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**MIDDLETON CITY PLANNING AND ZONING  
COMMISSION MINUTES  
FEBRUARY 13, 2023**

**Pledge of Allegiance, Roll Call & Call to Order:** The February 13, 2023, Planning and Zoning Commission Meeting was called to order by Vice Chairwomen Summers at 5:30 p.m. Commissioners Summers, Crofts, Christiansen, Tremble, and Watkins were present. Planning & Zoning Official Ms. Stewart, Planning Deputy Clerk Ms. Day were also present.

**Action Items:**

**1. Election of new Chairperson and Vice Chairperson. - Ms. Summers**

**Motion:** Motion by Commissioner Christiansen to Elect Vice Chairwoman Summers as Chairwomen for Planning and Zoning. Motion seconded by Commissioner Tremble and approved unanimously.

**Motion:** Motion by Commissioner Tremble to Elect Commissioner Christiansen as Vice Chairman for Planning and Zoning. Motion seconded by Commissioner Crofts and approved unanimously.

**2. Consent Agenda (items of routine administrative business)**

- a. Consider approving minutes for January 9, 2023, regular meeting.
- b. FCO for Rowe Station Project.

**Motion:** Motion by Commissioner Christiansen to approve the consent agenda item 1a and 1b. Motion seconded by Commissioner Crofts and approved unanimously.

**3. Public Meeting: Design Review application by Jeff Likes (ALC Architecture) for office building located at 10610 Hwy 44. – Ms. Stewart**

Ms. Stewart presented design review application (Exhibit A)

Discussion among Commissioners and Ms. Stewart.

Applicant not present.

**Motion:** Motion by Commissioner Christiansen to approve the design review application for office building located at 10610 Hwy 44 subject to conditions of approval in the staff report. Motion seconded by Commissioner Watkins and approved unanimously.

**4. Public Hearing: Applications by Michael Baird and Jay Walker/Kimley-Horn Engineering for annexation/rezone, preliminary plat, and development agreement with respect to The Square on Hartley Subdivision located at 0 Hwy 44, Middleton, Idaho (Tax Parcel No. R3477301400). The proposed preliminary plat consists of one common lot and 33 lots to accommodate single story and double story Flex Space Units on vacant land zoned Canyon County Agricultural. Applicants are requesting a zone change to Middleton C-2 zoning (Light Commercial). – Ms. Stewart**

Chairwomen Summers opened the public hearing at 5:46 p.m.

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Ms. Stewart presented PowerPoint presentation of the Staff Report. (Exhibit B) Ms. Stewart introduced a late public comment, submitted as (Exhibit E).

Commissioner asked Ms. Stewart questions and had a brief discussion on the application.

Applicant Mr. Baird presented presentation.

Chairwomen Summers opened public testimony at 6:32 p.m.

*Mike Graefe: Testifies*

*Brian Bradford: Testifies*

Ms. Stewart and Applicant address questions of public testimony.

Chairwomen Summer closed public testimony at 6:48 p.m.

Discussion by Commissioners regarding conditions of approval.

**Motion:** Motion by Commissioner Christiansen to recommend approval of Michael Baird and Jay Walker/Kimley-Horn Engineering for annexation/rezone, agreement with respect to The Square on Hartley Subdivision located at 0 Hwy 44, Middleton, Idaho (Tax Parcel No. R3477301400) and subject to the conditions of approval set forth in the Staff Report for the hearing. Motion seconded by Commissioner Tremble and approved unanimously.

**Motion:** Motion by Commissioner Christiansen to recommend approval of the proposed preliminary plat consists of one common lot and 33 lots to accommodate single story and double story Flex Space Units on vacant land zoned Canyon County Agricultural. Applicants are requesting a zone change to Middleton C-2 zoning (Light Commercial) and subject to the conditions of approval set forth in the Staff Report for the hearing. Motion seconded by Commissioner Watkins and approved unanimously.

**Motion:** Motion by Commissioner Tremble to recommend approval of the Michael Baird and Jay Walker/Kimley-Horn Engineering development agreement with respect to The Square on Hartley Subdivision located at 0 Hwy 44, Middleton, Idaho (Tax Parcel No. R3477301400) and subject to the conditions of approval set forth in the Staff Report for the hearing. Motion seconded by Commissioner Croft and approved unanimously.

Chairwomen Summers closed public hearing at 7:00 p.m.

### **Public Comments, Commission and Staff Comments**

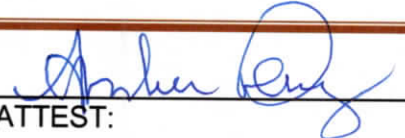
*Ray Waltemate:* Recommend moratorium on new residential homes for 5 years.

Chairwomen Summers welcomed new Commissioner Matthew Watkins to the board.

**Adjourn:** Chairman Summers adjourned the meeting at 7:03 p.m.

  
Heidal Summers, Chairwomen

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ATTEST:  
Deputy Clerk, Planning

Approved: March 13, 2023



2b





## **Middleton Planning & Zoning Commission**

### **Findings of Facts, Conclusions of Law & Recommendation**

**In the Matter of the applications of Rowe Sanderson/Crown Capital Holdings, LLC & Matrix Engineering for annexation/rezone and development agreement, with respect to the Rowe Station Project located at 24625 Middleton Road, Middleton, Idaho (Tax Parcel No. R375640):**

#### **A. Findings of Fact:**

1. Planning & Zoning Commission members stated that R-3 Zoning is inappropriate in the location of the proposed project because the area is more rural and contains larger lots than City R-3 zoning.
2. Hearing Facts: See Staff Report for the hearing date of January 9, 2023, which Report is attached hereto as Exhibit "A" and incorporated herein by this reference.
3. Process Facts: See Staff Report for the hearing date of January 9, 2023, Exhibit "A".
4. Application and Property Facts: See Staff Report for the hearing date of January 9, 2023, Exhibit "A".
5. Required Findings per Idaho State Statute Title 67, Chapter 65, Idaho Standards for Public Works Construction and Middleton Supplement thereto, Middleton City Code 1-14, 1-15, 5-1, 5-2, 5-3 & 5-4 and Title 50, Chapters 2 and 13: See Staff Report for the hearing date of January 9, 2023, Exhibit "A".

#### **B. Conclusions of Law:**

1. That the City of Middleton has exercised the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. That due consideration has been given to the comments received from the governmental subdivisions providing services in the City of Middleton planning jurisdiction, comments received from individuals of the public, and comments from City Planning Staff and City Engineer.
3. That notice of the application and public hearing was given according to law.
4. That the Planning and Zoning Commission's public hearing was conducted according to law, and the City has kept a record of the application and related documents.
5. That codes and standards pertinent to the application are the Idaho Standards for Public Works Construction, the Middleton Supplement to the Idaho Standards for Public Works Construction, Middleton City Code 1-14, 1-15, 5-1, 5-2, 5-3, and 5-4 and Idaho Code Title 67, Chapter 65 and Idaho Code Title 50, chapters 2 and 13.

**C. Decision & Recommendation:**

Pursuant to the Planning & Zoning Commission's authority as provided in Middleton City Code 1-5-5, and based upon the above Findings of Facts and Conclusions of Law, it is hereby recommended that:

1. City Council approve the application of Rowe Sanderson/Crown Capital Holdings LLC & Matrix Engineering for annexation/rezone subject to the condition that the Project Parcel be limited to R-2 Zoning instead of R-3 Zoning and subject to the conditions of approval set forth in Planning Staff's Staff Report for the hearing.
2. City Council approve the application of Rowe Sanderson/Crown Capital Holdings LLC & Matrix Engineering for development agreement subject to the condition that the Project Parcel be limited to R-2 Zoning instead of R-3 Zoning and subject to the conditions of approval set forth in Planning Staff's Staff Report for the hearing.

WRITTEN RECOMMENDATION APPROVED ON: \_\_\_\_\_, 2023.

