
**MIDDLETON CITY PLANNING AND ZONING
COMMISSION MINUTES
JANUARY 10, 2022**

Call to Order: The January 10, 2022, Planning and Zoning Commission Meeting was called to order by Chairman Ray Waltemate at 5:36 p.m.

Chairman Waltemate explained the agenda would be adjusted to allow for the swearing in of new commissioners prior to the Pledge of Allegiance and Roll Call.

Action Items

1. Introduction and swearing in of New Commissioners: Scott Brock & Tim Hoekstra – Mayor Rule

Mayor Rule thanked outgoing Commissioners Gregory and Hutchison for their service and swore in New Commissioners Brock and Hoekstra.

Pledge of Allegiance Roll Call: Chairman Ray Waltemate, and Commissioners Kip Crofts, Heidal Summers, Scott Brock, and Tim Hoekstra were present.

Action Items:

**2. Consent Agenda (items of routine administrative business)
a. Consider approving December 6, 2021, regular meeting minutes.**

Chairman Waltemate called the item. Commissioners Brock and Hoekstra abstained from voting as they were not at the December 6th meeting.

Motion: Motion by Chairman Waltemate to approve December 6, 2021, regular meeting minutes. Motion seconded by Commissioner Summers and approved unanimously by Waltemate, Crofts and Summers.

3. Consider approving the Findings of Facts, Conclusions of Law and Recommendation (FCR) for Middleton City Code changes of December 6, 2021, Public Hearing. – Roberta Stewart

Commissioners Scott and Brock recused themselves as they were not present for the December 6, 2021, public hearing.

Motion: Motion by Chairman Waltemate to approve the Findings of Facts, Conclusions of Law and Recommendation (FCR) for Middleton City Code changes of December 6, 2021, Public Hearing. Motion seconded by Commissioner Summers and approved unanimously by Waltemate, Crofts and Summers.

4. Public Hearing: Continued from December 6, 2021) Application by Value Land, LLC and JP Wagoner Planning for preliminary plat with respect to the Artesian Springs Subdivision located at 10348 Hwy 44 zoned R-3 (Single-Family Residential). The proposed preliminary plat consists of 40 single-family homes and 7 common lots on 13.56 acres. – Jennica Reynolds

Commissioners Scott and Brock recused themselves as they were not present for the December 6, 2021, public hearing.

Chairman Waltemate opened the public hearing at 5:44 p.m.

Chairman Waltemate stated that the public hearing was continued so the applicant could address the requirement by MRFD to add the 2nd Emergency Access to the subdivision.

He opened the public comment at 5:47 p.m.

Applicant Representative – Jarom Wagoner, JP Wagoner Planning 11846 Linden Road, Caldwell, Id 83605

- Applicant was asked to revise the preliminary plat to bring it up to standards of 2018 International Fire Code of a second access after 30 lots, even though Middleton City Code requires a second access after 50 lots.
- The second access will connect to SH44 but will be usable for emergency vehicles only. There will be bollards to block other traffic. However, pedestrians will still be able to use it.
- The Applicant agrees with all the conditions of approval in the staff report.

Rebecca Martin – 10346 Hwy 44: She lives to the north of the project. She is concerned about her access to her 30 ft wide easement and the access she will have to SH44.

Chairman Waltemate closed the public comment portion at 5:50 p.m.

Applicant Representative – Jarom Wagoner, JP Wagoner Planning 11846 Linden Road, Caldwell, Id 83605

- Access from that 30 ft easement to SH44 is between ITD and the Martins.
- There is an additional 30 ft buffer along the west boundary of the project in which the easement lives. It will be maintained by the Artesian Springs HOA.

Planning Staff – Jennica Reynolds reviewed the conditions of approval of the Artesian Springs Preliminary Plat.

Motion: Motion by Commissioner Summers accept the General Facts and Conclusions of Law set forth in the staff report and public hearing in regard to Artesian Springs Preliminary Plat. Motion seconded by Chairman Waltemate and approved unanimously by Summers, Waltemate and Crofts.

Motion: Motion by Chairman Waltemate to recommend to City Council approval of the application by Value Land, LLC and JP Wagoner Planning for preliminary plat with respect to the Artesian Springs Subdivision located at 10348 Hwy 44 zoned R-3 (Single-Family Residential). The proposed preliminary plat consists of 40 single-family homes and 7 common lots on 13.56 acres. Motion seconded by Commissioner Crofts and approved unanimously by Waltemate, Crofts and Summers.

Chairman Waltemate closed the public hearing at 6:01 p.m.

5. Consider approving the Findings of Facts, Conclusions of Law and Recommendation for Artesian Springs Subdivision. – Jennica Reynolds

Commissioners Scott and Brock recused themselves as they were not present for the December 6, 2021 public hearing.

Motion: Motion by Chairman Waltemate to approve the Findings of Facts, Conclusions of Law and Recommendation for Artesian Springs Subdivision. Motion seconded by Commissioner Crofts and approved unanimously by Waltemate, Crofts and Summers.

6. Application by D&N Investments, LLC and B&A Engineers, Inc for preliminary plat with respect to the Carlton Meadows South Subdivision located at 0 Whiffin Lane (Tax Parcel No. R17610025A0) zoned R-3 (Single-Family Residential). The proposed preliminary plat consists of 24 single-family homes and 3 common lots on 8.56 acres. – Jennica Reynolds

Chairman Waltemate opened the public hearing open at 6:03 p.m.

Planning Staff – Jennica Reynolds presented a PowerPoint presentation (Exhibit 1) of the staff report (Exhibit 2) of the Carlton Meadows South Subdivision.

Chairman Waltemate: Did the minimum lot size change with the code changes?

Planner – Roberta Stewart: It did not, those changes were not part of the application that was taken to City Council.

Applicant Representative – Joe Canning, B&A Engineers, 5505 W. Franklin Rd. Boise.

- City sewer line is going down Hartley which is why the project has been stalled.
- 3 points of access from the subdivision connecting to the Carlton Meadows Subdivision to the north and out to Hartley and Whiffin. Hartley being the primary entrance.
- The zoning is R-3 and it is in City Limits.
- They are working through a lot line adjustment of a portion of Bigelow subdivision to the south with Roy Bowman.

Questions from Commissioners:

Brock: Do know the building envelope size?

Canning: It will be according to R-3 zoning setbacks.

Summers: Do you have a builder for this subdivision?

Canning: No. They will allow the market to dictate the builders and prices of houses.

Hoeksta: Are you rerouting the drainage ditch, can it handle the additional runoff?

Canning: Historically the drain ditch has been historically shallow. They will not be rerouting the ditch; they want it there. But it will be maintained. They will follow all the City requirements for managing onsite drainage separate from the development which will be handled separate.

Chairman Waltemate opened the public comment portion at 6:31 p.m.

Scott Dykstra – Real Estate Agent representing the 10 acres.

- Real Estate contract has to have 3 elements. 1-Purchase Price, 2-Closing Date, 3- Legal Descriptions
- This was a unique situation in that we didn't have a price or a legal description. We were selling 8+/- acres for potential future development. The issue is they didn't know how much land is there until the property is surveyed and Bowman's didn't want to pay for a survey. They wanted the developer to pay the cost of the survey.
- The issue arose on 5/25/21 we received a survey showing the property was

7.891 acres which is less than 8. The buyer said he wasn't willing to pay \$600,000 for less than 8 acres.

At that point the developer drew the line at 50 ft off the centerline of the ditch. Bowman's said they had no use for the property on the other side of the ditch and they wanted \$600,000.

An agreement was drawn up on 5/25/21 that Bowman's would sell the property on the north side of the ditch for \$600,000 if the developer chose to redo the survey the cost of the survey would be on the developer.

11/12/2021 Bowman's signed a deed for 8.56 acres over to the developer for \$600,000. They signed a new deed on their side for 1.4 acres. The reason for signing two deeds was explained to the Bowman's. They signed and agreed to the terms.

- When Roy received the Landowner's Notice for the hearing it stated 8.56 acres for the preliminary plat. Roy called Scott confused how he sold 8.56 acres. Scott explained how it was explained to him. That Roy did in fact sell 8.56 acres.
- That may be a continued discussion, but it really doesn't have any bearing on the plat.

Owner/Applicant Dave Buich – P.O. Box 516 Eagle: He has no issue with what they own as long as they have 8 acres so they can get the 24 lots. He will give back the .5 acres he just needs 8 acres.

Mike Graefe – 1889 Ridgeway, Middleton: Doesn't understand how this can be approved with uncertainty of the lot lines.

Janet Gregory – 94 Whiffin Lane, Middleton: Concerned about improvements not being done of Whiffin Lane.

Chairman Waltemate closed the public comment portion at 6:42 p.m.

Applicant Representative – Joe Canning, B&A Engineers, 5505 W. Franklin Rd. Boise.

- A legal description has been recorded and according to Canyon County there are 2 parcels recorded. The Lot Line adjustment is not a conflict.
- Improvements to Whiffin will be done along the frontage Carlton Meadows Subdivision to the north. Whiffin is a 2nd access, Hartley will be the primary access.

