



AGENDA
City Council Meeting
City of Middleton, Idaho

Date: Wednesday June 16, 2021

Time: 5:30 p.m.

Location: **City Hall Council Chambers – 1103 W Main Street**

Call-to-order, Roll Call, Pledge of Allegiance, Invocation: Chris Grooms

Action Item:

- A. Approve Agenda

Action Items:

1. Consent Agenda (items of routine administrative business)
 - a. Consider approving minutes for City Council June 2, 2021 regular meeting.
 - b. Consider ratifying payroll for June 4, 2021 in the amount of \$78,079.45
 - c. Consider approving accounts payable thru June 9, 2021 in the amount of \$252,702.50.
2. Consider approving a quote from Integrity Inspection Solutions for Phase 2 CCTV Sewer Line cleanout in an amount not to exceed \$40,000. - Bruce Bayne
3. **Public Hearing:** Applications from Falkirk Holdings LLC & Todd Campbell for Rezone and Development Agreement with respect to the Stonehaven project planned for an 11.18-acre parcel located at 0 Hartley Lane (Tax Parcel #34443013). Applicant is seeking a rezone of a portion of the parcel from C-1 to M-F to permit the future development of a maximum of 84 townhome lots. – Roberta Stewart
4. Consider approving a Special Events Permit to Middleton Fireworks Fund for 4th of July Fireworks at Foote Park July 4, 2021. – Becky Crofts
5. Consider approving 2021 Special Events Permit to GMPRD for community events located in Foote Park and Hawthorne Park. – Becky Crofts
 - Art in the Park at Foote Park June 18-19, 2021. *Beer & Wine Catering permit required.*
 - Baseball Concessions @Hawthorne Park - Monday thru Thursday evenings - ran by GMPRD employees for about 2.5 hours each time. Currently doing this through the end of June.
 - Baseball Tournament - Middleton Baseball Association is hosting this on June 17th - June 19th at Hawthorne Park.
 - Movies in the Park @ Foote Park. Dates: (6/11, 6/18, 7/16, 8/20, 9/10, 9/24)
 - July 4th Fireworks in Foote Park (7/4)
 - Harvest Festival - 1st Saturday in October (10/2)
 - Pedersen's Lemonade at Foote Park concessions on Saturdays to sell to soccer players. (Now through the end of soccer season) *Vendor/Solicitor permit required.*
 - Sportsman's Outdoor Event at Foote Park (8/27 & 8/28)
 - Easter Egg Hunts in March/April 2022 and beyond at Foote & Hawthorne Park.
6. Consider approving a proposal from the Stack Rock Group for design of River Park Commercial/Residential areas and walking paths. – Becky Crofts

Budget Workshop: FY 2022 – Wendy Miles

Public Comments, Mayor and Council Comments, Adjourn

Posted by:


Jennica Reynolds, Deputy Clerk

Date: June 14, 2021, 4:00 p.m.

Please contact the City Clerk at (208) 585-3133 if you have special needs or require assistance.

**MIDDLETON CITY COUNCIL
JUNE 2, 2021**

The Middleton City Council meeting on June 2, 2021 was called-to-order at 5:31 p.m. by Mayor Rule.

Roll Call: Mayor Rule, Council President Kiser, Council Members Huggins, Garner and O'Meara were all present.

Pledge of Allegiance, Invocation: Rodger Hawker

Action Items

A. Approve Agenda

Motion: Motion by Council President Kiser to approve the Agenda as posted May 28, 2021 at 5:00 p.m. Motion seconded by Council Member O'Meara and approved unanimously.

Information Items:

1. N. Middleton Rd/Cornell St Roundabout construction and traffic control plan update. – Rachel Speer

Mayor Rule called the item and City Staff Engineer Rachel Speer gave an update on the construction. All emergency services and other agencies that would be affected by this construction and detour plan have been notified well in advance. The construction is 2 days in on the 90-day project and going well.

Action Items

Consent Agenda (items of routine administrative business)

- a. Consider approving minutes for City Council May 19, 2021 regular meeting.
- b. Consider ratifying May 21, 2021 payroll in the amount of \$109,931.02.
- c. Consider approving accounts payable thru May 12, 2021 in the amount of \$161,462.68

Mayor Rule called the items. Council President Kiser gave a summary of accounts payable payments. Nothing is out of the ordinary.

Motion: Motion by Council President Kiser approve Consent Agenda Items 1a, b and c. Motion seconded by Council Member Garner and approved unanimously.

2. Consider accepting the 2020 Audit Findings as presented by Zwygart John & Associates, PLLC – Jordan Zwygart

Mayor Rule called the item Jordan Zwygart presented the 2020 Audit Report. The report showed a good and clean audit, and he said City Treasurer Wendy Miles and City Administrator Becky Crofts did a very good job on the audit. Mayor Rule noted that Wendy has done a good job getting all the reconciliations cleaned up that were neglected prior to her coming to the City.

Motion: Motion by Council President Kiser to accept the 2020 Audit Findings as presented by Zwygart John & Associates, PLLC. Motion seconded by Council Member O'Meara and approved unanimously by Roll Call Vote.

3. Consider adopting Ordinance 647: Bridger Creek Annexation: AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, ANNEXING TO THE CITY OF MIDDLETON, IDAHO, CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF CANYON COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF MIDDLETON, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY TO R-3 (SINGLE-FAMILY RESIDENTIAL) AND COMPLETING A DEVELOPMENT AGREEMENT; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE. – Becky Crofts

Mayor Rule called the item and City Administrator Becky Crofts explained this is a housekeeping item since the annexation was approved at the last council meeting.

Motion: Motion by Council President Kiser to waive the 3-reading rule for Ordinance 647. Motion seconded by Council Member O'Meara and approved unanimously by Roll Call Vote.

Council President Kiser read the Ordinance by title only.

Motion: Motion by Council President Kiser to adopt Ordinance 647: Bridger Creek Annexation: AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, ANNEXING TO THE CITY OF MIDDLETON, IDAHO, CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF CANYON COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF MIDDLETON, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY TO R-3 (SINGLE-FAMILY RESIDENTIAL) AND COMPLETING A DEVELOPMENT AGREEMENT; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE. Motion seconded by Council Member O'Meara and approved unanimously.

4. Consider approving Non-Aerial Fireworks vendor permit from Outlet Fireworks, LLC for dates 6/23/2021-7/05/2021. – Becky Crofts

Mayor Rule called item and City Administrator Becky Crofts presented the application. It has been reviewed by the Middleton Rural Fire District and Deputy Chief Islas submitted his comments and approval.

Motion: Motion by Council President Kiser to approve a Non-Aerial Fireworks vendor permit from Outlet Fireworks, LLC for dates 6/23/2021-7/05/2021. Motion seconded by Council Member Garner and approved unanimously.

5. Consider approving Sawtooth Lake Drive and Middleton Road Roundabout Plans and Specifications by Precision Engineering, LLC – Joel Grounds.

Mayor Rule called the item and Joel Grounds from Precision Engineering presented the plans specifications for the Sawtooth Lake Drive and Middleton Road Roundabout. This will be a 5-leg intersection and once final design and plans are submitted the project will go out for bid.

Mayor Rule said as part of this project the constructed wetlands that are currently on the southwest corner of Sawtooth Lake Dr. and S. Middleton Rd. will need to be moved. This is part of the reason the city needs to purchase wetland credits. Moving the wetlands will allow

for parking access finally giving Middleton residents access to the Boise River, which is part of an overall plan to create several different access points to the Boise River all connected with a nice walking trail.

Motion: Motion by Council President Kiser to approve Sawtooth Lake Drive and Middleton Road Roundabout Plans and Specifications by Precision Engineering, LLC. Motion seconded by Council Member Huggins and approved unanimously.

6. Consider approving purchase agreement from the Wetlands Group LLC in the amount of \$54,450.00 to purchase wetland credits necessary to construct the Sawtooth Roundabout. – Becky Crofts

Mayor Rule called the item and City Administrator Becky Crofts explained that this is to purchase credits to create wetlands (required by the EPA) in another area once the wetlands that are on the corner of the Sawtooth Roundabout are removed. This is funded through the Transportation Fund. The city is trying to get projects shovel ready so that when funding comes in, it can be immediately applied and taken advantage of.

Motion: Motion by Council President Kiser approve purchase agreement from the Wetlands Group LLC in the amount of \$54,450.00 to purchase wetland credits necessary to construct the Sawtooth Roundabout. Motion seconded by Council Member O'Meara and approved unanimously by Roll Call Vote.

7. Consider approving letter to LHTAC for construction of Phase II S. Cemetery Road and agreement to pay costs above the currently obligated project cost. – Becky Crofts

Mayor Rule called the item and City Administrator Becky Crofts explained this is exactly what she has been talking about when a project needs additional funding. Mayor Rule and she wrote a letter to the COMPASS Board and explained that this project has been on the books for 15 years and it needs to move forward. It is projected to be short from federal dollars, the city does not have the budget for it and are requesting 1.3 million dollars. That money showed up in a timely fashion. So now the city has the budgeted amount plus the 1.3 million dollars. Then once a project is funded it goes forward and gets bid. The city got into a real favorable bidding climate. The project came in under the Engineers estimate (that left some projected additional funding). S. Cemetery Road is built in 3 phases. Phase 1: Federally funded. Phase 3: Water Crossing. This is now complete. Phase 2: Picks up where phase 1 ends which is just behind the Middle School and finishes the connection to Sawtooth Lake Dr, over the bridge and to the connection. Phase 2 was always a local project and always city funded. It was a requirement that if we accepted funding that we completed phase 2 quickly (usually within a couple of years) As the bids came in lower there is a projected \$300K-\$325K additional funds that now the city can apply to Phase 2. Realistically and according to the engineers estimates it looks like the project can be completed for that money. The project funded the entire road which saved the city about \$400K.

The letter to LHTAC says that the city is pleased with phase 1. It has been communicated that there could possibly be an additional \$300K-\$325K available for phase 2. We understand it is an estimate. The city is requesting that LHTAC move forward with the construction of phase 2 with these estimated dollars, however if for some reason it doesn't fully cover the anticipated project, the city agrees to pay those overages.

Motion: Motion by Council President Kiser to approve letter to LHTAC for construction of Phase II S. Cemetery Road and agreement to pay costs above the currently obligated project cost. Motion seconded by Council member O'Meara.

