DISTRICT: To provide for the establishment of convenience business uses which tend to meet the daily needs of the residents of an immediate neighborhood while establishing development standards that prevent adverse effects on residential uses adjoining a C-1 district. Such districts are typically appropriate for small shopping clusters or integrated shopping centers located within residential neighborhoods, where compatible.

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	C-1
Drive-through establishment/drive-up service window	C

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
C-1	35'	20'	5'	0' ⁴	20'

Notes:

1. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhang onto the sidewalk.
2. 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.

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.

8.3 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 a drive through within a bank facility. The property has an existing Development Agreement that has specific uses already approved, one of which is a bank or financial institution. The Unified Development Code, Section 8-3A-3 requires all drive-throughs to be approved through a Conditional Use Permit.

Section 3.1.2 of the Development Agreement states that the "*developer agrees to go through a staff level Design Review for all building(s) and landscaping.*" This will be reviewed through a Certificate of Zoning Compliance and presentation before the Design Review Committee.

This Conditional Use Permit is for approval of the drive through only.

Section 8-4B-3 requires banks and financial institutions to provide a queue for (4) four cars per drive-up window. The applicant is proposing three drive up service lanes. It does appear that the proposed queue area will accommodate 4 average sized cars without an extensive redesign of the site, and possible reduction in square footage of the bank.

Access will be taken from Hwy 44 using the currently established ingress and egress. Applicant will need to work with the owner of the property to the west to provide paved access to this parcel. Applicant will also need to secure a cross access agreement for the northern and southern access points for this parcel. This will need to be in place before occupancy will be given.

The two-way drive aisles also need to be 25 feet wide; the site plan appears to call out 25 feet widths on the north and south of the building. **The drive aisle on the west of the building is**

only showing as 12.5 feet wide. The applicant is relying on the lot next door to provide an additional 12.5 feet, creating a shared drive.

Applicant will need to work with the landowner to the west on constructing the remaining width needed for the drive aisle. This can be an all-weather surface but must be approved by the Fire District prior to occupancy.

All signage, including building, drive through and monuments will need separate permit and approval from Staff.

AGENCY RESPONSES

ITD	December 9, 2022
DEQ	December 5, 2022
ACHD	December 2, 2022

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 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.

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, the applicant shall receive a certificate of zoning compliance and design review for compliance with the Architectural Design Guidelines.**
3. **Applicant will work with the adjacent property owner to provide paved access from W. State Street (Hwy 44) to this parcel.**

4. **Applicant shall work with the adjacent property owner to construct an all-weather road on the west side of the parcel, wide enough to meet the drive aisle requirements of the City and obtain Fire District approval.**
5. **Applicant shall provide recorded cross access agreements with the property to the west for both the norther and southern access points to this parcel prior to issuance of a certificate of occupancy.**
6. 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.
7. 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.
8. 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.**
9. The applicant shall obtain all the proper building permits from the City Building Department prior to occupancy or the unit.
10. The Conditional Use Permit may be revoked or modified by the City Council for any violation of any Condition of Approval.
11. The applicant shall obtain a sign permit prior to any signage being placed on the site or building.
12. A Certificate of Zoning Compliance will be required prior to the start of construction.
13. Any additional Condition of Approval as required by Staff and City Council.
14. Any Conditions of Approval as required by Star Fire Protection District.

