
**MIDDLETON CITY PLANNING AND ZONING
COMMISSION MINUTES
AUGUST 14, 2023**

Pledge of Allegiance, Roll Call & Call to Order: The August 14, 2023, Planning and Zoning Commission Meeting was called to order by Chairman Summers at 5:30 p.m. Commissioners Summers, Christiansen, and Watkins were present. Commissioner Crofts was absent. Planning & Zoning Official Ms. Stewart and Planning Deputy Clerk Ms. Day were also present.

Action Items:

1. **Consent Agenda (items of routine administrative business)**
 - a. **Consider approving minutes for June 12, 2023, regular meeting.**
 - b. **Consider approving the Findings of Facts, Conclusions of Law, and Recommendations (FCR) for the Mill Creek Plaza Rezone and Comprehensive Plan Map Amendment.**
 - c. **Consider approving the Findings of Fact, Conclusion of Law, and Recommendations (FCR) for the Curry Daycare Special Use Permit.**

Motion: Motion by Commissioner Christiansen to approve the consent agenda items 1a, 1b and 1c. Motion seconded by Commissioner Watkins and approved unanimously.

2. **Public Meeting: Consider approving the Applications by Patrick Connor/Hubble Homes for preliminary plat and Comprehensive Plan map amendment with respect to the Crossing South Subdivision located at 0 Purple Sage (Tax Parcel No. R37581012B0).**

Chairman Summers opened the public hearing at 5:34 p.m.

Ms. Stewart presented a PowerPoint presentation of the Staff Report. (Exhibit A)

Applicant presented their application.

Brief discussion between the commissioners, the applicant, and Ms. Stewart.

Chairman Summers opened public testimony at 6:07 p.m.

Lori Kelly: Testified

Lynna Bolton: Testified

Mike Graefe: Testified

Brief discussion between the Commissioners, the applicant, and Ms. Stewart.

Chairman Summers closed public testimony at 6:31 p.m.

Discussion by Commissioners and Ms. Stewart regarding approval.

Motion: Motion by Commissioner Christiansen to approve the application by Patrick Connor/Hubble Homes for preliminary plat and Comprehensive Plan map amendment with

respect to the Crossing South Subdivision located at 0 Purple Sage (Tax Parcel No. R37581012B0) with the conditions of approval set forth in the Staff Report for the hearing. Motion seconded by Commissioner Watkins and approved by Chairman Summer, Commissioner Christiansen, and Commissioner Warkins. Commissioner Tremble opposed approval.

Chairman Summers closed public hearing at 6:40 p.m.

3. Consider approval of the Design Review application for Pallet Warehouse building proposed for 11200 Bass Lane.

Ms. Stewart presented PowerPoint presentation of staff report. (Exhibit B)

The applicant presented his application and answered various questions from the Commissioners.

Brief discussion between the Commissioners, the Applicant and Ms. Stewart.

Discussion by Commissioners regarding conditions of approval.

Motion: Motion by Commissioner Tremble to approve the Design Review application for Pallet Warehouse building proposed for 11200 Bass Lane with the conditions of approval set forth in the Staff Report. Motion seconded by Commissioner Christiansen and approved unanimously.

Chairman Summer called for a brief break.

4. Consider approval of the Design Review application for The Cottages #2 proposed for 0 Hwy 44 / Parcel No. R17902201.

Ms. Stewart presented PowerPoint presentation of staff report. (Exhibit C)

The applicant presented his application and answered various questions from the Commissioners.

Motion: Motion by Commissioner Watkins to approve the Design Review application for The Cottages #2 proposed for 0 Hwy 44 / Parcel No. R17902201 with the conditions of approval set forth in the Staff Report. Motion seconded by Commissioner Tremble and approved unanimously.

5. Consider approval of the Design Review application for Dairy Queen proposed for 884 Bozic Street.

Ms. Stewart presented PowerPoint presentation of staff report. (Exhibit D)

The applicant presented his application and answered various questions from the Commissioners.

Discussion by Commissioners regarding conditions of approval.

Motion: Motion by Commissioner Tremble to approve the Design Review application for Dairy Queen proposed for 884 Bozic Street with the conditions of approval set forth in the Staff Report. Motion seconded by Commissioner Watkins and approved unanimously.

Public Comments, Commissioner and Staff Comments

Public Comments


Mike Graefe: Testified

Commissioners Comment

None

Adjourn: Chairman Summers adjourned the meeting at 7:36 p.m.


ATTEST:
Deputy Clerk, Planning


Heidi Summers, Chairman
Mark Christiansen

Approved: September 11, 2023

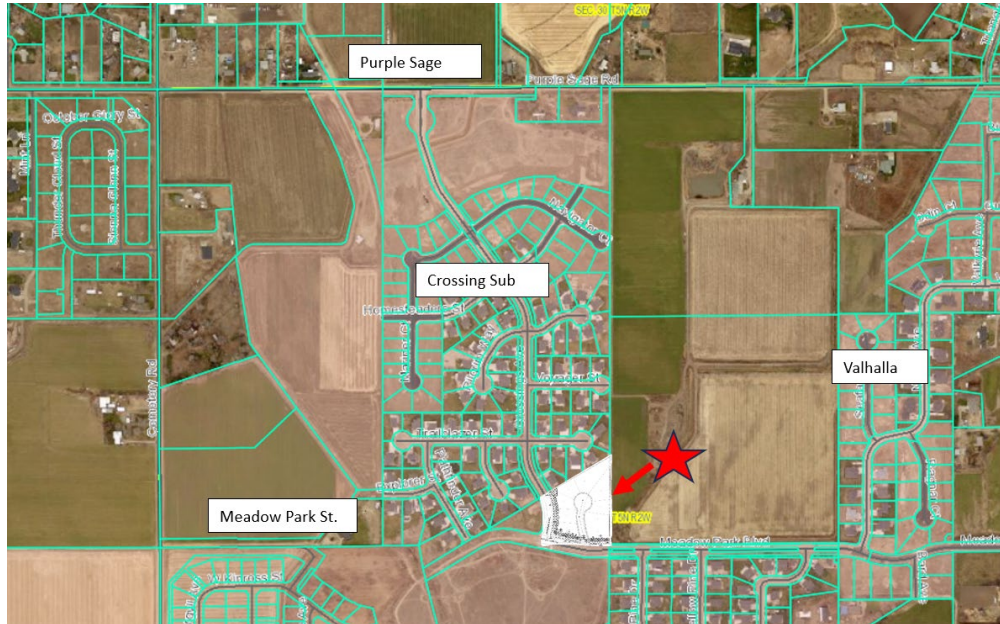
Exhibit “A”



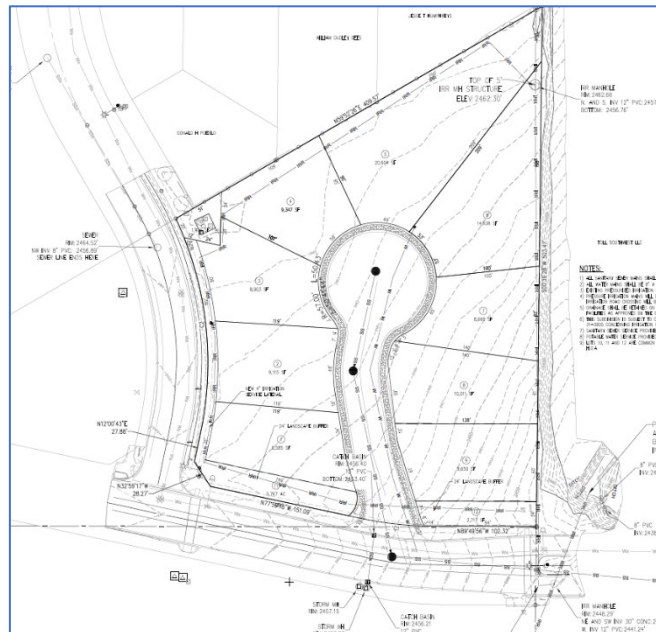
STAFF REVIEW AND REPORT

Middleton Planning and Zoning Commission

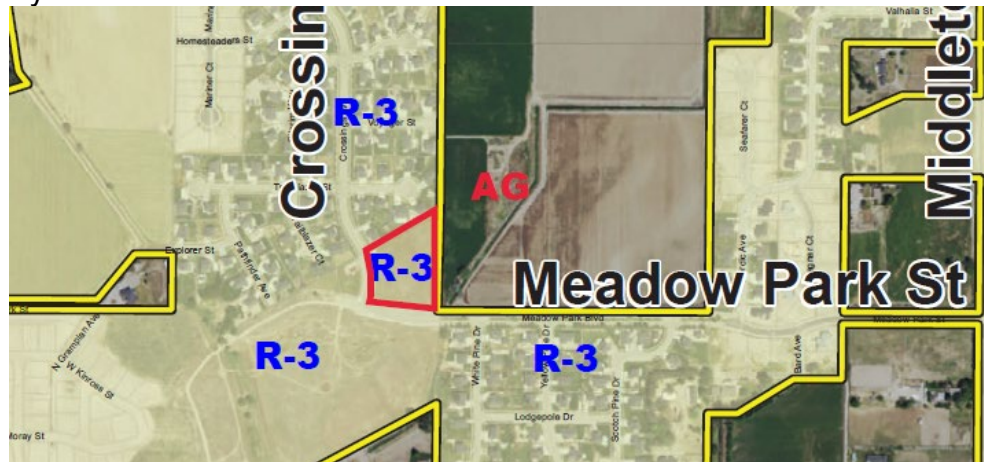
Crossing South Subdivision



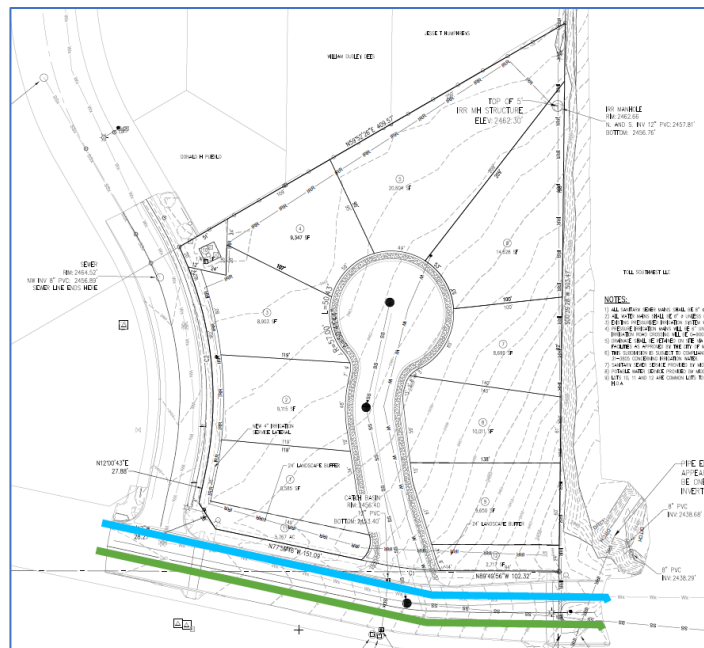
- A. Planning & Zoning Commission Hearing Date:** August 14, 2023
- B. Project Description:** Residential subdivision with nine single family home lots and three common lots on approximately three acres of vacant land located within City limits (0 Purple Sage / Tax Parcel No. R37581012B0).



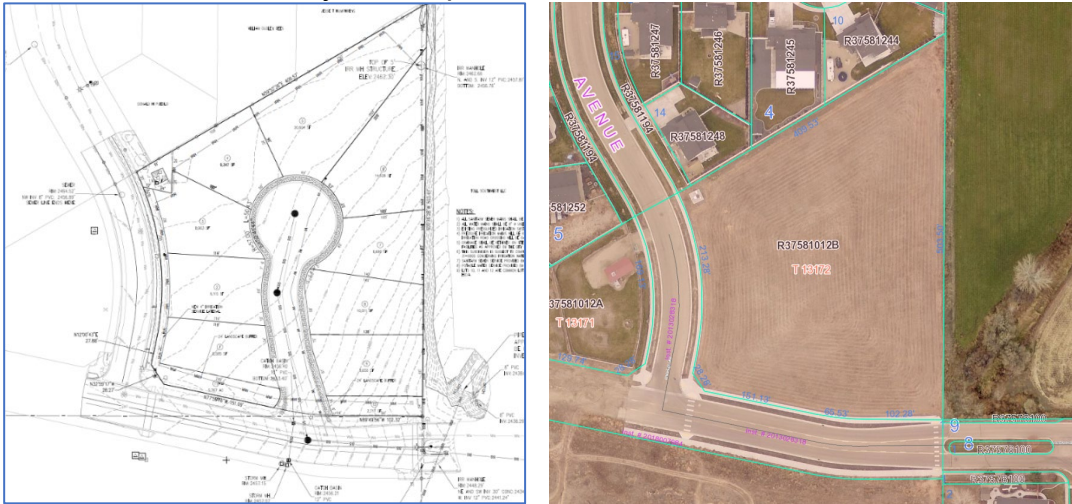
- C. Application Requests:** Developer is seeking approval of an application for preliminary plat and application to amend the Comprehensive Plan to change the Future Land Use Map.
- D. Current Zoning & Property Condition:** The property is within city limits and zoned R-3 (Single Family Residential). It is surrounded on three sides by City property zoned R-3. County property zoned Agricultural is located on the project's eastern boundary.



- E. City Services:** City water and sewer are easily accessible to the project. The utilities are located in Meadow Park Street and can be extended up Travelers Court to serve the subdivision.



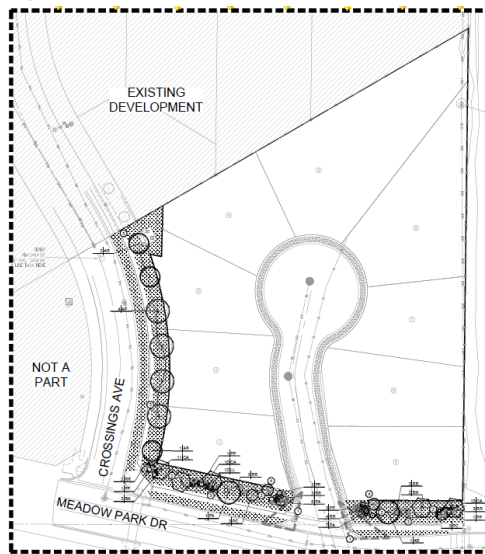
- F. Traffic, Access & Streets:** The subdivision has only one access, which is directly off Meadow Park Street. Frontage improvements have already been completed and will not need to be installed by Developer.



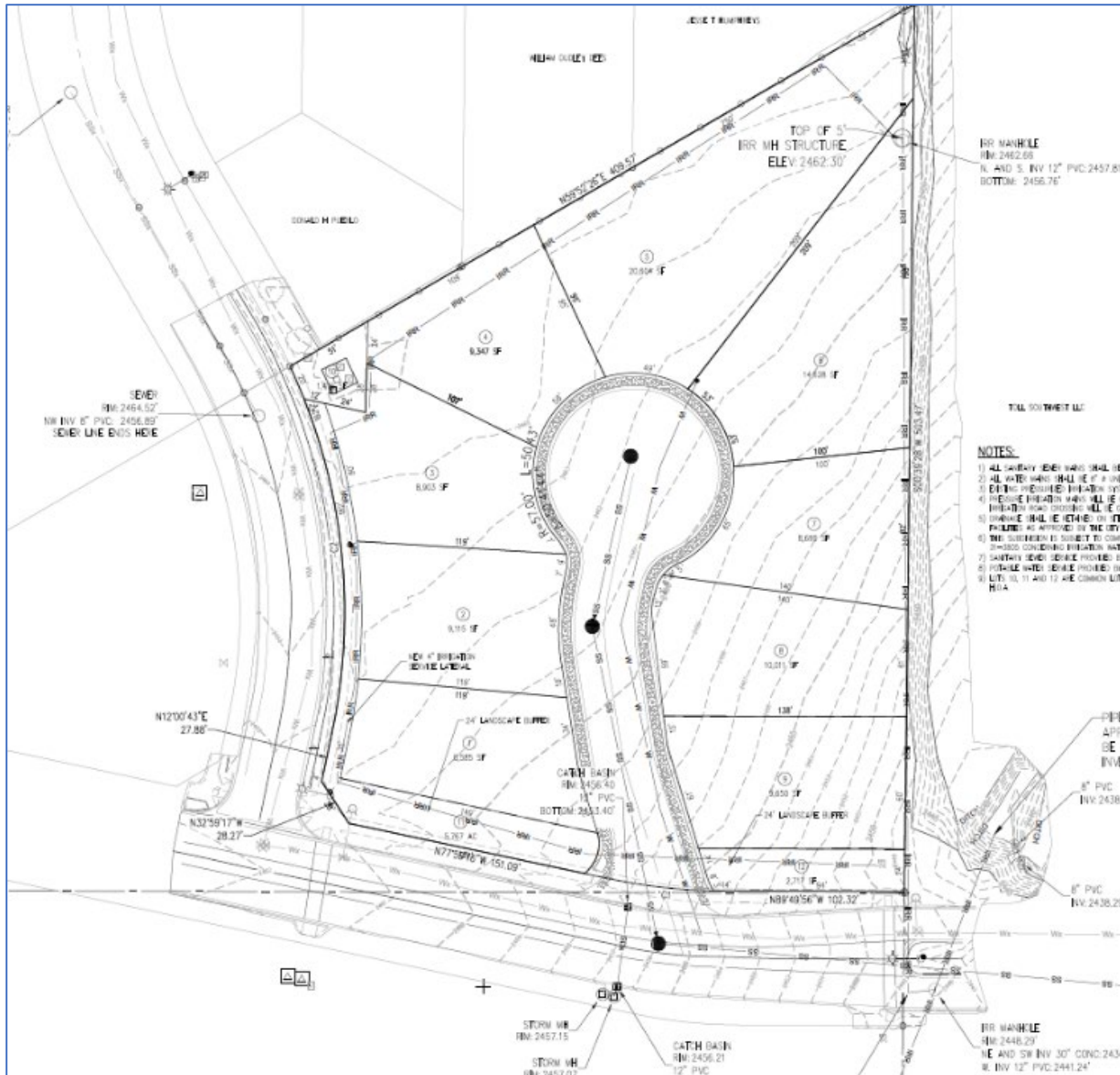
Because this development has less than 25 home sites, Developer will not be required to prepare a traffic impact study nor pay pro-rata traffic fees pursuant to MCC 5-4-3. However, Developer will contribute to the improvement of City roads by paying a \$5,050.00 in Mid-Star Traffic Impact fee for each building permit issued.