Questions from the Commissioners:

Brock: What ditch company is running water through that ditch. How wide is their easement?

Canning: Drainage District #2 is the ditch company. 100 ft wide, 50 ft off centerline.

Hoekstra: Who own's the drainage?

Canning: The drain ditch has a 100 ft easement used for spoils and maintenance access. We can't do anything in their easement until we get permission.

Discussion by Commissioners:

Summers: Concerned about the development being contingent upon another developer. She is also concerned about Whiffin Lane and would like to see how Carlton Meadows to the north connects and how the flow will go to Hartley.

Planning Staff showed the Carlton Meadows plat and how it will connect to the 3 roads going north from Carlton Meadows South. And explained that minor changes to a

preliminary plat such as extending the roads for connectivity and removing a couple buildable lots do not necessitate an amended preliminary plat be brought back before the Commission. They are not considered significant changes. Construction Drawings are close to being finalized.

Commissioners want to revisit the code and process regarding major/significant changes between the preliminary plat and final plat.

Brock: There is a process for the legal land boundaries to be recorded with Canyon County so no one is getting dupped out of anything.

Summers: Concerned about Whiffin Lane

Waltemate: This plat has no connection to Whiffin Lane. Between Carlton Meadows and this development there will be 88 homes in this area.

Motion: Motion by Chairman Waltemate to accept the General Facts and Conclusions of Law set forth in the staff report and public hearing in regard to Carlton Meadows South Preliminary Plat. Motion seconded by Commissioner Summers and approved unanimously

Motion: Motion by Commissioner Hoekstra to recommend to City Council approval of an application by D&N Investments, LLC and B&A Engineers, Inc for preliminary plat with respect to the Carlton Meadows South Subdivision located at 0 Whiffin Lane (Tax Parcel No. R17610025A0) zoned R-3 (Single-Family Residential). The proposed preliminary plat consists of 24 single-family homes and 3 common lots on 8.56 acres with all conditions of approval listed in the Staff Report. Motion seconded by Commissioner Summers and approved unanimously.

7. Consider approving the Findings of Facts, Conclusions of Law and Recommendation (FCR) for Carlton Meadow South Subdivision.

Motion: Motion by Commissioner Summers to approving the Findings of Facts, Conclusions of Law and Recommendation (FCR) for Carlton Meadow South Subdivision. Motion seconded by Commissioner Crofts and approved unanimously.

Chairman Waltemate closed the public hearing at 7:05 p.m.

Public/Commission/Staff Comments:

Scott Dykstra: Wants to clarify for future discussion of Carlton Meadow South. They are looking at deeding the approximately acre south of the ditch back to the Bowmans. Concern is the 62 ft along Whiffin that is within the easement, but now would be owned by Bowman's will there be a requirement to put curb/gutter/sidewalk? They don't plan to develop that and so he doesn't want the Bowman's burdened with that.

Waltemate: Will need to ask the city. Per his understanding they are the original owners of that plot, it has never been conditioned to them to prior and they are not the developer.

Brock: Why wasn't there a survey in the beginning?

Dykstra: In this market it is maybe not advisable, but it is not uncommon for a seller to state "I will sell you X property but I don't have the funds or resources to have that property surveyed." So you will note from the time of original survey to the time of closing was 6 months later, so there was time for negotiations to happen back and forth. There were a number of factors in this transaction, least of not which is the seller is not local. We had a phone call on the day they met with the Notary Public to sign all the closing documents. Then the seller later came back and said

he did not read what he signed. Seller's did sign the survey as well.

Mike Graefe – 1889 Rideway, Middleton: Submitted some paperwork to the commissioners showing a change he would like to see regarding changes to minimum lot size of in R-3 zoning. He explained the changes to the code regarding gross acres and buildable acres. He said that the minimum lot size was in a footnote in the table.

Discussion tonight about who did the survey. It is time that we start looking out for the City of Middleton and those who live here. Developers come in, they don't live here.

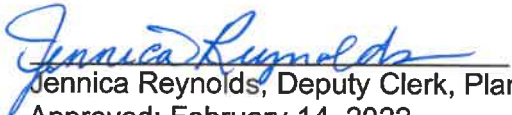
Chairman Waltemate: The fight is being taken to City Council. Toll Brothers were grandfathered through a Development Agreement.

Commissioner Hoekstra: We have to have lot size defined in the City Code per Zoning area.

City Staff-Jennica Reynolds clarified that the footnote Mike was referring to didn't have anything to do with R-3 zoning that footnote is in regard to Single-family Attached homes. The Height, Setback and Coverage Schedule – Table 2 defines the size of minimum lot size of R-3 zoning as 8,000 sq. ft.

Adjourn: Chairman Waltemate adjourned the meeting at 7:29 p.m.

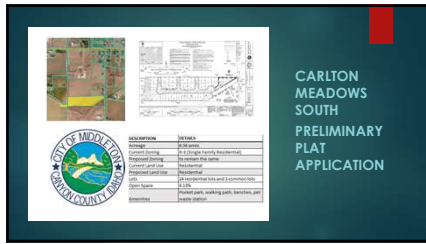
ATTEST:


Jennica Reynolds, Deputy Clerk, Planning
Approved: February 14, 2022

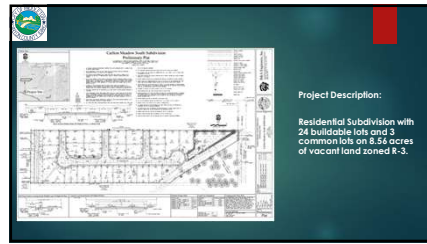

Ray Waltemate, Chairman



Exhibit “1”
PowerPoint Presentation
P&Z Hearing
1-10-2022



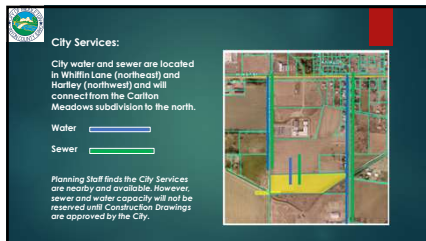
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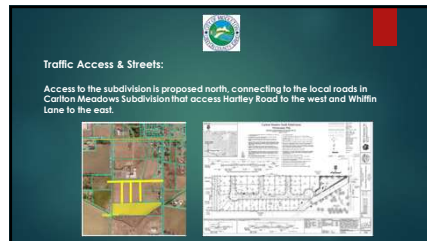
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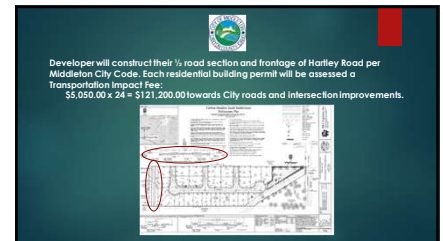
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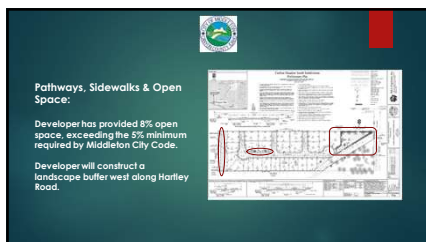
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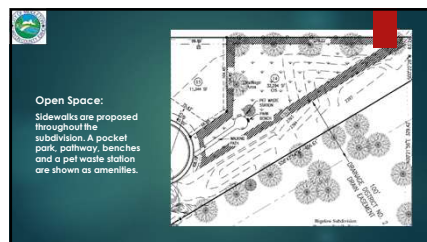
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6




7



8




9




Preliminary Plat Application:

There is no phasing plan, so the project will be brought to final plat in one phase.

The Preliminary Plat complies with all dimensional standards and codes of the City of Middleton.



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Findings:

Planning Staff finds that the Preliminary Plat is not materially detrimental to the public health, safety and welfare, and the Preliminary Plat is in harmony with the City's Comprehensive Plan.

(A copy of the full Preliminary Plat and Landscape Plan is attached as Exhibit "A" of the full Staff Report.)

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Comprehensive Plan and Land Use Map:

Applicant's project complies with the Comprehensive Plan's Future Land Use Map:

Project is designated Residential on the Map which matches the Residential Use planned for the site.



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Comprehensive Plan:

Project complies with the Goals, Objectives and Strategies of the 2019 Middleton Comprehensive Plan as follows:

- Goals 3 & 23: Project provides safe vehicle and pedestrian facilities in light of the street improvements and sidewalks shown on the preliminary plat.
- Goals 4 & 5: 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.
- Goal 11: The housing type matches the residents' lifestyle in the area the project is located and is an in-fill improvement project.

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City Engineer & Planning Staff Comments:

City Engineer recommends approval of the Preliminary Plat.

(Complete Comments attached as Exhibit "B" in full Staff Report)

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Agency Comments: Exhibit "C" of Full Staff Report

Middleton Rural Fire District – Chief Isles

No other Agencies have submitted comments.

15




Surrounding Landowners Comments: (Exhibit "D" of Full Staff Report)

Roy Bowman – Fax received 1/6/2022 with seller's agreement attached.