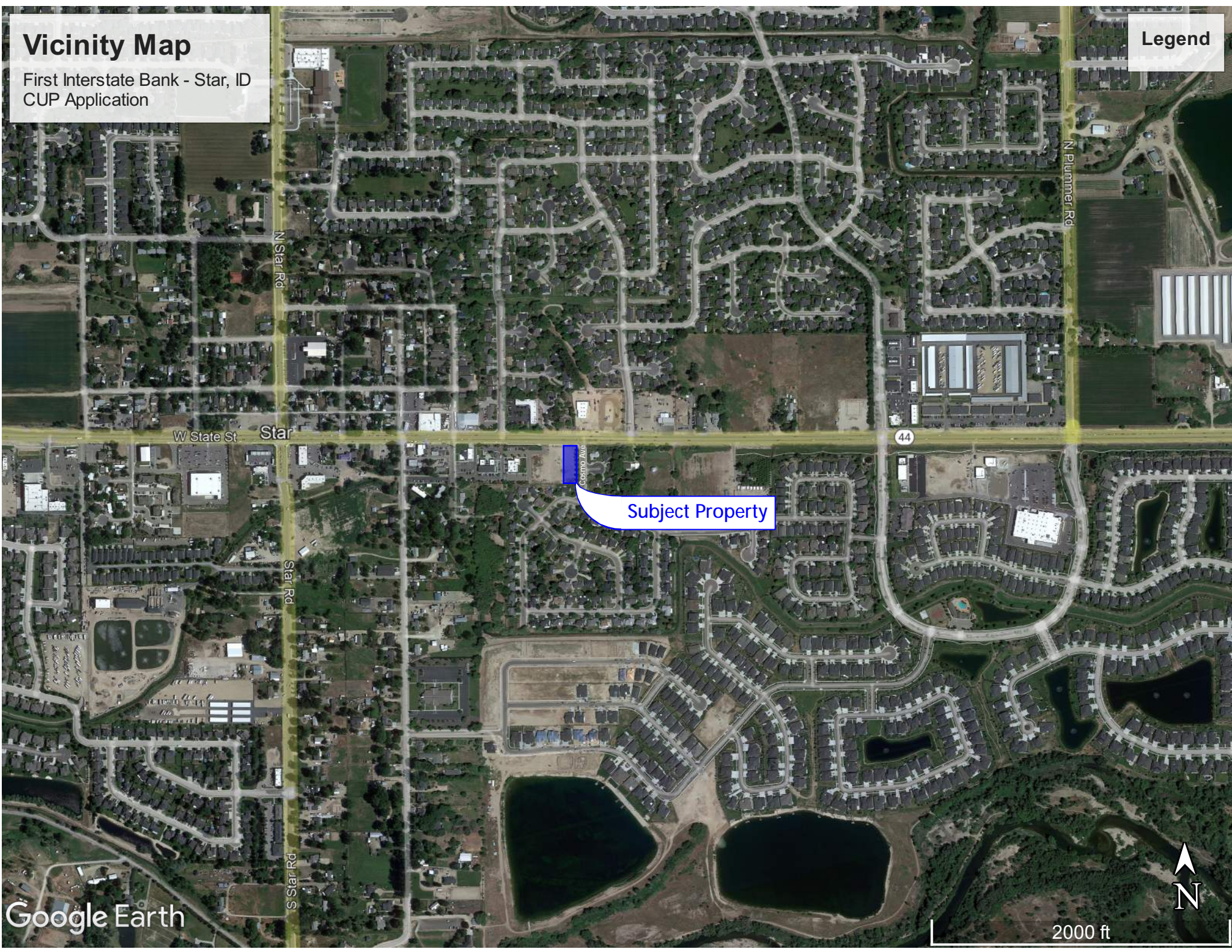
COUNCIL DECISION

The Star City Council _____ File Number CUP-22-08 for First Interstate Bank on _____, 2022.

Vicinity Map

First Interstate Bank - Star, ID
CUP Application

Legend



Google Earth

2000 ft





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: First Interstate Bank

Applicant Address: 401 N 31st Street, Billings, MT Zip: 59101

Phone: 541.330.7541 Email: brian.bergler@fib.com

Owner Name: Same as applicant

Owner Address: _____ Zip: _____

Phone: _____ Email: _____

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

Contact: Adam Schlegel Firm Name: Cushing Terrell

Address: 411 East Main Street, Suite 101, Bozeman, MT Zip: 59715

Phone: 406.922.7111 Email: adamschlegel@cuhsingterrell.com

Property Information:

Site Address: 10615 W. State Street, Star, ID 83669 Parcel Number: S0417212585

Requested Condition(s) for Conditional Use: _____

Drive through service window

	Zoning Designation	Comp Plan Designation
Existing	C-1-DA	Central Business District
Proposed	C-1-DA	Central Business District
North of site	L-O	Central Business District
South of site	R-4	Estate Urban Residential
East of site	R-4	Central Business District
West of site	C-1-DA	Central Business District

Site Data:

Total Acreage of Site: 0.67 acres
Proposed Percentage of Site Devoted to Bldg Coverage: ~10%
Proposed Percentage of Site Devoted to Landscaping: ~29%
Number of Parking spaces: Proposed 25 Required 15
Requested Front Setback: 82' Requested Rear Setback: 97'
Requested Side Setback: 12.5' (West) Requested Side Setback: 15' (East)
Requested Side Setback: n/a
Existing Site Characteristics: Existing site is undeveloped and relatively flat.