- G. Pathway, Sidewalks & Open Space:** Because the project parcel is less than five acres, Developer is not required to provide 5% open space. The City Comprehensive Plan does not require any City pathways or other amenities to be constructed on site.

The landscape plan provided shows an attractive 24' wide traffic buffer. As a condition of approval, Developer should be required to install the landscaping in compliance with the landscape plan dated April 20, 2023.



- H. **Preliminary Plat Application:** The preliminary plat shows a single phase for development, and it complies with all Middleton codes and standards for the R-3 Zone. No waivers from code are requested.

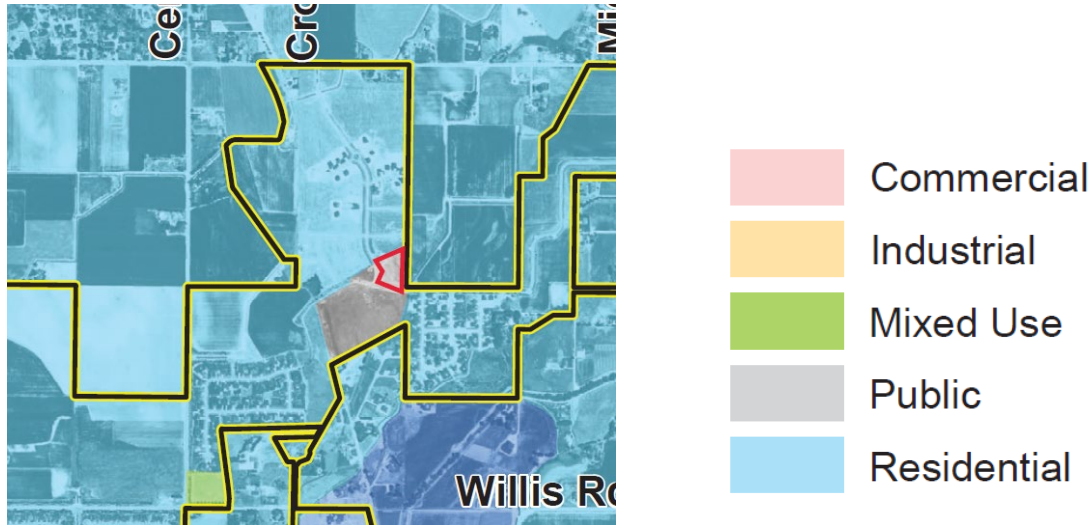


[A full copy of the proposed preliminary plat is attached as Exhibit "A".]

Findings:

Planning Staff finds that the preliminary plat complies with dimensional standards and requirements of the Middleton City Code, ISPMC, Supplement to ISPMC, and Idaho State Code except for the two waivers noted above.

- I. **Comprehensive Plan & Land Use Map:** Applicant is requesting a change to the Future Land Use Map (FLUM) that is part of the City's Comprehensive Plan. Currently, the project parcel is deemed "public" on the FLUM. It should be amended to reflect "Residential".



Any requested change to the Comprehensive Plan must be "in harmony" with the Comprehensive Plan. (MCC 1-14-3).

Finding: Staff finds that changing the FLUM designation for the project parcel from "public" to "residential" is in harmony with the Comprehensive Plan. The area surrounding the parcel is entirely residential, so the parcel is similar to its surroundings. Additionally, Council had decided earlier to sell the parcel, so changing the FLUM to match Council's earlier decision is a mere "housekeeping" procedure that will result in the Comprehensive Plan being accurate and up to date.

Additionally, Applicant's project complies with the *Goals, Objectives, and Strategies* of the 2019 Middleton Comprehensive Plan as follows:

- a. *Goal 4:* The project will establish a good quality of life with development that pays through impact fees and property taxes for the public services it receives when infrastructure is installed. Additionally, quality lots for residential use increase the quality of life and general welfare of the City.
- b. *Goal 6:* Water, sewer, and road systems will be expanded in an orderly manner consistent with population growth.
- c. *Goal 11:* The housing type matches the residents' lifestyle in the area the project is located.

- J. Comments Received from Surrounding Landowners:** None.
- K. Comments from Agencies:** Comments from Agencies are attached as Exhibit “B”.
- L. Comments from City Engineer & Planner:** See Exhibit “C”.
- M. Applicant Information:** Application was accepted on May 10, 2023. Applicant is Patrick Connor / Hubble Homes. 701 S. Allen St. #104, Meridian ID 83642.
- N. Notices & Neighborhood Meeting:**
- | | Dates: |
|---|---------------|
| Newspaper Notification | 7/30/2023 |
| Radius notification mailed to Adjacent landowners within 500’ | 7/27/2023 |
| Circulation to Agencies | 7/27/2023 |
| Sign Posting property | 7/28/2023 |
| Neighborhood Meeting | 4/18/2023 |
- O. Applicable Codes and Standards:**
- Idaho Standards for Public Works Construction, the Middleton Supplement to the Idaho Standards for Public Works Construction, Middleton City Code 1-14, 1-16, 5-1, 5-2, 5-3, and 5-4, an Idaho Code Title 67, Chapter 65.
- P. Conclusions and Recommended Conditions of Approval:**
- The Planning & Zoning Commission is tasked with considering the applications and making recommendations to City Council for approval or denial of the applications. Approval can be with or without conditions.
- Per State law and the Middleton City Code, any recommendation must be based upon general facts and conclusions of law.
- As to General Facts,** Planning staff has set forth general facts above in parentheses.
- As to Conclusions of Law,** Planning Staff finds that the Planning & Zoning Commission has the authority to hear this application and to recommend approval or denial of the application. Additionally, Planning Staff notes that all public notice requirements were met. Planning Staff further set forth the portions of the Idaho State

Code and Middleton Code to be considered in making a recommendation on the applications.

If the Commission is inclined to recommend approval of the preliminary plat and comprehensive plan map amendment applications, then Planning Staff recommends that any approval be subject to the following conditions:

1. City of Middleton municipal domestic water, fire flow and sanitary sewer services are to be extended to serve the subdivision.
2. Developer to install landscaping in compliance with the landscape plan dated 4/20/2023.
3. Developer shall create a plan for operation, maintenance and repair of stormwater facilities (O&M Plan) contained on the project site. The O&M Plan shall be recorded with the CC&Rs. Developer and/or HOA must maintain and operate the subdivision stormwater facilities in compliance with the O&M Plan.
4. All City Engineer review comments are to be completed and approved.
5. All Planner comments are to be completed and approved.
6. All requirements of the Middleton Rural Fire District are to be completed and approved.
7. Sewer and water capacity to be reserved no earlier than City Engineer's approval of the construction drawings for the project.

Finally, if the Commission recommends denial of the applications, then pursuant to Middleton City Code 1-14(E)(8), the Commission should state on the record what Applicant can do, if anything, to gain approval of the application(s).

Prepared by Middleton Planner, Roberta Stewart

Dated: 8/1/2023

EXHIBIT A

PRELIMINARY PLAT

EXHIBIT B
AGENCY COMMENTS

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

May 19th, 2023

City of Middleton
Attn: Roberta Stewart
P.O. Box 487, 1103 W. Main St
Middleton, ID 83644
(208) 585-3133

RE: Preliminary Plat. Parcel No. R37581012B0
Applicant: Patrick Connor at Providence Properties, LLC
Planner: Roberta Stewart

The Black Canyon Irrigation District (District) has reviewed the preliminary documents to be provided with the upcoming application. The District has the following comments:

- The developer needs to fill out and submit an electronic Intake Form found on the District's website (<https://blackcanyonirrigation.com/development>). The Development page also describes the typical development review process, fees, and any other requirements needed from the developer. This action is typically performed prior to pre-plat approval by the District. We request that the City withhold acceptance of the preliminary plat until the Developer has completed this step with the District.
- Tax parcel R37581012B0 is located within District's boundary. According to our records, the District does not have any physical irrigation facilities directly on or adjacent to this parcel. The preliminary plat shows irrigation lines and which are assumed to be private.
- The records show that this parcel receives irrigation water from the District. As long as this property has irrigation water attached to it, an irrigation system with an adequate overflow needs to be installed to ensure the delivery of irrigation water to each lot and/or parcel of land entitled to receive irrigation water. It is assumed that this parcel will be irrigated from the adjacent subdivision's pressurized system, however this needs to be clarified through the District's intake form.
- Prior to finalizing the plat for the proposed subdivision, the District will need to disperse existing irrigation rights amongst property owners. The District will need to work with the Developer to determine irrigable acres and corresponding accounts for the new subdivision lots. We request that the City withhold the final plat until the Developer has resolved this step with the District.

The applicant should also consider the following when laying out the subdivision:

- Any and all maintenance road right-of ways, lateral right-of ways and drainage right-of ways will need to be protected (including the restriction of all encroachments). Also, any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Reclamation), once approved by the District, to cross over or under any existing lateral, pipe any lateral or encroach in any way the right-of ways of the District or the Reclamation.
- Runoff and drainage from the proposed land splits should be addressed as well to ensure downstream users are not adversely affected by the proposed land use changes.

Please reach out if you have any additional questions. Thank you for the opportunity to comment.

Thank You,

Donald Popoff

Donald Popoff P.E.
District Engineer
Black Canyon Irrigation District

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

August 8th, 2023

City of Middleton
Attn: Roberta Stewart
P.O. Box 487, 1103 W. Main St
Middleton, ID 83644
(208) 585-3133

RE: Preliminary Plat. Parcel No. R37581012B0
Applicant: Patrick Connor at Providence Properties, LLC
Planner: Roberta Stewart

The Black Canyon Irrigation District (District) has reviewed the updated preliminary plat submitted for the Public Hearing for the Crossing South Subdivision. The District had previously submitted their comments to the City of Middleton on May 19th, 2023. After reviewing the updated preliminary plat provided to us on July 27, 2023, the District has the following comments based on our previous responses (update for your convenience).

- The developer needs to fill out and submit an electronic Intake Form found on the District's website (<https://blackcanyonirrigation.com/development>). The Development page also describes the typical development review process, fees, and any other requirements needed from the developer. This action is typically performed prior to pre-plat approval by the District. We request that the City withhold acceptance of the preliminary plat until the Developer has completed this step with the District.
 - o *The Developer submitted District's Intake Form to begin Development Review/Involvement process. **Item completed by Developer.***
- Tax parcel R37581012B0 is located within District's boundary. According to our records, the District does not have any physical irrigation facilities directly on or adjacent to this parcel. The preliminary plat shows irrigation pipelines which are assumed to be private.
 - o *This statement remains unchanged.*
- The records show that this parcel receives irrigation water from the District. As long as this property has irrigation water attached to it, an irrigation system with an adequate overflow needs to be installed to ensure the delivery of irrigation water to each lot and/or parcel of land entitled to receive irrigation water. It is assumed that this parcel will be irrigated from the adjacent subdivision's pressurized system, however this needs to be clarified through the District's intake form.
 - o *The Developer stated that the irrigation water for this subdivision will be provided from the existing pressure irrigation pump station from the Crossing at Meadow Park.*
 - o *The District is required to provide water to the new subdivision lots. As the subdivision development approaches final plat, the District will create accounts for each new lot to provide irrigation water. The District will reach out to the Developer and provide invoice to complete this task.*
- Prior to finalizing the plat for the proposed subdivision, the District will need to disperse existing irrigation rights amongst property owners. The District will need to work with the Developer to determine irrigable acres and corresponding accounts for the new subdivision lots. We request that the City withhold the final plat until the Developer has resolved this step with the District.
 - o *This statement remains unchanged.*

The applicant should also consider the following when laying out the subdivision:

- Any and all maintenance road right-of ways, lateral right-of ways and drainage right-of ways will need to be protected (including the restriction of all encroachments). Also, any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Reclamation), once

BLACK CANYON IRRIGATION DISTRICT

approved by the District, to cross over or under any existing lateral, pipe any lateral or encroach in any way the right-of ways of the District or the Reclamation.

- *This statement remains unchanged. The District does not have any maintenance road right of way or other easements within this proposed subdivision.*
- Runoff and drainage from the proposed land splits should be addressed as well to ensure downstream users are not adversely affected by the proposed land use changes.
 - *This statement remains unchanged.*

Please reach out if you have any additional questions. Thank you for the opportunity to comment.

Thank You,

Donald Popoff

Donald Popoff P.E.
District Engineer
Black Canyon Irrigation District

From: [Chris Hopper](#)
To: [Roberta Stewart](#); [ITD - Development](#); [Lenny Riccio](#); [Permits](#); [Don Popoff](#); [Carl Hayes \(Black Canyon\)](#); [Tyler Chamberlain](#)
Cc: [Amy Woodruff](#)
Subject: RE: New Middleton Subdivision Application - Crossing South
Date: Wednesday, May 17, 2023 1:34:57 PM
Attachments: [image002.png](#)

Thanks Roberta.

CHD4 has no comment on the project as it does not directly impact any roads maintained by the highway district.

Respectfully,

Chris Hopper, P.E.

District Engineer

Canyon Highway District No. 4
15435 Hwy 44
Caldwell, Idaho 83607
208-454-8135

From: Roberta Stewart <rstewart@middletoncity.com>
Sent: Wednesday, May 17, 2023 1:28 PM
To: ITD - Development <D3Development.services@ITD.idaho.gov>; Chris Hopper <CHopper@canyonhd4.org>; Lenny Riccio <LRiccio@canyonhd4.org>; Permits <permits@starfirerescue.org>; Don Popoff <dpopoff@rh2.com>; Carl Hayes (Black Canyon) <carl@blackcanyonirrigation.com>; Tyler Chamberlain <tyler@blackcanyonirrigation.com>
Cc: Amy Woodruff <amy@civildynamics.net>
Subject: New Middleton Subdivision Application - Crossing South

Hi All: Hubble Homes recently submitted this application for a preliminary plat known at Crossing South. It involves 9 single family lots on 3 acres. There is no need to do a traffic study. We are shooting for the first hearing before P&Z on August 14th. You'll give you the legally required 15 day "agency notice" as we get closer to that date, but I still want to get this application to you sooner than later so we can address any issues that might arise. Thanks,

Roberta L. Stewart

PLANNING & ZONING OFFICIAL
City of Middleton, Planning & Zoning
1103 W. Main St.
P.O. Box 487
Middleton, ID 83644

From: [Niki Benyakhlef](#)
To: [Don Popoff](#); [Roberta Stewart](#); [D3 Development Services](#); [Chris Hopper](#); [Lenny Riccio](#); [Permits](#); [carl@blackcanyonirrigation.com](#); [tyler@blackcanyonirrigation.com](#)
Cc: [Amy Woodruff](#)
Subject: RE: New Middleton Subdivision Application - Crossing South
Date: Friday, May 26, 2023 8:51:36 AM
Attachments: [image002.png](#)
[image003.png](#)

Good Morning, Roberta –

Thank you for sending this for our review. After careful review of the Crossing South application, the Department has no comments or concerns to make at this time. Due to the size and distance from SH-44 minimal impact is anticipated.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Don Popoff <dpopoff@rh2.com>
Sent: Friday, May 19, 2023 4:50 PM
To: Roberta Stewart <rstewart@middletoncity.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Chris Hopper <CHopper@canyonhd4.org>; Lenny Riccio <LRiccio@canyonhd4.org>; Permits <permits@starfirerescue.org>; carl@blackcanyonirrigation.com; tyler@blackcanyonirrigation.com
Cc: Amy Woodruff <amy@civildynamics.net>
Subject: RE: New Middleton Subdivision Application - Crossing South

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Roberta –

Please see the attached comments.

Please let me know if you have any questions and thanks for the additional time for response.

Thanks

Don

District Engineer

Black Canyon Irrigation District



Donald Popoff PE

Nampa Office Manager | RH2 Engineering, Inc.