\_\_\_\_\_, Chairman  
Planning and Zoning Commission

Attest:

\_\_\_\_\_  
Roberta Stewart  
Planning and Zoning Official

***Please take notice that pursuant to MCC 1-14-2(E)(10), applicant shall have 14 days after a signed final decision to request reconsideration by the final-decision maker. Such request must identify specific deficiencies in the final decision. Failure to request reconsideration may invalidate a subsequent judicial appeal. Additionally, pursuant to Idaho State Statute 67-6521, any affected person aggrieved by a final decision may, within 28 days after all remedies have been exhausted under local ordinances, seek judicial review as provided in chapter 52, Title 67.***

***Additionally, please take notice that Applicant has a right to request a regulatory taking analysis pursuant to Idaho State Statute section [67-8003](#).***

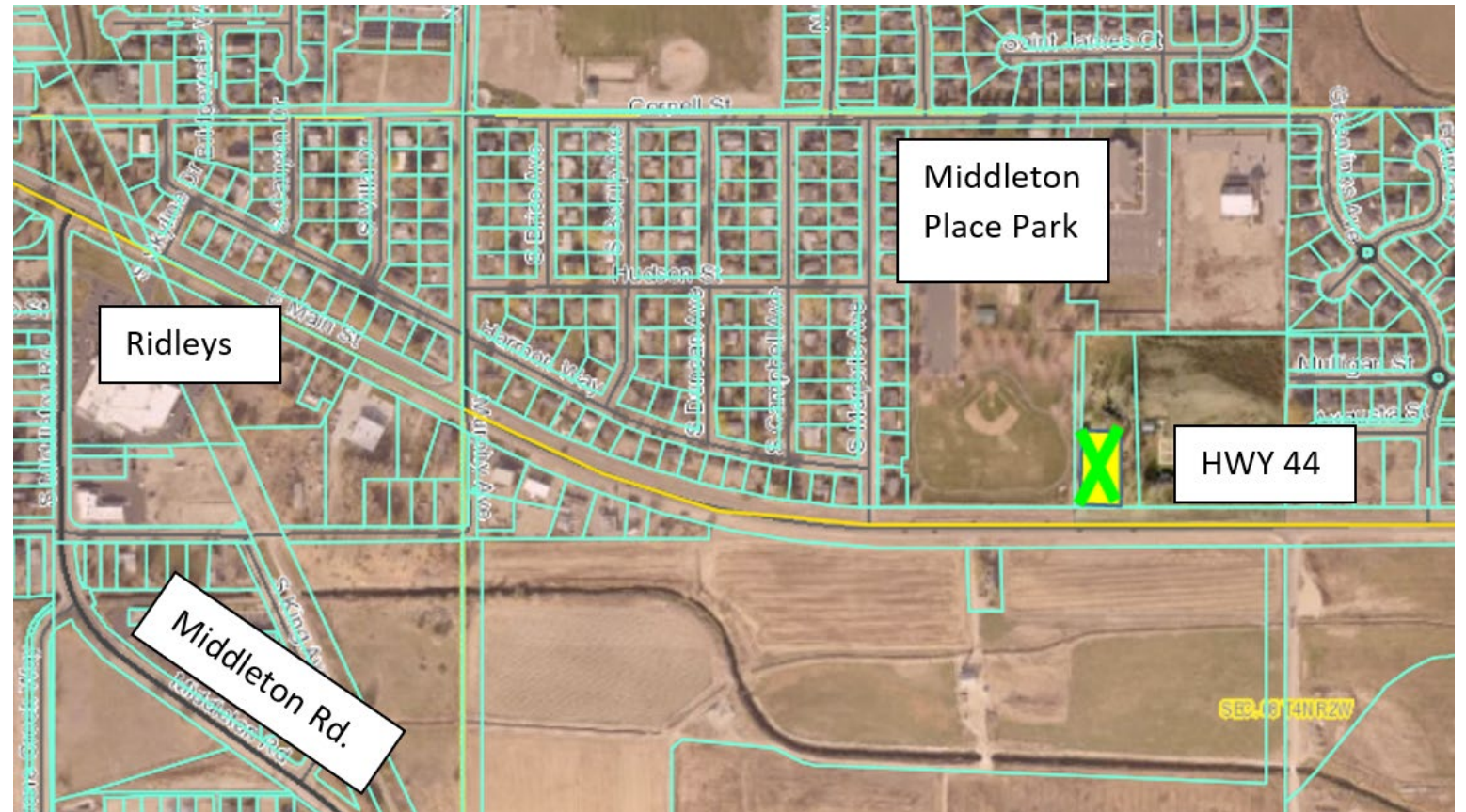




# 10610 Hwy 44 Office Building

## Design Review Application

Middleton Design Review Committee - February 13, 2023





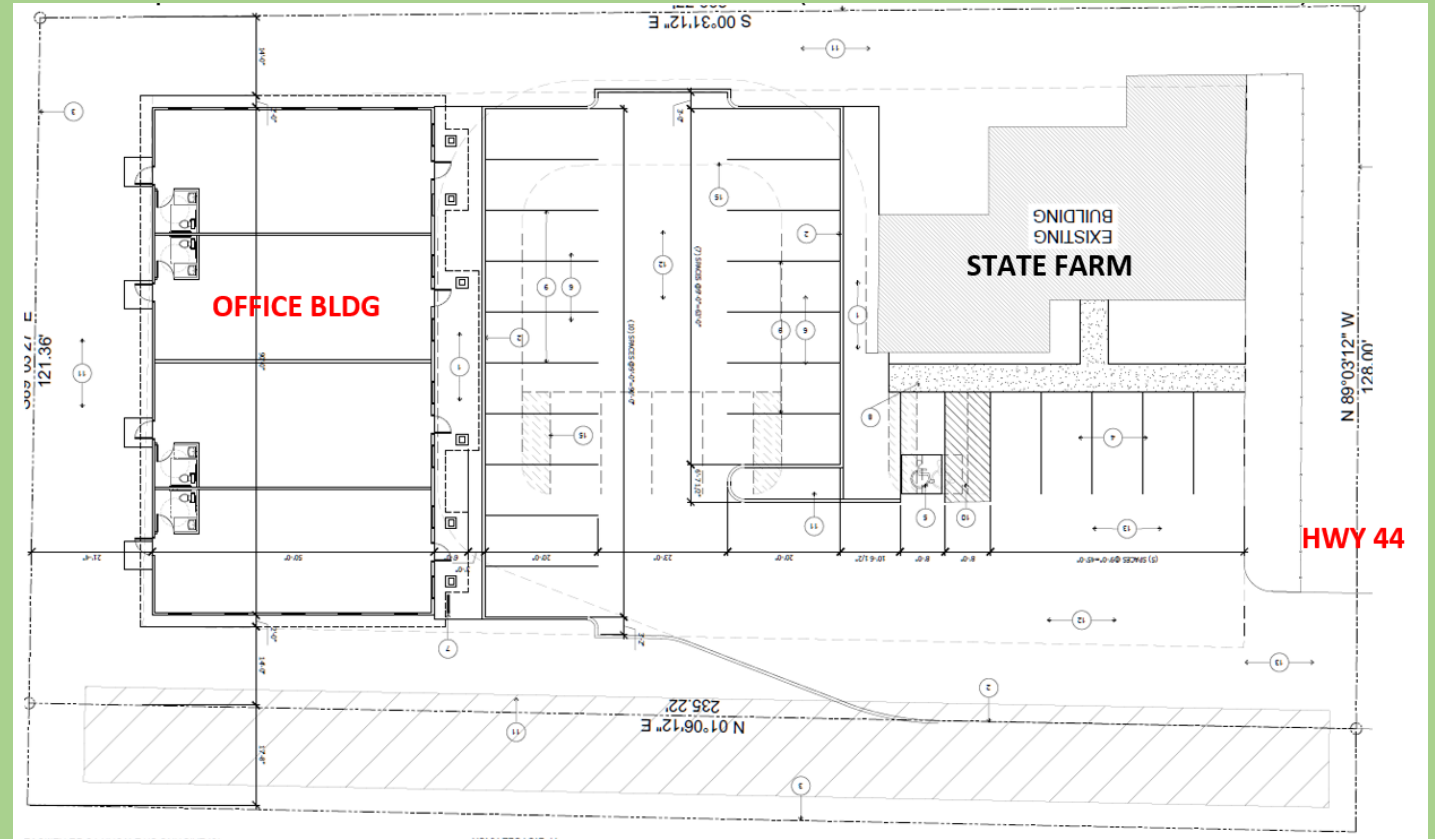


**Project Description:** A 4,500 s.f., Office Building proposed for the rear portion of a lot located at 10610 Hwy 44. Another office building currently occupied by State Farm is already located on the lot near the access to Hwy 44. The proposed Office Building will be able to accommodate up to four units, each approximately 1000 s.f., in size.





**Zoning & Site Conditions:** The project parcel is .671 acres and is zoned M-U (Mixed Use). Office space is an allowable use in the M-U zone. The proposed building also complies with the setbacks for the M-U Zone.