Number and Uses of Proposed Buildings: 1 - financial institution with drive-through lanes
Location of Buildings: Approximately centralized on site
Gross Floor Area of Proposed Buildings: 3,050 SF
Describe Proposed On and Off-Site Traffic Circulation: _____
Traffic will circulate on and off site through the existing shared access onto State St. that serves the Smoky Mountain development.
Proposed Signs – number, type, location: Wayfinding and parking signage will be on site.
(include draft drawing) Monument signage will be coordinated with developer.
Public Services (state what services are available and what agency is providing the service):
Potable Water - Star Sewer and Water
Irrigation Water - Pioneer Ditch Co
Sanitary Sewer - Star Sewer and Water
Schools - West Ada School District
Fire Protection - Star Fire Protection District
Roads - ACHD (State Street)

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

Subdivision/Project Name: Parcel D, ROS 10919 Phase: 1

Special Flood Hazard Area: total acreage 0 number of homes/structures
0

- 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): #160xxxxxxC, 160xxxxxxE, etc.: 16001C0130J
FIRM effective date(s): mm/dd/year 06.19.2020
Flood Zone(s): Zone X, Zone A, Zone AE, Zone AH, etc.: X
Base Flood Elevation(s): AE ____ .0 ft., etc.: N/A
- 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.	
N/A	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, shall be submitted in original pdf format (no scans) on a thumb drive only (no discs) 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)	

N/A	• 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):

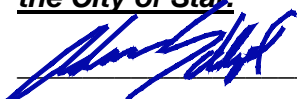
	The following items must be included on the landscape plan:	
✓	• Date, scale, north arrow, and project name	
✓	• Names, addresses, and phone numbers of the developer and the person and/or firm preparing the plan	
N/A	• Existing natural features such as canals, creeks, drains, ponds, wetlands, floodplains, high groundwater areas, and rock outcroppings	
N/A	• 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	
N/A	• 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	
N/A	• 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.**



11.07.2022



PROJECT NARRATIVE

Date: November 8, 2022

To: City of Star – Planning & Zoning

From: Adam Schlegel – Cushing Terrell

RE: First Interstate Bank – 10615 West State Street

First Interstate Bank is proposing to build a new branch bank located within the Smoky Mountain Development accessed along W. State Street & N. Cosmo Avenue in Star Idaho. The development consists of three commercial building sites and the new bank is proposed on the western most site. The new branch bank construction is for a single-story building and will be used for retail banking services inside the building along with drive through teller lanes and ATM access.

The existing site is not currently developed beyond the access point for vehicles into the development from W State Street.

The proposed site will consist of off-street parking meeting City of Star minimum requirements. Solid waste enclosure will be provided on the south side of the project site. Stormwater will be managed primarily with sheet flow across the parking lot to the north and south and into shallow infiltration ponds and/or subsurface infiltration system. Utilities services for the new building will likely be provided by City of Star for water and sewer, Idaho Power for electric service, and Intermountain Gas for natural gas. Data/fiber/telecom service provider is to be determined.

Adam Schlegel – Cushing Terrell

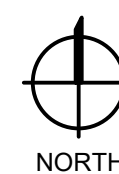
A handwritten signature in blue ink, appearing to read "Adam Schlegel", written in a cursive style.