16150 N. High Desert Street

Suite 201

Nampa, Idaho 83687

C: 208.807.0015

O: 208.563.2280

dpopoff@rh2.com

www.rh2.com

From: Roberta Stewart <rstewart@middletoncity.com>

Sent: Wednesday, May 17, 2023 1:28 PM

To: ITD - Development <D3Development.services@ITD.idaho.gov>; Chris Hopper <CHopper@canyonhd4.org>; Lenny Riccio <LRiccio@canyonhd4.org>; Permits <permits@starfirerescue.org>; Don Popoff <dpopoff@rh2.com>; carl@blackcanyonirrigation.com; tyler@blackcanyonirrigation.com

Cc: Amy Woodruff <amy@civildynamics.net>

Subject: New Middleton Subdivision Application - Crossing South

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Roberta L. Stewart

PLANNING & ZONING OFFICIAL

City of Middleton, Planning & Zoning

1103 W. Main St.

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Middleton, ID 83644

Tele - (208) 585-3133

Fax – (208) 585-9601

rstewart@middletoncity.com

www.middleton.id.gov

EXHIBIT C

ENGINEERING & PLANNER COMMENTS



June 1, 2023

TO: Roberta Stewart, Planner

FROM: Amy Woodruff, PE, Civil Dynamics PC
City Engineer

RE: Crossing South Subdivision –Preliminary Plat

Thank you for the opportunity to review the above referenced preliminary plat submittal. Every effort was made to identify all the review comments, some comments may overlap with planning comments, and additional comments may come up as the application goes forward.

MCC 5-4-4.2. a. Please add bearing and distance to section corner, quarter corner or monument of record.

MCC 5-4-4.2. c. Adding phasing plan if applicable or note all lots developed in one phase.

MCC 5-4-4.2. f. Revise topography to clearly show existing.

1. Either eliminate lines (assumed existing) or label.
2. Please use 2ft contours.
3. Add benchmark information.

MCC 5-4-4.2.g. Show existing irrigation infrastructure for parcel and relocation if applicable. Irrigation existing and irrigation proposed is not clear.

MCC 5-4-4.2. h.

1. Dimension rights of way, including existing, and clearly label/name every road/street.
2. Show Meadow Park improvements clearly. Add proposed street intersection.
3. Show existing easements including existing irrigation and Black Canyon Irrigation District facility.

MCC 5-4-4.2. i. Add name, book, page of recorded adjacent subdivision.

MCC 5-4-4.2. j. Add zoning for adjacent parcels.

MCC 5-4-4.2 a and l. The boundary is required to be surveyed and stamped by PLS including ties to corners.

MCC 5-4-4.2. n

1. Add a note addressing installation of fiber optic network.
2. Add note hydrant location and configuration to be reviewed and approved by Middleton Rural Fire Protection District.



MCC 5-4-10-2. o.

1. Revisit lot dimensions and the boundary.
2. It is not possible to determine the boundary as submitted and the lot dimensions are not correct.
3. Number lots consecutively, clockwise.
4. Add block number.

MCC 5-4-4.3. a

1. Sewer extension to existing is required to be in right of way. Label existing manhole/sewer and direction of flow. The area as-built utility plan (pdf) is included with this summary.

MCC 5-4-4.3. b

1. Connect to existing water main at 90d and add three valves.

MCC 5-4-4.3.c

1. Stormwater. Plan to manage a 100 year/1 hour storm using retention facilities only. No subsurface. The front half of the lot C value is 0.60, the rights of way/impervious (all) are 0.95 – use a composite of both. All stormwater management facilities require pretreatment, all infrastructure to be shown on preliminary plat. Stormwater facilities are owned by HOA and the provisions for maintenance laid out in CCRs. Identify lots to be used for stormwater management and add note.

Add note detailing all irrigation and/or drainage to be located/relocated out of rights of way. Facilities may cross right of way at 90d.

Note 6. Expand to address Idaho Code 31-3805(b). Identify irrigation district and whether lots are subject to assessment. Show the irrigation system layout and point of diversion/pump station location.

Add note identifying easements required per code.

Add note: No lot access to Meadow Park or Crossings Ave.

Add mailbox cluster location.

Add a note: exterior boundary is required to be fenced in accordance with approved fencing plan.

Add centerline radii and intersection radii.

Add typical section for the local road.

Add typical section for the traffic buffer.



July 6, 2023

TO: Roberta Stewart, Planner

Cc: NV5, Matt Munger, PE
Patrick Connor

FROM: Civil Dynamics PC, City Engineer
Amy Woodruff, PE

Amy J Woodruff

RE: Crossing South Subdivision – Revised Preliminary Plat

Thank you for the opportunity to review the revised preliminary plat submittal.

1. It is not possible to retrace the boundary as presented. Please add bearing and distance to section corner, quarter corner or monument of record so the boundary can be verified. Add point of beginning. Conform situate to the boundary description.
2. Add benchmark information. I am not able to find it on plat.
3. Identify easements for utilities and irrigation. Minimum 10 ft front, 10 ft rear and 5 ft each side of lot line. Add easement(s) required by Black Canyon Irrigation.
4. Confirm Meadow Park Boulevard is 39ft half right of way.
5. Stormwater. The City has not approved a variance from retention facilities to date. Can the retention area be developed north/south with the contour?

From: [Amy Woodruff](#)
To: [Kiera Van Patten](#); [Roberta Stewart](#)
Cc: [Matt Munger](#); pconnor@hubblehomes.com
Subject: RE: CROSSING SOUTH - COMMENTS FOR REVISED PLAT
Date: Tuesday, July 25, 2023 2:17:15 PM

Roberta, Kiera and Matt, thank you for the resubmittal. Follow up comments are summarized below:

1. Please show the benchmarks on plat/plan view. If already on plat, please tell me where – they are listed but I can't locate them.
2. Add note regarding easements.
5-4-10-5: EASEMENTS:
 - A. A general utility and access easement of not less than ten feet (10') in width shall be dedicated along all front lot lines.
 - B. Where alleys are not provided, easements of not less than ten feet (10') in width shall be dedicated on each side of all rear lot lines and five feet (5') on each side of side lot lines where necessary for proper utility maintenance or construction.
3. Add note regarding the variance being requested re: stormwater management – subsurface instead of retention swale.
4. Add note: The Home Owner's Association (HOA), will be responsible for perpetual maintenance of the stormwater management, including the seepage bed. The HOA owns and manages the common areas which includes stormwater facilities. A plan for operation, maintenance, and repair of stormwater facilities (O&M plan) will be prepared for all stormwater facilities maintained by the HOA. The O&M Plan shall be recorded with the Declaration of Covenants, Conditions, and Restrictions (CC&Rs). The O&M plans shall be used for maintenance and operation of the stormwater facility.
5. I am concerned there is not enough area being set aside in the project for the stormwater management:
 - a. The front half of the lot C value is 0.60, the impervious area ROW to ROW is 0.95.
 - b. The bed is upsized 15% for sediment.
 - c. The max depth of rock is 10ft. Max width is 15ft.
 - d. The irrigation is too close at 5ft. Need +/- 10ft clear for constructability and any future maintenance. There will be a 3ft min berm, landscaping and fence over it as well.
 - e. Make sure there is at least 25ft separation from the water main.
 - f. IN SHORT – this is a tight area – please do not undersize or assume a percolation rate that may not be achievable. There are not many (if any) alternatives after the fact.

Thank you.

Amy Woodruff
453-2028

From: Kiera Van Patten <Kiera.VanPatten@nv5.com>
Sent: Wednesday, July 19, 2023 2:28 PM
To: Amy Woodruff <amy@civildynamics.net>; rstewart@middletoncity.com
Cc: Matt Munger <Matt.Munger@nv5.com>; pconnor@hubblehomes.com
Subject: RE: CROSSING SOUTH - COMMENTS FOR REVISED PLAT



CITY OF MIDDLETON

P.O. Box 487 | 1103 W Main Street, Middleton, ID 83644
Tele (208) 585-3133 | Fax (208) 585-9601
citmid@middletonidaho.us | www.middleton.id.gov

Crossing South– Planner Comments (Review of initial Preliminary Plat dated 4/18/2023)

May 17, 2023

1. Add street names to the PPlat. You will need to add “Meadow Park Street” on the east/west collector and “Crossings Avenue” on the north/south collector. The internal road must end with “Court”. Once you choose the name for the internal street, please reserve the name with Tony Almeida of Canyon County.
2. Reserve Subdivision name with Tony Almeida also.
3. Add City’s typical road section for Local Street. It is in the appendix to our Supplement to ISPWC.
4. We are in the process of amending our code on the 24’ wide traffic buffer with fence and berm. Stack Rock is working on the new ordinance, and we hope to have it codified by July 1, 2023. Please add the following note to your PPlat: *“City is in the process of revising its code with respect to the 24’ wide traffic buffer with fence and berm (MCC 5-4-10-6). Developer to comply with the traffic buffer in effect at the time of Construction Drawing submittal.”*
5. On the more “pie slice” lots around the cul de sac, show the 75’ frontage at the 25’ setback line since the frontage is not meeting the 75’ foot frontage requirement.
6. We may need to address a “waiver” for perimeter fence. Should not be a problem.
7. Show proposed mailbox location.
8. Add note: *“Sewer and water capacity is subject to a will-serve analysis, and City will not reserve sewer and water capacity any earlier than Construction Drawing approval.”*
9. Add note: *“Any re-subdivision of this plat will comply with the applicable regulations in effect at the time of the re-subdivision.”*

Roberta L. Stewart

Middleton Planning & Zoning Director

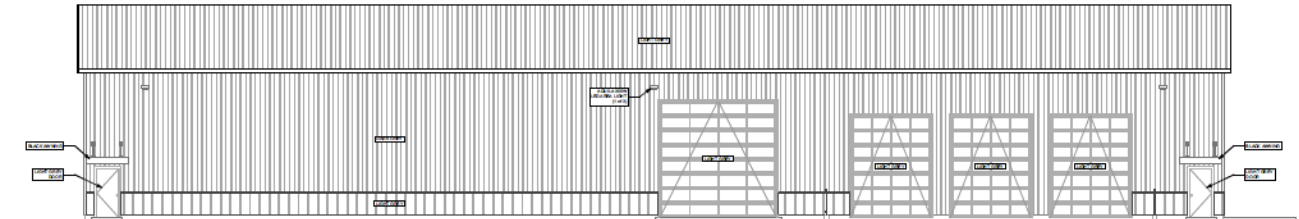
Exhibit “B”



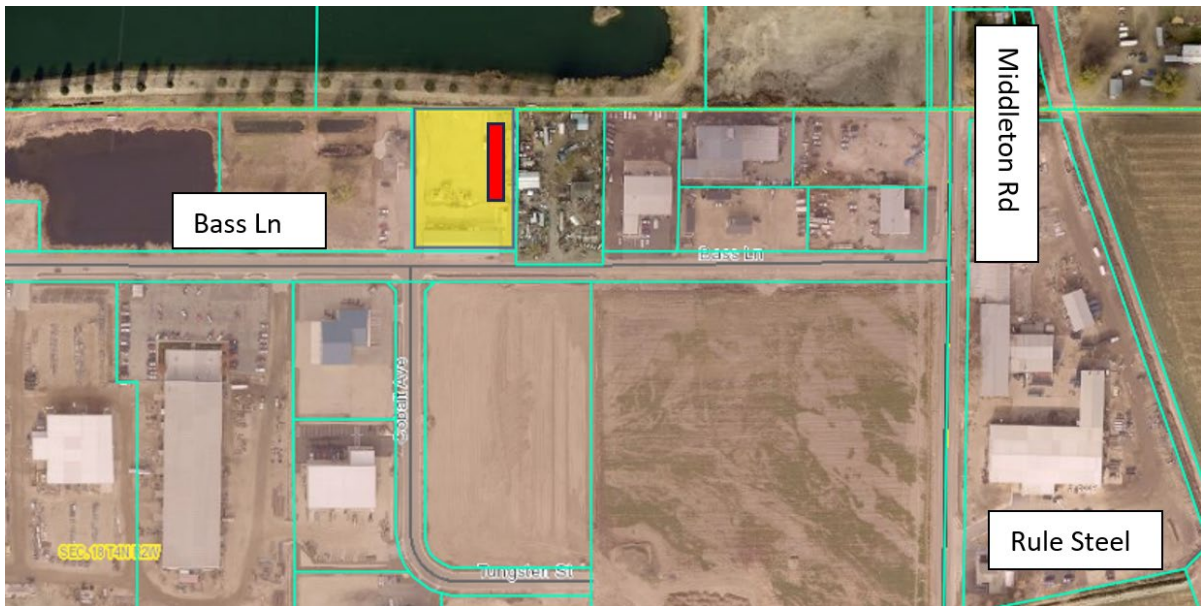
STAFF REPORT

Middleton Design Review Committee

Design Review – 11200 Bass Lane (Pallet Warehouse)

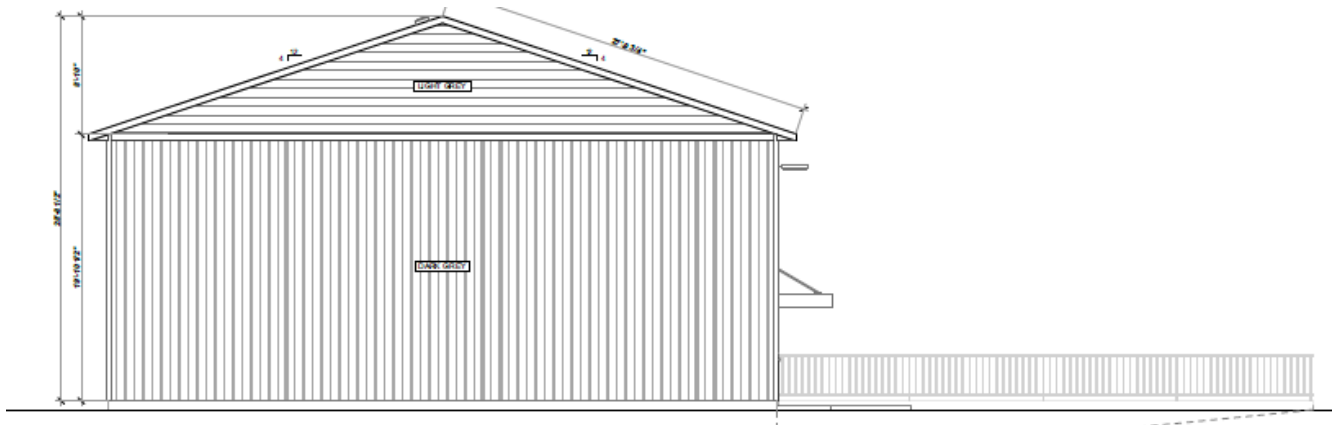


- A. Design Review Meeting Date:** August 14, 2023.
- B. Project Description:** The project parcel is a 1.53 acre lot located at 11200 Bass Lane. The proposed building is a 7,800 s.f., open warehouse that will be used to restore and/or warehouse wooden pallets.



- C. Zoning & Site Conditions:** The project parcel is a partially paved 1.53 acre lot with an existing industrial building/office. Zoning is M-1 (light industrial). Refurbishing and warehousing wooden pallets is an allowable use in the M-1 zone. The proposed building meets all setback and dimensional standards in the M-1 zone.

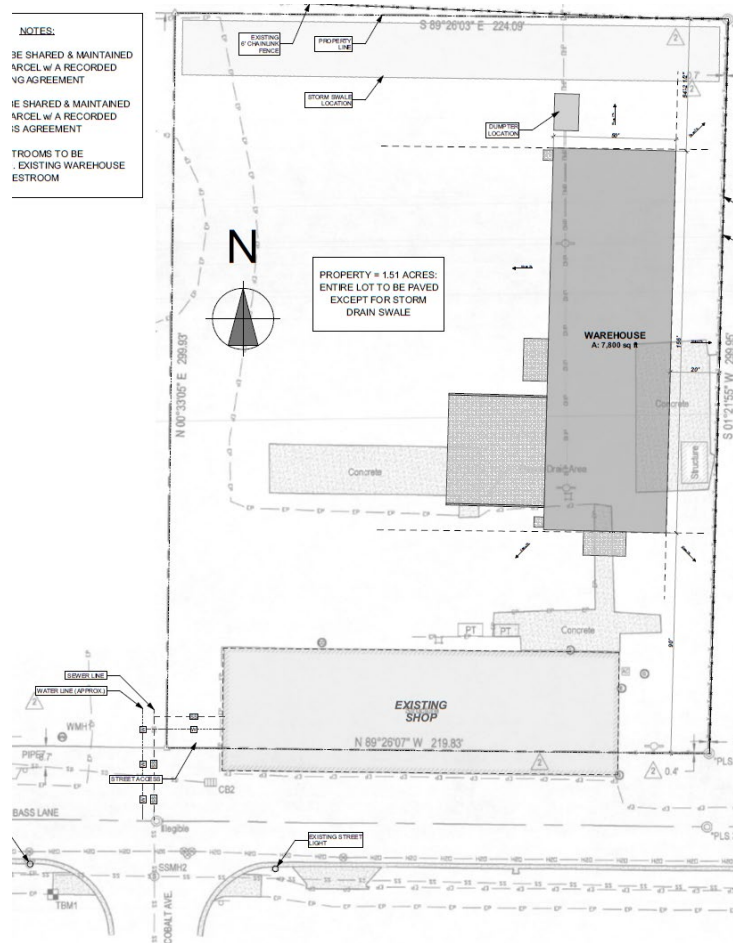
The site is also partially in the floodplain. Applicant will be required to submit a floodplain application at the time of building permit.