This is a Landowner dispute with the neighboring parcel regarding the amount of acreage recorded on the preliminary plat.

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Applicant Information:

Application received and accepted on July 20, 2021.

Applicant/Owner: Dave Bulch – D&N Investments
P.O. Box 516
Eagle, ID 83616

Representative: Nick LaCross – B&A Engineers, Inc.
5505 W Franklin Road
Boise, ID 83705

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Notices & Neighborhood Meeting:	Dates:
Neighborhood Meeting	6/20/2021 & 6/21/2021
Newspaper Notification	12/26/2021
Radius notification mailed to Adjacent landowners within 300'	12/21/2021
Circulation to Agencies	12/21/2021
Sign Posting property	12/21/2021

Planning Staff finds that notice was given according Idaho State Law and Middleton City Code.

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Applicable Codes and Standards:

- ▶ Idaho Code Sects. 47-4502, 47-4509, 47-4511, 47-4513, 50-1301 through 50-1329.
- ▶ 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, 5-3, and 5-4.




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Conclusions and Recommended Conditions of Approval:

The Planning & Zoning Commission is tasked with considering the application for Preliminary Plat and making a recommendation to City Council for approval or denial of the application.


Per State Law and the Middleton City Code, any recommendation must be based upon General Facts and Conclusions of Law.



20

As to General Facts:


Planning Staff has set forth general facts as stated above. If the Commission agrees with those general facts and agrees with the testimony and evidence presented at the public hearing, the Commission needs to make a motion to accept the general facts set forth in the staff report and public hearing.



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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 this 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 public hearing is held and conducted in compliance with Idaho State Statute and the Middleton City Code, then the Commission may accept these conclusions of law by passing a motion to accept the conclusions of law set forth in the staff report and public hearing.



22

If the Commission is inclined to recommend approval of the application based upon the above General Facts and Conclusions of Law, 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. All City Engineer review comments are to be completed and approved.
3. All requirements of the Middleton Rural Fire District approved by the City are to be completed and approved.
4. Sewer and water capacity to be reserved at the time the City approves the construction drawings for the project.



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Finally, if the Commission denies the application, pursuant to Middleton City Code 1-14(E)(8), the Commission must state on record what Applicant can do, if anything, to gain approval of the application.

Planning Deputy Clerk
Jenelle B. Reynolds
1/10/2021



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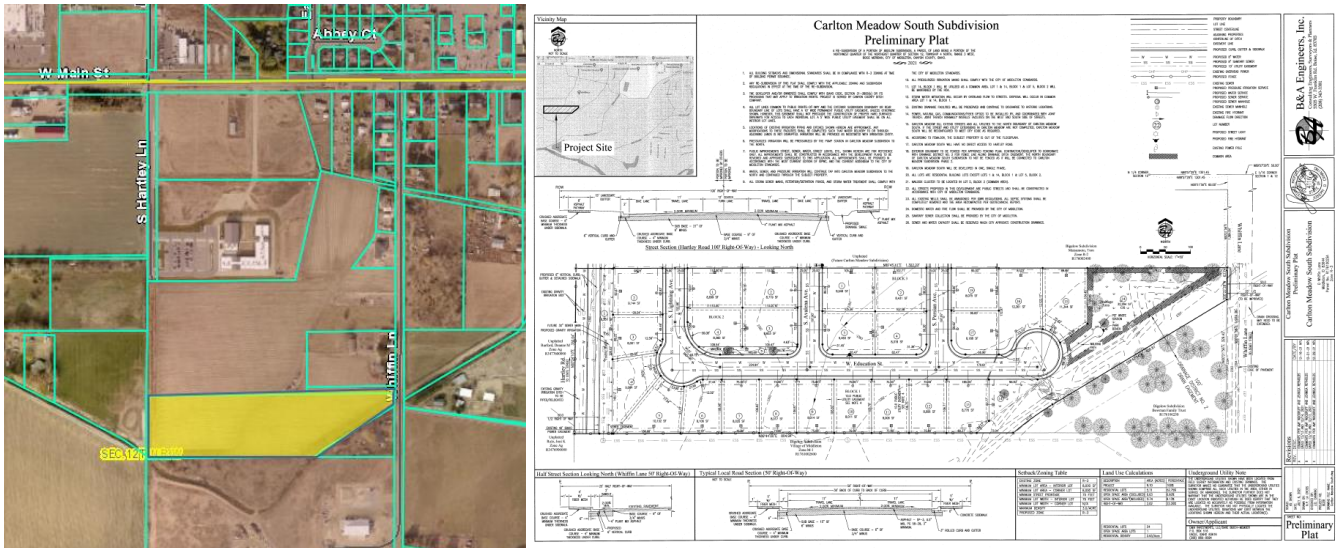
Exhibit “2”
Staff Report
P&Z Hearing
1-10-2022



STAFF REVIEW AND REPORT

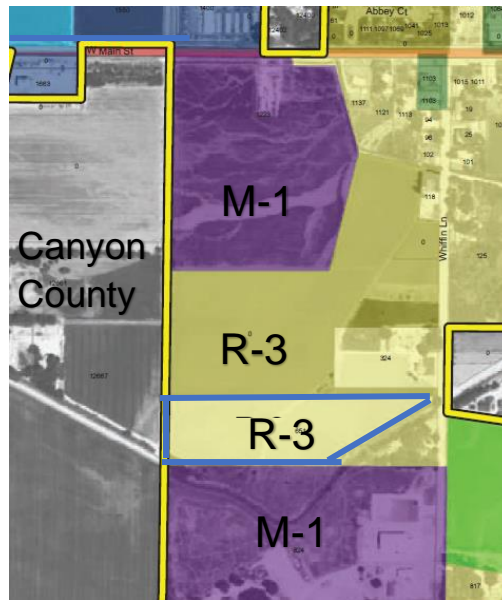
Middleton Planning and Zoning Commission

Carlton Meadows South Subdivision

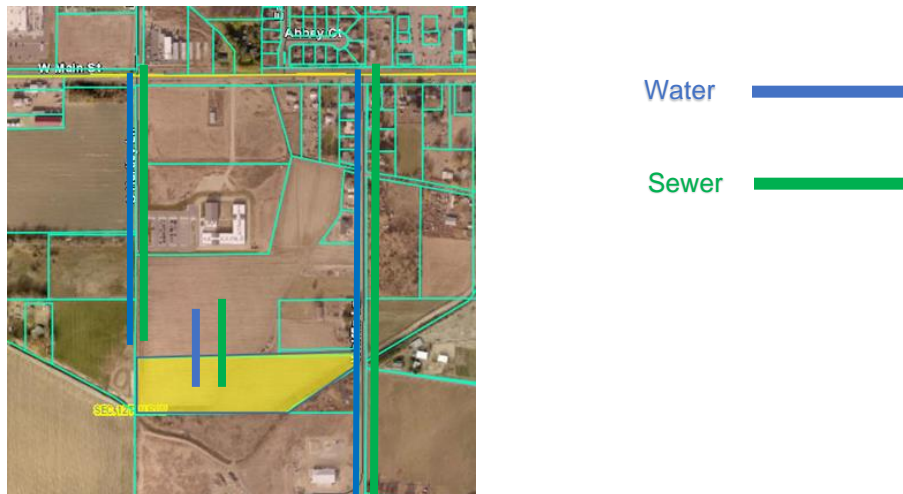


DESCRIPTION	DETAILS
Acreage	8.56 acres
Current Zoning	R-3 (Single Family Residential)
Proposed Zoning	to remain the same
Current Land Use	Residential
Proposed Land Use	Residential
Lots	24 residential lots and 3 common lots
Open Space	8.13%
Amenities	Pocket park, walking path, benches, pet waste station

- A. **Planning & Zoning Commission Hearing Date:** January 10, 2022
- B. **Project Description:** Residential subdivision consisting of 24 buildable lots and 3 common lots on 8.56 acres located at 0 Whiffin Lane (Tax Parcel No. R17610025A0)
- C. **Application Requests:** Applicant is applying for Preliminary Plat.
- D. **Current Zoning & Property Condition:** The property is currently located in city limits and zoned R-3 (Single Family Residential).