Discussion: Mayor Rule said the stars have aligned, but there was a bunch of hard work by staff to get those stars aligned. Last year when council authorized the road construction by Lurre Construction. This construction has caused that 40–80-ton vehicles have travelled all along this road last winter. If there was a serious problem out there it really would be identified. In his opinion 4-6 months of that kind of traffic has really compacted and made an excellent base. Lurre Construction deserves credit, they dug it out and built it properly too.

Mayor Rule called for the vote. The motion passed unanimously by Roll Call Vote.

8. Consider instructing legal counsel to draft a complaint challenging the legality of the City of Star annexation of land within the City of Middleton Area of Impact. – Mayor Rule

Mayor Rule said this has been discussed during previous meetings to some point. The City of Star ambitions to annex much farther into the City of Middleton Impact Area. They are crossing an impact area that was set in 2001 to Can-Ada Road. The City legal counsel says that is not appropriate. Star believes they have a legal loophole. It will be a problem for a few more months. Part of this is yet another positioning tactic to draft the complaint letter. City Attorney Mark Hilty explained that within the last couple of weeks the city prepared a letter and sent it to the City of Star and copied Canyon County, basically saying Star needs to stop their annexation activity. That letter did suggest that perhaps a discussion could be had. There was also a letter from Canyon County that was directed to Star and Middleton indicating further that that annexation activity needed to stop, but that the County would entertain impact area negotiation with Star. The letter did express concurrence and sympathy with Middleton's position regarding the legality of those annexations. But it also indicated there would be a discussion on impact area between the County and Star, and that they would come up with a line and if that line encroached on any of Middleton's Impact Area (west of Can-Ada Rd) the County Commissioners are saying they would expect that Middleton would be involved immediately when that occurred. There has been this notion that there will be some type of negotiation in the near future. He thinks it is prudent to prepare the complaint and have it ready to go, but not file/serve the complaint until we see what position Star is going to take in those negotiations. It puts the city in a better position to move forward, while still giving peace a chance.

Motion: Motion by Council President Kiser to have legal counsel to draft a complaint challenging the legality of the City of Star annexation of land within the City of Middleton Area of Impact. Motion seconded by Council Member Garner and approved unanimously by Roll Call Vote.

Public Comment:

Mike Graefe: His concerns were covered. Council and the City are doing a great job.

Jim Grey – 23557 Duff Lane: The traffic on Duff Lane is getting increasingly busier. He wants the speed limit being dropped down from 50 mph to 35 mph. There needs to be a right turn lane out of Duff. He was also saddened to not see anyone from the City or Council at the Memorial Day ceremony at the cemetery.

Mayor Comments, Council Comments:

Council President Kiser: Very concerned about the Skate Park at Piccadilly Park. The kids have vandalized and taken off the metal lettering that is the address of the park. They also leave trash all over. He is very upset that the Public Works staff spends 1-2 hours every morning cleaning up after the kids who have left the park. He is tired of the complaints on Facebook from kids and adults about the trash, graffiti, vandalism, vaping, smoking, and bullying. He wants to close the skate park, not the splash pad or market, for a period of time to help those who use it understand how serious the city is. "If you pack it in, you should pack it out." He said it really is ok for people not to come if they are not willing to obey the rules. He has talked with City Staff and wanted to let the other council members know this may be a reality, so he did not want them surprised when they got phone calls.

Mayor Rule: Asked how the city closed the skate park last time. Becky Crofts said they taped it off with caution tape, police officers monitored it, it was also announced on the city website, Facebook page, and other community Facebook pages. The behavior of those using the skate park did change. She is supportive of doing it again.

Council Member O'Meara: The Middleton Rural Fire Department just had a "pushing ceremony" where they pushed their new rig (\$604K Fire Engine) into the barn. They are also opening a second facility on Kingsbury so there will be 2 open fire stations. He also agrees with Council President Kiser about the trash problem. GMPRD has closed the parking lot at Foote Park as well as the water fountain due to the construction of the roundabout. He is also still working the Viper Park lease and should have some information to bring to the council in an upcoming meeting.

Adjourn: Mayor Rule adjourned the city council meeting at 6:50 p.m.

ATTEST:

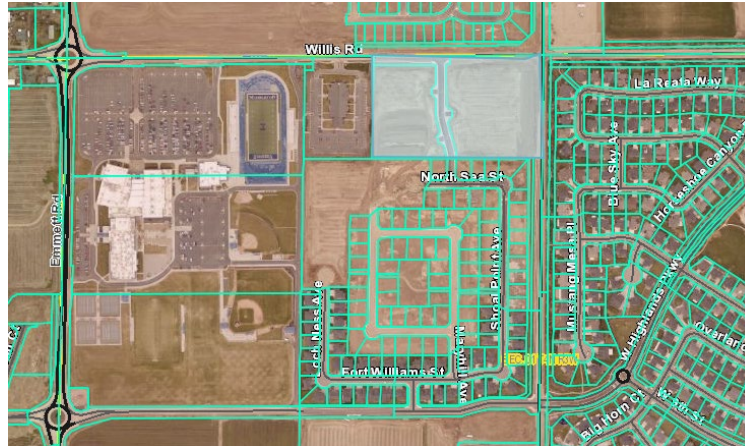
Steven J. Rule, Mayor

Jennica, Deputy Clerk
Minutes Approved: June 16, 2021



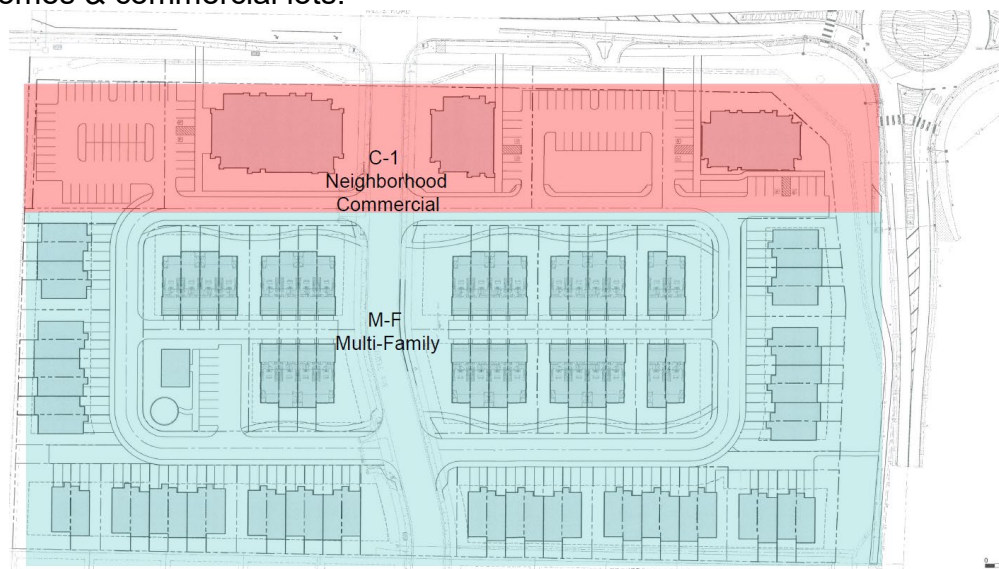
STAFF REVIEW AND REPORT Middleton City Council

Stonehaven – 11+ acre Commercial Parcel Rezone & Development Agreement Modification

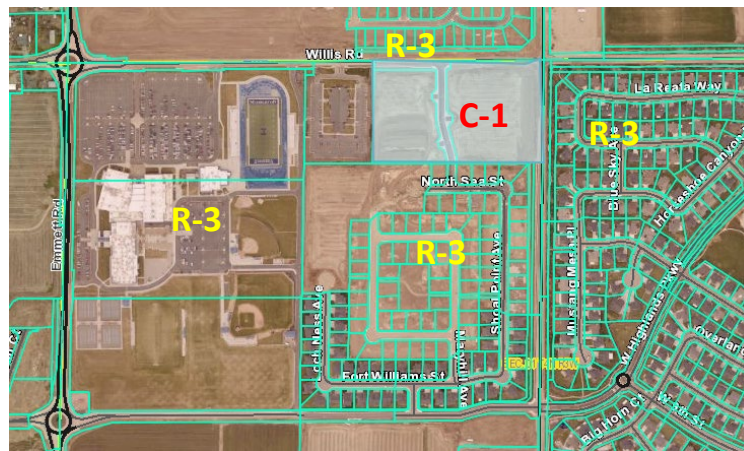


- A. City Council Hearing Date:** June 16, 2021
- B. Application Request and Project Description:** Request for Rezone and Development Agreement Modification of 11 acre parcel adjacent to the Stonehaven Subdivision (Tax Parcel No. 34443013 – 0 Hartley Lane.) Applicant is requesting rezone from C-1 Neighborhood Commercial to M-F Multi-Family for 7.3 acres of the 11 acres. The remaining 3.7 acres are to remain C-1 along the frontage of Willis Road.

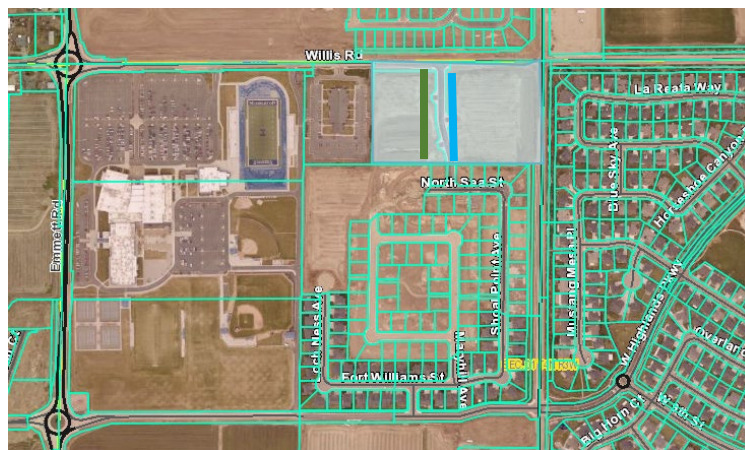
Applicant is also requesting a modification to the current Development Agreement to allow future preliminary plat and development of up to 84 townhomes in the M-F zone. Applicant has submitted a concept plan showing the potential future development of townhomes & commercial lots.