Side Elevation – facing North

[11x17 Elevation Sheets are attached as Exhibit “A”]

E. Site Plan / Streets /Access:



Access to the project is off of Bass Lane. Access will be shared with the parcel to the west (11220 Bass Lane), and Applicant must provide a recorded shared access easement prior to building permit submission. Applicant/Developer will also be required to construct the entire access, including the portion on the adjacent parcel to the west. Applicant/Owner owns both parcels, so it will be feasible to construct required infrastructure on both parcels.

Finally, Applicant/Developer will be required to complete all frontage improvements on Bass Lane the entire length of the project parcel.

[A 11x17 copy of the Site Plan is attached as Exhibit "B".]

- F. Parking:** City code requires Applicant to provide 9 parking stalls. Applicant/Owner will provide the 9 stalls on the adjacent parcel to the west (11220 Bass Lane). Applicant Owner will be required to produce a copy of a recorded shared parking agreement before obtaining a building permit.
- G. Utilities:** The proposed building is a large open shell to be used primarily for warehousing. There will be no sewer or water extended to the building. Utility services are already incorporated in the office/warehouse currently located near the southern boundary of the lot. A restroom and office space are provided in the building already existing on site.
- H. Stormwater:** Stormwater design will be fine-tuned at the building permit stage with the help of City Engineer and the public works department.
- I. Landscaping:** Landscape has generally not been required for most of the Bass Lane buildings because of the industrial nature of the area. No landscaping is required for the 11200 Bass Lane building.
- J. Applicable Codes and Standards:** Per MCC 1-15-8-1, a design review is required for all nonresidential structures in Middleton. The applicable Codes and Standards relevant to the review are MCC 1-15, 5-1, and 5-4.
- K. Conclusions and Recommended Conditions of Approval:**

Applicant's Design Review application complies with dimensions and standards of the Middleton City Code for M-1 Zoning. If the Design Review Committee is inclined to approve the application, City Planning Staff recommends that the following Conditions of Approval be made a part of the approval:

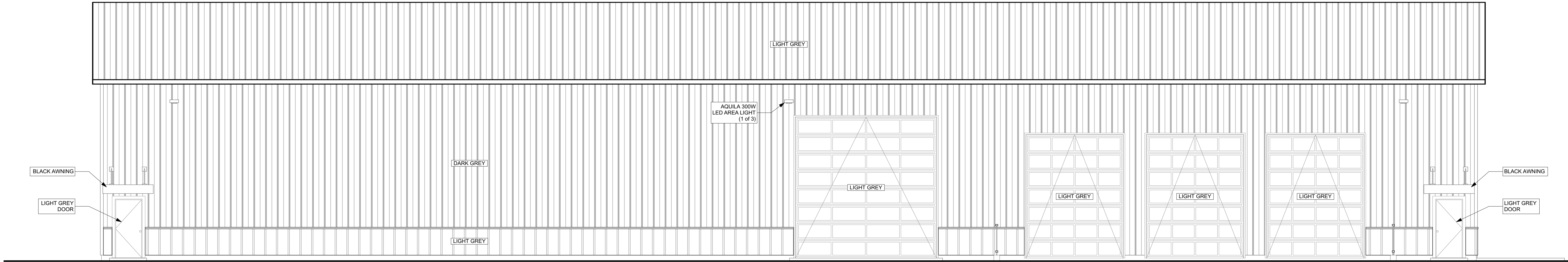
1. Prior to building permit issuance, Developer/Applicant to provide a recorded cross access easement creating shared access on to the project parcel and the adjacent parcel to the west (11200 Bass Lane).

2. At the time of building construction, Developer/Applicant shall also construct the portion of the access located on the adjacent parcel to the west (11220 Bass Lane / R34075010)
3. Prior to building permit issuance, Developer to provide a recorded shared parking agreement with the adjacent parcel to the west (11220 Bass Lane / R34075010).
4. Applicant to provide at least nine parking stalls on the adjacent lot (11200 Bass Lane) to serve the subject parcel. These nine lots shall be in addition to the parking stalls required for the office building located on 11200 Bass Lane.
5. Applicant to submit a floodplain application and comply with all City, State and Federal rules regarding floodplain management.
6. Applicant to comply with all Engineering & Planning Department comments regarding the building permit.
7. Applicant to comply with all Caldwell Rural Fire Department comments.
8. Applicant to comply with all comments and requirements of the City Building Department.
9. Applicant to comply with all Middleton City Public Works requirements and comments.
10. Applicant to comply with all Mason Creek Ditch Company comments.
11. All exterior lighting must be down lit.
12. All parking stall dimensions to be 9x21.

Prepared by Middleton Planning & Zoning Official,
Roberta Stewart
Dated: August 1, 2023

EXHIBIT "A"

ELEVATION PAGES



1 FRONT ELEVATION

SCALE: 3/16" = 1'-0"

Aquila LED Area Light

Product Description

The Aquila LED Area Light delivers high efficiency with maximum energy savings and enhanced control to suit a variety of applications. Its robust, low profile housing is comprised of die-cast aluminum and has a custom, single piece design that will blend into most environments. Exceptional performance is enhanced by the precision die-cast aluminum frame for mounting system, uniquely designed by NICOR. Due to its robust, the Aquila is a versatile fixture with easily interchangeable precision lenses in Type II through Type II distribution. The Aquila is available in three packages from 100W to 300W lumens. Ideal for use in parking lots, roadways, recreational or public places, walkways, auto maintenance, campuses, and other commercial environments. (A limited for wet locations).

Construction

- Heavy duty die-cast construction with single piece housing.
- Low profile, 2" design provides low wind resistance.
- 400W and 600W power and 100W.
- Stainless steel hardware and electrical 3/4" cord connection.
- Injection molded silicone gasket seals the door compartment.

Optical System

- Patented lens is precision designed to shape the distribution maximizing efficiency and spacing criteria.
- High impact polycarbonate lenses deliver four 85 type distributions.
- Type II distribution is standard.
- Type II, III and IV distributions are optional.
- Zero-wallight.
- Variable advanced LED technology and available in 3000K, 4000K and 5000K.
- Available for use in regions with color definition in public places.
- See BUC Rating on the Performance Data Table.

Electrical

- Input voltage of 120-277VAC or 347-480VAC.
- Industry leading surge protection (ULM-100, 100-277VAC and 300A on 347-480VAC) provides single phase protection for line-to-line, line-to-ground and neutral-to-ground in accordance with IEEE C62.41-2002 C class category.
- Operating temperature rating of 40°F to 140°F (-40°C to 40°C).
- Available in 100W, 150W, 200W and 300W products.
- See performance data for delivered lumen output.

Controls

- Optional microwave sensor is remote controllable and provides up to 3-step dimming.
- Optional photo and temperature sensor.
- Available for single dimming with 100W, 150W, 200W and 300W.

Mounting and Installation

- Mounting arms are available in a variety of installations. All mounting arms are die-cast aluminum and available in Bronze, White or custom color.
- Adjustable flow Mount Arm provides up to 180° of adjustability and mounts to a round or square pole.
- Adjustable flow Mount Arm provides up to 180° of adjustability and mounts to a flat wall.

- Weather Mount Adapter installs directly to a nominal 2" round or square pole.
- Single Mount Arm mounts to round or square pole.
- Structure Mounting Arm easily mounts to a variety of poles.

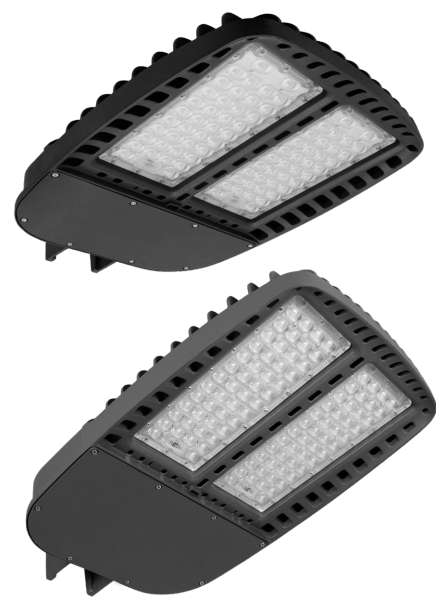
Lighting

- UL 100, UL 800 testing performed in accordance with EISA standards.
- UL 100, UL 800 tested for wet locations.
- IP65 Rated.
- ETC 50 Premium Lumen.
- Meets FCC Part 15, Subpart B, Class A standards for conducted and radiated emissions.
- The 150W and 300W are 50,000 hours.

Warranty

- 5-year limited system warranty standard.
- Warranty does not cover product failure due to an overvoltage event (power surge).

Project: _____
Category: _____
Type: _____
Date: _____



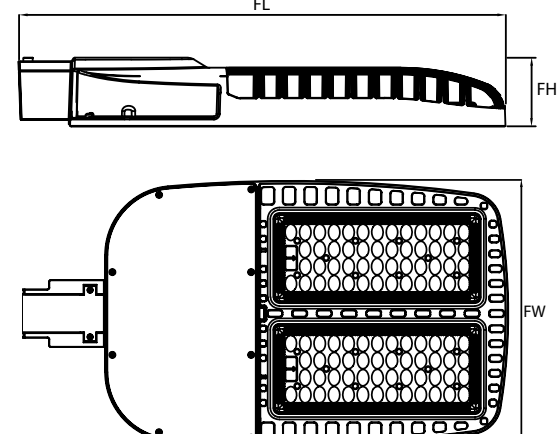
OAL2
60W, 100W, 150W, 200W, 300W
LED Area Light



NICOR
OUTDOOR

Dimensions

	60 (100 - 150 - 200W)	300W
Fixture Length (L)	9.9 in (253 mm)	22.2 in (572 mm)
Fixture Height (H)	3.3 in (84 mm)	12.4 in (315 mm)
Fixture Width (W)	13.2 in (335 mm)	13.4 in (340 mm)



Photometric Data

OAL 100W Type II 5000K

Item	Value	Item	Value
Input Voltage (VAC)	120-277	Beam Angle	30°
System Level Power (W)	85.0	Beam Spread	30°
Life Span (hrs)	50,000	Beam Spread	30°
277V Current (A)	0.31	Beam Spread	30°
Delivered Lumens (lm)	10,000	Beam Spread	30°
System Efficiency (lm/W)	118	Beam Spread	30°
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Color Rendering Index (CRI)	83	Beam Spread	30°
Horizontal Beam Angle	14.1°	Beam Spread	30°
Vertical Beam Angle	9.9°	Beam Spread	30°
Spacing (ft) (m)	23 (7)	Beam Spread	30°
Spacing (ft) (m) (20°)	18 (6)	Beam Spread	30°

Item	Value	Item	Value
System Level Power (W)	85.0	Beam Angle	30°
Life Span (hrs)	50,000	Beam Spread	30°

Blake Wolf
208-941-7700
wolfbuildingco@gmail.com

A new warehouse at:
11200 & 11220 Bass Lane
Middleton, Idaho - Canyon County

[illegible]

PROFESSIONAL STAMP:		

DESIGNER:

CHAD DUERRE
208.962.2338
chad@duerre设计.com

DUERRE
DESIGN



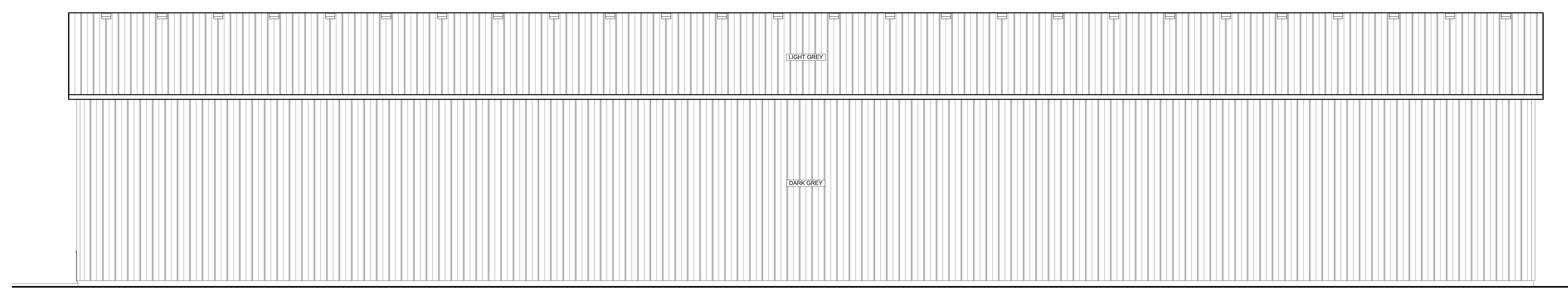
This drawing is the exclusive property of
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*This drawing must not be
scaled.*

Contractor must verify all
levels, datums and
dimensions prior to
commencement of work.

All errors and omissions must
be reported to
DUERRE DESIGN, LLC.

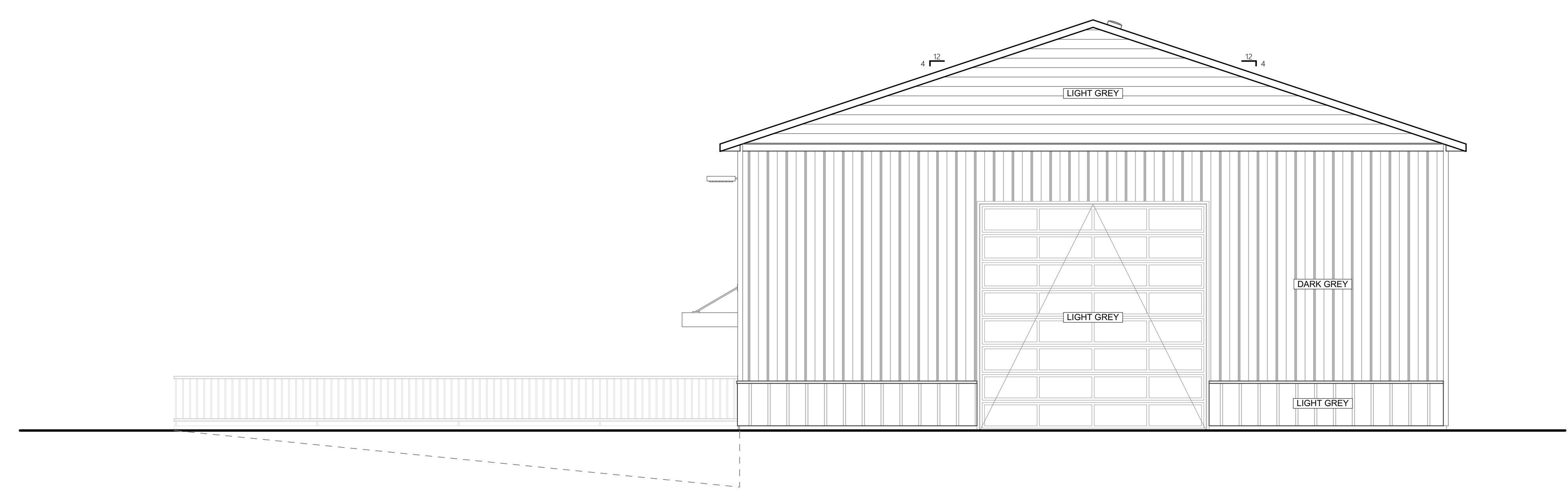
Date:	Thursday, June 29, 2023
Drawn By:	Chad Duerre
Project Title:	WBC - Elliott Warehouse - 7.pln
Drawing Title:	ELEVATIONS 2
Drawing No:	A-202



1
A-202

REAR ELEVATION

SCALE: 3/16" = 1'-0"



2 RIGHT ELEVATION
A-202 SCALE: 3/16" = 1'-0"

EXHIBIT "B"

SITE PLAN

PROFESSIONAL STAMP:

DESIGNER:



DUERRE
DESIGN

CHAD DUERRE
208.982.2338
chad@duerre-design.com

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Contractor must verify all levels, datums and dimensions prior to commencement of work.

All errors and omissions must
be reported to
DUERRE DESIGN, LLC.