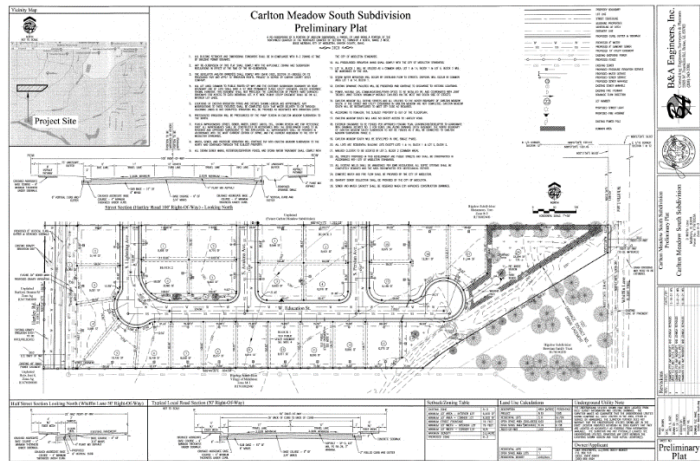
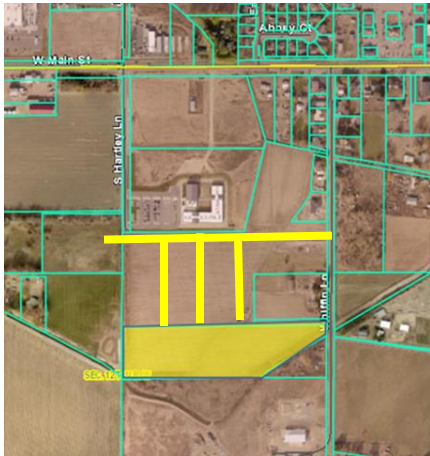


- E. City Services:** City water and sewer are located in Whiffin Lane at the north east corner of the project and in Hartley Road to the north west. Water and sewer will connect from the Carlton Meadows Subdivision directly adjacent to the north.



Planning Staff finds that City Services are nearby and available. However, sewer and water capacity will not be reserved until Construction Drawings are approved by the City.

- F. Traffic, Access & Streets:** Access to the subdivision is proposed north connecting to the local roads in Carlton Meadows Subdivision that access Hartley Road to the west and Whiffin Lane to the east.



The Developer will construct their ½ road section and frontage of Hartley Road per Middleton City Code. Each residential building permit will be assessed a Transportation Impact Fee (currently \$5,050.00 x 24 for a total of \$121,200.00) to go towards the City roads and intersection improvements.

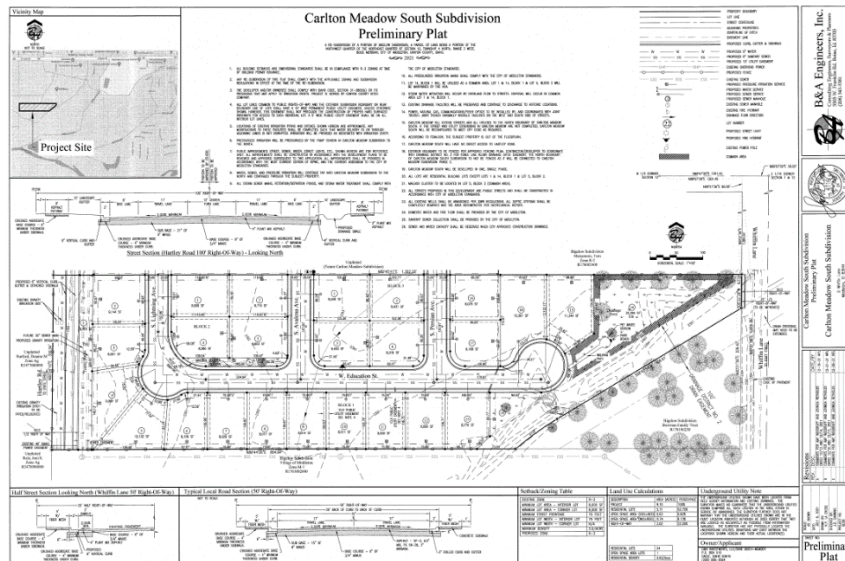
- G. Pathway, Sidewalks & Open Space:** The developer will be required to construct a landscape buffer west along Hartley Road. A pathway to a sitting area will be located in the park by the irrigation ditch.

Developer has provided 8% open space which exceeds the 5% minimum required by MCC 5-4-10-10. A pocket park, pathway, benches and a pet waste station are shown as amenities.

- H. Middleton Rural Fire District:** The subject property is in the Middleton Rural Fire District. The Fire Chief submitted comment attached as Exhibit “C” As a condition of approval, the preliminary plat will be subject to compliance with the District’s comments approved by the City.
- I. Preliminary Plat Application:** The preliminary plat does not show a phasing plan, and the project will be brought to final plat in one phase. The preliminary plat complies with all dimensional standards and codes of the City of Middleton.

FINDINGS:

Planning Staff finds that the preliminary plat is not materially detrimental to the public health, safety and welfare, and the preliminary plat is in harmony with the Middleton Comprehensive Plan. (See more detail in Section J below.)



A copy of the preliminary plat and landscape plan is attached as Exhibit “A”.

- J. Comprehensive Plan & Land Use Map:** Applicant’s project complies with the Comprehensive Plan’s Future Land Use Map because the project is designated Residential (blue color) on the Land Use Map, which matches the Residential Use planned for the site.



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

- Goals 3 and 23:** The project provides safe vehicle and pedestrian facilities in light of the street improvements and sidewalks shown on the preliminary plat.
- Goals 4 and 5:** 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.
- Goal 11:** The housing type matches the residents’ lifestyle in the area the project is located and is an in-fill improvement project.

K. Comments from City Engineer and Planning Staff: City Engineer and Planning Staff comments attached as Exhibit “B”.

L. Comments from Agencies: MFRD Chief Islas comment attached as Exhibit “C”.

M. Comments Received from Surrounding Landowners: Fax received 1/6/2022 from Roy Bowman with sellers’ agreement attached. Exhibit “D”. This is a landowner dispute with the neighboring parcel on the amount of acreage in the preliminary plat.

N. Applicant Information: Application was received and accepted on July 20, 2021. The Applicant/Owner Dave Buich – D&N Investments, P.O. Box 516, Eagle, ID 83616 and Representative Nick LaCross – B&A Engineers, Inc – 5505 W Franklin Road, Boise, ID 83705.

O. Notices:	Dates:
Neighborhood Meeting	6/20/2021 & 6/21/2021
Newspaper Notification	12/26/2021
Radius notification mailed to Adjacent landowners within 300’	12/21/2021
Circulation to Agencies	12/21/2021
Sign Posting property	12/21/2021

Planning Staff finds that notice was given according to Idaho State Law and Middleton City Code.

P. Applicable Codes and Standards:
Idaho Code Secs., 67-6503, 67-6509, 67-6511, 67-6513, 50-1301 through 50-1329.
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, 5-3, and 5-4.

T. Conclusions and Recommended Conditions of Approval:

The Planning & Zoning Commission is tasked with considering the application for Preliminary Plat and making a recommendation to City Council for approval or denial of the application.

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 as stated above. If the Commission agrees with those general facts and agrees with the testimony and evidence presented at the public hearing, the Commission needs to make a motion to accept the general facts set forth in the staff report and public hearing.

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 this 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 public hearing is held and conducted in compliance with Idaho State Statute and the Middleton City Code, then the Commission may accept these conclusions of law by passing a motion to accept the conclusions of law set forth in the staff report and public hearing.

If the Commission is inclined to recommend approval of the application based upon the above *General Facts and Conclusions of Law*, 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. All City Engineer review comments are to be completed and approved.
3. All requirements of the Middleton Rural Fire District approved by the City are to be completed and approved.
4. Sewer and water capacity to be reserved at the time the City approves the construction drawings for the project.

Finally, if the Commission denies the application, pursuant to Middleton City Code 1-14(E)(8), the Commission must state on the record what Applicant can do, if anything, to gain approval of the application.

Prepared by Planning Deputy Clerk, Jennica Reynolds

Dated: 1/5/2022

Exhibit “A”