FIRST INTERSTATE BANK
401 N 31ST STREET
BILLINGS, MT 59101
BRIAN BERGLER
541.330.7541
BRIAN.BERGLER@FIB.COM

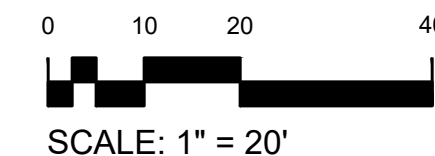
CUSHING TERRELL
411 EAST MAIN STREET, SUITE 101
BOZEMAN, MT 59718

SKY COOK - ARCHITECT
406.922.7129
SKY.COOK@CUSHINGTERRELL.COM

ADAM SCHLEGEL - ENGINEER
406.922.7111
ADAM.SCHLEGEL@CUSHINGTERRELL.COM



1 OVERALL SITE PLAN
C100



SCALE: 1" = 20'

10615 WEST STATE STREET
STAR, IDAHO, 83669

FIRST INTERSTATE BANK

© 2022 | ALL RIGHTS RESERVED

CUP SUBMITTAL

11.07.2022
DRAWN BY | SCHLEGEL
CHECKED BY |
REVISIONS

OVERALL SITE PLAN

C100

11/8/2022 11:07 AM | L:\FIB\FIB_STAR\BIM\CAD\Civil\FIB_STAR_C100_CUP.dwg

NOT FOR CONSTRUCTION

OWNER / APPLICANT:

FIRST INTERSTATE BANK
401 N 31ST STREET
BILLINGS, MT 59101
BRIAN BERGLER
541.330.7541
BRIAN.BERGLER@FIB.COM

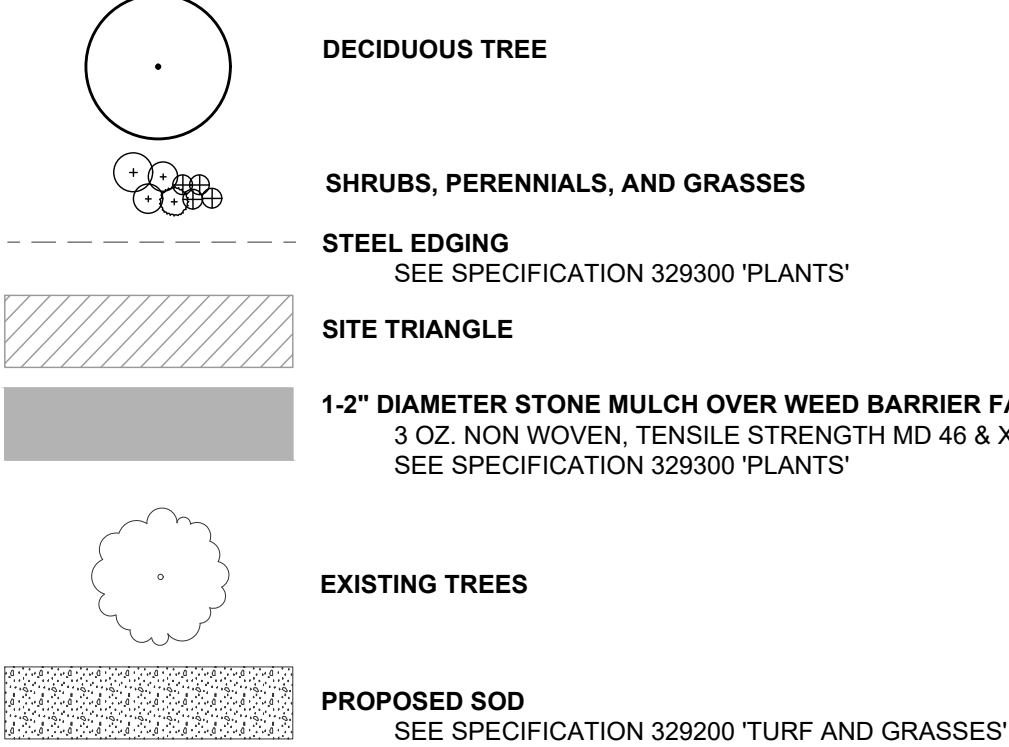
ARCHITECT / ENGINEER:

CUSHING TERRELL
411 EAST MAIN STREET, SUITE 101
BOZEMAN, MT 59718

SKY COOK - ARCHITECT
406.922.7129
SKY.COOK@CUSHINGTERRELL.COM

ADAM SCHLEGEL - ENGINEER
406.922.7111
ADAM.SCHLEGEL@CUSHINGTERRELL.COM

PLANTING LEGEND



ARTICLE D: LANDSCAPE AND BUFFER AREA STANDARDS

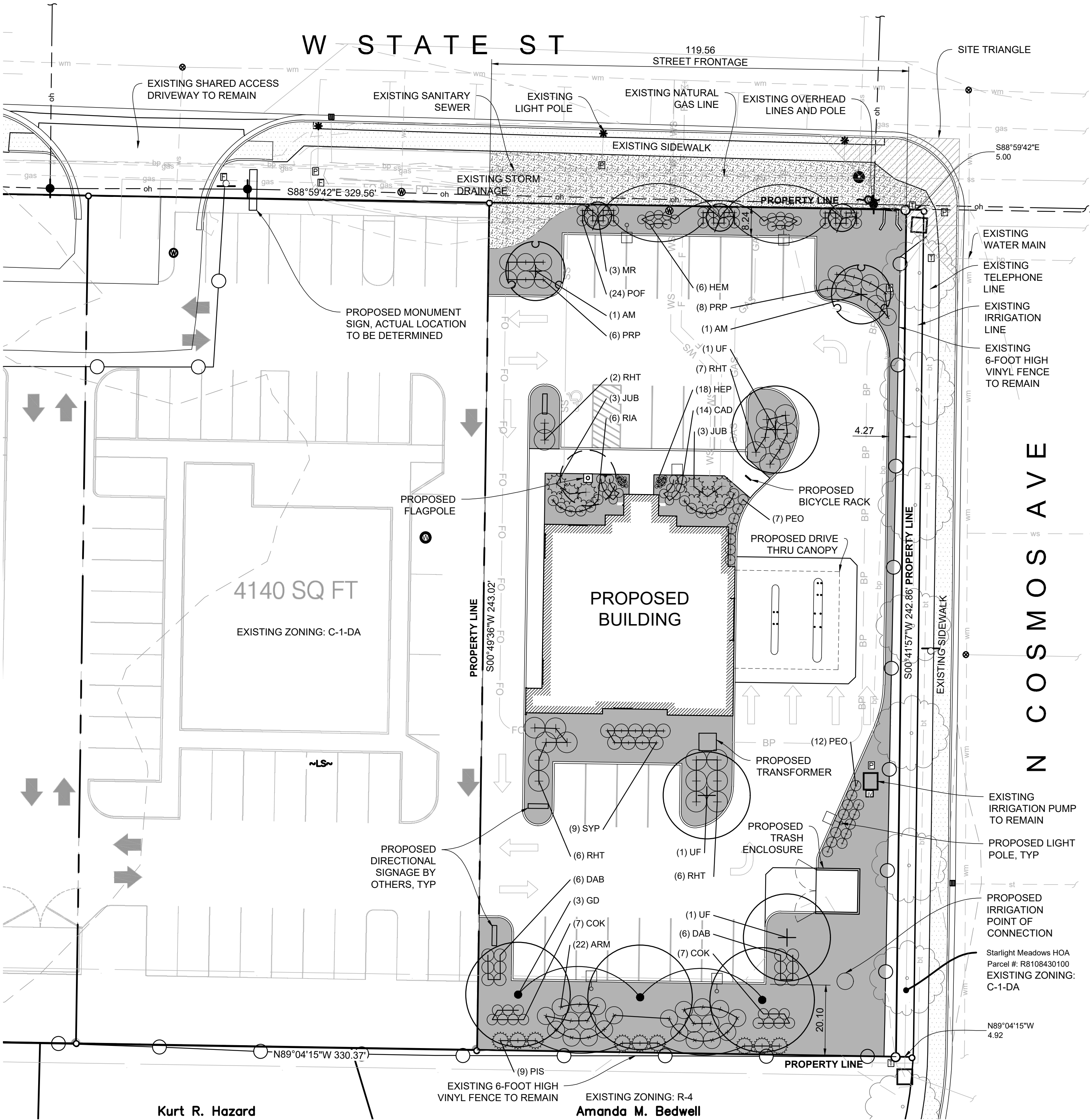
ZONE DISTRICT: C-1 - DA (NEIGHBORHOOD BUSINESS DISTRICT, DEVELOPMENT AGREEMENT)