Date: Tuesday, July 25, 2023

Drawn By: Chad Duerre
Project Title:
WBC - Elliott Warehouse -
8.pln

Drawing Title:

SITE PLAN

Drawing No: A-101



NOTES:

1. PARKING TO BE SHARED & MAINTAINED
W/ ADJACENT PARCEL R34075010C0 W/
A RECORDED SHARED PARKING AGREEMENT
2. ACCESS FROM BASS LANE TO BE SHARED
& MAINTAINED W/ ADJACENT PARCEL
R34075010C0 W/ A RECORDED
SHARED ACCESS AGREEMENT
3. NO NEW RESTROOMS TO BE
CONSTRUCTED. EXISTING WAREHOUSE
CONTAINS (1) RESTROOM



Exhibit “C”



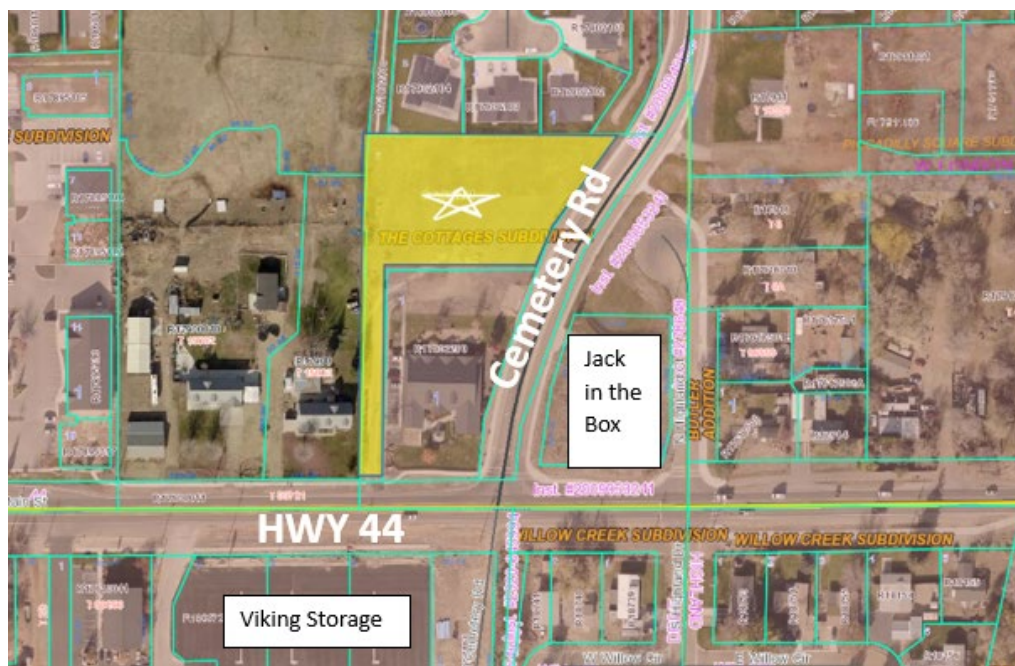
STAFF REPORT

Middleton Design Review Committee

Design Review – The Cottages #2 (Assisted Living/Memory Care) (0 Hwy 44 / Parcel No. R17902201)



- A. **Design Review Meeting Date:** August 14, 2023
- B. **Project Description:** The Cottages #2 building is the 2nd phase of the Assisted Living facility located at the northwest corner of the intersection of Cemetery Road and Hwy 44. (0 Hwy 44 / Parcel No. R17902201)



The proposed building is 11,600 s.f., and contains 16 individual patient rooms. The building is also surrounded by copious amounts of landscaping with a small walking path that encompasses the parking lot.

- C. Zoning & Site Conditions:** The project parcel is a vacant lot approximately 1.37 acres. It is zoned C-2 (Light Commercial). Assisted Living is an “allowed” use in the C-2 zone. The building meets the setback and dimensional standards in the C-2 zone.
- D. 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 Cottages 2 building meets these design standards by providing the following design elements: (1) siding, (2) shake accent, (3) gable roof, (4) stone wainscoting, (5) wood beam accents, and (6) shed dormer.



East elevation facing Cemetery Road.



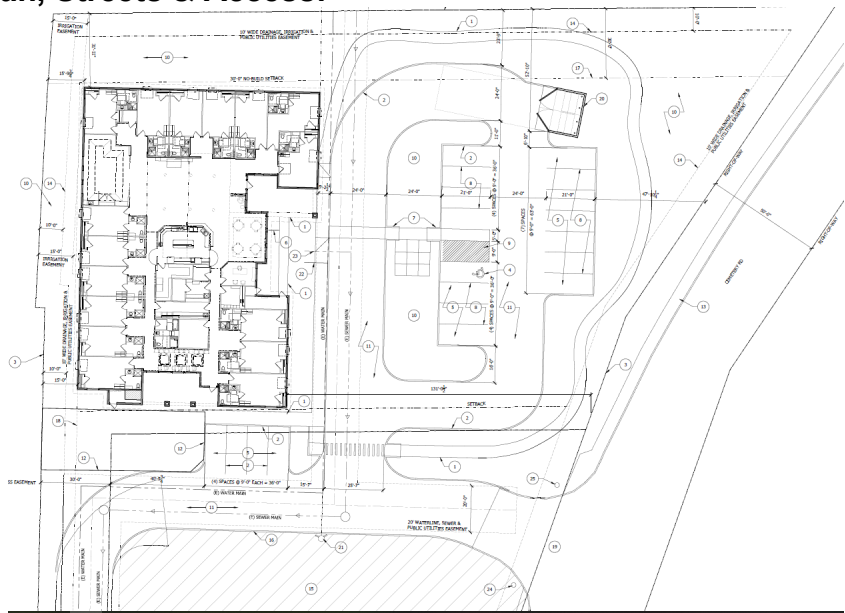
South Elevation facing Hwy 44 and the rear of The Cottages #1.



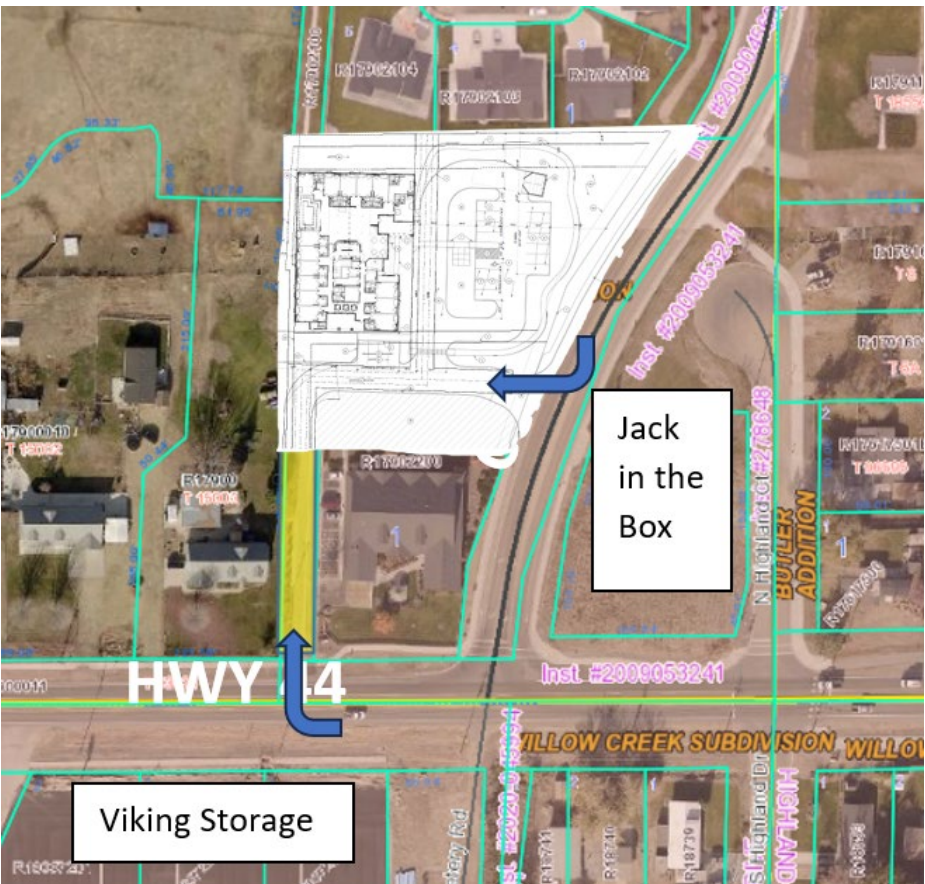
North and west elevations.

[A 11x17 copy of the Elevation Sheet is attached as Exhibit "A"]

E. Site Plan, Streets & Access:



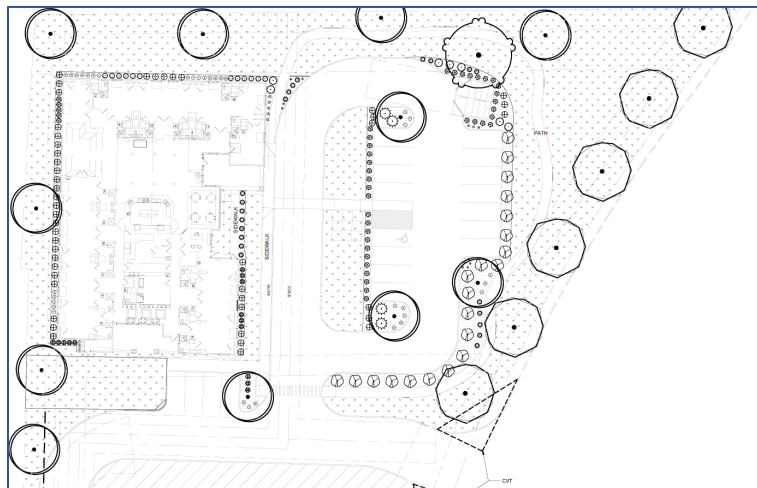
The Site Plan shows the completion of the “campus” for The Cottages two assisted living facilities. Access to the Cottages #2 parcel is via Cemetery Road and Hwy 44.



A portion of the drive aisle and parking that will serve the Cottages #2 facility will be situated on the northern portion of the parcel for Cottages #1. Although the same owner owns both parcels, owner will still need to record a cross-access easement permitting this cross-access activity.

Additionally, City is requesting that a condition of approval for Cottages #2 is an agreement that if the City needs a small portion of the Cottages #1 parcel to install a traffic signal pole for the Cemetery & Hwy 44 intersection, the owner of Cottages #1 parcel will dedicate to the City, at no cost, the land needed for the traffic signal pole. [Larger Site Plan is attached as Exhibit "B"]

- F. Parking:** City code requires at least 9 parking spaces for this assisted living facility. They have provided 19 stalls, exceeding the code requirement.
- G. Utilities:** Sewer and water are already located in Hwy 44 and Cemetery Road, and a public utility easement already spans the length of the project parcel. Any fine-tuning of the utility connections will be handled at the building permit stage by City Engineer and the Public Works Department.
- H. Stormwater:** Stormwater design will be fine-tuned at the building permit stage with the help of City Engineer and the public works department.
- I. Lighting:** Applicant provided a photometric plan that showed little to no light spillage across the property boundary. Lighting in the City of Middleton must be shielded downward to prevent light pollution. Applicant will be required to install a street light on Cemetery Road.
- J. Landscaping and Fencing:** Applicant submitted a proposed landscape plan dated 5/30/2023. The plan shows a large lawn space with a meandering path, trees, flowers, and shrubs. A three foot high fence already exists along the property boundary spanning Cemetery Road. A privacy fence will span along the northern and western boundaries of the project parcel.





Full copy of the Landscape plan is attached as Exhibit "C".]

A condition of Design Review approval should be compliance with the 5/30/2023 landscape plan.

K. Applicable Codes and Standards: Per MCC 1-15-8-1, a design review is required for all nonresidential structures in Middleton. The applicable Codes and Standards relevant to the review are MCC 1-15, 5-1, and 5-4.

L. Conclusions and Recommended Conditions of Approval:

Applicant's Design Review application complies with dimensions and standards of the Middleton City Code for C-2 Zoning. If the Design Review Committee is inclined to approve the application, City Planning Staff recommends that the following Conditions of Approval be made a part of the approval:

1. No building permit will be issued until Applicant/Owner provides a recorded cross-access easement that will allow the drive aisle and parking for Cottages #2 to be placed on the parcel for Cottages #1.
2. If requested by City, Applicant shall dedicate, at no cost to the City, a small portion of the southeast corner of the Cottages #1 parcel to accommodate the traffic signal pole for the intersection of Cemetery Road and Hwy 44.
3. Applicant to comply with all Engineering & Planning Comments.
4. Applicant to comply with all Middleton Rural Fire Department comments.
5. Applicant to comply with all comments and requirements of the City Building Department.
6. Applicant to comply with all Middleton City Public Works requirements and comments.

7. All exterior lighting must be downlit
8. All parking stall dimensions to be 9x21.
9. A street light shall be installed at the parcel intersection with Cemetery Road.
10. Landscape must be installed per the landscape plan dated 5/30/2023.

Prepared by Middleton Planning & Zoning Official,
Roberta Stewart
Dated: August 1, 2023

EXHIBIT "A"

ELEVATION PAGES



THE COTTAGES







EXHIBIT "B"

SITE PLAN

SITE DATA

ADDRESS:
760 W MAIN ST, MIDDLETON, ID 83644

APN:
17902201 0

LOT SIZE: 59,677 S.F. (1.37 ACRES)

ZONING: C-2

BUILDING SIZE:
FIRST FLOOR : 12,039 S.F.
TOTAL: 12,039 S.F.

CONSTRUCTION TYPE: 5B

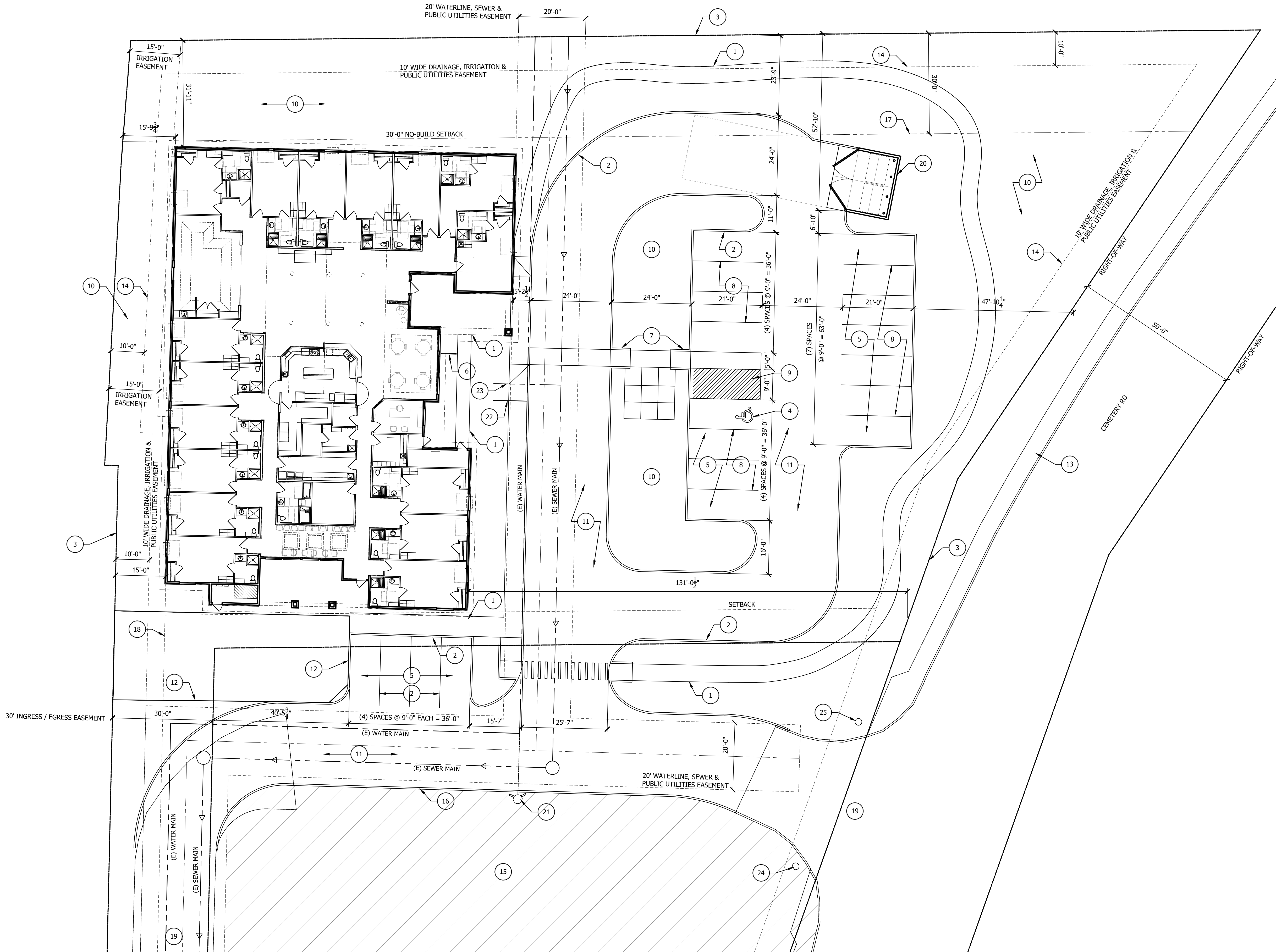
FIRE SPRINKLERS: YES

TOTAL ONSITE PARKING PROVIDED:
STANDARD PARKING: 17 SPACES
HANDICAP: 1 SPACES
TOTAL PARKING: 18 SPACES

BICYCLE PARKING: 2 SPACE RACK

KEY NOTES

- 1 CONCRETE DECK/WALK SLAB OVER COMPACTED SAND AND GRAVEL BASE WITH CONTROL JOINTS AT 6'-0" O.C. AND EXPANSION JOINTS AT 20'-0" O.C. MAX, WITH LIGHT BROOM FINISH, SLOPE FOR POSITIVE DRAIN AWAY FROM BUILDING.
- 2 NEW CONCRETE CURB.
- 3 PROPERTY LINE.
- 4 TYPICAL HANDICAP SPACE W/ SYMBOL, RAMP AND SIGN.
- 5 TYPICAL STANDARD PARKING SPACE. (9'-0" x 21'-0")
- 6 BICYCLE RACK
- 7 PEDESTRIAN RAMP, 1:12 SLOPE W/ SCORING AT 6" O.C.
- 8 TYPICAL PARKING STRIPPING WITH (2) COATS 4" WIDE REFLECTIVE TRAFFIC WHITE PAINT.
- 9 HANDICAP ACCESS LANE WITH 4" WIDE DIAGONAL PAINTED STRIPPING AT 24" O.C.
- 10 LANDSCAPING. SEE LANDSCAPING PLANS
- 11 ASPHALT PAVING. SEE CIVIL.
- 12 PROPOSED 4'-0" ROB FENCE.
- 13 EXISTING SIDEWALK TO REMAIN.
- 14 BUILDING SETBACK LINE.
- 15 EXISTING LANDSCAPING.
- 16 EXISTING CONCRETE CURB.
- 17 30' NO BUILD EASEMENT
- 18 IRRIGATION EASEMENT
- 19 EXISTING ACCESS
- 20 TRASH ENCLOSURE.
- 21 EXISTING FIRE HYDRANT
- 22 PROPOSED WATER SERVICE
- 23 PROPOSED SEWER SERVICE
- 24 EXISTING STOP SIGN
- 25 CONSTRUCT NEW STREET LIGHT