Vicinity Map



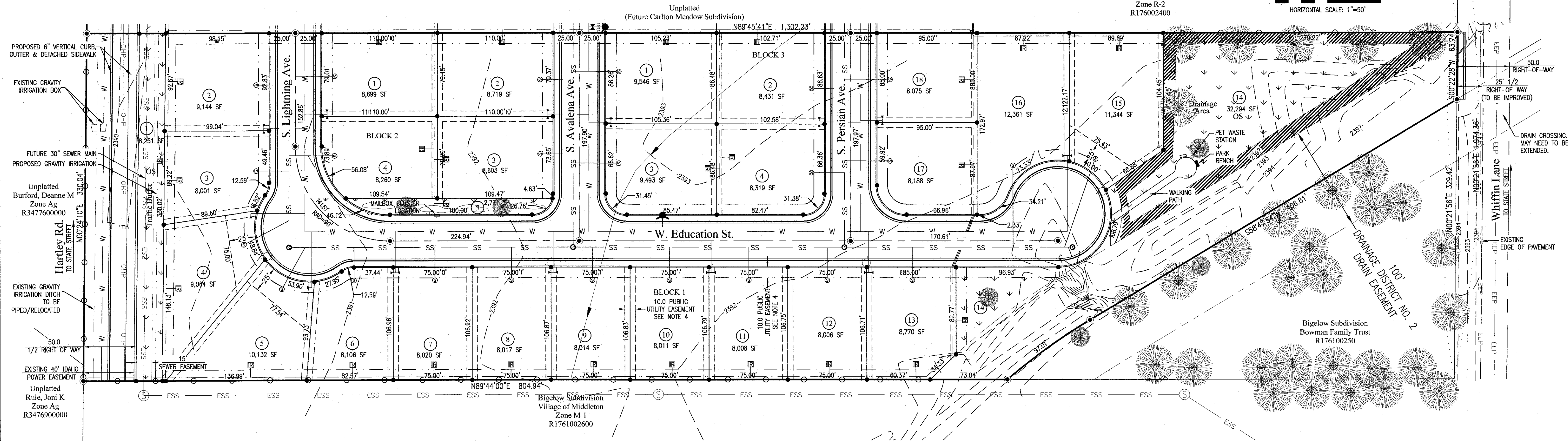
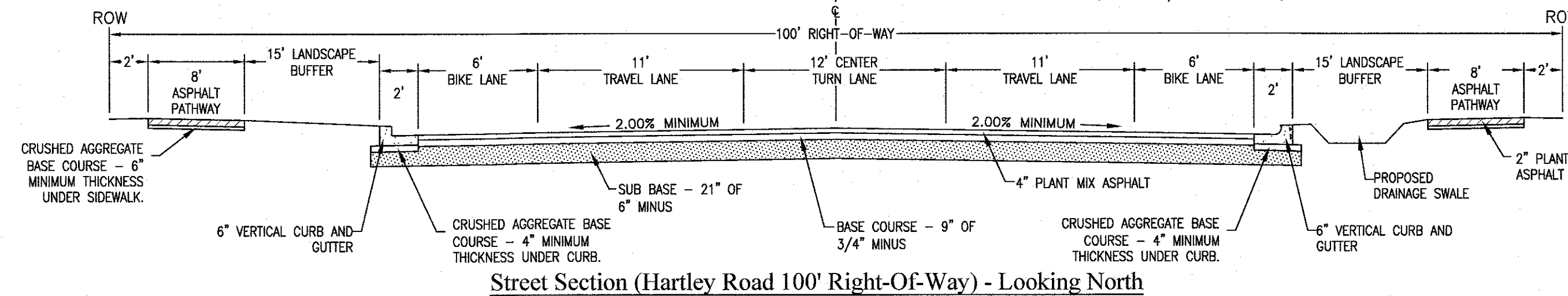
Project Site

Carlton Meadow South Subdivision
Preliminary Plat

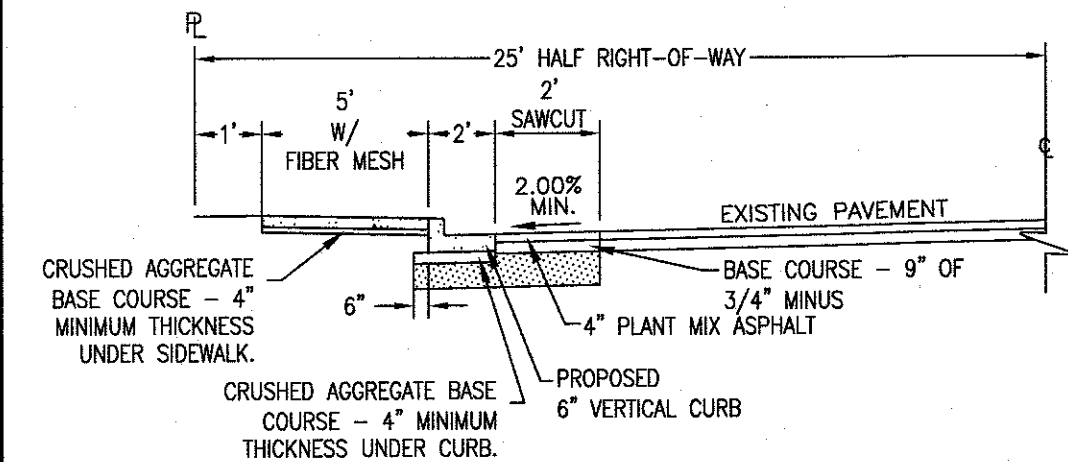
A RE-SUBDIVISION OF A PORTION OF BIGELOW SUBDIVISION, A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CITY OF MIDDLETON, CANYON COUNTY, IDAHO.

2021

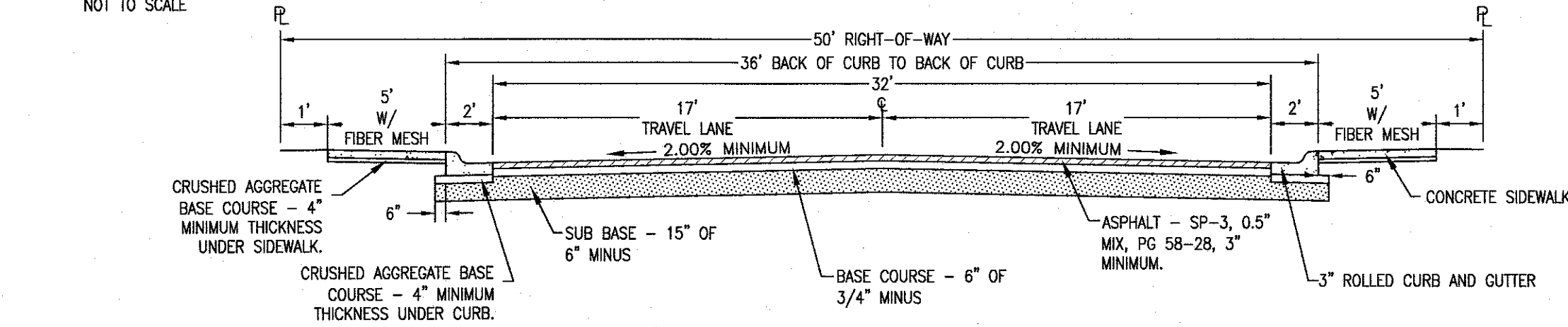
- ALL BUILDING SETBACKS AND DIMENSIONAL STANDARDS SHALL BE IN COMPLIANCE WITH R-3 ZONING AT TIME OF BUILDING PERMIT ISSUANCE.
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- THE DEVELOPER AND/OR OWNER(S) SHALL COMPLY WITH IDAHO CODE, SECTION 31-3805(b) OR ITS PROVISIONS THAT MAY APPLY TO IRRIGATION RIGHTS. PROJECT IS SERVED BY CANYON COUNTY DITCH COMPANY.
- ALL LOT LINES COMMON TO PUBLIC RIGHTS-OF-WAY AND THE EXTERIOR SUBDIVISION BOUNDARY OR REAR BOUNDARY LINE OF LOTS SHALL HAVE A 10' WIDE PERMANENT PUBLIC UTILITY EASEMENT, UNLESS OTHERWISE SHOWN. HOWEVER, THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF PROPER HARD SURFACED DRIVEWAYS FOR ACCESS TO EACH INDIVIDUAL LOT. A 5' WIDE PUBLIC UTILITY EASEMENT SHALL BE ON ALL INTERIOR LOT LINES.
- LOCATIONS OF EXISTING IRRIGATION PIPING AND DITCHES SHOWN HEREON ARE APPROXIMATE. ANY MODIFICATIONS TO THESE FACILITIES SHALL BE COMPLETED SUCH THAT WATER DELIVERY TO OR THROUGH ADJOINING LANDS IS NOT DISRUPTED. IRRIGATION WILL BE PROVIDED AS NEGOTIATED WITH IRRIGATION ENTITY.
- PRESSURIZED IRRIGATION WILL BE PRESSURIZED BY THE PUMP STATION IN CARLTON MEADOW SUBDIVISION TO THE NORTH.
- PUBLIC IMPROVEMENTS STREET, SEWER, WATER, STREET LIGHTS, ETC., SHOWN HEREON ARE FOR REFERENCE ONLY. ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DEVELOPMENT PLANS TO BE REVIEWED AND APPROVED SUBSEQUENT TO THIS APPLICATION. ALL IMPROVEMENTS SHALL BE PROVIDED IN ACCORDANCE WITH THE MOST CURRENT EDITION OF ISPWC, AND THE CURRENT ADDENDUM TO THE CITY OF MIDDLETON STANDARDS.
- WATER, SEWER, AND PRESSURE IRRIGATION WILL CONTINUE TAP INTO CARLTON MEADOW SUBDIVISION TO THE NORTH AND CONTINUED THROUGH THE SUBJECT PROPERTY.
- ALL STORM SEWER MAINS, RETENTION/DEFINITION PONDS, AND STORM WATER TREATMENT SHALL COMPLY WITH THE CITY OF MIDDLETON STANDARDS.
- ALL PRESSURIZED IRRIGATION MAINS SHALL COMPLY WITH THE CITY OF MIDDLETON STANDARDS.
- LOT 14, BLOCK 1 WILL BE UTILIZED AS A COMMON AREA. LOT 1 & 14, BLOCK 1 & LOT 5, BLOCK 2 WILL BE MAINTAINED BY THE HOA.
- STORM WATER MITIGATION WILL OCCUR BY OVERLAND FLOW TO STREETS. DISPOSAL WILL OCCUR IN COMMON AREA LOT 1 & 14, BLOCK 1.
- EXISTING DRAINAGE FACILITIES WILL BE PRESERVED AND CONTINUE TO DISCHARGE TO HISTORIC LOCATIONS.
- POWER, NATURAL GAS, COMMUNICATIONS/FIBER OPTICS TO BE INSTALLED BY, AND COORDINATED WITH JOINT TRENCH. JOINT TRENCH NORMALLY INSTALLS FACILITIES ON THE WEST AND SOUTH SIDE OF STREETS.
- CARLTON MEADOW SILL EXTEND STREETS AND ALL UTILITIES TO THE NORTH BOUNDARY OF CARLTON MEADOW SOUTH. IF THE STREET AND UTILITY EXTENSIONS IN CARLTON MEADOW ARE NOT COMPLETED, CARLTON MEADOW SOUTH WILL BE RECONFIGURED TO MEET CITY CODE AS REQUIRED.
- ACCORDING TO FEMA.GOV, THE SUBJECT PROPERTY IS OUT OF THE FLOODPLAIN.
- CARLTON MEADOW SOUTH WILL HAVE NO DIRECT ACCESS TO HARTLEY ROAD.
- CARLTON MEADOW SOUTH WILL BE DEVELOPED IN ONE, SINGLE PHASE.
- ALL LOTS ARE RESIDENTIAL BUILDING LOTS EXCEPT LOTS 1 & 14, BLOCK 1 & LOT 5, BLOCK 2.
- MAILBOX CLUSTER TO BE LOCATED IN LOT 5, BLOCK 2 (COMMON AREA).
- ALL STREETS PROPOSED IN THIS DEVELOPMENT ARE PUBLIC STREETS AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF MIDDLETON STANDARDS.
- ALL EXISTING WELLS SHALL BE ABANDONED PER IDWR REGULATIONS. ALL SEPTIC SYSTEMS SHALL BE COMPLETELY REMOVED AND THE AREA RECOMPACTED PER GEOTECHNICAL REPORT.
- DOMESTIC WATER AND FIRE FLOW SHALL BE PROVIDED BY THE CITY OF MIDDLETON.
- SANITARY SEWER COLLECTION SHALL BE PROVIDED BY THE CITY OF MIDDLETON.
- SEWER AND WATER CAPACITY SHALL BE RESERVED WHEN CITY APPROVES CONSTRUCTION DRAWINGS.