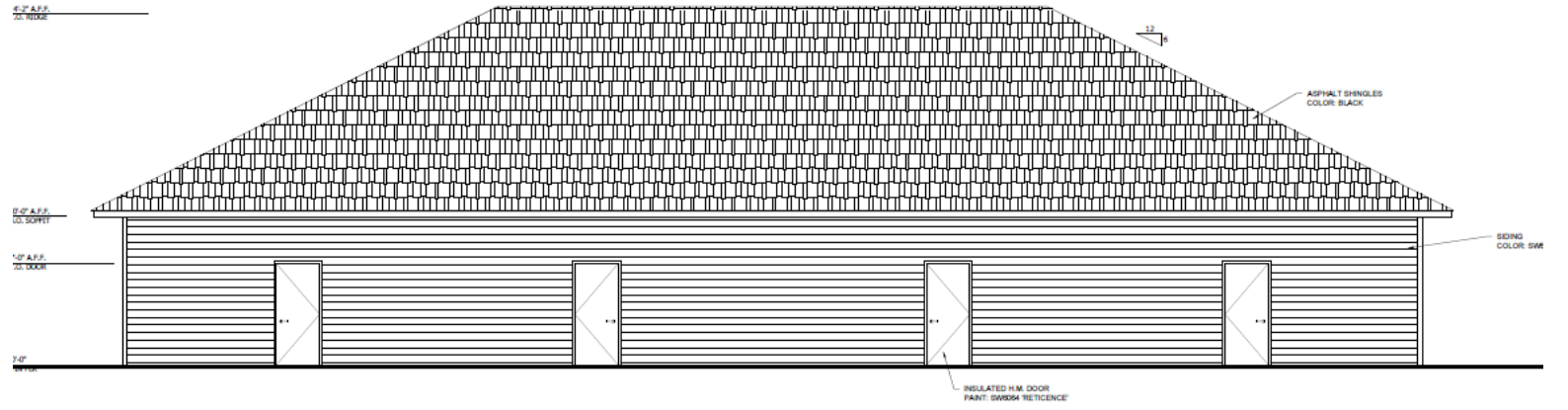


**Architectural Character:** MCC 1-15-8-2, requires the project material and colors to be in harmony with the townscape and surrounding neighborhood. Each building must also contain four or more of the following design elements: gable roof, stucco, brick/rock, accenting, metal siding, timberwork, or public art feature.

The Applicant's building complies with the Code and contains more than four of the required building elements, specifically (1) gable roof, (2) stone wainscotting (3) decorative columns, (4) shed dormer accents, and (5) wooden beam accents.

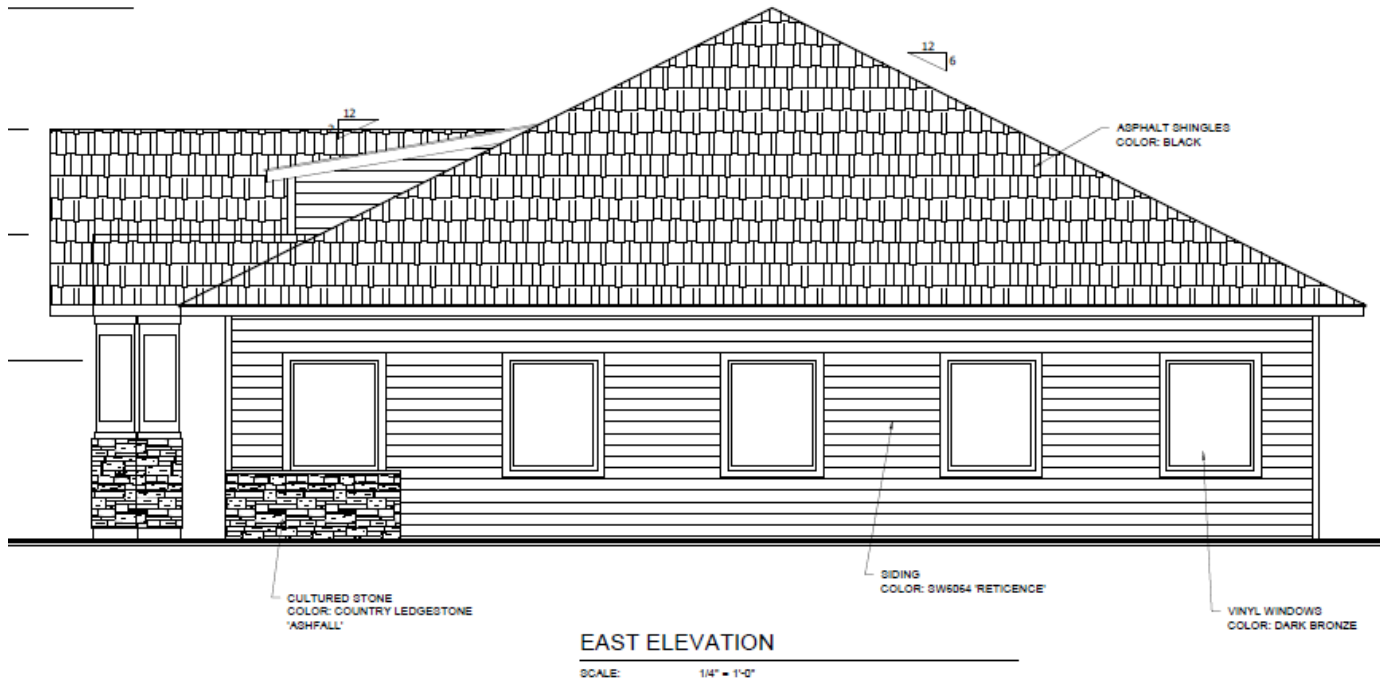






NORTH ELEVATION  
SCALE: 1/4\"/>

10610 HWY 44



EAST ELEVATION

SCALE: 1/4\"/>



**Streets & Access:** Access to the parcel is via Hwy 44. ITD has reviewed the project and determined that the current access/approach must be widened to accommodate the traffic for the new building.



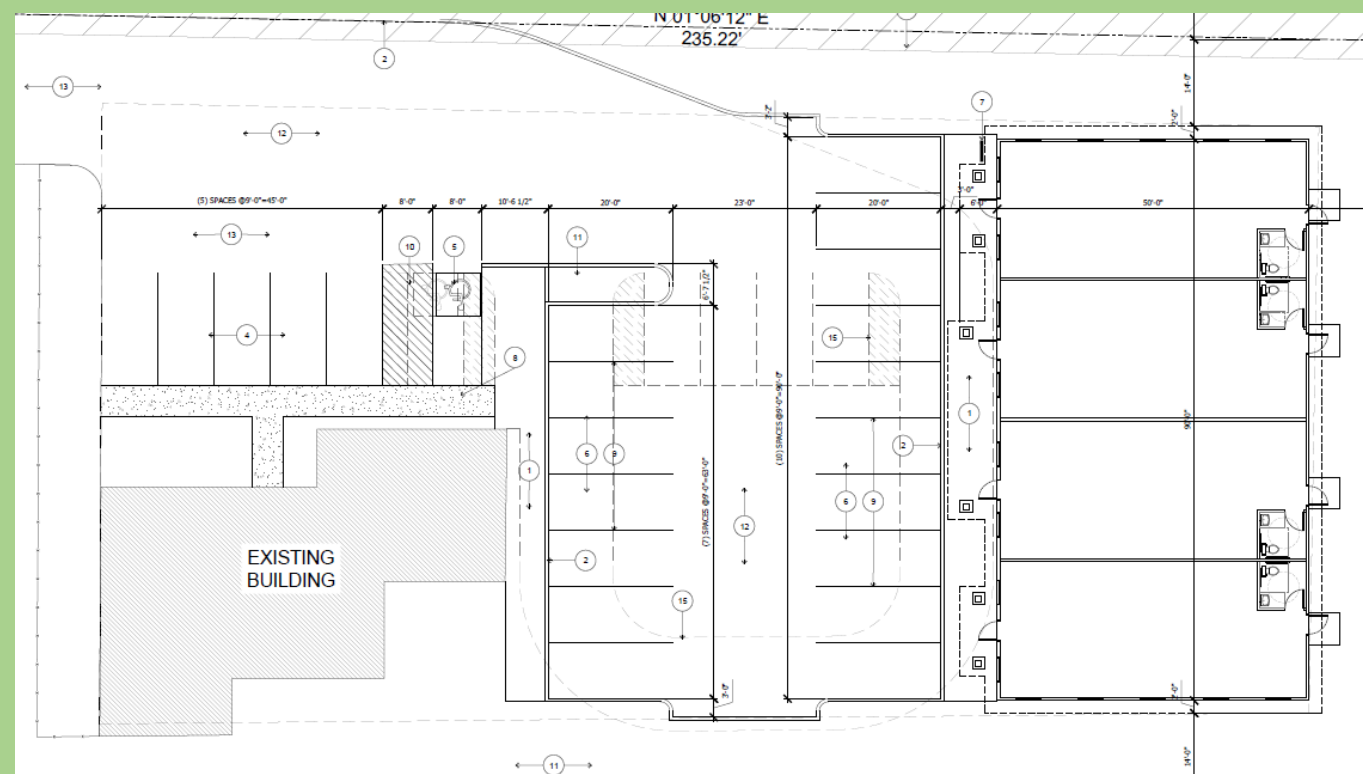
The City is also requiring Applicant to provide connectivity to the east for future commercial development. The goal is to minimize the number of access points on to Hwy 44 and to allow easy access to City utilities. A shared access and a utility easement will “get the job done.”