ENLARGED SITE PLAN


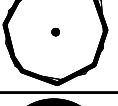

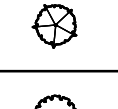
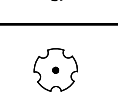
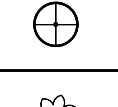
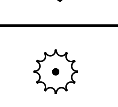
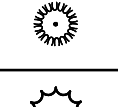
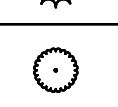
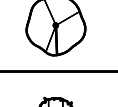
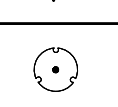
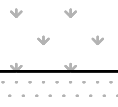





SCALE: 1" = 10'-0"

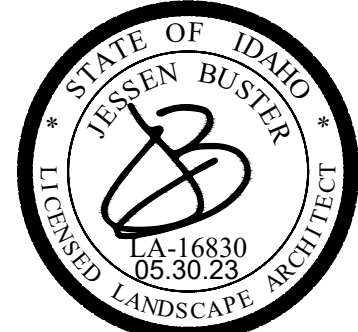
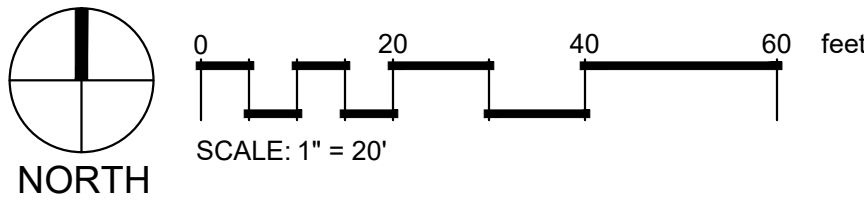
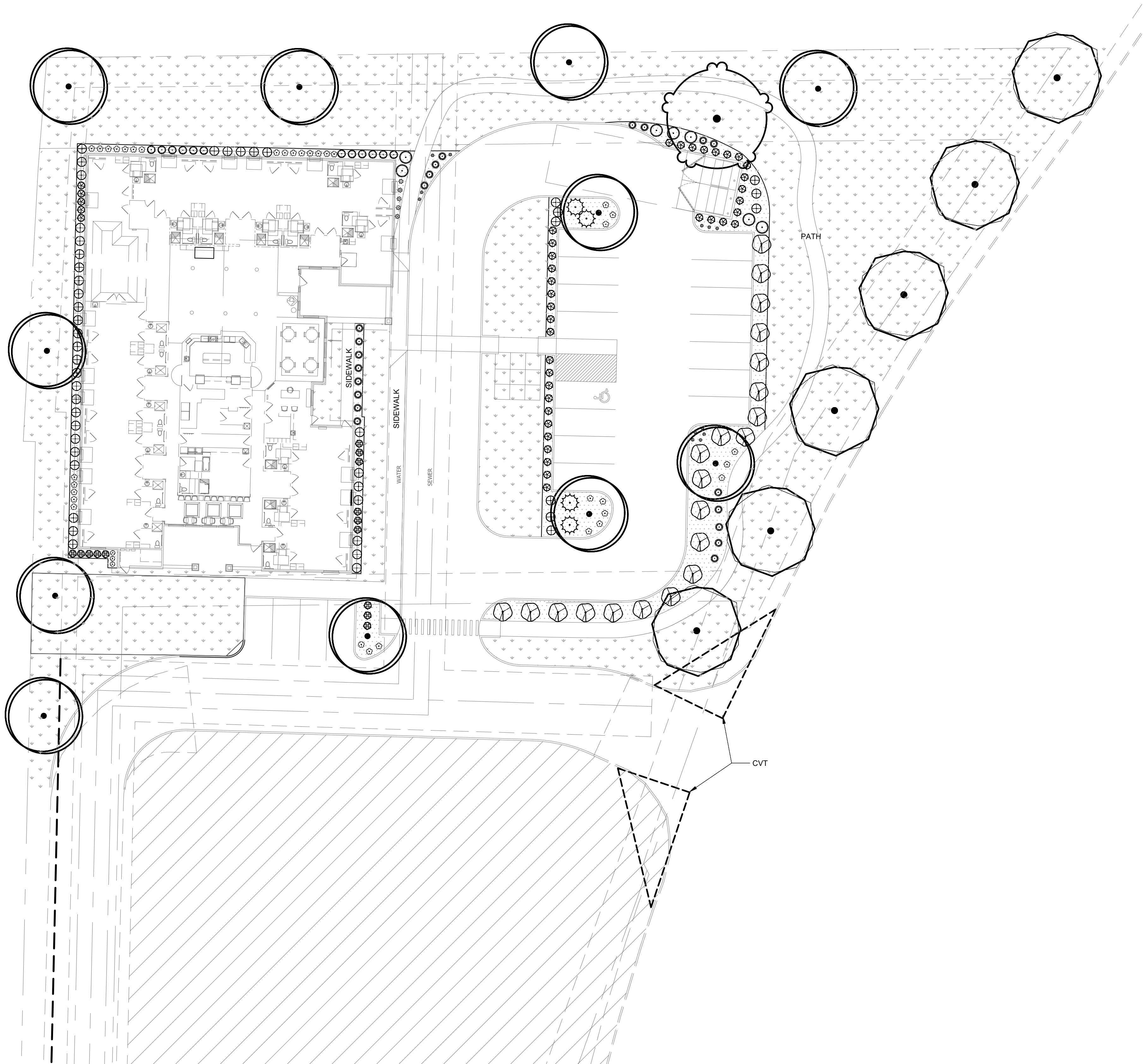


THE COTTAGES

project address
Presentation Drawing
24 March 2023
alc -23006

EXHIBIT C
LANDSCAPE PLAN

PLANT SCHEDULE					
TREES	BOTANICAL / COMMON NAME	CONT	CAL	QTY	REMARKS
	Acer x freemanii / Freeman Maple	B&B	2"	1	45-55' H 35-45' W
	Carpinus betulus / European Hornbeam	B&B	2"	6	40-50' H 30-40' W
	Liriodendron tulipifera / Tulip Poplar	B&B	2"	11	55-65' H 25-35' W
SHRUBS	BOTANICAL / COMMON NAME	CONT	FIELD2	QTY	REMARKS
	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	2 gal		41	30"H x 3' W
	Caryopteris x 'Little Miss Sunshine' / Little Miss Sunshine Bluebeard	5 gal		12	2.5'H x 2.5' W
	Centranthus ruber 'Albiflorous' / Jupiter's Beard	1 gal		34	2' H x 2' W
	Cornus stolonifera 'Arctic Fire' / Arctic Fire Dogwood	3 gal		46	4' H x 4' W
	Echinacea x 'Pow Wow White' / Pow Wow White Coneflower	2 gal		5	2' H x 2' W
	Festuca glauca 'Elijah Blue' / Elijah Blue Fescue	2 gal		12	1' H x 1' W
	Helictotrichon sempervirens 'Blue Oats' / Blue Oat Grass	2 gal		21	30"H x 30" W
	Juniperus horizontalis 'Wiltonii' / Blue Rug Juniper	5 gal		4	8' H x 8' W
	Ligustrum x vicaryi 'NCLX1' TM / Golden Ticket Privet	5 gal		7	8' H x 8' W, Regular Pruning to 4' H & 5' W
	Physocarpus opulifolius 'Diablo' / Diablo Ninebark	5 gal		21	6' H x 8' W
	Rosa x 'Flower Carpet Red' / Rose	3 gal		14	18"H x 3' W
	Salvia x 'May Night' / May Night Sage	2 gal		3	18"H x 18" W
	LAWN				
	MULCH IN PLANTER BEDS				



REVISIONS		
MRK	DATE	Description
△	**	**

JOB NO:	23-2684
DATE:	05.30.2023
DRAWN BY:	TC
CHECKED BY:	JB

Exhibit “D”



STAFF REPORT

Middleton Design Review Committee

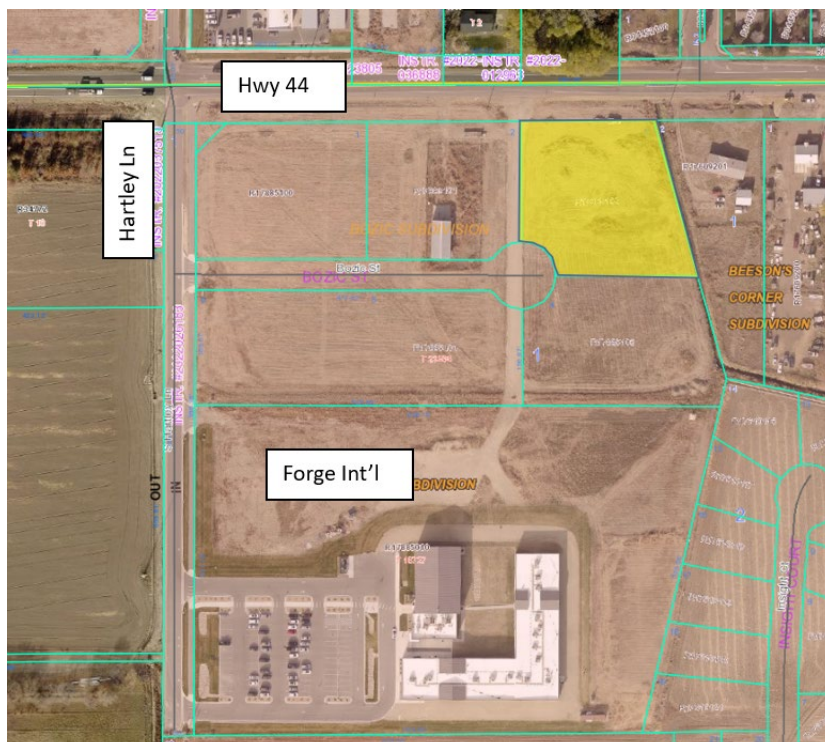
Design Review – Dairy Queen Restaurant

(884 Bozic Street / Parcel No. R17885102)



A. Design Review Meeting Date: August 14, 2023

Project Description: The Dairy Queen Restaurant is proposed on Lot 3 of the Bozic Subdivision near the intersection of Hartley Lane and Hwy 44 (884 Bozic Street / Parcel No. R17885102). The proposed building is 2,398 sf and contains a drive-through lane.

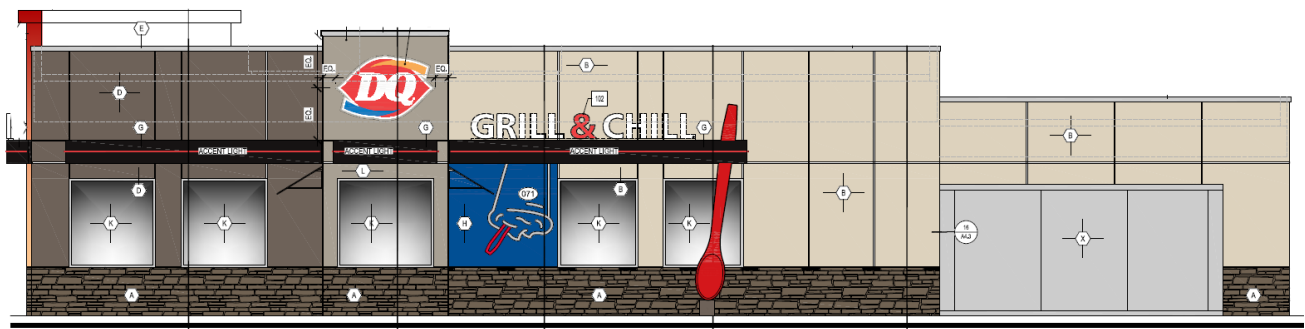


- B. Zoning & Site Conditions:** The project parcel is a vacant subdivision lot approximately 1.37 acres. It is zoned M-1 (Light Industrial). Restaurants are an allowed use in the M-1 zone. The proposed building meets all setback and dimensional standards in the M-1 zone.
- C. Architectural Character:** 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 DQ building meets these design standards by providing the following design elements: (1) 3 different stucco colors, (2) cultured stone, (3) large metal awnings/trim, and (4) significant amount of modulation, pop-outs, and varied roof height.



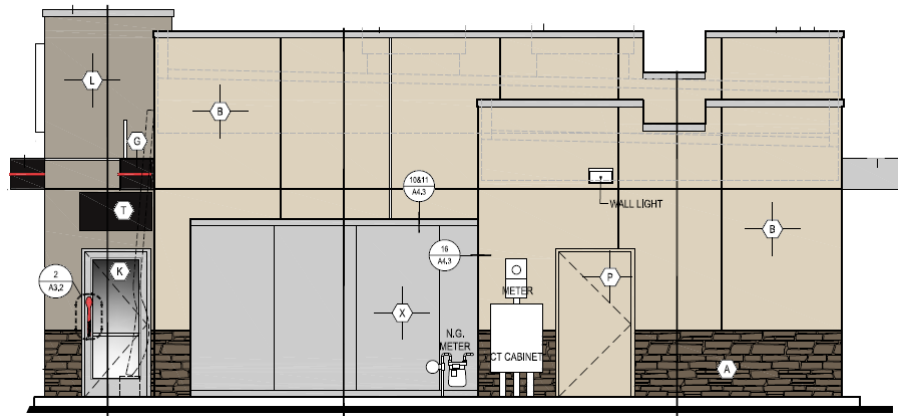
Front Elevation – West Facing



Entrance Elevation – South Facing

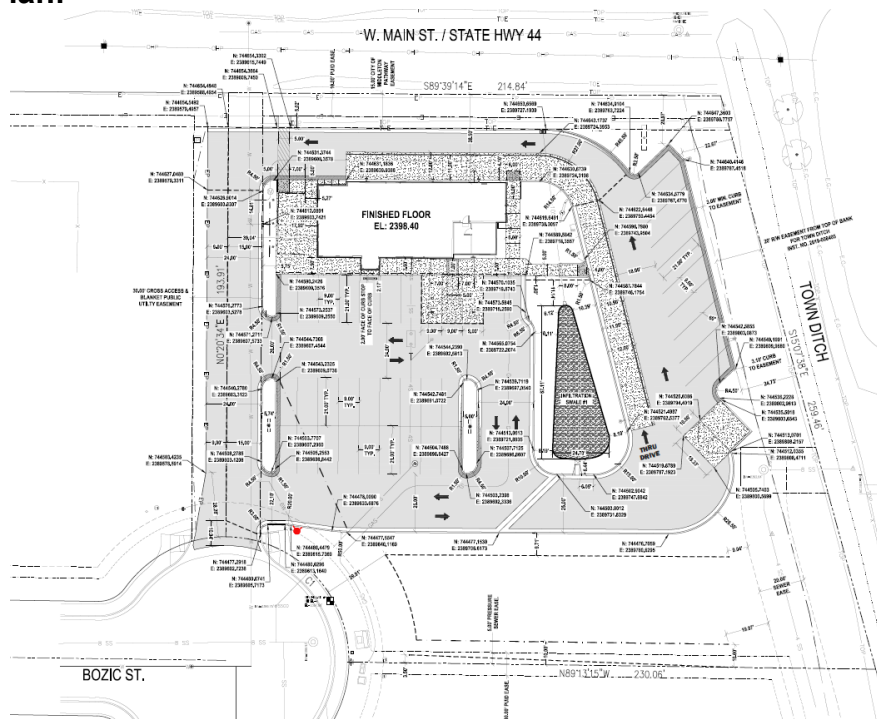


North Elevation facing Hwy 44



Rear Elevation facing East. [11x17 Elevation Sheets are attached as Exhibit "A"]