- C. History and Current Zoning:** This property was the subject of an earlier rezone and development agreement application in 2012. The property was zoned R-3 at that time, and applicant requested to have the property rezoned to C-1. C-1 zoning is “Neighborhood Commercial”, and it is a less intensive commercial use that services local neighborhoods. This would include dental offices, light retail, and service businesses such as a fitness gym...etc.
- D. Property Condition:** Since the time of the 2012 rezone to C-1, the property has remained vacant land with no commercial development. The parcel is surrounded on the north, east, and south sides by R-3 zoning and single-family homes. To the west is a large church parcel.



- E. City Services:** City water and sewer are already located down the center of the parcel. Additionally, services are located immediately to the south of the parcel in the Stonehaven Subdivision.



- F. Traffic, Access & Streets:** Access to the subdivision is via Willis Road and also through the Stonehaven Subdivision to the south. The street improvements are already completed on the interior portions of the 11 acre+ parcel, but the frontage improvements to Willis Road are unfinished.
- G. Development Agreement:** A 2012 Development Agreement already exists with respect to this property. Applicant is requesting a modification to add the following provisions and delete existing conditions in conflict with these seven provisions.
- a. 7.3 acres of the total 11 acres to be rezoned M-F Multi-Family. The remaining 3.7 acres to remain C-1 zoning.
 - b. Developer to improve the parcel as generally shown in the Concept Plan to be attached to the modified DA.
 - c. Developer may develop up to a maximum of 84 townhome lots, defined in the Middleton City Code as “Single Family Attached” in the M-F zoned portion of the parcel.
 - d. Any future preliminary plat application must include a special use permit application for townhomes in compliance with MCC 5-4-1 Table 1.
 - e. Developer will be required to submit a Traffic Study at the time development improvements begin. The Traffic study will include the intersections of Willis & Hartley and Hartley & Hwy 44, and any other intersections the City Engineer deems necessary.
 - f. Upon development, the Developer will improve all street frontages and dedicate improved right of way to the City.
 - g. Upon development, the Developer will pay all proportionate share traffic fees as determined by the Traffic Study and City Engineer.
- H. Findings Required to Approve or Deny the Applications:** Per Middleton City Code 1-14-2, the City Council must make a reasoned statement explaining the basis for their decision. If the City Council chooses to deny the applications, City Council must identify what Applicant can do to gain approval.

In making this reasoned statement with respect to the Rezone/Modified DA applications, Council must specifically consider the following:

1. Does the rezone/DA Mod have a demonstrably adverse effect on the delivery of City services (sewer & water)?
2. Is the Rezone/DA Modification “in conflict” with the Comprehensive Plan or “in harmony” with the Comprehensive Plan? If it is in conflict, then the applications should be denied. If it is in harmony, then the applications should be approved.

Because City services are already on site, the City Council is left with considering only whether the rezone is in conflict with the Comp Plan or in harmony with the

Comprehensive Plan. To decide this, Council should look to the Goals and Strategies outlined in the 2019 Comprehensive Plan. Planning Staff finds that the Rezone/DA Modification is both “in conflict” and “in harmony” with the Comprehensive Plan. The decision of the Council may come down to how much weight and consideration the Council gives to the “contending” Goals.

For instance, the Comprehensive Plan has Goals to promote commercial development, a diverse economy, and employment opportunities for residents. (Goals 7 and 8 in the 2019 Comprehensive Plan). In light of these goals, the rezone/DA Mod may be in “conflict” with the Comprehensive Plan because it is substituting townhomes for commercial uses.

However, the Comprehensive Plan also calls for (1) a variety of housing types and lot sizes, (2) multifamily and higher density housing near schools, transit stations and commercial areas, and (3) buffers between commercial and residential uses. (Goals 4 and 11 of the 2019 Comprehensive Plan). In this instance, the Rezone/DA Modification would appear to be “in harmony” with the Comprehensive Plan.

Again, the decision may come down to how much weight Council gives to one “Goal” over another “Goal.”

I. Planning & Zoning Findings: At the May 10, 2021 Planning & Zoning Commission, the Commission denied the applications for rezone and development agreement modification. Minutes from the Meeting are attached this Staff Report.

J. Comments Received from Surrounding Landowners: None.

K. Comments from Agencies: A May 7, 2021 analysis from COMPASS found that the mix of residential and commercial uses can mitigate the impact of increased traffic.

A July 8, 2021 email from Black Canyon Irrigation stated that the District requires an easement for their ditches, and proper irrigation and drainage must be provided.

A June 6, 2021 analysis from ITD found that the proposed subdivision of 82 townhomes will impact the intersection of Hartley Road and Highway 44, which is already deemed a “failing” intersection and in need of a signal control. ITD estimates the cost of the signalized intersection of Highway 44 and Hartley Lane is \$1,181,233.

L. Applicant Information: Application was received and accepted on April 5, 2021. The Applicants are Todd Campbell & Jay Walker P.O. Box 140298, Boise ID 83714.

M. Notices & Neighborhood Meeting:	Dates:
Newspaper Notification	05/30/2021
Radius notification mailed to	

Adjacent landowners within 300'	05/28/2021
Circulation to Agencies	05/28/2021
Sign Posting property	05/28/2021
Neighborhood Meeting	03/16/2021

N. Applicable Codes and Standards:

Idaho State Statute Title 67, Chapter 65
Middleton City Code 1-14, 1-15, 5-1, 5-2, and 5-4.

O. Conclusions and Recommended Conditions of Approval:

The City Council is tasked with issuing a reasoned statement for its denial or approval of Applicant's Rezone & DA Modification applications. Specifically, City Council must determine whether the application requests are "in conflict" or "in harmony" with the Middleton Comprehensive Plan.

If the Council decides to deny the applications, State law requires the Council to identify what measures, if any, Applicant can take to gain approval.

If Council is inclined to approve the applications, Planning Staff does not recommend any conditions of approval because any provisions that are necessary for future development are contained in the DA and/or handled by City Codes and Standards.

Prepared by Middleton City Planner, Robert Stewart

Dated: 6/9/2021

APPENDIX



CITY OF MIDDLETON
P O Box 487
1103 W MAIN ST, MIDDLETON, ID 83644
208-585-3133, FAX: 208-585-9601
WWW.MIDDLETON.ID.GOV



Planning & Zoning Department
Master Land Use Application

(law DA
575 12 2021)

Fee Paid: \$ 1,000 1.237306
Application Accepted by: Robert S.
Date Application Accepted: 4/5/21

OWNER/APPLICANT:

TODD CAMPBELL toddcampbell@gmail.com
Name Phone Email
P.O. BOX 140298 BOISE ID 83714
Mailing Address City State Zip Code

REPRESENTATIVE:

JAY WALKER jwalker@allterraconsulting.com
Name Phone Email
849 E STATE ST #104 EAGLE ID 83616
Mailing Address City State Zip Code

PUBLIC HEARINGS*

- ☐ Annexation and Zoning
☒ Rezone
☐ Vacate Right-of-Way
☐ Comprehensive Plan Map
or Text Amendment

PUBLIC HEARINGS*

- ☒ Development Agreement
☐ Ordinance Amendment
☐ Special Use Permit
☐ Variance

MISC. APPLICATIONS

- ☐ Design Review***
☐ Preliminary Plat**
☐ Final Plat**
☐ Construction Plans***

MISC. APPLICATIONS

- ☐ Lot Line Adjustment***
☐ Floodplain***
☐ Time Extension***
☐ Approach Permit***

* **Public Hearings:** a neighborhood meeting is required before filing an application, and individuals have a right to participate in the hearing by offering comments. Plats not designed to city code and standards require a neighborhood meeting and public hearing.

** **Public Meetings:** Individuals have a right to observe, but not comment, at an open meeting at which the application is being considered by decision makers. Plats designed to city code and standards do not require a public hearing. A neighborhood meeting is still required.

*** **Administratively:** reviewed and approved by the City Engineer and Zoning Official.

Subdivision or Project Name: STONEHAVEN 12.5 Phase _____

Site Address: O HARTLEY LN Total Acres: 11.18

Tax Parcel No(s): R3444301300

Existing Zoning: R-3 Proposed Zoning: C-1

Floodplain Zone: N/A Hillside (grades exceeding 10%): N/A

TODD CAMPBELL
Printed Name

16 MAR 2021
Date

[Signature]
Signature



CITY OF MIDDLETON
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WWW.MIDDLETON.ID.GOV



Planning & Zoning Department Master Land Use Application

Fee Paid: \$ 575 1.237306 #1000 DA \$525 repre

Application Accepted by: R. Stewart

Date Application Accepted: 4/5/2021

OWNER/APPLICANT:

TODD CAMPBELL toddcampbell@gmail.com
Name Phone Email

P.O. BOX 140298 BOISE ID 83714
Mailing Address City State Zip Code

REPRESENTATIVE:

JAY WALKER jwalker@alterraconsulting.com
Name Phone Email

849 E STATE ST #104 EAGLE ID 83616
Mailing Address City State Zip Code

PUBLIC HEARINGS*

- ☐ Annexation and Zoning
☒ Rezone
☐ Vacate Right-of-Way
☐ Comprehensive Plan Map or Text Amendment

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MISC. APPLICATIONS

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*** **Administratively:** reviewed and approved by the City Engineer and Zoning Official.

Subdivision or Project Name: STONEHAVEN 12.5 Phase _____

Site Address: 0 HARTLEY LN Total Acres: 11.18

Tax Parcel No(s): R3444301300

Existing Zoning: R-3 Proposed Zoning: C-1

Floodplain Zone: N/A Hillside (grades exceeding 10%): N/A

TODD CAMPBELL
Printed Name

16 MAR 2021
Date

[Signature]
Signature



CITY OF MIDDLETON
 P O Box 487
 1103 W MAIN ST, MIDDLETON, ID 83644
 208-585-3133, FAX: 208-585-9601
 WWW.MIDDLETON.ID.GOV

Planning & Zoning Department
**Development Agreement / Modified
 Development Agreement Checklist**

Please submit all items listed below. Applications missing the following items will be deemed incomplete, **and the application will not be processed.**

Applicant	Description	Staff
/	Completed and signed Master Land Use Application	
/	Fee \$1000.00 (PLUS 575.00 FOR REZONE APP ALSO BEING SUBMITTED)	
/	Narrative fully describing the following: <ul style="list-style-type: none"> Proposed project and project name. Zoning requested. How the request is consistent with the Middleton Comprehensive Plan. Any variances or special use permits being requested. 	
/	Scaled Vicinity Map of subject property	
/	Legal description of subject property. <ul style="list-style-type: none"> Legal description must be signed and stamped by a land surveyor registered in the State of Idaho Include scaled exhibit map showing the boundaries of the legal description 	
/	Recorded warranty deed showing proof of ownership	
/	If the representative is submitting the application, provide a letter from the owner authorizing the representative to submit the application	
/	Two sets of adhesive mailing labels containing the names and addresses of property owners within 300 feet of the perimeter boundary of the subject property. Contact Canyon County Plat Room at (208) 455-6016 for a list of landowners.	
/	Neighborhood Meeting Notice, sign-in sheet, and minutes summarizing discussion	
	Electronic copy of entire application via USB	



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Planning & Zoning Department
Rezone Checklist

Please submit all items listed below. Applications missing the following items will be deemed incomplete, and the application will not be processed.