# Parking

Office parking requires 1 stall per 300 s.f. of gross floor space; therefore, this 4500 s.f. building will need 15 stalls dedicated to the structure. The site plan shows 17 stalls available while leaving sufficient stalls for the existing State Farm building.





**Utilities:** City services are already located in Hwy 44 and readily available for extension to the building.

**Stormwater:** Developer must submit a stormwater facilities design with the building permit. This will be a proposed condition of approval.

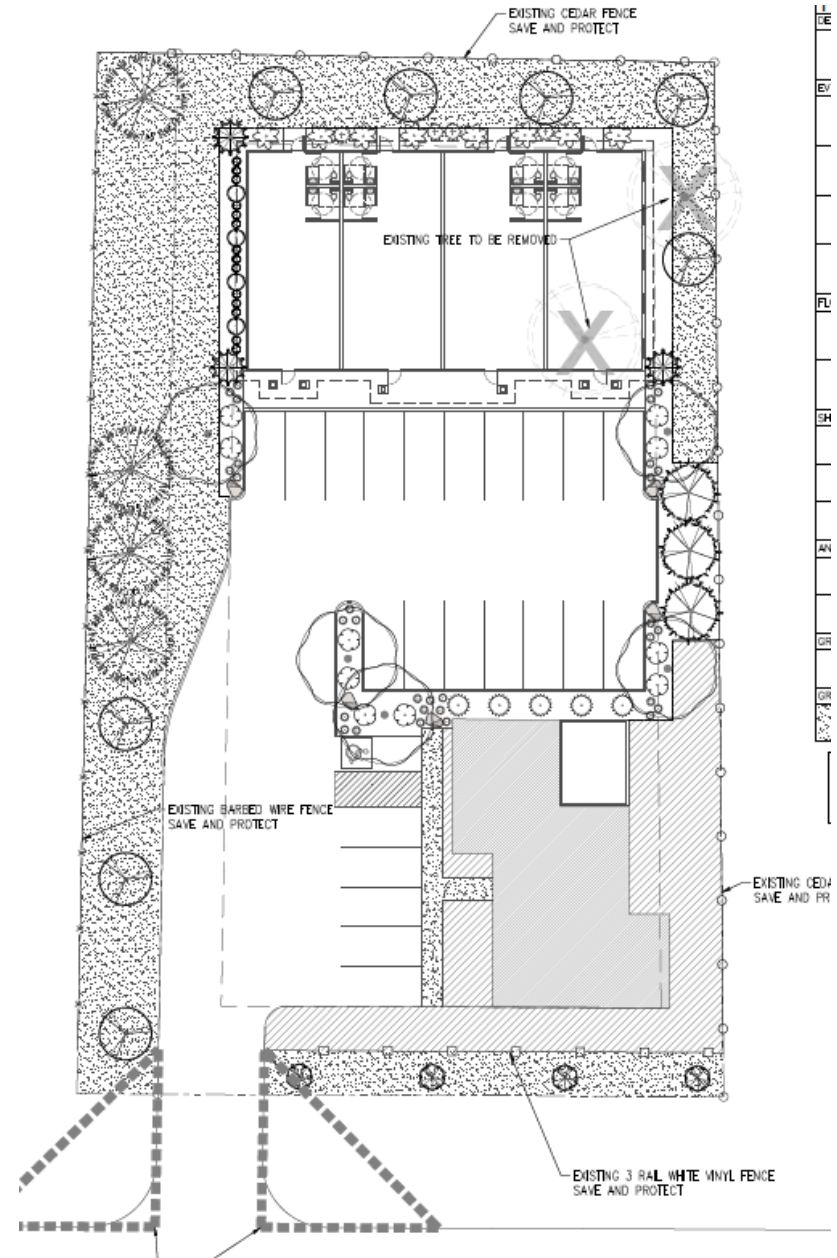
**Lighting:** Lighting must be downlit, and this should be a condition of approval.







Landscape design contains shade trees, shrubs and mulch.







**Utilities:** City services are already located on site and servicing the project.

**Parking:** Mini-Storage is considered an industrial use in Middleton (MCC 5-4-1, Table 1). Parking for an industrial use is very low. It is one stall for every 1.5 employees plus three additional parking stalls for visitors. (MCC 4-5-11.) Applicant has provided this parking pursuant to the earlier design review approval.

**Lighting:** Lighting must be downlit, and this should be a condition of approval.





## Conclusions and Recommended Conditions of Approval:

Applicant's Design Review application complies with the dimensions and standards of the Middleton City Code for M-U Zoning. If the Design Review Committee is inclined to approve the application, Planning Staff recommends the following Conditions of Approval:

1. Developer to widen Hwy 44 approach per ITD requirements.
2. Developer to provide a drive-aisle access to the east to allow connectivity to future commercial development to the east.
3. At submission of a building permit, Developer to provide City with a recorded document creating vehicle and pedestrian cross-access from the east and utility corridor to enable orderly connectivity to the east.
4. Parking stall dimensions to be 9' x 21'.
5. Developer to complete a City Sewer Treatment Survey Form for the Middleton Public Works Department.
6. Stormwater facilities plan to be submitted with building permit application.
7. All site lighting to be downlit or shielded downward.
8. Developer to construct an enclosed trash enclosure to specifications required by Republic Services.
9. Developer to install landscaping in compliance with landscape plan submitted with the application.





# THE SQUARE ON HARTLEY

Planning and Zoning Commission  
February 13, 2023



# THE SQUARE ON HARTLEY

## TIMELINE

**FALL 2022 – Meetings with City Staff**

**NOV 2022 – Neighborhood Meeting**

**DEC 2022 – Project Submittal**

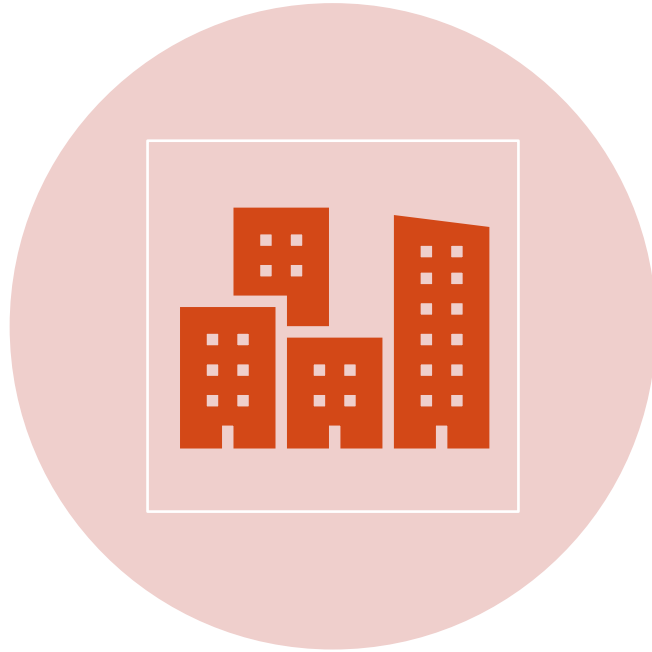
**FEB 2023 – P&Z Commission Hearing**

**Future – City Council Hearing**

# THE SQUARE ON HARTLEY

## BEFORE YOU TONIGHT

1. ANNEXATION/ZONING
  - Annex into Middleton, Zone request for C-2 (Light Commercial)
2. PRELIMINARY PLAT
  - 33 Building Lots, 1 Common Lot
3. DEVELOPMENT AGREEMENT
  - Adding conditions, site plan; to be finalized before City Council



WHAT DOES A PROJECT  
WITH C-2 ZONING AND  
FLEX SPACE USE LOOK LIKE  
IN MIDDLETON?



WHAT DOES THIS TYPE OF  
PROJECT PROVIDE FOR THE  
MIDDLETON COMMUNITY  
RESIDENTS?

# THE SQUARE ON HARTLEY

- Currently there is a general lack of Commercial resources in Middleton:
  - Where can I eat in Middleton?
  - Where can I conduct business?
  - Where can other community services be provided for my family and children?



# THE SQUARE ON HARTLEY

- Designed with 3 primary initiatives in mind for the community:
  - Affordable
  - Flexible
  - High-quality professional look to add to the Middleton City aesthetic
- We believe that the current Preliminary Plat submittal accomplishes all 3 developer and Middleton City initiatives.