Half Street Section Looking North (Whiffin Lane 50' Right-Of-Way)



Typical Local Road Section (50' Right-Of-Way)



Setback/Zoning Table

EXISTING ZONE	R-3
MINIMUM LOT AREA - INTERIOR LOT	8,000 SF
MINIMUM LOT AREA - CORNER LOT	8,000 SF
MINIMUM STREET FRONTAGE	75 FEET
MINIMUM LOT WIDTH - INTERIOR LOT	75 FEET
MINIMUM LOT WIDTH - CORNER LOT	N/A
MAXIMUM DENSITY	3.0/ACRE
PROPOSED ZONE	R-3

Land Use Calculations

DESCRIPTION	AREA (ACRES)	PERCENTAGE
PROJECT	9.10	100%
RESIDENTIAL LOTS	5.71	62.75%
OPEN SPACE AREA (EXCLUDED)	0.63	6.92%
OPEN SPACE AREA (INCLUDED)	0.74	8.13%
RIGHT-OF-WAY	2.02	22.20%

RESIDENTIAL LOTS	24
OPEN SPACE AREA LOTS	1
RESIDENTIAL DENSITY	2.63/Acre

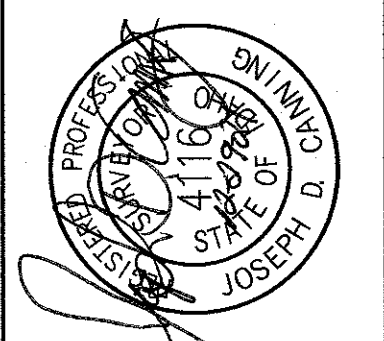
Underground Utility Note

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. DEVIATIONS MAY EXIST BETWEEN THE LOCATIONS SHOWN HEREON AND THEIR ACTUAL LOCATION(S).

Owner/Applicant

D&N INVESTMENTS, LLC/DAVE BUCH-MEMBER
P.O. BOX 516
EAGLE, IDAHO 83616
(208) 886-0594

B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5505 W. Franklin Rd. Boise, Id. 83705
(208) 343-3381



Carlton Meadow South Subdivision
Preliminary Plat
Carlton Meadow South Subdivision
Preliminary Plat
0 Whiffin Lane
Middleton, ID 83644
Parcel No. R17610025A
Zone R-3

REV.	DESC.	DATE/BY
A	COMMENTS PER AMY WOODRUFF AND JENICA REYNOLDS DATED 12/15/2021	12-16-21 NPL
B	COMMENTS PER AMY WOODRUFF AND JENICA REYNOLDS DATED 12/15/2021	12-21-21 NPL
C	COMMENTS PER AMY WOODRUFF AND JENICA REYNOLDS DATED 12/15/2021	12-29-21 NPL

SCALE: AS SHOWN
DATE: JULY 6, 2021
DRAWN BY: N.P. LA CROSS
CHECKED BY: J.D. CANNING
PROJECT NO.: B028
DRAWING FILE NAME: Carlton Meadow South.dwg
SHEET NO.:
Preliminary Plat

Exhibit “B”



December 13, 2021

TO: Jennica Reynolds, Planner

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

RE: CARLTON MEADOWS SOUTH PRELIMINARY PLAT

Thank you for the opportunity to review the above referenced preliminary plat submittal.

- 1) Confirm the subdivision name "Carlton Meadows South" can be approved by the City.
- 2) MCC 5-4-4.2 a and I. The boundary is required to be surveyed and stamped by PLS, including ties to corners.
 - What is status of the southeast corner - south of the drain? If split off, please provide the documentation. If not, the property may be eligible for a one time division or please include it in the subdivision boundary.
- 3) MCC 5-4-4.2.f. and g. Need to show the topography in addition to contours.
 - Include Whiffin, drains, trees, utilities, benchmark, etc.
 - Identify the drain crossing on Whiffin and note it may need to be expanded.
 - Dimension the existing right of way for Whiffin – identify area being dedicated.
- 4) Show fully the water in Hartley.
- 5) Label/identify all easements - existing and proposed. Include Hartley sewer.
- 6) Note 4. Identify purpose of side lot line easement: utility, irrigation, etc.
- 7) Note 7. *Most current* edition of ISPWC
- 8) Note 8. Add language: Carlton Meadows will extend streets and all utilities to the north boundary of Carlton Meadow South. If the street and utility extensions in Carlton Meadows are not completed, Carlton Meadow South will be reconfigured to meet City Code as required.
- 9) Note if project is in floodplain.
- 10) Add note: No direct access to Hartley.



- 11) Add note: Exterior boundary to be fenced per approved fencing plan.
- 12) Show the irrigation system layout.
- 13) Lot 15/Lot 16 both need a sewer service. Extend sewer main east and take service to main if possible, not manhole.
- 14) Show Hartley in plan view including curb and pathway. Identify the location of power structures.
- 15) Clearly show the landscape easement area.
- 16) Show hydrant location.
- 17) Show location of mailbox cluster or note included in Carlton Meadows or?
- 18) Correct street names. Street is east/west. Avenue is north/south.
- 19) Centerline radii is 90ft minimum.
- 20) The stormwater management area is 1 to 2 ft higher than the west end of the project. Understand the site may be filled or other – please note it almost always becomes a problem when the topography doesn't closely follow the project layout.



CITY OF MIDDLETON

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

PLANNER COMMENTS – Carlton Meadows South Preliminary Plat

December 14, 2021

1. Show perimeter fence around development.
2. Note 4. City code only requires 5 ft wide utility easement on interior lot lines
3. Show right of way and utility easements within right of way. Call out in notes.
4. Add note the project will be developed in one phase.
5. Call out dimensions for L4/B1, L5/B1, L15/B1 of frontage at 25 ft setback. Needs to be at least 75 ft.
6. Work with City Engineer - Roads need to show a turning radius of minimum of 90 ft. Call out in notes.
7. L1/B1 is not considered open space. It is a landscape buffer, but still maintained by the HOA. Please revise the Open space area and percentage.
8. MCC 5-4-10-10 requires 5% open space and defines it as irrigated and landscaped in a concentrated location sufficiently large to accommodate group or recreational activities. The Irrigation ditch doesn't meet this requirement. Please note what lots are being used as open space, the percentage and how the open space will be utilized.
9. It would be nice if you could add an amenity such as a bench or shade structure in common space.
10. Add note to call out common areas by lot and block and state who owns and maintains them.
11. Add note: All lots are residential building lots except lots (insert L/B)
12. Add cluster mailbox(s) in common area(s). Call out in notes.
13. MCC 5-4-10 (2J) "roads having a predominantly north-south direction shall be avenues; roads having a predominantly east-west direction shall be streets., and cul-de-sacs shall be courts." Change Street names accordingly. (I am verifying your proposed road names with Canyon County, there may be some changes)
14. Education Ct needs to be changed to Education Street. (There are only 3-4 houses built on the cul-de-sac so we will keep it street the maintain the general flow of addressing.
15. Add note: All streets proposed in this development are public streets and shall be constructed in accordance with City of Middleton standards.
16. Add note: All existing wells shall be abandoned per IDWR regulations. All septic systems shall be completely removed and the area recompacted per geotechnical report.
17. Add note: Domestic water and fire flow shall be provided by the City of Middleton,
18. Add note: Sanitary Sewer collection shall be provided by the City of Middleton.
19. Remove Key with setbacks
20. Add note: All building setbacks and dimensional standards shall be in compliance with R-3 zoning at time of building permit issuance.
21. Show all public and private easements on preliminary plat.