Applicant	Description	Staff
✓	Completed and signed Master Land Use Application	
	Fee \$575 + PUBLICATION COSTS	
✓	Narrative fully describing the proposed project and zoning requested. Describe how request is consistent with the Middleton Comprehensive Plan	
✓	Scaled Vicinity Map	
✓	Legal description for each zoning designation. <ul style="list-style-type: none"> Legal Description must be stamped and signed by a land surveyor registered in the State of Idaho. Include scaled exhibit map showing the boundaries of the legal description. 	
✓	Recorded warranty deed showing proof of ownership.	
✓	If representative is submitting application, provide a letter from the owner authorizing the representative to submit the application.	
✓	Two sets of adhesive mailing labels containing the names and addresses of property owners within 300 feet of the perimeter boundary of the subject property. Contact Canyon County Plat Room at (208) 455-6016 for a list of landowners.	
✓	Copy of neighborhood meeting notice, sign-in sheet, and minutes summarizing discussion.	
	Electronic copy of entire application (Provide via USB)	



April 5, 2021

Steven Rule, Mayor (c/o Roberta Stewart)
Planning & Zoning Department
City of Middleton
1103 West Main Street
Middleton, Idaho 83644

Re: Stonehaven 12.5ac Rezone and Development Agreement Modification Narrative

Mayor Rule and Roberta Stewart,

Per City of Middleton applications, a Development Agreement (DA) Modification and Rezone application on behalf of Todd Campbell Construction, Inc. are being submitted for Stonehaven 12.5ac Development. This narrative identifies the reason(s) for the applications and fulfills City requirements. This application includes the vicinity map, this narrative, proof of ownership, boundary description, recently completed neighborhood meeting notes (held March 16, 2021 6pm-7pm), mailing labels, and two checks in the amount of \$1,000 (DA modification) and \$575 (rezone) applications. Publication costs are committed to be paid once the amount is determined by the City. In a separate e-mail, the electronic copies of the modified development agreement will be provided the City.

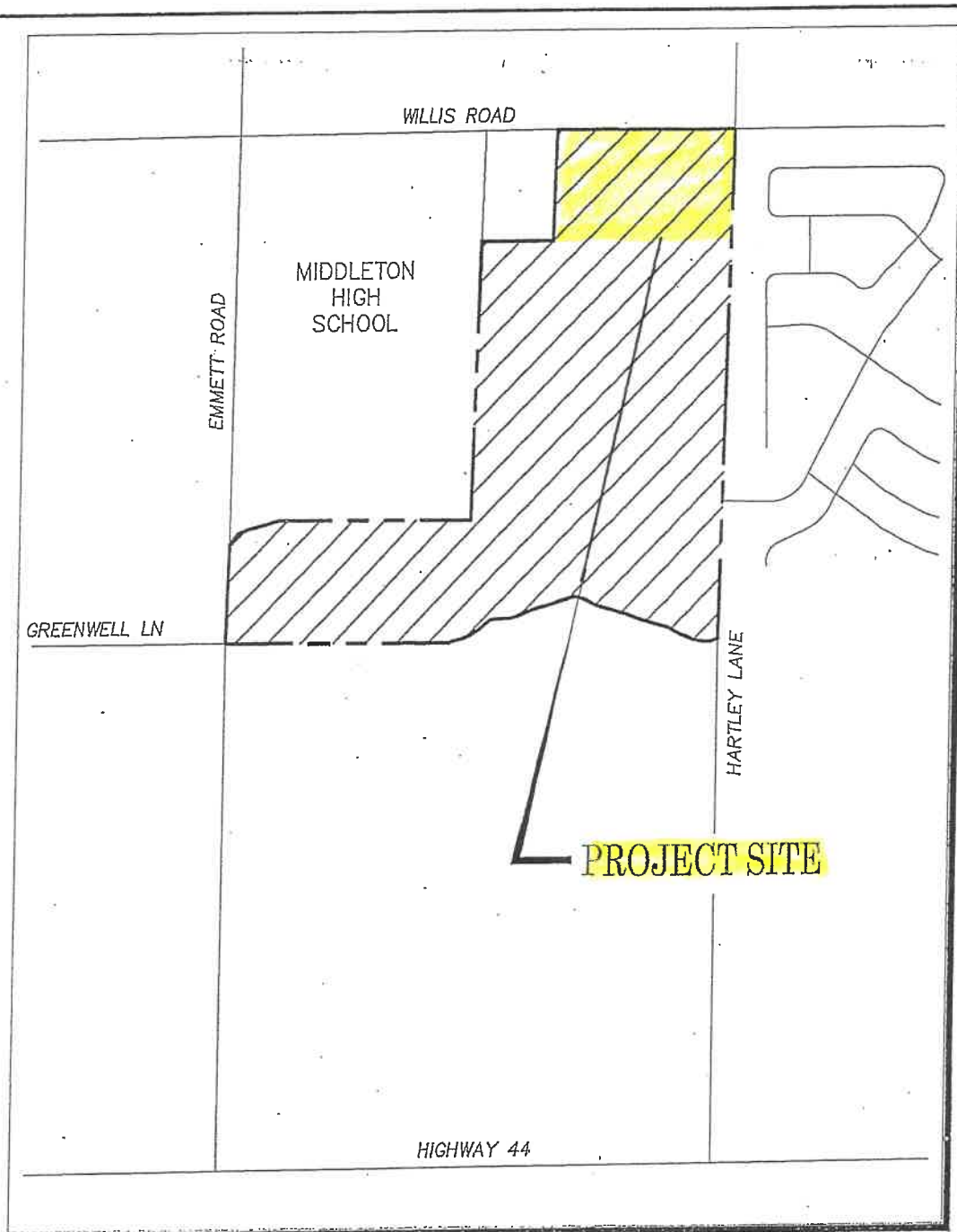
Owners of approximately 12 acres following ROW dedications located east of Middleton High School and the church parcel along Willis and Hartley Road of Middleton, Idaho 83644, are desirous to rezone the parcel and modify the development agreement. The Parcel No. R3444301300 is associated with the rezone and DA modification applications. The parcel is near the address of 23565 Hartley Lane in Middleton, Idaho. Stonehaven 12.5ac Development is currently zoned entirely C-1. The applicant desires to retain a portion of the C-1 zone with 5 lots along Willis and Hartley roads and rezone a southern portion to multi-family (M-F 82 townhomes that will be all single family/owned dwelling units) providing transition to the R-3 single family residential (now existing) development to the south and east. In public outreach, neighbors desire a transition as well as understand that the market could only sustain a portion of the commercial C-1 zoned use. The single family/singly owned townhomes development proposes a clubhouse w/ tot lot meeting City ordinance amenity requirements. The commercial will vary in use and provide for key services for local residents within walking distance for possible trip capture. No special permits are being requested at this time with these applications.

Entitlement and improvement needs with City of Middleton's Planning & Zoning and Council include these Rezone and DA Modification applications. All residential and commercial lots will be served through existing improvements recently made in the development of the Stonehaven Subdivision including utility stubs from Edzell Ave. Internal improvements to infrastructure will be required in and on parcel perimeters. Access will be provided from Willis Road through Edzell Avenue. As learned from City Staff, recently adopted townhome roadway typical sections will be used to accommodate internal circulation and driveways. From recently completed studies and Stonehaven infrastructure, all infrastructure with adequate capacity exists to the property including full street sections/intersections, sewer, water, pressure irrigation and joint trench (power/gas/communication). Owner and representatives have met with farmers and irrigation representatives. Farming is discontinued for this parcel and irrigation has been modified accordingly.

Agency requirements will be fully met and designed in coming months for your review and comment. TCCH, LLC., as well as their development team, will use best engineering, architectural, and construction practices in developing the existing zoned C-1 commercial and proposed townhomes development that enhances these parcels and Middleton community. Thank you for your attention to this matter and review of our submitted applications.

A handwritten signature in blue ink, appearing to read "Jay Walker", with a long horizontal flourish extending to the right.

Jay Walker, Principal
AllTerra Consulting, LLC



VICINITY MAP
1"= 800'



STONEHAVEN SUBDIVISION

A PORTION OF SECTION 01, T.4N., R.3W., B.M.
MIDDLETON, CANYON COUNTY, IDAHO



ROCK SOLID CIVIL
Civil Engineering and Land Development Consulting
270 North 27th Street, Boise, ID 83702
Office Phone: 208.342.3277
www.rocksolidcivil.com



Date: March 19, 2021
Job No.:3221
Re.: Stonehaven 12.5 Commercial

**REZONE M-F
EAST PARCEL DESCRIPTION**

The following Describes a Parcel of Land being a portion of the E 1/2 NW 1/4 of Section 1, Township 4 North, Range 3 West, Boise Meridian, City of Middleton, Canyon County Idaho, and more particularly described as follows:

Commencing at a found illegible Brass Cap Marking the North 1/4 Corner of said Section 1; From which, the West 1/16th Corner common to Sections 1 and 36 bears, North 89°45'46" West, 1329.17 feet which is being Monumented with a found 5/8" Iron Pin with Plastic Cap "Brownell PLS 8960";

Thence along the North-South Center of Section Line of said Section 1, South 01°13'03" West, 202.92 feet to the POINT OF BEGINNING;

Thence continuing along the North-South Center of Section Line of said Section 1, South 01°13'03" West, 370.27 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" marking the Platted Northeast Corner of Stonehaven Subdivision No. 3 as Filed for Record in Book 50 of Plats at Page 47, Instrument No. 2020-159634 Records of Canyon County, Idaho;

Thence leaving said North-South Center of Section Line and along the Northerly Boundary Line of said Stonehaven Subdivision No.3, North 89°45'57" West, 476.05 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" marking the Easterly right of way of Edzell Ave.;

Thence along the Easterly right of way of said Edzell Ave. and along the boundary of Stonehaven Subdivision No.3 the following courses and distances:

Thence Northwesterly 63.58 feet along the arc of a curve to the left having a radius of 230.00 feet, a Central angle of 15°50'21", and a Long chord which bears, North 06°50'36" West, 63.38 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, North 14°45'46" West, 145.11 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, North 37°23'39" East, 35.24 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, North 00°14'14" East, 37.93 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, North 54°09'58" West, 37.12 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, North 00°14'14" East, 66.52 feet;

Thence North 89°14'46" East, a distance of 348.58 feet;

Thence North $00^{\circ} 42' 57''$ West, a distance of 3.89 feet;

Thence North $89^{\circ} 17' 13''$ East, a distance of 188.22 feet to the POINT OF BEGINNING.