5-4-1: LAND USE, SETBACK AND AREA TABLES:  
The regulations in the following tables shall apply to zoning districts:  
TABLE 1

LAND USE SCHEDULE

A = Allowed uses S = Special uses

Use 1,2	A-R	C-1	C-2	C-3	M-1	M-2	R-1	R-2	R-3	RRR	TOD	M-F	M-U
Use 1,2	A-R	C-1	C-2	C-3	M-1	M-2	R-1	R-2	R-3	RRR	TOD	M-F	M-U
Agricultural, general <sup>3</sup>	A				A	A	S						
Agricultural, residential <sup>4</sup>	A				A	A	S						
Amusement center (indoor)		S	A	A						A	A		S
Amusement center (outdoor)				S	S					A			
Animal grooming (small animal pets only)		A	A	A	A	A					A		A
Animals <sup>3,5</sup> (see section 8-1-17 of this Code)	A	A	A	A	A	A	A	A	A	A	A	A	A
Asphalt plant					S	S							
Assisted living		A	A	A			S	S	S			A	A
Auction, indoor				A	A	A							
Auction, outdoor				A	A	A							
Auto lube shop, emission testing			A	A	A	A							A
Auto sale, repairs, storage, rental			A	A	A	A							S
Bakery or bakery goods store		A	A	A	A	A				A	A		A
Bank, savings and loan, credit union		A	A	A	A					S			A
Bar			S	S	S						S		
Barber, beauty shop, spa		A	A	A	A	A				A	A	S	A
Bed and breakfast	A	A	A	A			S	S			A	A	A
Beverage bottling plant				A	A	A							
Broadcasting			A	A	A	A					A		
Building supply outlet				A	A	A							
Business park/office park		A	A	A							A		A
Cabinet shop			A	A	A	A							A
Car wash				A	A	A							S
Cement/clay products manufacturing				S	A	A							
Cemetery	A						A	A	A				A
Chemical storage and manufacturing				S	S	A							
Church or place of religious worship	A	A	A	A			S	S	S	S	A	A	A
Club or lodge		S	A	A	A						A		S
Community, youth, or activity center		A	A	A						A	A	A	A
Concrete batch plant						S							
Contractor's shop/storage yard				A	A	A							S
Convalescent/nursing home		A	A	A			S	S	S			S	S
Daycare center (13 or more children)		A	A	A	A		A	S	S		S	A	A
Daycare, facility (7 or more children unrelated to provider)		A	A	A	A		A	S	S		S	A	A
Daycare, family (6 or fewer children)		A	A	A	A		A	A	A		S	A	A
Daycare, group (7 - 12 children)		A	A	A	A		A	S	S		S	A	A
Drugstore/pharmacy		A	A	A	A					S	A		A
Dry cleaning		A	A	A	A					S	A		A
Equipment rental, equipment sales yard		S	A	A	A	A							S
Espresso/pastry shop		A	A	A	A	A				A	A		A
Farm equipment sales and service			A	A	A	A							
Feed supply store		S	A	A	A	A							S
Fitness center (indoor)		A	A	A	A	A				A	A		A
Flea market				S	S	S							
Furniture manufacturer				A	A	A							
Gas station/convenience store		S	A	A	A	A				S	S		S
Golf course/driving range	A	A	A	A	A	A	A	A	A	S		A	A
Government and public utility buildings		A	A	A	A	A	S	S	S			S	A
Grocery store/food		A	A	A							A		A
Home occupation	A						A	A	A		A	A	A
Hospital				A									S
Hotel/motel/inn			A	A	A						A		S
Industrial park					A	A							
Junkyard						A							
kennel					S	A							

# FLEX SPACE ALLOWABLE USES

- Barber, Beauty Shop, Spa
- Business Park, Office Park
- Cabinet Shop
- Community Youth or Activity Center
- Daycare
- Espresso or Pastry Shop
- Fitness Center
- Home Occupation
- Office or Laboratory, medical, dental, vision
- Photography Studio
- Real Estate Sales, Rental Management Office
- Restaurant
- Retail Stores and Services
- Studio, Dance, Music Voice

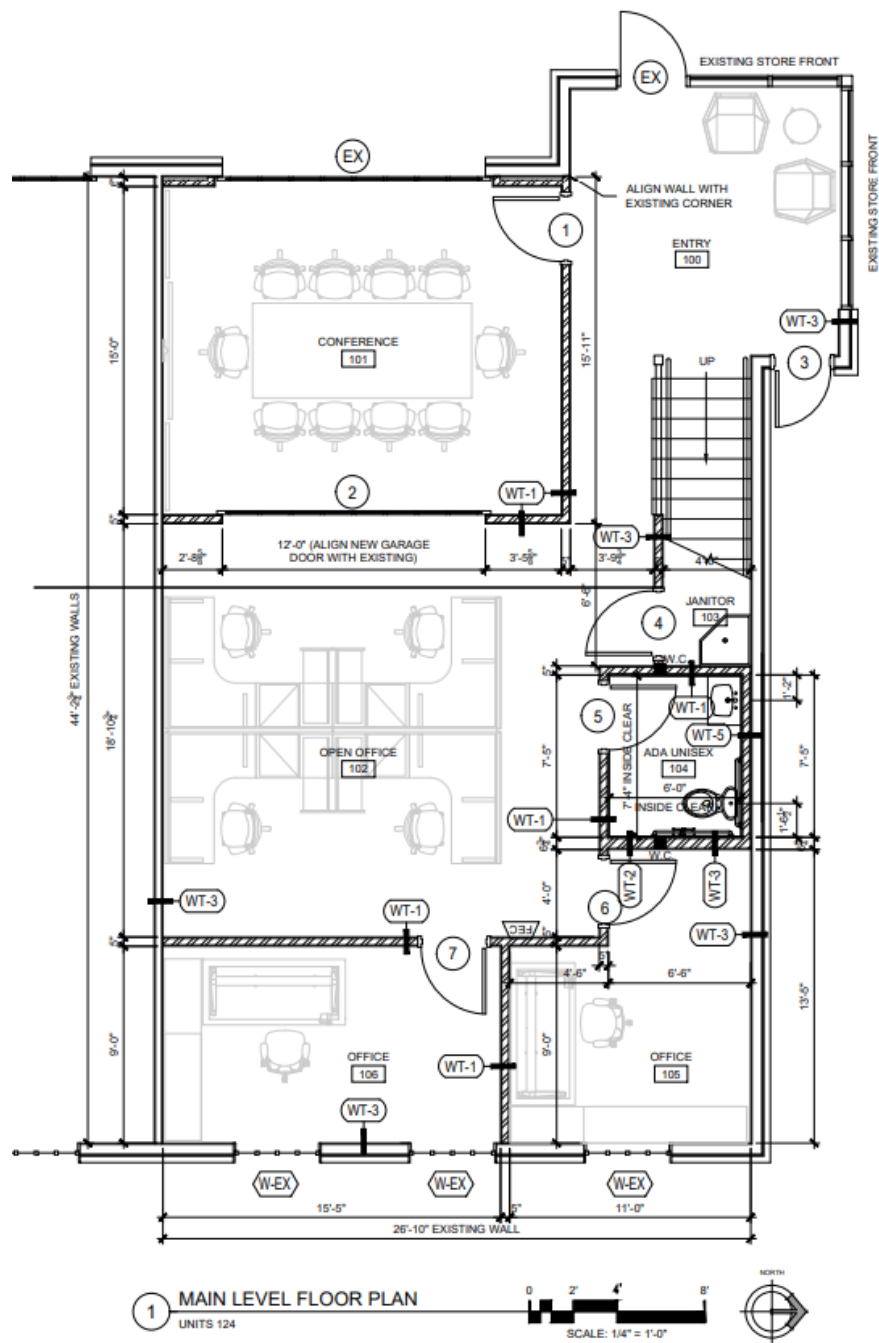




## SMALL AND MEDIUM SIZED ENTERPRISE TYPE 1 – “OFFICE INCUBATORS”

- Building A – SME’s (Small and Medium-Sized Enterprises)
  - 10 Units
  - 1144 sq ft Main Floor
  - 1144 sq ft Upper Floor
  - (26 x 44)
- Businesses that employ 5 or less employees