22. Add note: Sewer and water capacity shall be reserved when City approves construction drawings.

23. Address any additional comments from City Engineer, MRFD, CHD4, ITD, Irrigation District.

Please submit revisions no later than December 27, 2021 to remain on schedule for January 10, 2022 P&Z Hearing.

Jennica Reynolds

Middleton City Deputy Clerk, Planning



CITY OF MIDDLETON

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

2nd BATCH PLANNER COMMENTS – Carlton Meadows South Preliminary Plat Revision Date 12/16/2021

December 16, 2021

1. Show perimeter fence around development Add note to explain how it ties into the Carlton Meadows Subdivision to the north.
2. Note 4. Change to the following: “All lot lines common to public Rights-of-Way and the exterior subdivision boundary or rear boundary line of lots shall have a 10’ wide permanent public utilities easement, unless otherwise shown. However, this easement shall not preclude the construction of proper hard surfaced driveways for access to each individual lot. A 5’ wide public utility easement shall be on all interior lot lines.”
3. Show Open Space square footage in the common lots. It looks like only Lot 14/Block 1 will be able to be used as a common, greenspace lot.
4. Please add a small walking path (crushed granite, asphalt, etc) and perhaps a few benches and a pet waste station to make the large part of Lot 14/Block 1 usable as a gathering space. See attached drawing (Obviously not to scale).
5. Please revise the Open space area and percentage in table. If the Open space is not at least 5% you will have to get a license agreement from the ditch company to gain access on their easement.
6. Remove Key with setbacks and maximum building height.
7. Revise Landscape plan to show trees and/or shrubs in common areas
8. Address any additional comments from City Engineer, MRFD, CHD4, ITD, Irrigation District.

Please submit revisions no later than December 27, 2021 to remain on schedule for January 10, 2022 P&Z Hearing.

Jennica Reynolds

Middleton City Deputy Clerk, Planning

From: [Jennica Reynolds](#)
To: ["Nick LaCross"](#)
Cc: [Roberta Stewart](#); [Amy Woodruff](#)
Subject: RE: Carlton Meadow South Pre Plat
Date: Wednesday, December 22, 2021 3:00:00 PM
Attachments: [image001.png](#)

Nick,

Per our conversation please change the following:

1. Add to note 4 " All lot lines common to Public Rights-of-Way and the Exterior Subdivision Boundary **or Rear Boundary Line ...**"
2. Call out the Open Space area with hash marks and in the legend so that the actual square footage of the lot is easily identified.
3. Revisit the Landscape Plan and add a few more trees where it makes sense for privacy of adjacent lots to the common area.

We also need to get working on the Lot Line/Administrative Lot Split to make sure we are in conformance with the code for that southern triangle piece. We can't move to on to City Council until that is done.

Thanks for all your work on this. I think as long as Amy's Comments are addressed we will have a very clean plat to take to P&Z. Merry Christmas. Talk to you next week.

Happy Holidays,

Jennica Reynolds

Deputy Clerk, Planning
City of Middleton
208-585-3133
jreynolds@middletoncity.com

From: Nick LaCross <nplacross@centengr.com>
Sent: Wednesday, December 22, 2021 1:48 PM
To: Jennica Reynolds <jreynolds@middletoncity.com>
Cc: Roberta Stewart <rstewart@middletoncity.com>
Subject: Carlton Meadow South Pre Plat

Jennica,

Please find attached the preliminary plat for carlton meadow south. I will be at your office to drop off the hard copies shortly.

Thanks

Best Regards,

Nick LaCross

Centurion / B&A Engineers, Inc.

Project Manager

208.343.3381 x 219

nplacross@centengr.com



Exhibit “C”

MIDDLETON RURAL FIRE DISTRICT



Carlton Meadow South Subdivision

STAR FIRE PROTECTION DISTRICT

DATE: January 5, 2022

TO: Middleton City Planning & Zoning
Middleton City Council

FROM: Victor Islas, Deputy Chief

SUBJECT: Fire District Review

PROJECT NAME: Carlton Meadow South Subdivision

Fire District Summary Report:

Overview: This development can be serviced by the Middleton Rural Fire District. This development shall comply with the 2018 International Fire Code (IFC) and any codes set forth by the City of Middleton, Idaho.

Fire Response Time: This development will be served by the Star Fire Protection District Station 53, located at 302 East Main St., Middleton, Idaho. Station 53 is 1.1 miles with a travel time of 3 minutes under ideal driving conditions to the proposed entrance of the development off Mulligan St.

Accessibility: Roadway Access, Traffic, Radio Coverage

Access roads shall be provided and maintained following Appendix D and Section 503 of the IFC. Access shall include adequate roadway widths, signage, turnarounds, and turning radius for fire apparatus.

All access roads in this development shall remain clear and unobstructed during construction of the development. Additional parking restrictions may be required as to always maintain access for emergency vehicles. Hydrants shall always remain unobstructed per city code.

Access road design shall be designed and constructed to allow for evacuation simultaneously with emergency response operations.

One-or two-family dwellings residential developments: Developments of one-or two-family dwellings where the number of dwellings units exceeds 30 shall be provided with at least two separate and approved fire apparatus access roads.

Note: This development is under 30 buildable lots and the proposed connector streets to the south will meet access requirements. Please note that the development to the south will be required to have two access points.

The applicant shall work with City of Middleton, and Fire District to provide an address identification plan and signage which meets the requirements set forth by each agency. Addressing shall be placed in a position that is plainly legible and visible from the street or road fronting the property, as set forth in International Fire Code Section 505.1



MIDDLETON RURAL FIRE DISTRICT

Carlton Meadow South Subdivision

STAR FIRE PROTECTION DISTRICT

All residential, commercial, and industrial buildings within the City shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. When required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response.

Address numbers shall have a minimum stroke width of one-half inch (0.5"), and of a color contrasting with the background. The required height of each address number shall be calculated by the distance of the addressed building from the road, as follows:

Less than one hundred feet (100')	6"
one hundred feet to one hundred fifty feet (100 - 150')	8"
one hundred fifty-one feet to two hundred feet (151 - 200')	10"
two hundred one feet to two hundred fifty-one feet (201 - 251')	12"

Streetlights shall be turned on once residential building begins, Lighting is essential in assisting first responders with identifying entrances safely while responding to calls for service.

Upon commencement of initial construction of a new structure, a clear visible freestanding sign or post shall be erected and maintained in place until the permanent address numerals are attached or otherwise displaced upon the premises at completion.

Specialty/Resource needs:

No specialty/resources will be needed for this development.

Water Supply:

Water supply requirements will be followed as described in Appendix B of the 2018 International Fire Code unless agreed upon by the Fire District.

1. Fire Flow: One- and two-family dwellings not exceeding 3,600 square feet require a fire-flow of 1,000 gallons per minute for a duration of 1 hours to service the entire project. One- and two-family dwellings in excess of 3,600 square feet require a minimum fire flow as specified in Appendix B of the International Fire Code.
2. Water Supply: Acceptance of the water supply for fire protection will be by the Fire District and water quality by the City of Middleton for bacteria testing.
3. Water Supply: Final Approval of the fire hydrant locations shall be by the Star Fire Protection District or their designee in accordance with International Fire Code Section (IFC) 508.5.4 as follows:
 - a. Fire hydrants shall have a Storz LDH connection in place of the 4 ½" outlet. The Storz connection may be integrated into the hydrant or an approved adapter may be used on the 4 1/2" outlet.
 - b. Fire hydrants shall have the Storz outlet face the main street or parking lot drive aisle.
 - c. Fire hydrants shall be placed on corners when spacing permits.

(208) 286-7772
11665 W. STATE ST., SUITE B
STAR, IDAHO 83669



Carlton Meadow South Subdivision

MIDDLETON RURAL FIRE DISTRICT

STAR FIRE PROTECTION DISTRICT

- d. Fire hydrants shall not have any vertical obstructions to outlets within 10'.

- e. Fire hydrants shall be placed 18" above finished grade to the center of the Storz outlet.
f. Fire hydrants shall be provided to meet the requirements of the Fire District and City of Middleton Standards.
g. Show all proposed or existing hydrants for all new construction or additions to existing buildings within 1,000 feet of the project.

Inspections:

Final inspection by the Fire District of the above listed including hydrant flow must be completed before building permits are issued

Additional Comments:

Side Setback as per City Code. Any modification to setback will require review and approval by the Fire District.