The above Described Parcel of Land contains 4.23 Acres, more or less.





3/19/2021

File:

09_n89.1446e 348.58



Date: March 19, 2021
Job No.:3221
Re.: Stonehaven 12.5 Commercial

**REZONE M-F
WEST PARCEL DESCRIPTION**

The following Describes a Parcel of Land being a portion of the E 1/2 NW1/4 of Section 1, Township 4 North, Range 3 West, Boise Meridian, City of Middleton, Canyon County Idaho, and more particularly described as follows:

Commencing at a found illegible Brass Cap Marking the North 1/4 Corner of said Section 1; From which, the West 1/16th Corner common to Sections 1 and 36 bears, North 89°45'46" West, 1329.17 feet which is being Monumented with a found 5/8" Iron Pin with Plastic Cap "Brownell PLS 8960";

Thence along the Northerly Boundary Line of the NW 1/4 of said Section 1, North 89°45'46" West, 519.13 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" marking the Platted Northeast Corner of Stonehaven Subdivision No. 3 as Filed for Record in Book 50 of Plats at Page 47, Instrument No. 2020-159634 Records of Canyon County, Idaho;

Thence continuing along the Northerly Boundary Line of the NW 1/4 of said Section 1 and along the boundary of Stonehaven Subdivision No.3 the following courses and distances:

Thence, North 89°45'46" West, 430.00 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence leaving said Northerly Boundary Line, South 01°34'16" West, 50.01 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South 01°34'00" West, 160.63 feet to the **POINT OF BEGINNING**;

Thence North 89°14'46" East, 152.57 feet;

Thence South 00°00'00" West, a distance of 12.50 feet;

Thence North 89°14'46" East, 180.33 feet to the Westerly right of way of Edzell Ave.;

Thence along the Westerly right of way of said Edzell Ave. the following courses and distances:

Thence, South 00°14'14" West, 1.65 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South 44°25'12" East, 29.88 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South 00°14'14" West, 74.24 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence Southeasterly 60.21 feet along the arc of a curve to the left having a radius of 230.00 feet, a Central angle of $15^{\circ}00'00''$, and a Long Chord which bears, South $07^{\circ}15'46''$ East, 60.04 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South $14^{\circ}45'46''$ East, 51.58 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South $29^{\circ}53'41''$ West, 29.88 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South $14^{\circ}45'46''$ East, 37.95 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South $59^{\circ}25'13''$ East, 29.88 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South $14^{\circ}45'46''$ East, 25.08 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence Southeasterly 47.42 feet along the arc of a Curve to the right having a Radius of 170.00 feet, a Central angle of $15^{\circ}58'50''$ and a long chord which bears, South $06^{\circ}46'21''$ East, 47.26 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

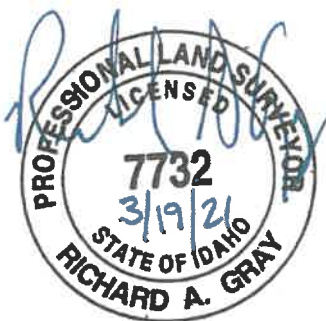
Thence, South $01^{\circ}13'04''$ West, 0.48 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" marking the Northerly Boundary of said Stonehaven Subdivision No. 3;

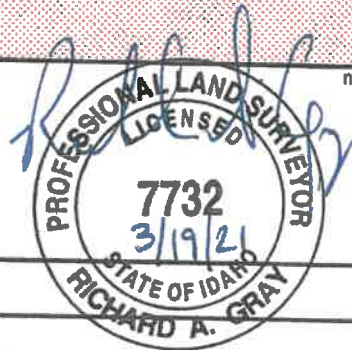
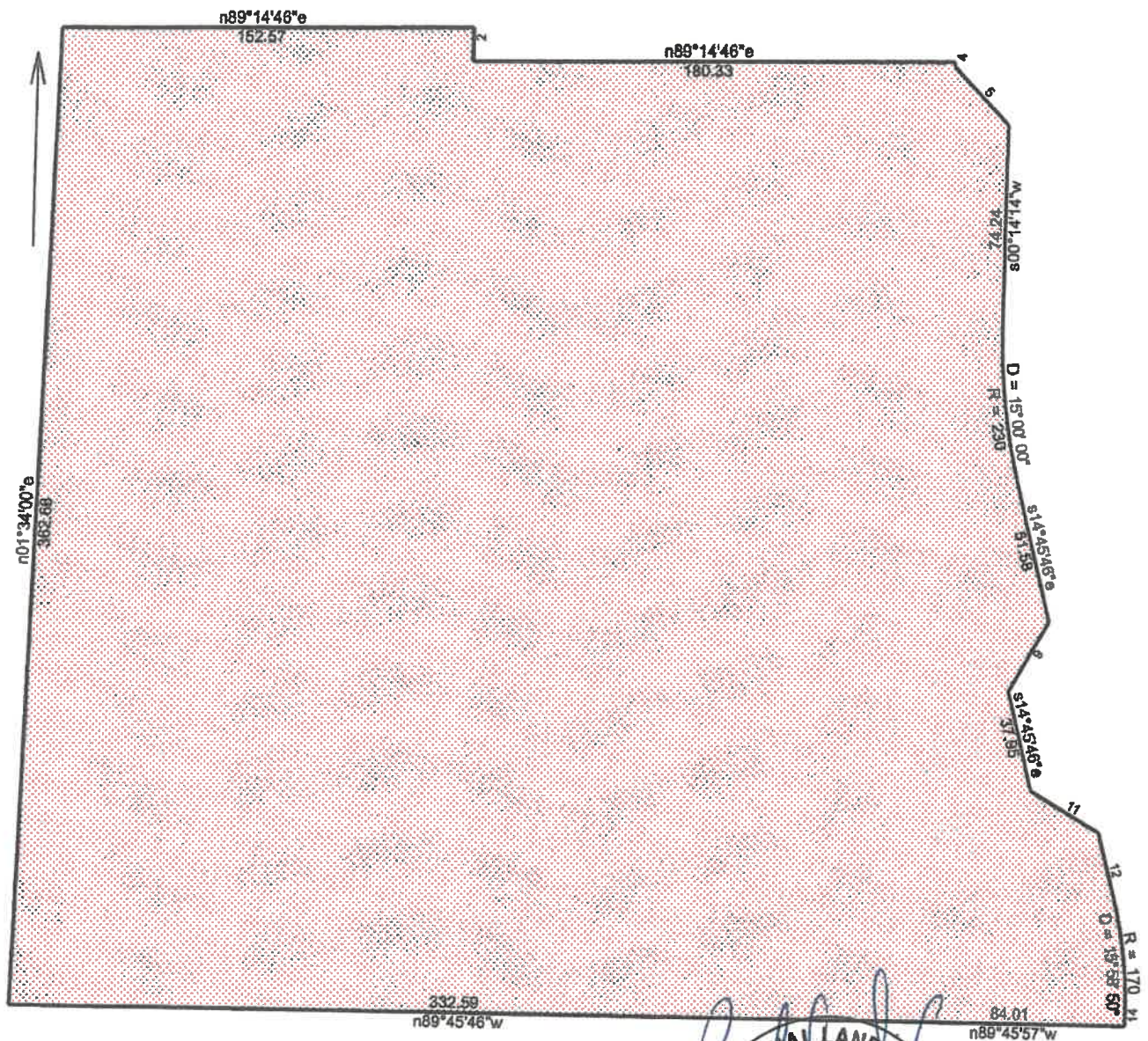
Thence leaving the westerly right of way of said Edzell Ave. and along said Northerly Boundary, North $89^{\circ}45'57''$ West, 84.01 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence leaving said Stone Haven No. 3 boundary, North $89^{\circ}45'46''$ West, 332.59 feet;

Thence, North $01^{\circ}34'00''$ East, 362.66 feet to the POINT OF BEGINNING.

The above Described Parcel of Land contains 3.07 Acres, more or less.





3221 12.5 Commercial Rezone M-F West

Scale: 1 inch= 60 feet

File:

3/19/2021

Tract 1: 3.0721 Acres (133822 Sq. Feet), Closure: n64.5238e 0.02 ft. (1/66566), Perimeter=1513 ft.