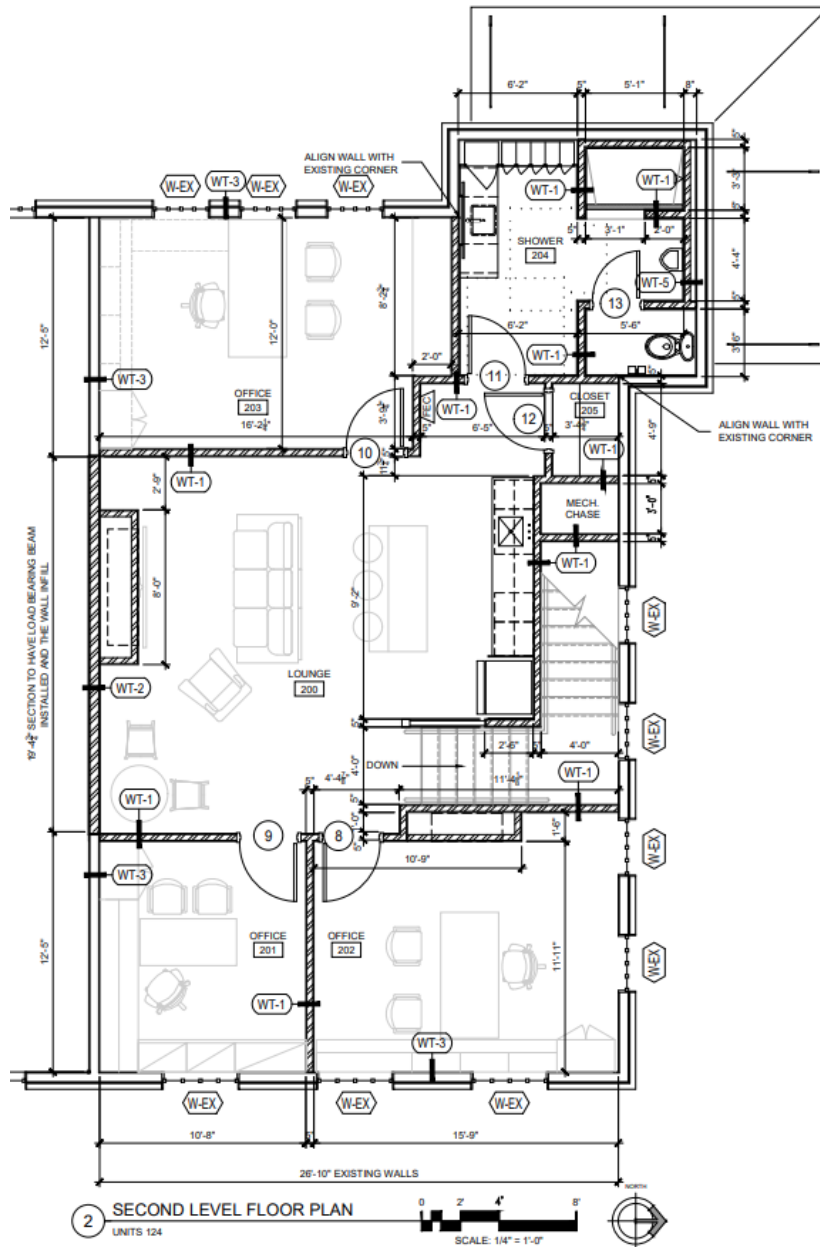




Main Floor Interior Build-out is completely flexible which may include:

- Foyer/Entry
- Conference Room
- Open Office Space
- Executive Offices





Upstairs area is also built for flexibility and may include:

- Additional open workspaces
  - Employee entertainment services (TV, couches, ping pong, pool, etc.)
  - Break room
  - Executive offices
- \*\* These upstairs offices are often subleased by the owner

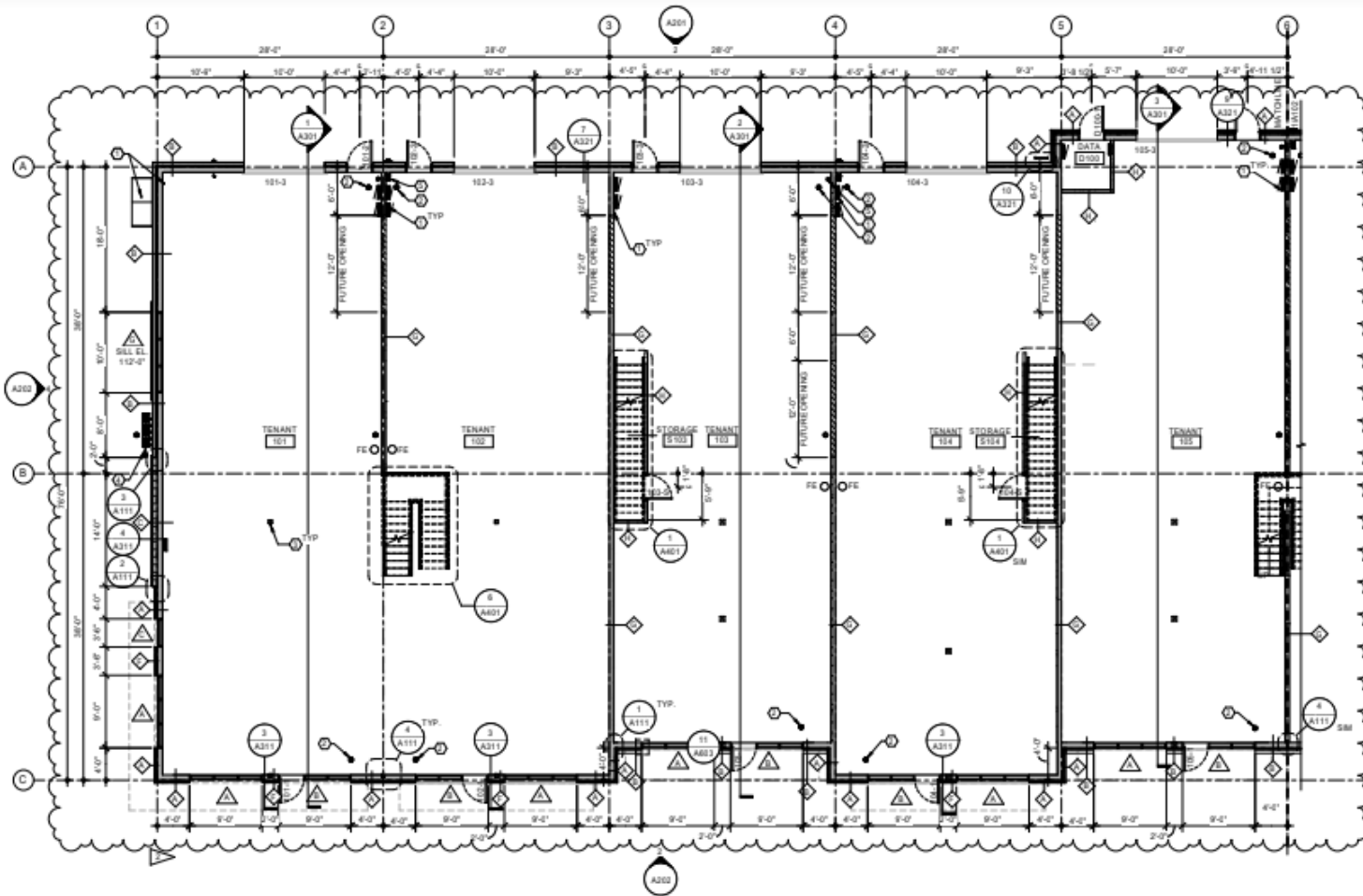




## MEDIUM SIZED ENTERPRISE TYPE 2 – “FLEX SPACE INCUBATORS”

- Buildings B, C, D
  - Medium Size Enterprises
  - 24 Units – 2160 sq. ft.
- 
- Buildings that employ 5 or less employees with an enhanced front and working area in the back





# TRADITIONAL REAR LOAD FLEX SPACE PRODUCT

## FLEX SPACE – Some Examples



- Enhanced Front
- Working Rear
- Pedestrian Traffic
- Higher-end Industrial Product





## Hybrid Use



Pretty in front  
Ugly in rear





# Hybrid Use



Office or reception up front  
Distribution in rear





## Hybrid Use



**Showroom up front**  
**Construction in rear**





# FLEX SPACE





FLEX SPACE – Also mixes uses  
in a single project:



- Restaurant
- Carpet Distribution
- Crossfit Gym





# THE SQUARE ON HARTLEY

Project Area

4.48 acres

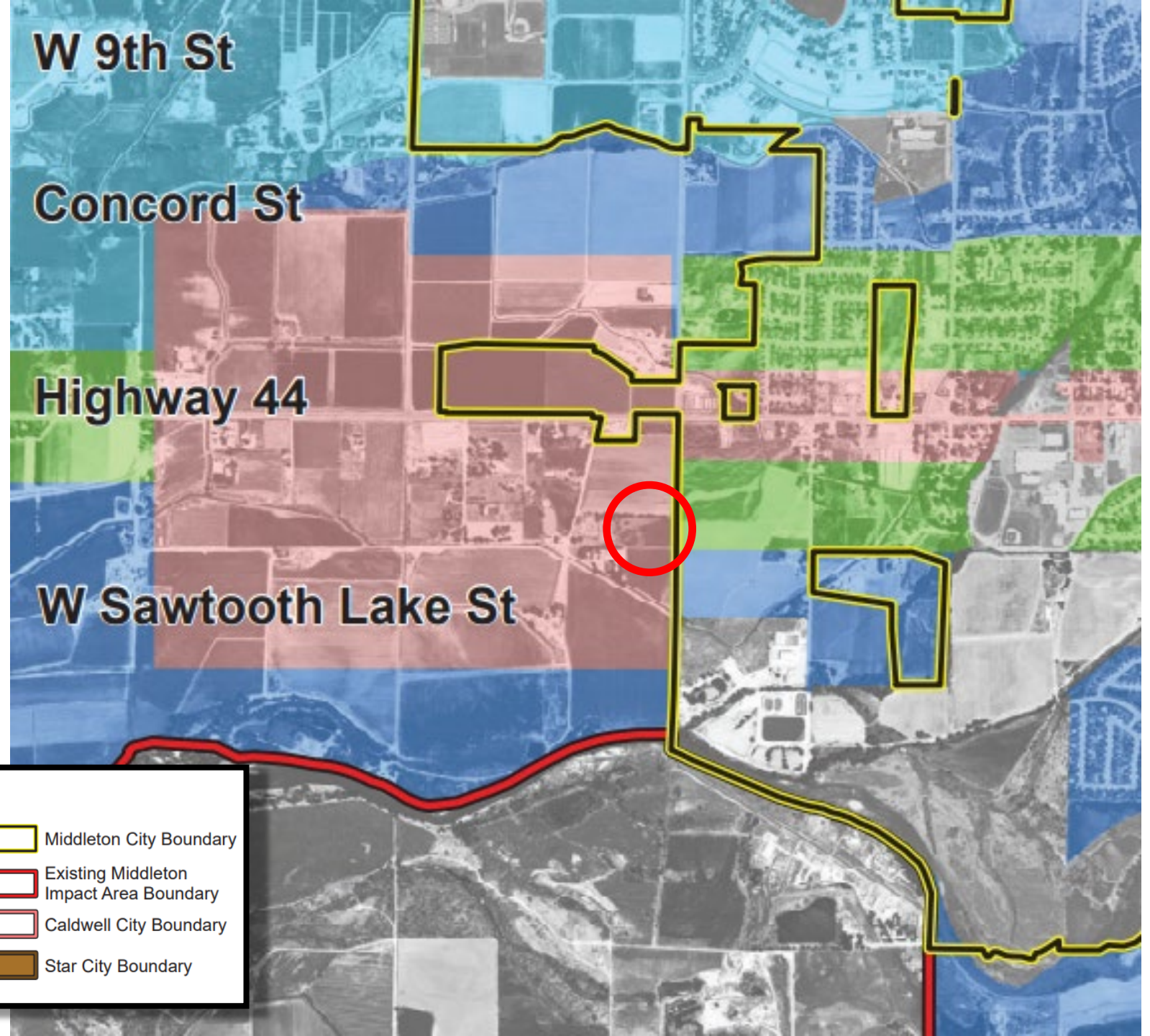




# THE SQUARE ON HARTLEY






## Future Land Use Map


 - Project Location







### EXPLANATION

#### Area

-  Commercial
-  Industrial
-  Mixed Use
-  Public
-  Residential

-  Residential - Special Area
- Subject to mandatory public-record disclosure: "Cost of development and flood hazard insurance may be higher because land is now, or in the future may be, in flood areas and/or high ground water areas."

-  Middletown City Boundary
-  Existing Middletown Impact Area Boundary
-  Caldwell City Boundary
-  Star City Boundary



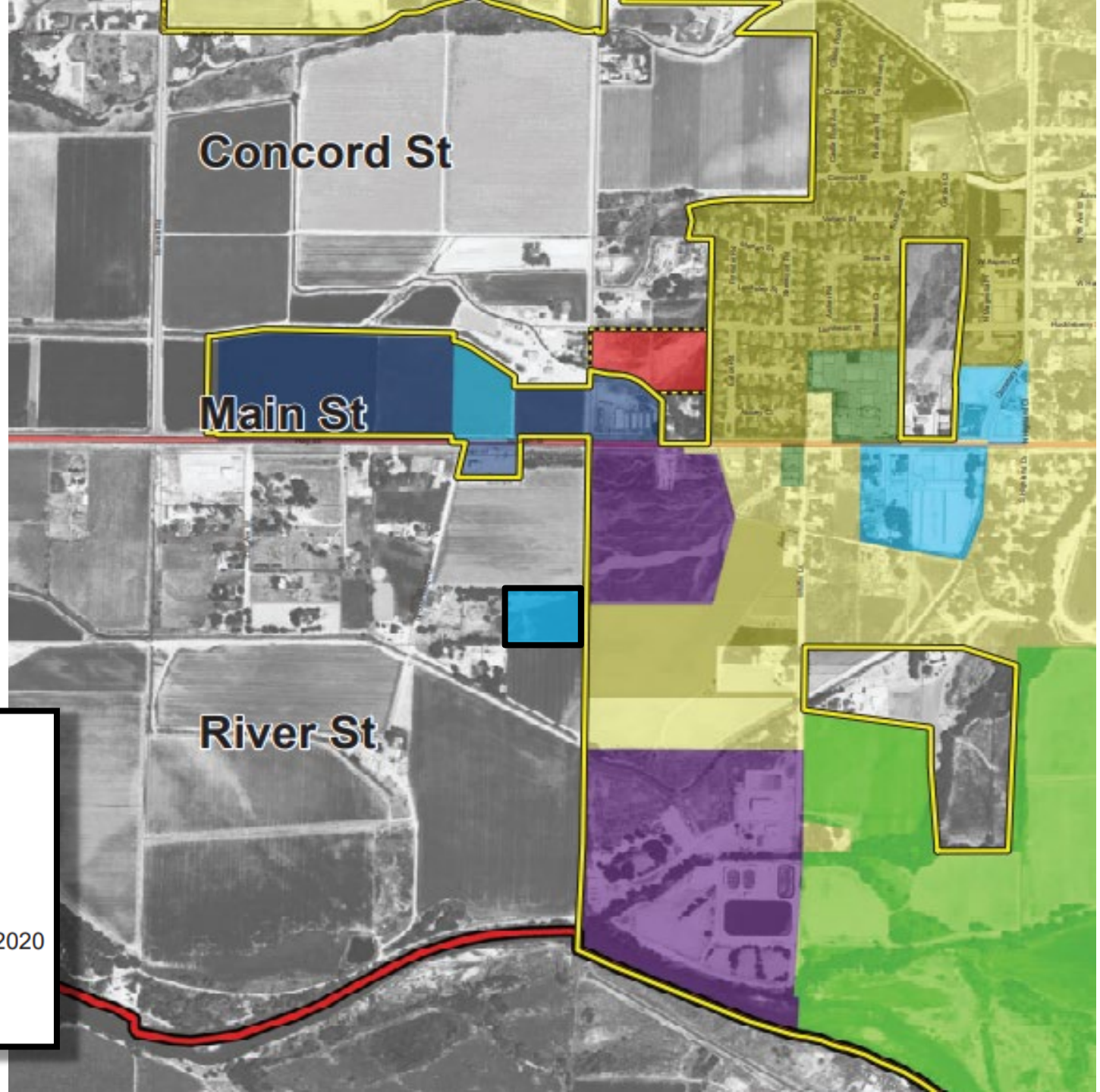
# THE SQUARE ON HARTLEY

## Zoning Map

Property Size:	4.48 acres
Building Lots:	33 (one per flex unit)

EXPLANATION		
Zoning		
A-R	M-U	Parcel Boundaries from Canyon County Assessor 2020-10-13
C-1	R-1	Middleton City Boundary
C-2	R-2	Parcels Annexed by City in 2020
C-3	R-3	Middleton City Impact Area
I-P	R-4	
M-1	R-4T	
	M-F	