8-8D-2: Applicability

REQUIRED	PROVIDED
C. Landscape As Percent Of Site: 1. A minimum of 10% of the total gross acreage of the development shall be for useable open space. 2. All landscape improvements required in this section shall count toward fulfillment of the above minimum percentages. 29,111 SF x 10% = 2,911 SF LANDSCAPE REQUIRED	8,172 SF LANDSCAPE PROVIDED
F. Tree Species Mix. When more than ten (10) trees are to be planted to meet the requirements of these guidelines, a mix of species shall be provided. The number of species to be planted shall vary according to the overall number of trees required to be planted. 11 TREES = 2 REQUIRED NUMBER OF SPECIES	4 PROPOSED TREE SPECIES
J. Buffer Areas/Common Lots: 2. Minimum Requirements: a. When a commercial or industrial use abuts a residential use, a ten foot (10') wide by six foot (6') high landscaped buffer is required except in the CBD. b. When a parking lot abuts a residential activity, a five foot (5') wide by six foot (6') high landscaped buffer is required except in the CBD. c. To conceal outdoor storage areas, trash receptacles, exposed equipment associated with any commercial or industrial activity, and off-street loading when adjacent to or in view from a residential activity or public street right of way, a three foot (3') wide by six foot (6') high landscaped buffer is required. 3. Materials: a. All buffer areas shall be comprised of, but not limited to, a mix of evergreen and deciduous trees, shrubs, and ground cover. b. Height requirements shall be accomplished with plant material, with a fence or decorative wall, or a combination thereof. c. The required buffer area shall result in an effective barrier within three (3) years and be maintained such that sixty percent (60%) or more of the vertical surface is closed and prevents the passage of vision through it.	10 FOOT WIDE LANDSCAPE BUFFER AND EXISTING 6-FOOT HIGH VINYL FENCE PROVIDED AT SOUTHERN BOUNDARY ABUTTING RESIDENTIAL TRASH ENCLOSURE HAS 6-FOOT WIDE AND 6-FOOT TALL PLANT MATERIAL
K. Parking Lot Landscaping. 2. Parking Lot Landscape Strip: A landscape strip shall be provided when a parking lot is located adjacent to a public right of way. The landscaped strip shall serve to limit views of parked cars to passing motorists and pedestrians, and to establish coordination among architecturally diverse buildings, which creates a pleasing, harmonious appearance along the roadway. a. Provide an eight-foot (8') wide landscaped strip between the right of way and the parking lot, and plant with a minimum of one shade tree and eight (8) shrubs per thirty-five (35) linear feet of frontage, excluding driveway openings. 119.56 LF FRONTAGE ÷ 35 LF = 3.416 = 3 TREES REQUIRED AND 24 SHRUBS REQUIRED	3 TREES AND 24 SHRUBS PROVIDED
K. Parking Lot Landscaping. 3. Parking Lot Perimeter Landscaping: Perimeter landscaping requirements define parking areas and prevent two (2) adjacent lots from becoming one large expanse of paving. This requirement does not hinder the ability to provide vehicular access between lots. a. Provide a minimum five foot (5') wide perimeter landscaped strip between the property lines and the parking lot, and plant with a minimum of one shade tree per thirty-five (35) linear feet of perimeter, unless the adjacent project has required trees planted, as determined by the administrator.	GREATER THAN 5-FOOT LANDSCAPE STRIP AND 1 TREE PER 35 FEET PROVIDED AT NORTH AND SOUTH BOUNDARY
K. Parking Lot Landscaping. 4. Parking Lot Interior Landscaping: 21-50 spaces, 5% interior landscape area, Percent Of Total Area Of A Lot That Must Be An Interior Landscaped Area 25 spaces = 5% required interior landscape area 18,485 SF x 5% = 924 SF REQUIRED	2153 SF LANDSCAPE ISLANDS PROVIDED
K. Parking Lot Landscaping. 4. Parking Lot Interior Landscaping: (4) Deciduous shade trees and ground covers or low shrubs are recommended as primary plantings in interior landscaped areas. Deciduous shade trees are to be clear branched to a height of six feet (6'). (5) A terminal island for a single row of parking spaces shall be landscaped with at least one tree and shrubs, ground cover, or grass. A terminal island for a double row of parking spaces shall contain not less than two (2) trees and shrubs, ground cover, or grass.	ONE TREE PROVIDED PER TERMINAL PARKING LOT ISLAND, EXCEPT WHERE TREES CONFLICT WITH SIGNS, 5 TREES PROVIDED
L. Landscaped Commercial Strips: 1. Except in the CBD, landscaped strips shall be provided between all building development and public rights of way to lend continuity among different architectural styles, screen unsightly views, establish a pleasing view for motorists, and create a safe and pleasant corridor for pedestrians. a. The landscaped strip shall be five feet (5') wide minimum and planted with one shade tree and five (5) shrubs for every thirty-five feet (35') of street frontage. Two (2) ornamental or two (2) evergreen trees may be substituted for one shade tree. NORTH: 120 LF ÷ 35 LF = 3.42 = 3 TREES REQUIRED SOUTH: 120 LF ÷ 35 LF = 3.42 = 3 TREES REQUIRED	NORTH: 3 TREES PROPOSED UNDER OVERHEAD POLE SOUTH: 3 SHADE TREES PROPOSED
M. Parkway Strips, Separated Sidewalks, And Street Trees: 1. Along arterials and collectors designated on the highway district functional class map and for subdivision entry roads for the first 180 feet, sidewalks shall be separated from the curb. An eight-foot (8') wide minimum parkway planter strip planted with shade class (class II) trees shall be required between the sidewalk and curb. 2. A minimum of one street tree shall be planted for every thirty-five (35) linear feet of street frontage. 3. In all cases, any planting within public rights of way shall be with approval from the public and/or private entities owning the property. 4. Local streets are encouraged to have detached sidewalks.	8-FOOT WIDE MINIMUM LANDSCAPE STRIP AND CLASS I TREES PROVIDED UNDER POWER LINES