- 01 n89.1446e 152.57
- 02 s00.0000w 12.5
- 03 n89.1446e 180.33
- 04 s00.1414w 1.65
- 05 s44.2512e 29.88
- 06 s00.1414w 74.24
- 07 Lt, r=230.00, delta=015.0000, chord=s07.1546e 60.04
- 08 s14.4546e 51.58
- 09 s29.5341w 29.88
- 10 s14.4546e 37.95
- 11 s59.2513e 29.88

- 12 s14.4546e 25.08
- 13 Rt, r=170.00, delta=015.5850, chord=s06.4621e 47.26
- 14 s01.1304w 0.48
- 15 n89.4557w 84.01
- 16 n89.4546w 332.59
- 17 n01.3400e 362.66



Date: March 19, 2021
Job No.:3221
Re.: Stonehaven 12.5 Commercial

**REZONE C-1
WEST COMMERCIAL
PARCEL DESCRIPTION**

The following Describes a Parcel of Land being a portion of the E 1/2 NW1/4 of Section 1, Township 4 North, Range 3 West, Boise Meridian, City of Middleton, Canyon County Idaho, and more particularly described as follows:

Commencing at a found illegible Brass Cap Marking the North 1/4 Corner of said Section 1; From which, the West 1/16th Corner common to Sections 1 and 36 bears, North 89°45'46" West, 1329.17 feet which is being Monumented with a found 5/8" Iron Pin with Plastic Cap "Brownell PLS 8960";

Thence along the Northerly Boundary Line of the NW 1/4 of said Section 1, North 89°45'46" West, 519.13 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" marking the Platted Northeast Corner of Stonehaven Subdivision No. 3 as Filed for Record in Book 50 of Plats at Page 47, Instrument No. 2020-159634 Records of Canyon County, Idaho;

Thence continuing along the Northerly Boundary Line of the NW 1/4 of said Section 1 and along the boundary of Stonehaven Subdivision No.3 the following courses and distances:

Thence, North 89°45'46" West, 430.00 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence leaving said Northerly Boundary Line, South 01°34'16" West, 50.01 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" being the POINT OF BEGINNING:

Thence along a Line being 50.00 feet Southerly of and parallel with the Northerly Boundary Line of the NW 1/4 of said Section 1, South 89°45'46" East, 350.17 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" marking the Westerly right of way of Edzell Ave.;

Thence along the Westerly right of way of said Edzell Ave. and continuing along the boundary of Stonehaven Subdivision No.3 the following courses and distances:

Thence, South 00°14'14" West, 109.77 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South 44°53'42" West, 29.88 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, South 00°14'14" West, 36.30 feet;

Thence leaving the westerly right of way of said Edzell Ave. and said Stone Haven No. 3 boundary South 89°14'46" West, a distance of 180.33 feet;

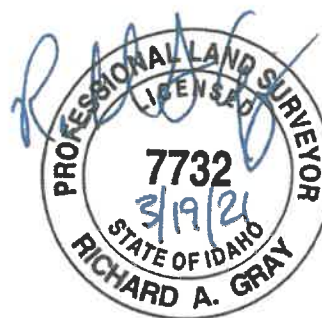
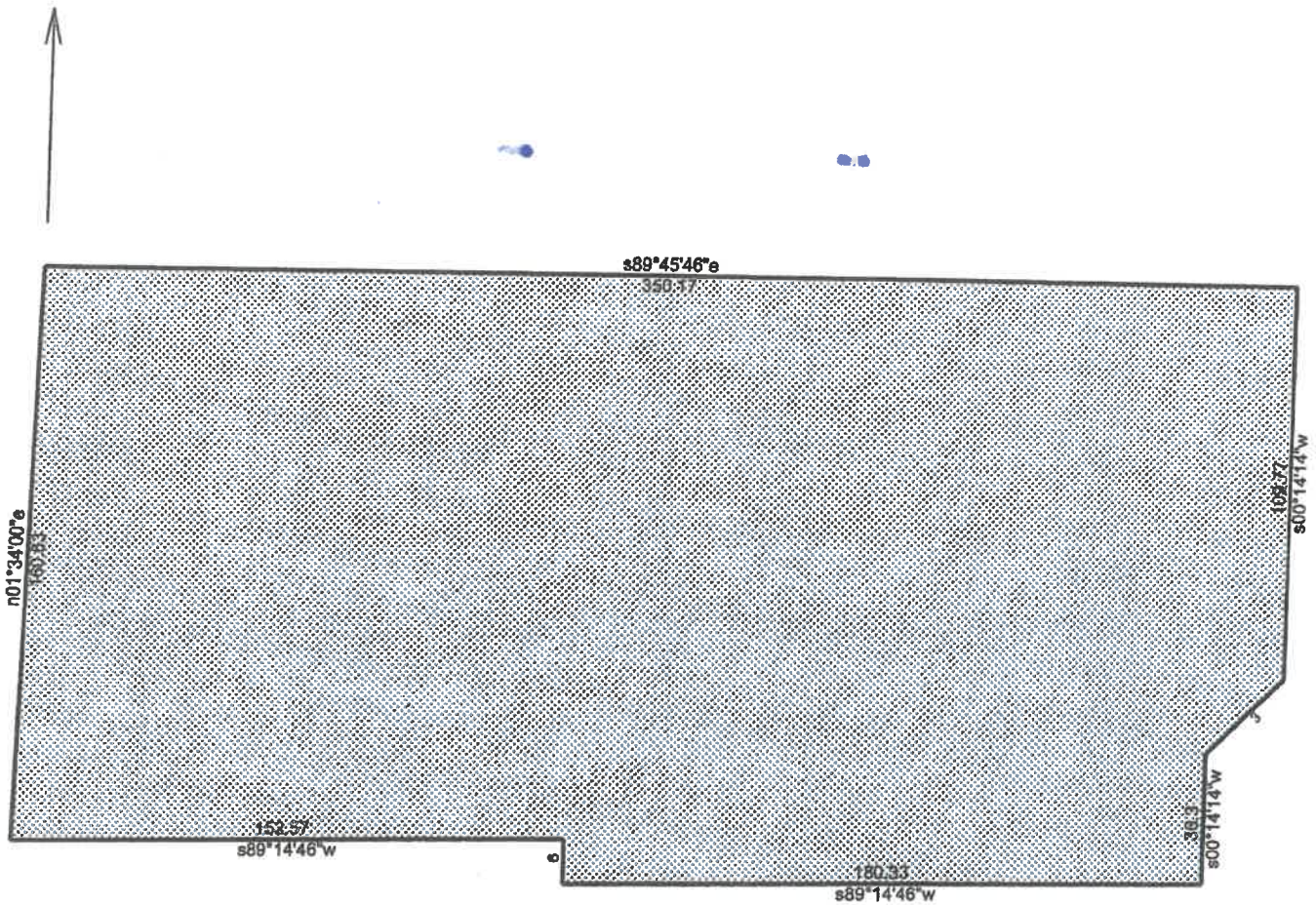
Thence North 00°00'00" East, a distance of 12.50 feet;

Thence South 89°14'46" West, 152.57 feet;

Thence, North 01°34'00" East, 160.63 feet to the POINT OF BEGINNING.

The above Described Parcel of Land contains 1.30 Acres, more or less.





3221 12.5 Commercial C-1 West

3/19/2021

Scale: 1 inch= 50 feet

File:

Tract 1: 1.3082 Acres (56983 Sq. Feet), Closure: s58.2731e 0.01 ft. (1/127189), Perimeter=1032 ft.

01 s89.4546e 350.17
 02 s00.1414w 109.77
 03 s44.5342w 29.88
 04 s00.1414w 36.3
 05 s89.1446w 180.33
 06 n00.0000e 12.5
 07 s89.1446w 152.57

08 n01.3400e 160.63



Date: March 19, 2021
Job No.:3221
Re.: Stonehaven 12.5 Commercial

**REZONE C-1
EAST COMMERCIAL
PARCEL DESCRIPTION**

The following Describes a Parcel of Land being a portion of the E 1/2 NW1/4 of Section 1, Township 4 North, Range 3 West, Boise Meridian, City of Middleton, Canyon County Idaho, and more particularly described as follows:

BEGINNING at a found illegible Brass Cap Marking the North 1/4 Corner of said Section 1; From which, the West 1/16th Corner common to Sections 1 and 36 bears, North 89°45'46" West, 1329.17 feet which is being Monumented with a found 5/8" Iron Pin with Plastic Cap "Brownell PLS 8960";

Thence along the North-South Center of Section Line of said Section 1, South 01°13'03" West, 202.92 feet;

Thence leaving said North-South Center of Section Line, South 89°17'13" West, a distance of 188.22 feet;

Thence South 00° 42'57" East, a distance of 3.89 feet;

Thence South 89°14'46" West, a distance of 348.58 feet marking the Easterly right of way of Edzell Ave.;

Thence along the Easterly right of way of said Edzell Ave. the following courses and distances:

Thence, North 00°14'14" East, 165.93 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence along a Line being 50.00 feet Southerly of and parallel with the Northerly Boundary Line of the NW 1/4 of said Section 1, South 89°45'46" East, 21.00 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

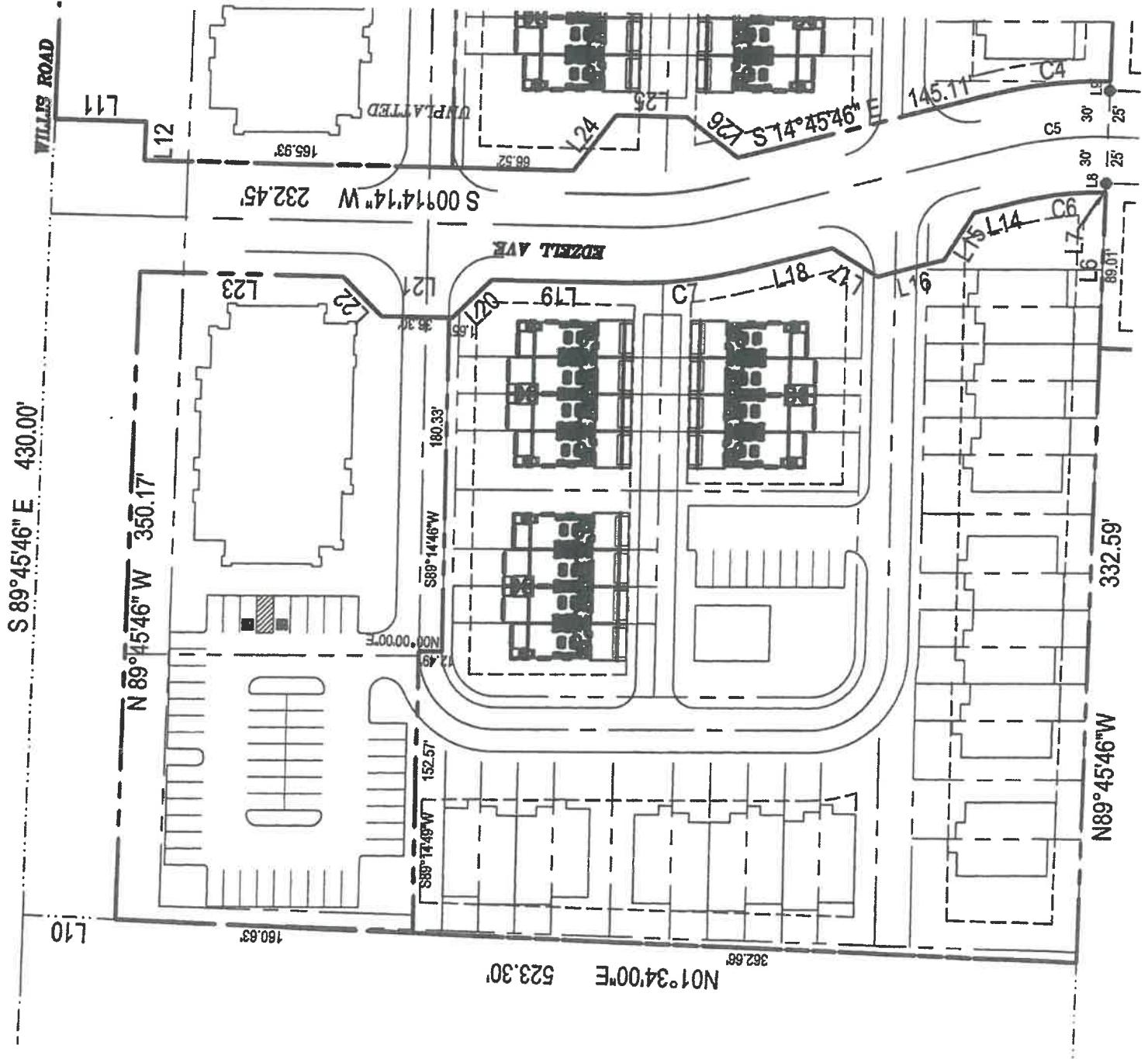
Thence, North 00°14'14" East, 50.00 feet to a found 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" being on the Northerly Boundary Line of the NW 1/4 of said Section 1;