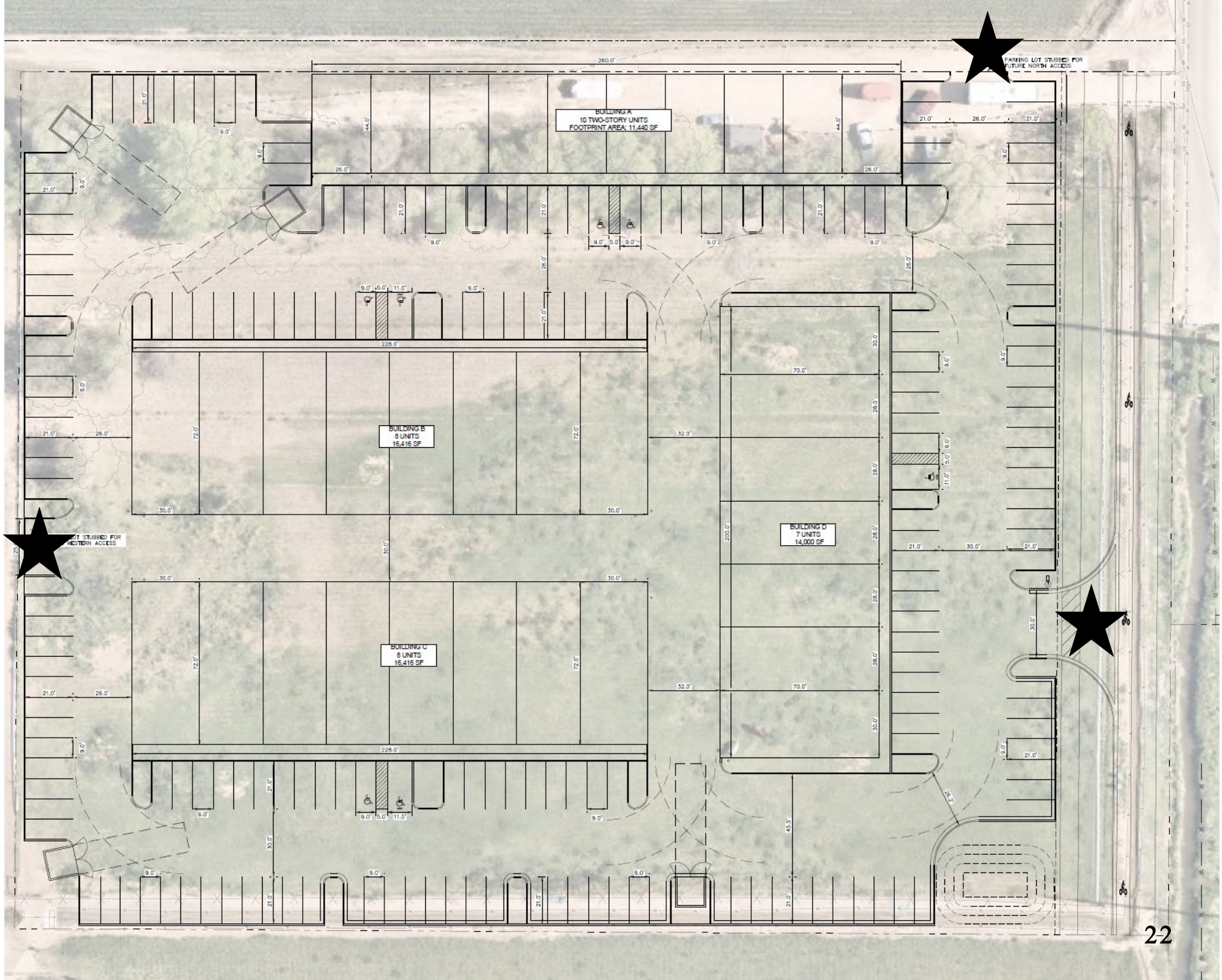
Revision Date: 2020-11-24





# THE SQUARE ON HARTLEY

Site Layout &  
Cross Access ➔ ★









# CONCEPTUAL ELEVATIONS







# CONCEPTUAL ELEVATIONS



# THE SQUARE ON HARTLEY

## STAFF REPORT RESPONSE

- Cross access to North and West will be preserved
- Applicant agrees to pay Pro-Rata Traffic fee of \$38,502
- DA provisions shall be adhered to

# THE SQUARE ON HARTLEY

## REQUESTED DECISION

Approval of the:

1. Annexation/Zoning
2. Development Agreement
3. Preliminary Plat





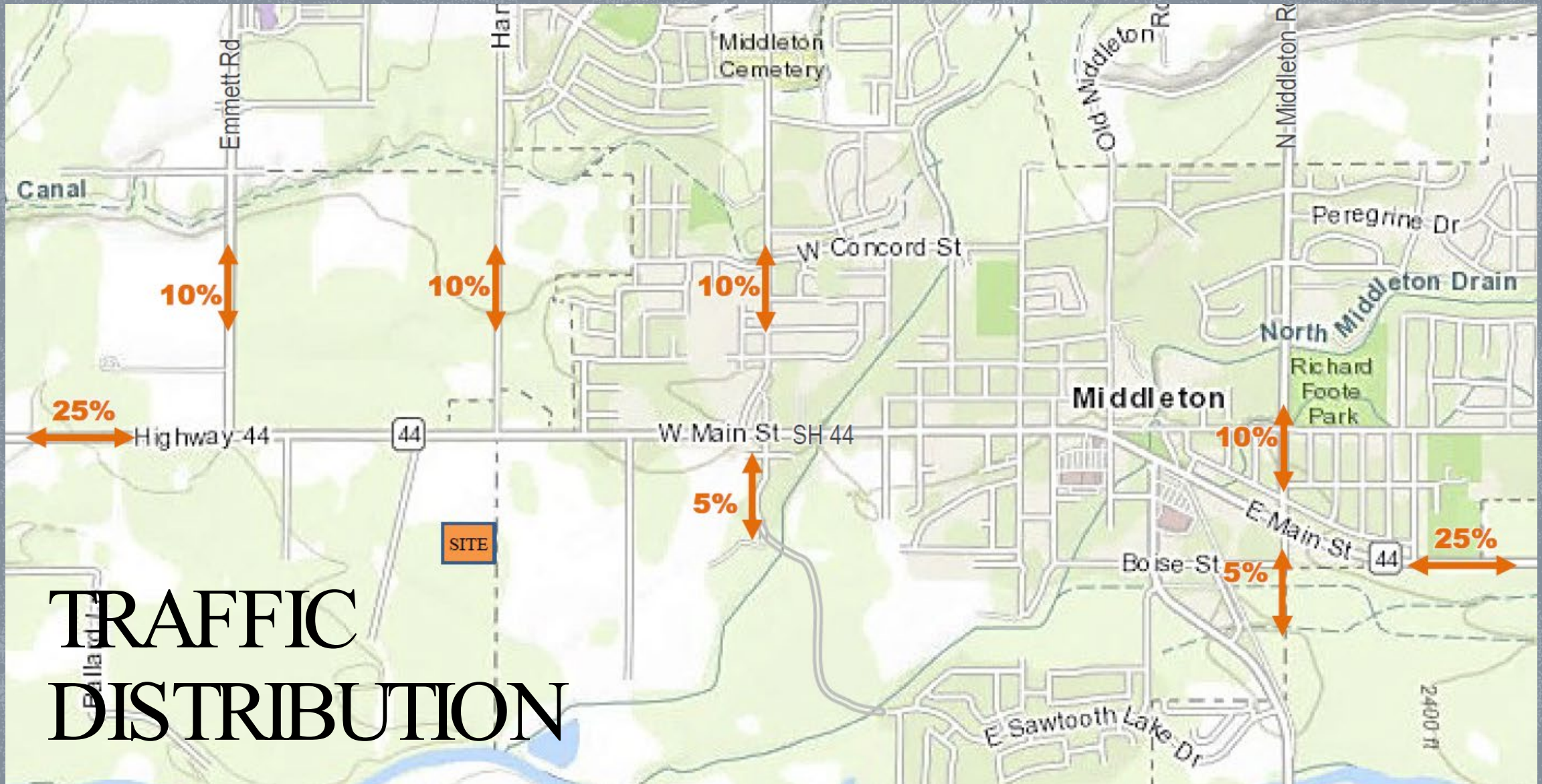
# SITE PHOTOS





# SITE PHOTOS





# TRAFFIC DISTRIBUTION

# Exhibit “E”



# Exhibit "E"

**From:** Pamela Patton  
**To:** Roberta Stewart  
**Subject:** Public Hearing on February 13  
**Date:** Friday, February 10, 2023 5:03:37 AM

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Good morning Roberta. Thank you for forwarding this for me.

This is in regards to the application to annex and rezone Parcel Number R3477301400 in Canyon County.

I strongly oppose this . I have been here about twenty years. It used to be peaceful. I do not want to look out at my pasture and see nothing but buildings and parking lots. Not to mention the traffic, people coming onto my property, the noise, and tons of lights on all night. The School and Tractor Supply are bad enough. This is AG land.

Thank you.

Sincerely,  
Pamela Patton



Please check

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## Public Comment