PLANT SCHEDULE

DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	
AM	2	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	1.5" CAL.	B&B	15-25'H X 15-25'W	
GD	3	GYMNOCLADUS DIOICA 'ESPRESSO'	ESPRESSO KENTUCKY COFFEETREE	2" CAL.	B&B	40-50'H X 30-40'W	
MR	3	MALUS X 'RED BARRON'	RED BARRON CRABAPPLE	2" CAL.	POT	18'H X 8'W	
UF	3	ULMUS X 'FRONTIER'	FRONTIER ELM	2" CAL.	B&B	30-40'H X 20-30'W	
CONIFEROUS SHRUB	QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	SPACING
JUB	6	JUNIPERUS HORIZONTALIS 'BLUE CHIP'	BLUE CHIP JUNIPER	5 GAL.	POT	0.5-1.5'H X 8-10'W	72" o.c.
PIS	9	PINUS MUGO 'SLOWMOUND'	MUGO PINE	5 GAL.	POT	3-4'H X 4-6'W	60" o.c.
DECIDUOUS SHRUB	QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	SPACING
ARM	22	ARONIA MELANOCARPA 'MORTON' TM	IROQUIS BEAUTY BLACK CHOKEBERRY	5 GAL.	POT	2-3'H X 4-5'W	60" o.c.
CAD	14	CARYOPTERIS X CLANDONENSIS 'BEYOND MIDNIGHT'	BEYOND MIDNIGHT BLUEBEARD	5 GAL.	POT	2-2.5'H X 2.5-3'W	30" o.c.
COK	14	CORNUS SERICEA 'KELSEY'	KELSEY DOGWOOD	5 GAL.	POT	2-2.5'H X 2.5-3'W	36" o.c.
DAB	12	DAPHNE X BURKWOODII 'CAROL MACKIE'	CAROL MACKIE DAPHNE	5 GAL.	POT	3-4'H X 3-4'W	42" o.c.
POF	24	POTENTILLA FRUTICOSA 'HAPPY FACE'	HAPPY FACE BUSH CINQUEFOIL	5 GAL.	B&B	2-3' H X 2-3'W	36" o.c.
PRP	14	PRUNUS BESSEYI 'P011S' TM	PAWNEE BUTTES SAND CHERRY	5 GAL.	POT	1-1.5'H X 4-6'W	60" o.c.
RHT	23	RHUS TRILOBATA 'AUTUMN AMBER'	AUTUMN AMBER SUMAC	5 GAL.	POT	0.5-1.5'H X 6-8'W	72" o.c.
RIA	13	RIBES ALPINUM 'GREEN MOUND'	GREEN MOUND ALPINE CURRANT	5 GAL.	POT	2-3'H X 2-3'W	36" o.c.
SYP	9	SYRINGA X 'PENDA' TM	BLOOMERANG PURPLE LILAC	5 GAL.	POT	3-4'H X 3-4'W	48" o.c.
GRASSES	QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	SPACING
PEO	19	PENNISETUM ORIENTALE 'KARLEY ROSE'	KARLEY ROSE FOUNTAIN GRASS	1 GAL.	POT	2-3' H X 2-3'W	36" o.c.
PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	PKG.	MATURE SIZE	SPACING
HEM	6	HEMEROCALLIS X 'SOUTH SEAS'	SOUTH SEAS DAYLILY	1 GAL.	POT	2.5'H X 2.5'W	30" o.c.
HEP	18	HEUCHERA X 'PARIS'	PARIS CORAL BELLS	1 GAL.	POT	.5-1" H X 1" W	12" o.c.