Thence leaving the Easterly right of way of said Edzell Ave. and along said Northerly Boundary Line, South 89°45'46" East, 519.13 feet the **POINT OF BEGINNING**.

The above Described Parcel of Land contains 2.57 Acres, more or less.

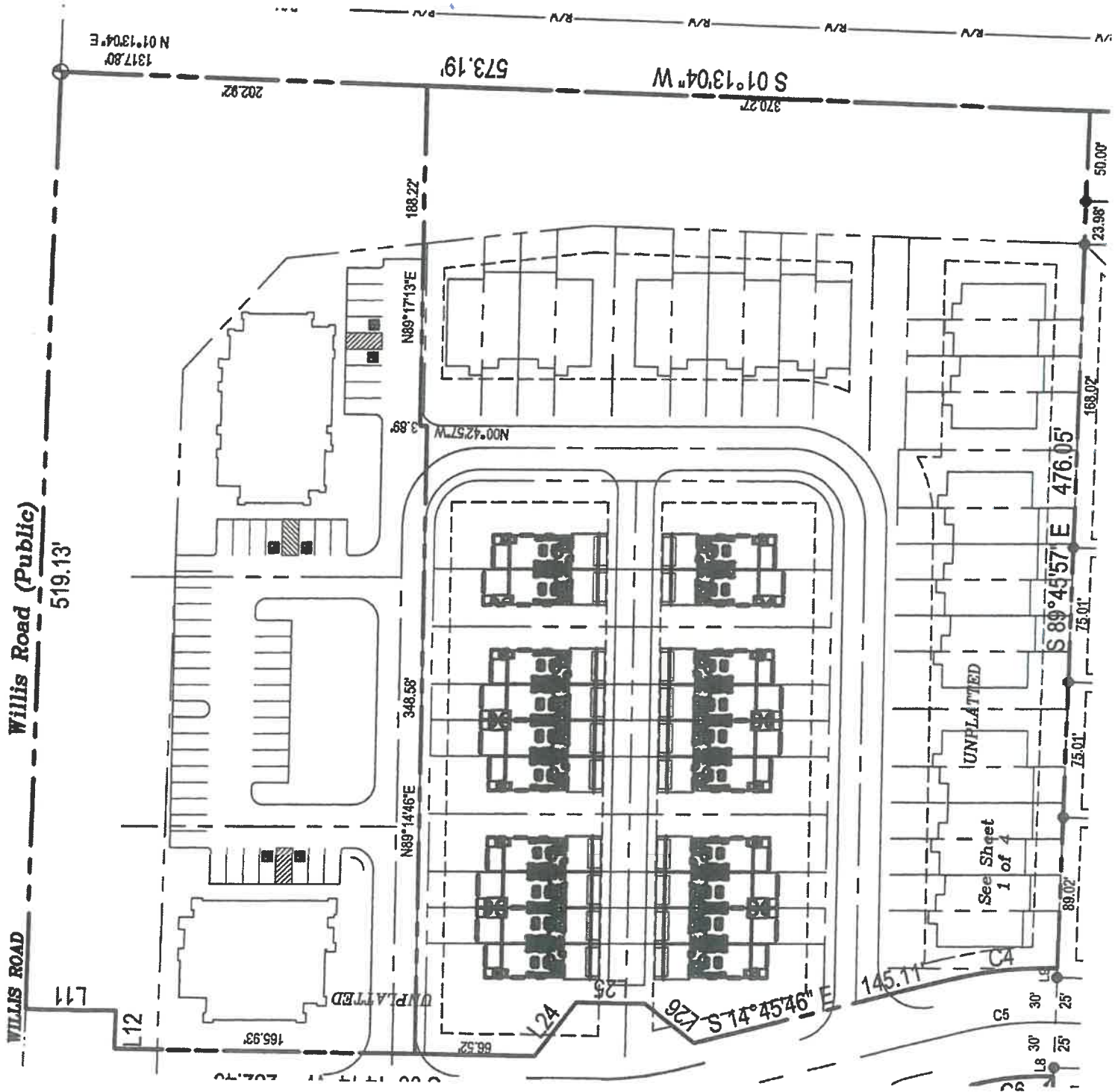


WEST



WEST

EAST



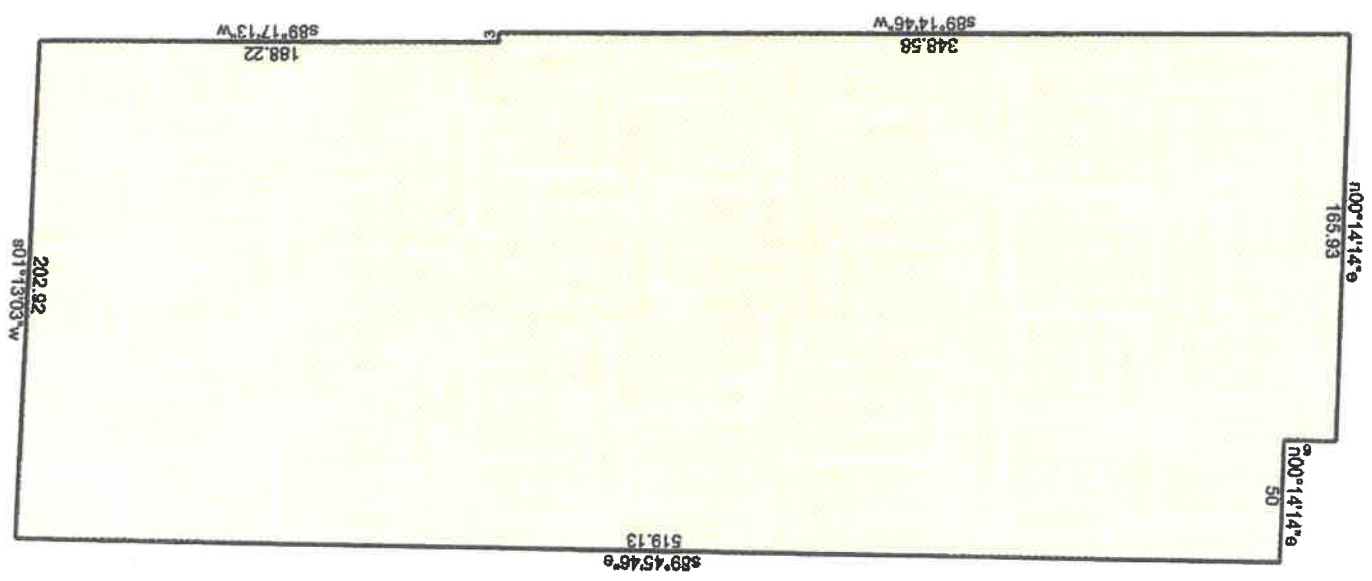
07 n00.1414e 50
 06 s89.4546e 21
 05 n00.1414e 165.93
 04 s89.1446w 348.58
 03 s89.1446w 348.58
 02 s89.1713w 188.22
 01 s01.1303w 202.92

FILED
 08 s89.4546e 519.13

Tract 1: 2.5705 Acres (111972 Sq. Feet), Closure: n00.0000e 0.00 ft (1/999999) Perimeter=1500 ft.

Scale: 1 inch= 75 feet
 File:

3221 12.5 Commercial Rezone C-1 East
 3/19/2021





**Canyon County
Recorder's Office
Document
Cover Sheet**



2019-020668

RECORDED

05/15/2019 03:01 PM



00438968201900206680040042

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=4 HCRETAL

\$15.00

DEED

PAUL WATSON

GRANT DEED

For the consideration of Ten Dollars (\$10.00), and other good and valuable consideration, Robert E Watson, an Individual located at 4300 Los Altos Meridian Idaho 83642 ("**Grantor**"), hereby GRANTS to Falkirk Holdings, LLC, an Idaho Limited Liability Corporation located at PO Box 545, 23565 Hartley Lane Middleton Idaho 83644 ("**Grantee**"), all right, title and interest in the following described real property ("**Property**") situated in Middleton, Idaho:

See **Schedule I** attached hereto and by this reference made a part hereof, for legal description.

Together with all of Grantor's right, title and interest in and to all streets, alleys and rights of ways adjacent thereto and all easements, rights and appurtenances thereto.

Subject to current taxes and assessments and those certain reservations, liens, encumbrances, covenants, conditions, restrictions, rights-of-way, liabilities, easements and other matters of record and any and all matters which would be disclosed by a survey or physical inspection of the Property and improvements thereon as of the date of this instrument.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its heirs and assigns forever.

Grantee is purchasing the above-described premises "AS IS" "WHERE IS" subject to all defects, latent or patent.

Grantor hereby binds itself to warrant and defend the title against only the acts of Grantor and those claiming by or through Grantor and none other, subject to the matters above set forth.

DATED this 1st day of March, 2019.

GRANTOR:

Robert Watson

By: 
Robert Watson

STATE OF IDAHO)
) ss.