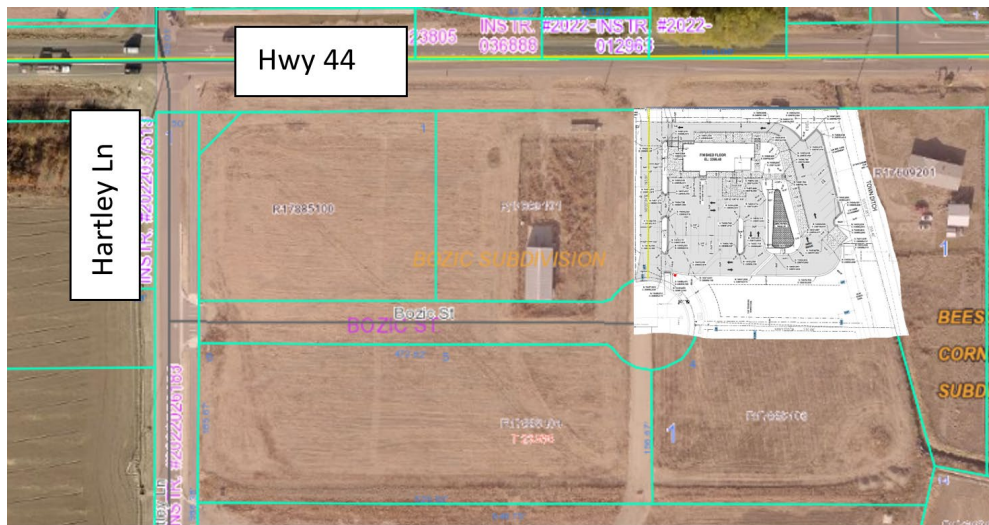
D. Site Plan:



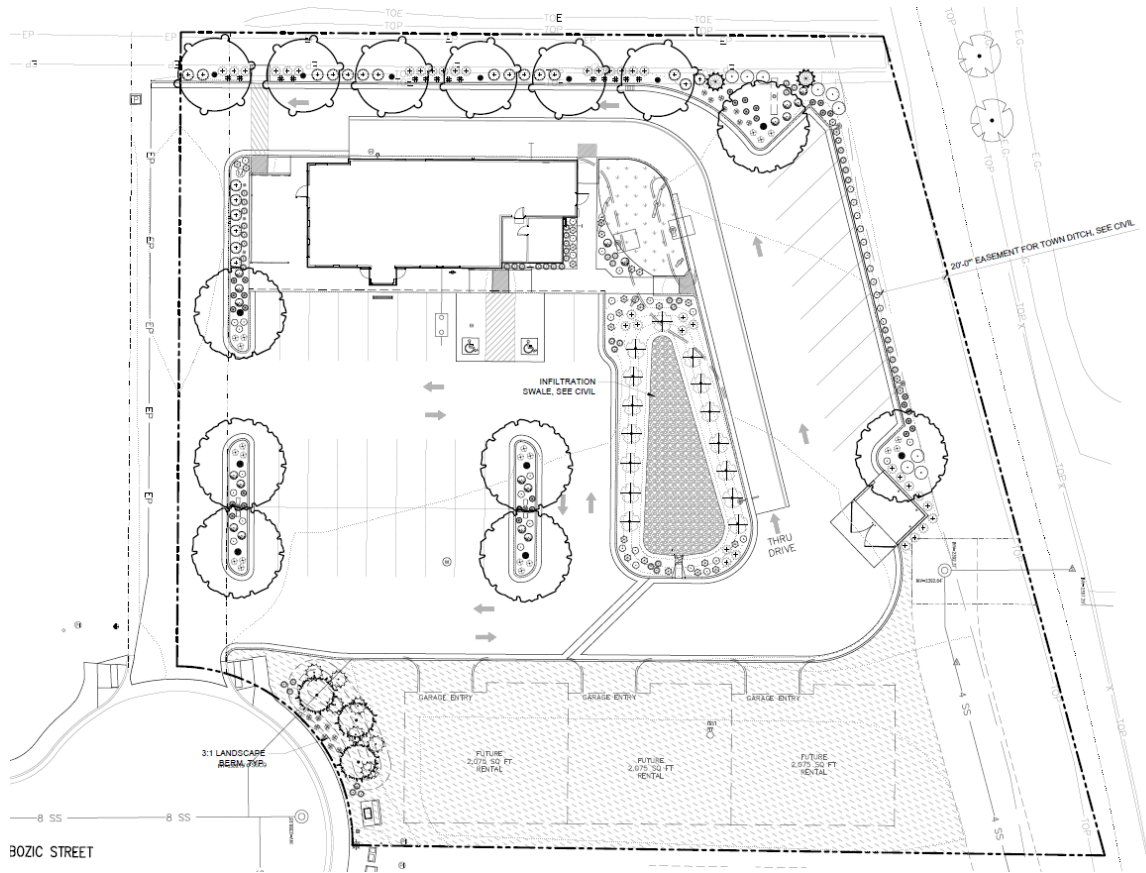
The Site Plan shows ample room for the drive through, and it shows accommodation for the large irrigation easement on the east side of the property. A large unpaved space along the southern border of the property is reserved for future commercial buildings. Until those buildings are constructed, applicant will maintain irrigated landscape on the section to keep the lot and structure from appearing unkempt.

[11x17 copy of the Site Plan is attached as Exhibit “B”.]

- E. Streets & Access:** Access to the DQ parcel is via Hartley Lane and Bozic Street. There is an easement on the final plat that allows shared access between the Dairy Queen lot and the lot to the west. All road and frontage improvements were completed when the Bozic Subdivision was approved for final plat, so DQ does not have any frontage requirements.



- F. Parking:** City code requires Dairy Queen to have 25 parking stalls. Applicant has provided 37 stalls, thereby exceeding code.
- G. Utilities:** Sewer and water are already stubbed to the project parcel. That occurred during the subdivision process.
- H. Stormwater:** Stormwater design will be fine-tuned at the building permit stage with the help of City Engineer and the public works department.
- I. Landscaping:** Applicant submitted a proposed landscape plan dated 6/30/2023. It shows trees, shrubs and sod, and it will be an attractive addition to the neighborhood.



[A 11x17 copy of the Landscape plan is attached as Exhibit C.]

A condition of Design Review approval should be compliance with the 6/30/2023 landscape plan.

J. Applicable Codes and Standards: Per MCC 1-15-8-1, a design review is required for all nonresidential structures in Middleton. The applicable Codes and Standards relevant to the review are MCC 1-15, 5-1, and 5-4.

K. Conclusions and Recommended Conditions of Approval:

If the Design Review Committee is inclined to approve the DQ application, City Planning Staff recommends that the following Conditions of Approval be made a part of the approval:

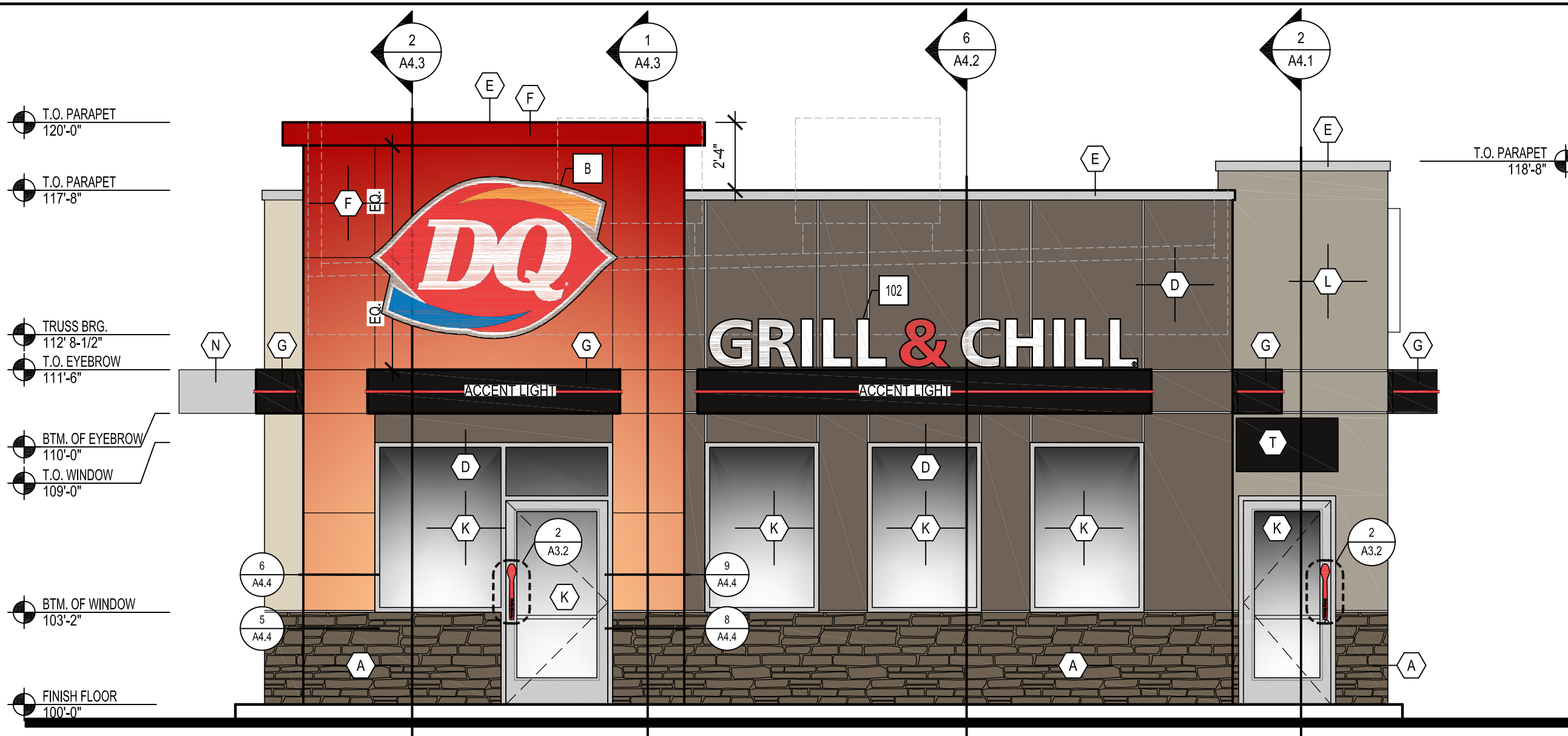
1. Applicant to comply with all Engineering & Planning Comments.
2. Applicant to comply with all Middleton Rural Fire Department comments.
3. Applicant to comply with all comments and requirements of the City Building Department.
4. Applicant to comply with all Middleton City Public Works requirements and comments.

5. Applicant to comply with all Canyon County Water Company comments.
6. All exterior lighting must be down lit.
7. All parking stall dimensions to be 9x21.
8. Landscape must be installed per the landscape plan dated 6/30/2023.

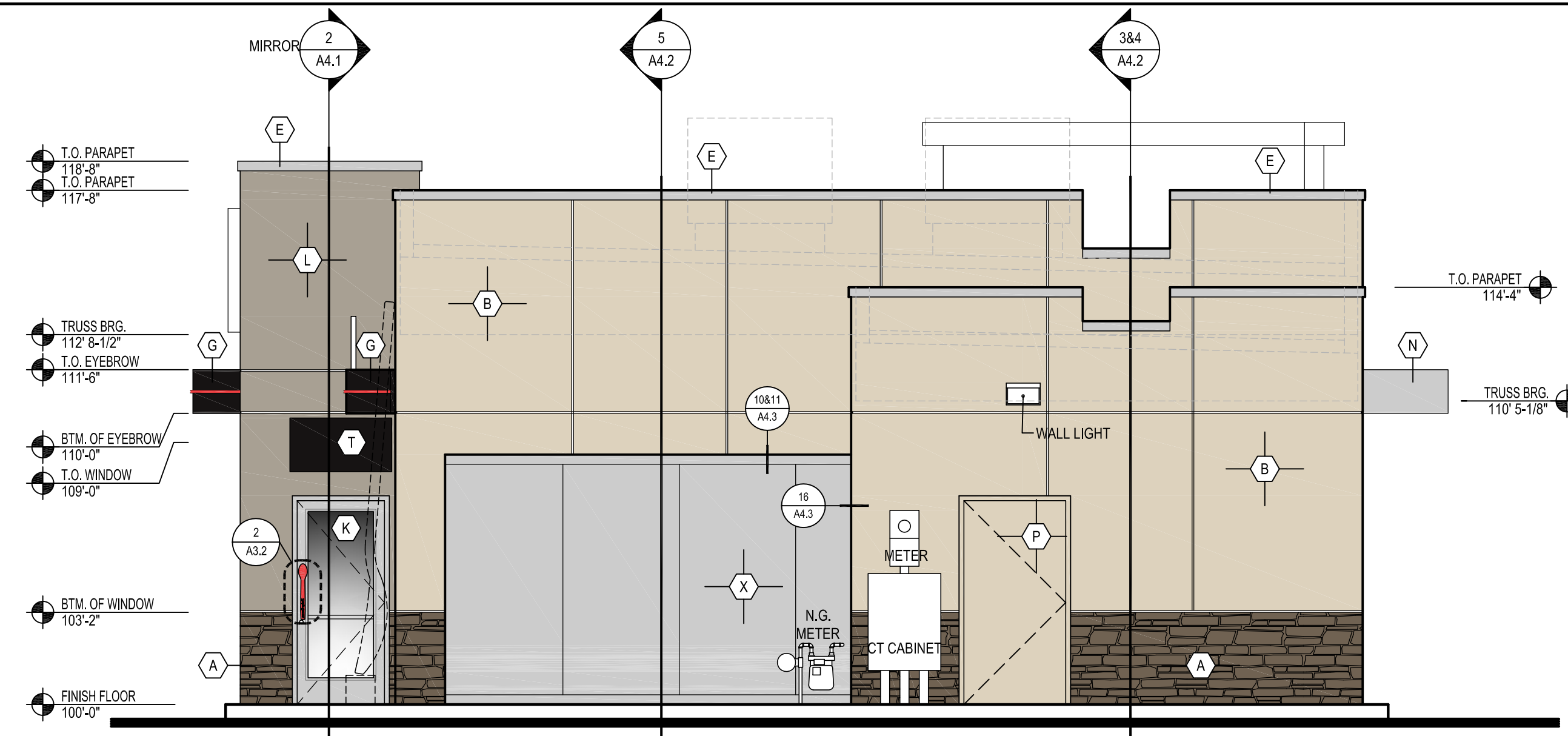
Prepared by Middleton Planning & Zoning Official,
Roberta Stewart
Dated: August 1, 2023

EXHIBIT "A"

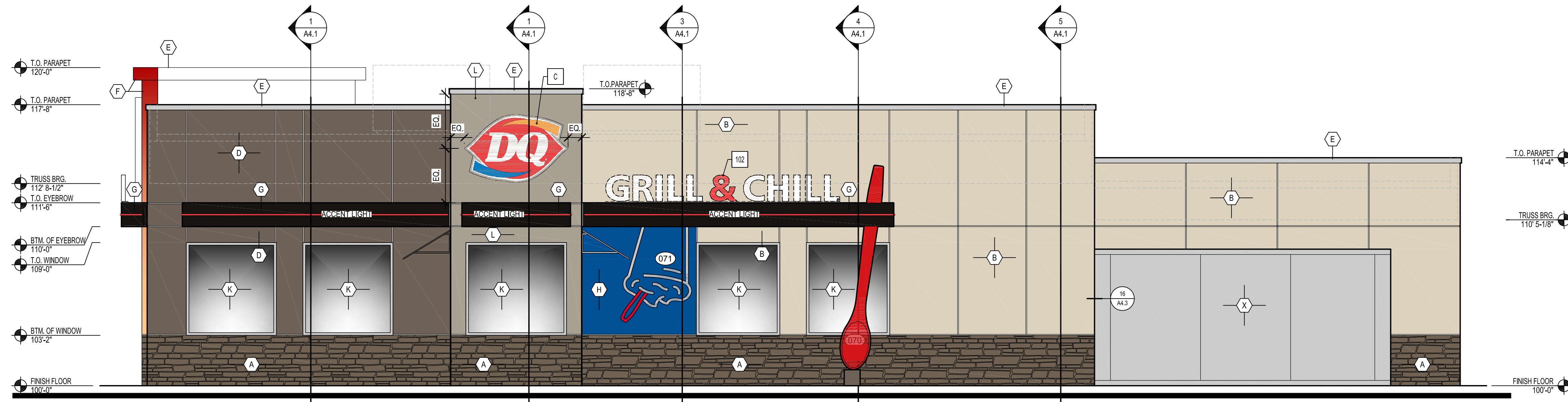
ELEVATION PAGES



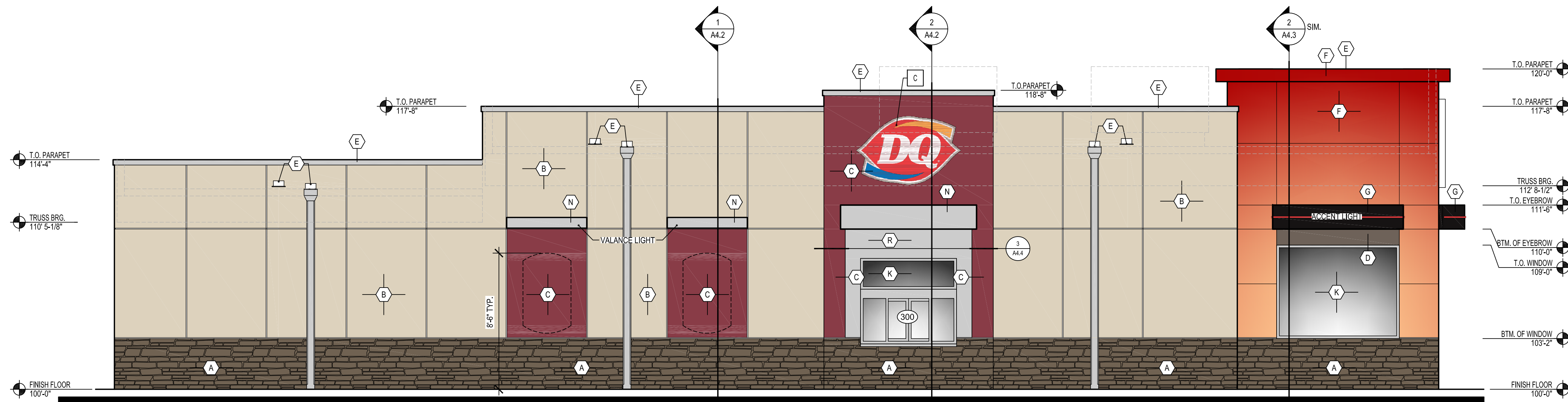
1 FRONT ELEVATION
A3.1 SCALE: 1/4" = 1'-0"