Cushing Terrell

cushingterrell.com
800.757.9522

10615 WEST STATE STREET
STAR, IDAHO, 83669
FIRST INTERSTATE BANK

© 2022 | ALL RIGHTS RESERVED

CUP SUBMITTAL

11.07.2022
DRAWN BY | DONOVAN
CHECKED BY |
REVISIONS

PLANTING PLAN

L301



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
Jess Byrne, Director

December 5, 2022

By e-mail: snickel@staridaho.org

Star City Hall
PO Box 130
Star, ID 83669

Subject: First Interstate Bank CU-22-08

Dear City of Star:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.

- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator



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

IDAHO TRANSPORTATION DEPARTMENT

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

December 9, 2022

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

Re: First Interstate Bank

Dear Mr. Nickels,

Idaho Transportation Department (ITD) has received the Transportation Impact Study (TIS) for the First Interstate Bank inquiry for review and is located at 10615 W State Street, Star, Idaho.

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. Traffic generation numbers were not provided with this application. ITD needs more information on the trip generations to determine what mitigations, if any, that the applicant may be required to construct on the State Highway system. If the new development generates 100 or more new trips in the peak hour or 1,000 new trips in a day, a Traffic Impact Study (TIS) will be required. Mitigations identified by the Traffic Impact Study shall be the responsibility of the applicant to install.
4. The Approach Permit application and fee must be submitted with the TIS before placing the TIS in the queue for review.
5. 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.
6. A right-of-way width of 75 feet on each side of the centerline may be required from SH-44 for a future widening project.
7. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway.
8. 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



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

December 2, 2022

To: First Interstate Bank
401 N 31st Street
Billings, MT 59101

Subject: STAR22-0011/ CU-22-08
10615 W State Street
First Interstate Bank

The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).

The applicant shall be required to:

1. Pay a traffic impact fee. If applicable, a traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant's responsibility to submit plans directly to ACHD.
2. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any improvements or work in the right-of-way.
3. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).

Traffic Information

This development is estimated to generate 38 additional vehicle trips per hour in the PM peak hour based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

Condition of Area Roadways:

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification
*State Street	124-feet	Principal Arterial
Cosmo Avenue	238-feet	Local

** ACHD does not set level of service thresholds for State Highways.

Average Daily Traffic Count (VDT):

Average daily traffic counts are based on ACHD's most current traffic counts

- There are no current average daily traffic counts for State Street and Cosmo Avenue.

If you have any questions, please feel free to contact me at (208) 387-6329.

Sincerely,



Carbella Loise Medina
Planning Review Intern
Development Services

cc: City of Star – Shawn Nickel
Cushing Terrell – Adam Schlegel

Standard Conditions of Approval

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