Exhibit “D”



CITY OF MIDDLETON

P.O. Box 487, 1103 W. Main St., Middleton, ID 83644
208-585-3133 Fax (208) 585-9601
citmid@middletoncity.com
www.middleton.id.gov



December 21, 2021

Roy Bowman

Re: Public Hearing Notice – Preliminary Plat (Carlton Meadows South Subdivision)

To Landowners and Occupants:

The Middleton Planning and Zoning Commission is scheduled to hold a **public hearing at 5:30 p.m. on Monday, January 10, 2022**, at 1103 W. Main St., Middleton, Idaho, to consider the following:

Application by D&N Investments, LLC and B&A Engineers, Inc for preliminary plat with respect to the Carlton Meadows South Subdivision located at 651 Whiffin Lane (Tax Parcel No. R17610025A) zoned R-3 (Single Family Residential). The proposed preliminary plat consists of 24 single-family homes and 3 common lots on 8.56 acres.

The full application is available for review at City Hall, 1103 W. Main St., Middleton, Idaho or online at middleton.id.gov/PublicHearingNotices. Everyone is invited to attend the public hearing, and those who wish to do so, may ask questions and/or offer comments. Written comments may be submitted at the hearing or earlier to the Planning and Zoning Department at jreynolds@middletoncity.com. Comments may also be mailed to City of Middleton, P.O. Box 487, Middleton, ID 83644.

Please call the City Clerk at (208) 585-3133 at least five days prior to the meeting to arrange assistance with language translation or physical challenges. Please contact me if you have questions.

Sincerely,

Jennica Reynolds

Middleton City
Deputy Clerk, Planning

FAX

1-208-454-7349

R17610025A

0

1 208 454 7431

8A 11

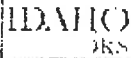
ADDENDUM

1

(All addendums shall be numbered sequentially.)

JULY 2018 EDITION
Page 1 of 1

RE-11 ADDENDUM



THIS IS A LEGALLY BINDING CONTRACT. READ THE ENTIRE DOCUMENT, INCLUDING ANY ATTACHMENTS.
IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY AND/OR ACCOUNTANT BEFORE SIGNING.



Today's Date:

5/26/2021

This is an **ADDENDUM** to the ☒ Purchase and Sale Agreement ☐ Other

n/a

("Addendum" means that the information below is added material for the agreement (such as lists or descriptions) and/or means the form is being used to change, correct or revise the agreement (such as modification, addition or deletion of a term)).

AGREEMENT DATED: 1/8/2021

ID #

98759929

ADDRESS: TBD Whiffin Lane

Middleton

ID

83844

BUYER(S): D&N Investments, LLC

SELLER(S): Roy Bowman

Marsha Bowman

The undersigned parties hereby agree as follows:

1. Section 2 - Purchase price to be \$600,000 (Six Hundred Thousand Dollars).

2. Section 3A - Buyer to release \$10,000 earnest money currently held by First American Title to Sellers - Roy & Marsha Bowman. Additional \$40,000 to be released as a Cashier's Check made out to Roy & Marsha Bowman.

3. Attached legal description and plat to be included as Exhibit B.

4. Buyer reserves the right to update the legal description and extend the South/East property line along the ditch bank, but no farther than to the center of the ditch, and at no expense to the sellers.

To the extent the terms of this ADDENDUM modify or conflict with any provisions of the Purchase and Sale Agreement including all prior Addendums or Counter Offers, these terms shall control. All other terms of the Purchase and Sale Agreement including all prior Addendums or Counter Offers not modified by this ADDENDUM shall remain the same. Upon its execution by both parties, this agreement is made an integral part of the aforementioned Agreement.

BUYER: Dave Buich

5/26/2021 3:44:38 PM MDY

Dave Buich D&N Investments, LLC

Date:

BUYER:

Date:

SELLER:

Date:

SELLER:

Roy Bowman

Marsha Bowman

Date:

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JULY 2018 EDITION

RE-11 ADDENDUM

Page 1 of 1

This form was prepared by Scott Dykstra | Coldwell Banker Tomlinson-Meridian | adykstra@cbbolles.com | 208-871-1133

Thence S89°26'21"W, 804.79 feet along the southerly boundary of said Lot 12 to the southwest corner of said Lot 12;

Thence N00°05'38"E, 330.15 feet along the westerly boundary of said Lot 12 to the northwest corner of said Lot 12;

Thence N89°28'12"E, 1,302.22 feet along the northerly boundary of said Lot 12 to the Point of Beginning.

Comprising 7.89 acres, more or less.

Subject to all existing easements and rights-of-way of record or apparent.

This description has been prepared from information of record shown on Record of Surveys 2014-022132 and 2018-014638 within the office of the Canyon County, Idaho, Recorder. The basis of bearing is based upon Record of Survey 2018-014638. A new survey specific to this description has not been performed by the Professional Land Surveyor executing this description.

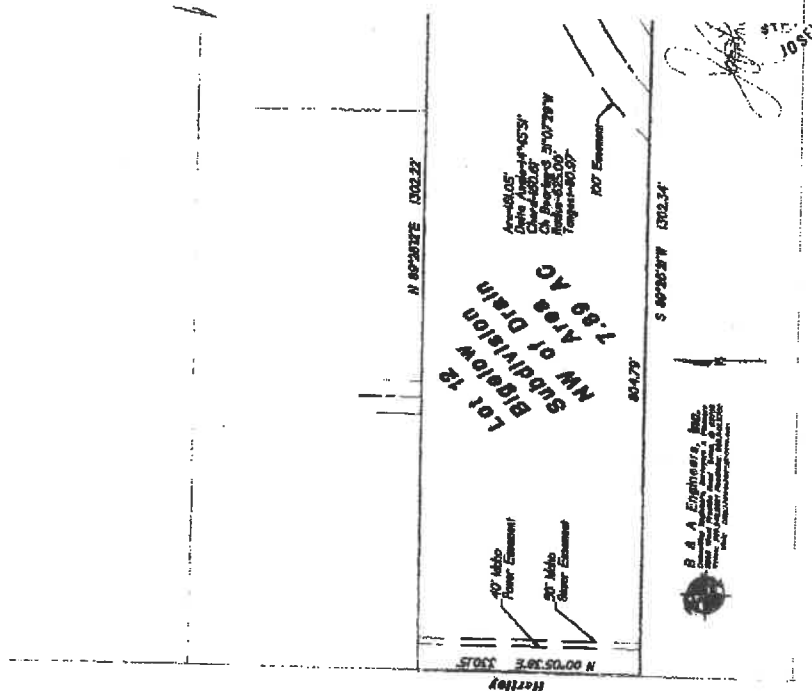


Sellers Roy Bowman Date 5/26/21
Carsha Bowman 5/26/21
Buyer Dave Buich Date _____
Subj to all existing Easements

Lot 12 of Bigelow Subdivision
Northwest of Drainage District No. 2 Drain

Page 2 of 2

Proud to be Serving the
Pacific Northwest for 100 Years





January 10, 2022 - Planning & Zoning Public Hearing

Please check

[illegible]



Public Comment

January 10, 2022 - Planning & Zoning Meeting

Name	Address	Phone or Email	Topic
MELISSA MATTHASEN	Caldwell 23444 Whole Bay LN	hawknoel14@ gmail.com	
BRETT ORTLAND	13859 GLACIER Bay LN	brettortland@gmail.com	
MIKE GRAEPE	1889 RIDGE WAY	208-527-6227	
Nick LaCross	5505 W. FRANKLIN RD.	208-343-3381	CARLTON MEADOW SOUTH
DAVE BUICH			
Chuck Hull	1711 MUSTANG MESA		
Mike McDevau	13037 GREENWELL 2nd.	208 606 2273	GROWTH
Scott Dykstra	Caldwell Baker Tomlinson 3006 E. Goldstone Meridian, ID 83642	208-871-1133	

*Handout from
Mike Grade*

- Impact of the number of houses per gross area as opposed to the number of houses per buildable area
- Potential impact of granting variances
- Foot notes ?? just another way to by-pass codes
- Minimum lot size 2014 under 6,000 square feet, some lots in Toll Brothers are 5,700 square feet
- Development agreement's expire after 2 years...good thing (West Highlands signed 2006... 2022? Completed)
- Time to look out for the City instead of the developers if we have to give into everything that the developers want (exemptions, waivers) then maybe we don't need them to develop here
- This our City. We live here. Developers build and move on to the next town

One (1) acre

...

R-1

43,560 sq ft.

R-2

#4

21,780 sq ft.

21,780 sq ft.

R-3

#5

14,520 sq
ft.

14,520 sq
ft.

14,520 sq
ft.

of lots allowable
under current R-3
@ 8,000 sq ft. minimum
lot size

8,712 sq
ft.

8,712 sq
ft.

8,712 sq
ft.

8,712 sq
ft.

8,712 sq
ft.

2014 R.3

5662
08 ft.

5662
38 ft.

5662
38 ft.

5662
08 ft.

5662
08 ft.

5662
08 ft.

5662
08 ft.