2 REAR ELEVATION
A3.1 SCALE: 1/4" = 1'-0"



3 ENTRANCE ELEVATION
A3.1 SCALE: 1/4" = 1'-0"



4 DRIVE-THRU ELEVATION
A3.1 SCALE: 1/4" = 1'-0"



AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.
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IDAHO ARCHITECT LICENSE NUMBER
AR-986160

SPECIAL NOTICES
In the event the client consents to, allows, authorizes or
approves of changes to any plans, specifications or other
construction documents, and these changes are not approved
in writing by the design professional, the client recognizes that
such changes and the results thereof are not the responsibility
of the design professional. Therefore, the client agrees to
release the design professional from any liability arising from
the construction, use or result of such changes. In addition,
the client agrees to the fullest extent permitted by law, to
indemnify and hold the design professional harmless from any
damage, liability or cost (including reasonable attorney's fees
and costs of defense) arising from such changes. Copyright ©
2023 by John S. Odom, Architect. All rights reserved. No part
of this drawing may be reproduced by photocopy or by any
other means, or stored, processed, or transmitted in or by any
computer or other systems without the prior written permission
of the Architect.

ISSUE DATE: 07/07/23
REVISION DATE:
07/07/23 ORIGINAL ISSUE

EXTERIOR
ELEVATIONS

SHEET NUMBER:
A3.1

EXHIBIT "B"

SITE PLAN

EXHIBIT C
LANDSCAPE PLAN

LANDSCAPE NOTES:

1. REGULATIONS & STANDARDS

1.1. All contractor work shall be conducted in accordance with ISPWC (Idaho Standard Public Works Construction), 2023 (or most recent published); and City of Middleton, ID codes, standards and state and local regulations.

2. EXISTING CONDITIONS

2.1. All utilities shall be located prior to construction and protected. Any damage to structures, utilities or concrete will be replaced at contractor's expense.

2.2. The site has many existing improvements such as underground utilities, curb and gutter, light poles and sidewalks.

2.3. See Engineer's plans for information about existing features.

2.3.1. Refer to civil plans for all existing and/or proposed drainage pipes & locations, utilities. Protect all drainage at all times, protect all utilities at all times.

3. GRADING & SITE PREPARATION

3.1. Prepare finish grades for planting by grubbing and removing weeds. If necessary apply Round-Up (or equivalent herbicide), using a certified applicator. Remove rocks and other materials over 2".

3.2. All gravel overprep to be removed and disposed of off site.

3.3. Finish grade to be smooth transition to allow for entire site to be a natural flowing space.

3.4. Fine grade lawn areas to elevations set by Engineer's plans with positive drainage away from structures.

3.5. Refer to Engineer's plans for grading information & for all drainage pipes and locations. Protect and retain drainage at all times.

3.6. No pooling or standing water will be accepted per industry standards.

4. SOILS

4.1. Lawn areas shall receive 12" min depth of screened topsoil.

4.2. All planter beds shall receive 18" min depth of screened topsoil.

4.3. Reuse of existing topsoil that has been stockpiled on site is permitted if:

4.3.1. Topsoil is tested and analyzed to ensure a proper growing medium. Provide additional amendments as determined by soil tests.

4.3.2. Topsoil is to be loose, friable sandy loam that is clean and free of toxic materials, noxious weeds, weed seeds, rocks, grass or other foreign materials.

4.3.3. Topsoil shall have a pH of 6.5 to 8.0.

4.3.4. If on site topsoil does not meet these minimum standards contractor is responsible for providing approved imported topsoil or improving onsite topsoil per the approval of the project manager.

4.4. If imported topsoil is used it must be from a local source and be screened free of any debris or foreign matter. Topsoil must not
- 4.6. Amend all new plantings with 2 parts topsoil, 1 part compost.

5. LAWN AREAS

5.1. Sodded lawn to be tall turf-type fescue, or approved other.

5.2. Sodded lawn to be regionally/locally harvested, lay sod within 24 hours of harvesting.

5.3. Lay sod to form a solid mass with offset, tightly fitted joints on even grades.

5.4. Any existing lawn that is damaged shall be replaced with sodded lawn of the same type of existing lawn.

5.5. All lawn areas adjacent to planter beds, gravel areas, or aggregate pathways shall have 4" black steel edging installed per manufacturer recommendations. Other applications to be approved by owner and landscape architect.

5.6. Lawn adjacent to buildings, structures shall be a minimum of 18" away from foundations. Lawn adjacent to fences or other screening elements shall be a minimum of 9" away.

5.6.1. Install 3" chips or other approved gravel mulch type in mow strip at a depth of 3" over commercial grade weed barrier fabric installed per manufacturer recommendations.

5.7. Provide tree rings with a minimum 3' diameter around all trees located in lawn, mulch type & installation/application to match all other planter beds.

6. PLANTER BED MULCH

6.1. All planter beds to receive 3" depth of black & tan mini rock mulch or approved equal, submit for approval prior to placement. Install over commercial grade weed barrier fabric per manufacturer recommendations.

7. PLANTS

7.1. All plant material shall be installed per industry standards.

7.2. All plant material shall meet or exceed the minimum federal standards as regulated by ANSI z60.1, American Standard for Nursery Stock. Plants not meeting these standards for quality, or plants determined to be unhealthy by Owner's representative, will be rejected.

7.3. All Ball and Burlap trees to be installed per Balled and Burlapped planting detail. All shrubs to be installed per detail. Trees and shrubs over 30" shall not be planted within clear vision triangles.

7.4. Fertilize all trees and shrubs with 'Agriform' planting tablets or approved equal. Apply per manufacturers recommendations.

8. IRRIGATION

8.1. Irrigation system shall be built to the following specifications:

8.2. Adhere to city codes when connecting to city water.

8.3. All irrigation material to be new with manufacturers' warranty
- 8.4. fully intact.

8.4.1. Install outdoor rated controller in specified location on plan, in a lock box with 2 keys. Coordinate with project manager and general contractor on exact location.

8.5. All remote control valves (including master control valve) to have flow control device.

8.6. Irrigation system piping to be minimum class 200 PVC or approved equal, sleeves to be double the size of pipes located within, all wires to be contained in separate sleeves 1-1/2" dia min.

8.7. All pipe above 3" caliber to be gasketed, with approved joint restraints at all 45, TEE, ELL, 22, 11.

8.8. Use common trenching where possible.

8.9. All PVC located under hardscapes to be schedule 40 PVC with same req's as above.

8.10. All wires to be Paige wire 7350 or 7351 direct bury wire at a minimum of 12" below finished grade.

8.11. Connect mainline to point of connection in approximate location shown on plan.

8.12. Contractor is responsible complying with all codes and paying all permits necessary.

8.13. Sprinkler heads shall have matched precipitation within each control circuit. Velocities shall not exceed 5 feet per second.

8.14. All drip irrigation to be buried 2" below finished grade.

8.15. Water schedule to be provided at a min of 80% evapotranspiration as determined by the local ET.

8.16. Install all irrigation per irrigation drawings. utilize material specified or approved equal.

8.17. Contractor shall confirm the static water pressure at least five days before construction begins and to contact the landscape architect in writing if the pressure is below 80 psi.

8.18. If any discrepancies are found, then local codes shall prevail.

9. CONTRACTOR RESPONSIBILITIES

9.1. Estimated quantities are shown for general reference only. Contractor shall be responsible for all quantity estimates.

9.2. All plant material and workmanship shall be guaranteed for a period of one year beginning at the date of Acceptance by Owner. Replace all dead or unhealthy plant material immediately with same type and size at no cost to Owner.

9.3. Landscape contractor to turn in as built drawings at the end of project. Substantial completion will not be granted until 2 copies @ 1"=20' scale are turned in and approved by owner's representative.

10. In the event of a discrepancy, notify the Landscape Architect immediately.

LANDSCAPE REQUIREMENTS

CODE REQUIREMENTS PER MIDDLETON CITY CODE

STREET BUFFER:
*1 TREE PER 35LF

STREET NAME	LENGTH (LF)	TREES REQUIRED	TREES PROVIDED
W. MAIN ST.	215	6	6

PARKING LOT:
*1 TREE PER PARKING ISLAND/TERMINAL PLANTER

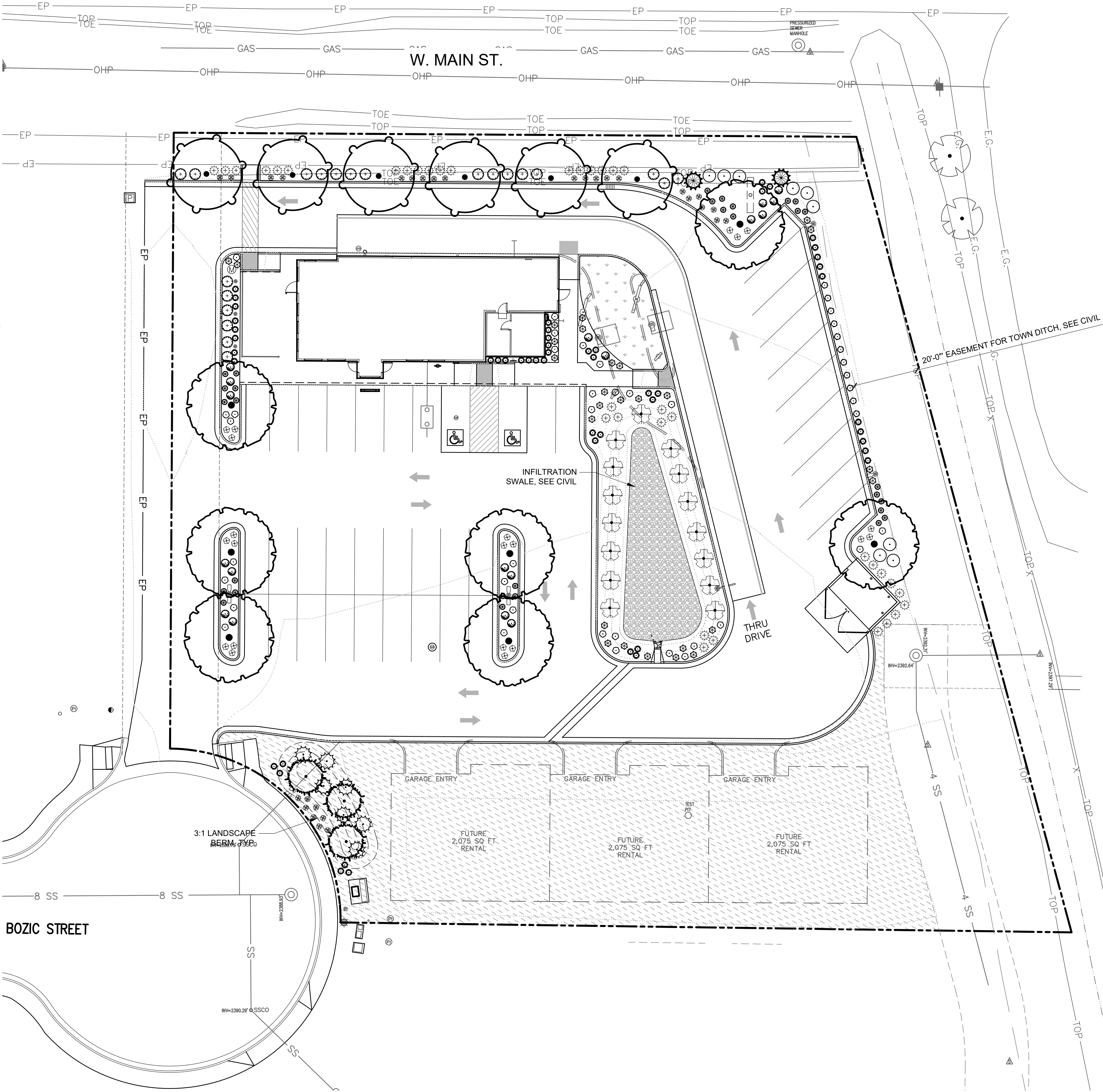
PLANTERS	TREES REQUIRED	TREES PROVIDED
5	5	7

MINIMUM PLANT SIZES:

PLANT TYPE:	MINIMUM SIZE
*EVERGREEN TREES:	6"-0" HT. MIN.
*ORNAMENTAL TREES:	2" CALIPER MIN.
*SHADE TREES:	2" CALIPER MIN.
*WOODY SHRUBS:	2 GAL. MIN.

PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	FRA ASH	Fraxinus pennsylvanica 'Cinnamom' / Cinnamom® Green Ash 60" H & 35" W CLASS II	B&B	2"	Cal	6
	GLE IN4	Gleditsia triacanthos inermis / Thornless Honey Locust 40" T & 35" W CLASS II	B & B	2"	Cal	7
EVERGREEN TREE	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	PIC G22	Picea pungens / Layered Colorado Blue Spruce 50" H & 15" W	B&B		8" H	3
	PIN ARN	Pinus nigra 'Arnold Sentinel' / Arnold Sentinel Austrian Pine 20' H & 7" W	B&B		8" H	2
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY
	ART POW	Artemisia x 'Powis Castle' / 'Powis Castle' Artemisia 2'-3' H & 6" W	2 gal			32
	BER CRI	Berberis thunbergii 'Crimson Pygmy' / 'Crimson Pygmy' Barberry 2' H & 3" W	2 gal			18
	CAR CLA	Caryopteris x clandonensis 'Blue Mist' / 'Blue Mist' Shrub 2'-5" H & 4" W	2 gal			21
	COR HAL	Cornus alba 'Balthaz' TM / Ivory Halo Dogwood 6'-5" H & 4" W	2 gal			9
	JUN SK2	Juniperus scopulorum 'Skyrocket' / 'Skyrocket' Juniper 15-20" H & 2-3" W	5 gal			16
	RHU GRO	Rhus aromatica 'Gro-Low' / 'Gro-Low' Fragrant Sumac 2-3' H & 6-8" W	2 gal			15
GROUNDCOVERS	CODE	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY
	JUN BL3	Juniperus horizontalis 'Blue Chip' / 'Blue Chip' Juniper 1" TALL & 6"-8" WIDE	1 gal			7
ORNAMENTAL GRASSES	CODE	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY
	CAL KAR	Calamagrostis x acutiflora 'Karl Foerster' / 'Feather Reed' Grass 4'-6" H 2'-3" W	1 gal			51
	MIS MOR	Miscanthus sinensis 'Morning Light' / 'Morning Light' Maiden Grass 5' H & 3-4" W	1 gal			36
PERENNIALS	CODE	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY
	CEN RUB	Centranthus ruber / 'Red Valerian' 2' - 3' H & 30" W	1 gal			21
	GAI ASN	Gaillardia x 'Arizona Sun' / 'Arizona Sun' Blanket Flower 1' H & 2" W	1 gal			29
	HEM ORO	Hemerocallis x 'Stella de Oro' / 'Stella de Oro' Daylily 2' H & 2" W	1 gal			30
	LA	Lavandula angustifolia 'Hidcote Blue' / 'Hidcote Blue' Lavender 30" H 30" W	1 gal			27
	NON-MAINTAINED RTF FESCUE					
	SODDED LAWN, TALL-TYPE FESCUE OR SIMILAR					



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Seals PRELIMINARY



NOT FOR CONSTRUCTION

MIDDLETON DAIRY QUEEN
884 BOZIC ST.
MIDDLETON, ID 83644

MRK	DATE	Description
△	**	**

JOB NO: 23-2715
DATE: 06.30.2023
DRAWN BY: BH
CHECKED BY: JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L100



Public Comment

August 14, 2023 - Planning & Zoning Meeting

[illegible]



Please check

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