County of CANYON)

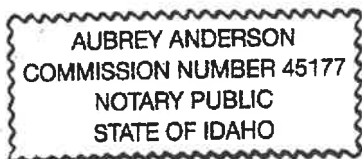
On this 1st Day of MAY, 20 19, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert Watson (the **Grantor**) that executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary

act and deed of said **corporation**, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written. .

My commission expires:

8/9/23



Aubrey Anderson

Notary Public in and for the

State of Idaho

Residing at Meridian

Schedule I
To Grant Deed
Dated 1 March, 2019

Legal Description of Property

The Portion being sold under this Agreement (the Property) is defined in this **Exhibit A**

A portion of Government Lot 3, Section 1, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the north one-quarter corner of said Section 1; thence, along the east line of said Government Lot 3, (The "POINT OF BEGINNING")

- 1) S.01°13'07"W., 573.24 feet; thence, along a line parallel with the north line of said Government Lot 3,
- 2) N.89°45'43"W., 952.63 feet to the southeast corner of Parcel 2 as shown on Record of Survey Instrument No. 200612016, Records of Canyon County, Idaho; thence, along the east line of said Parcel 2,
- 3) N.01°34'04"E., 573.31 feet to the north line of said Government Lot 3; thence, along said line,
- 4) S.89°45'43"E., 949.13 feet to the POINT OF BEGINNING.

The above-described parcel CONTAINS 12.51 Acres.

SUBJECT TO: all Covenants, Rights, Rights-of-Way, Easements, Record Documents and all other Encumbrances.



March 16, 2021

City of Middleton - Planning & Zoning Department
1103 West Main Street
Middleton, ID 83644
Phone: 208-585-3133
Fax: 208-585-9601

Re: Owner Authorizing Representative to Submit the Application

City Staff,

I, Todd Campbell, Todd Campbell Custom Homes, hereby give Jay Walker, AllTerra Consulting, permission to act on my behalf with regards to submitting the Development Agreement Modification application.

This letter of authorization will be in effect from March 8, 2021 until the Development Agreement Modification application is processed and approved by the City of Middleton. If you have any questions or concerns, please feel free to contact at 208-941-8607.

Sincerely,

A handwritten signature in black ink, appearing to be "Todd Campbell", written in a cursive style.

Todd Campbell

NICHOLS JOHN S
1347 LA REATA WAY
MIDDLETON ID 83644

MORANTÉ ROBIN M
1338 HORSESHOE CANYON DR
MIDDLETON ID 83644

WEST HIGHLANDS SUB HOMEOWNERS
ASSOC INC
1859 S TOPAZ WAY STE 200
MERIDIAN ID 83642

LUMAYE PATRICK J
1909 STALLION SPRINGS WAY
MIDDLETON ID 83644

VAN VLECK JUSTIN R
1743 MUSTANG MESA AVE
MIDDLETON ID 83644

TODD CAMPBELL CONSTRUCTION INC
PO BOX 140298
BOISE ID 83714

BURBANK RANDY
1885 STALLION SPRINGS AVE
MIDDLETON ID 83644

ERLEBACH LUKAS
1721 MUSTANG MESA AVE
MIDDLETON ID 83644

TRADITION CAPITAL PARTNERS LLC
8454 BROOKHAVEN PL
MIDDLETON ID 83644

METSKER FRANK
1348 STALLION SPRINGS WAY
MIDDLETON ID 83644

CORP OF PRESIDING BISHOP CHURCH
OF JESUS CHRIST OF LDS
50 E NORTH TEMPLE ST FLOOR 22
SALT LAKE CITY UT 84150

TOLL SOUTHWEST LLC
3103 W SHERYL DR STE 100
MERIDIAN ID 83642

HEXUM RONALD J
1863 STALLION SPRINGS AVE
MIDDLETON ID 83644

IDAHO POWER CO
24009 CEMETERY RD
MIDDLETON ID 83644

GATES CHAD
1837 STALLION SPRINGS AVE
MIDDLETON ID 83644

WEST HIGHLANDS SUB HOMEOWNERS
ASSOC INC
1859 S TOPAZ WAY STE 200
MERIDIAN ID 83642

HOWARD JEFFREY T
1351 STALLION SPRINGS WAY
MIDDLETON ID 83644

SM FAMILY REVOCABLE TRUST
PO BOX 1084
CALDWELL ID 83606

BARKER GINGER L
1333 STALLION SPRINGS WAY
MIDDLETON ID 83644

PAPPAS LINDA
1350 LA REATA WAY
MIDDLETON ID 83644

PAPPAS LINDA BARKER GINGER L
1350 LA REATA WAY STE 200
MIDDLETON ID 83644

GREGG KENNETH R
1721 MUSTANG MESA AVE
MIDDLETON ID 83644

THOMPSON STEVEN DALE II
1931 STALLION SPRINGS AVE
MIDDLETON ID 83644

THOMPSON S GREGG KENNETH R
1931 STALLION SPRINGS AVE
MIDDLETON ID 83644

DOCKETT NICHOLAS
1354 HORSESHOE CANYON DR
MIDDLETON ID 83644

FALKIRK HOLDINGS LLC
PO BOX 545
MIDDLETON ID 83644

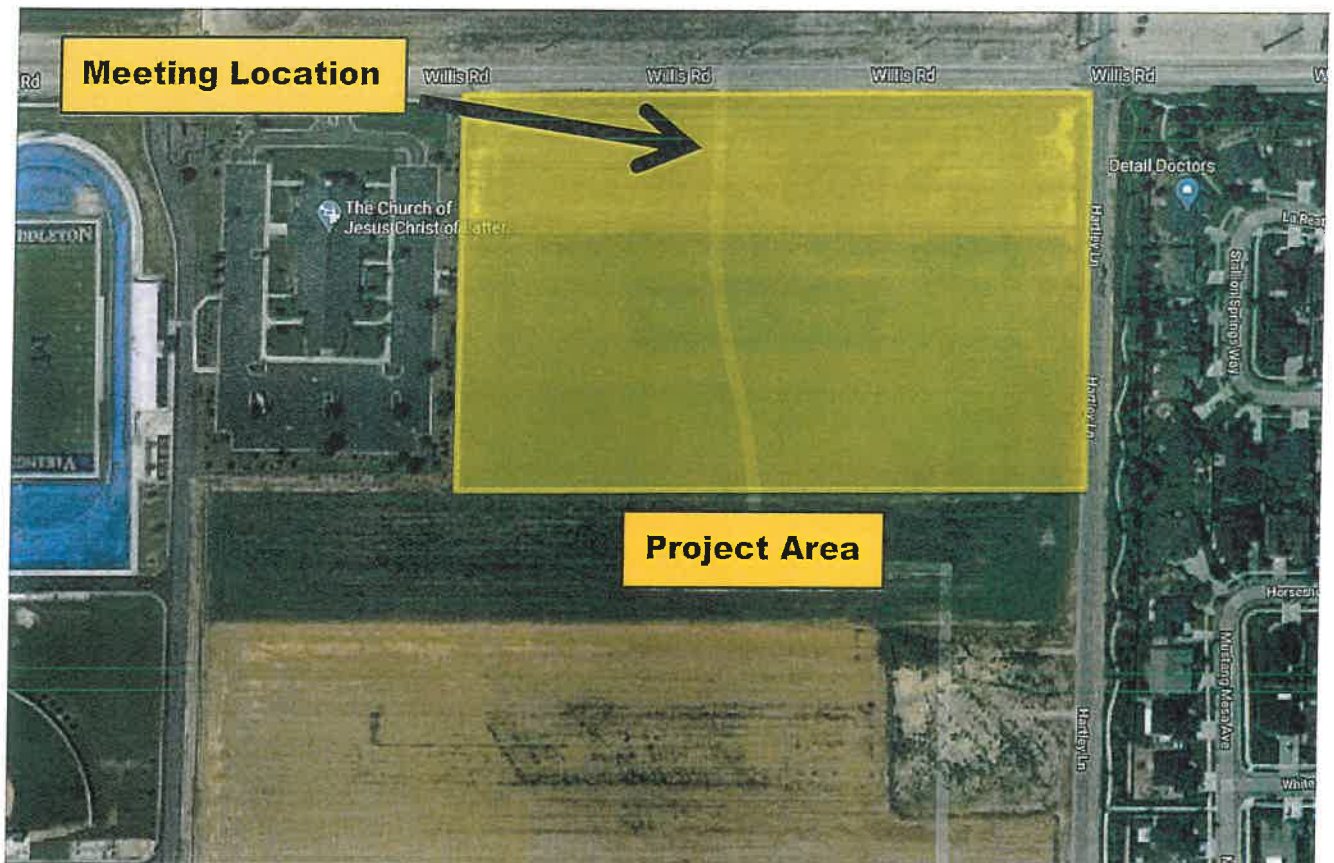
FALKIRK HOLDINGS LLC DOCKETT NICHOLAS
PO BOX 545
MIDDLETON ID 83644

Neighborhood Meeting Notice

March 16, 2021

Subject: *Stonehaven 12.5 – Commercial and Residential Development in Middleton, Idaho*

The Rezone, Development Agreement Modification, and Preliminary Plat applications will soon be submitted to Middleton City Planning & Zoning for parcel No. R3444301300 located at the Southwest corner of Willis Rd and Hartley Ln in Middleton, Idaho. The owner desires to apply for entitlement on the approx. 12.5-acres for residential and commercial development purposes. The exhibit below depicts the “project area” in yellow. The meeting will be held on-site located at 0 Hartley Ln, Middleton, ID 83644.



A meeting has been scheduled to provide the opportunity for you to meet with project representatives, to review this proposal in greater detail, and ask questions.

Date: *Tuesday, March 16, 2021*
Time: *6:00-7:00 P.M.*
Location: *Project Site*
Address: *0 Hartley Ln, Middleton, Idaho 83644*

If you have questions prior to the meeting, please contact Jay Walker.

AllTerra Consulting, 208-484-4479 or jwalker@allterraconsulting.com

SIGN-IN ATTENDANCE FORM

Stonehaven 12.5 DA Modification/Rezone/Preliminary Plat

11.18 Acre Residential and Commercial Development

NEIGHBORHOOD DEVELOPMENT MEETING

Tuesday, March 16, 2021

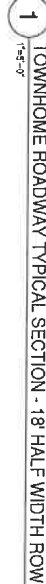
6:00 PM – 7:00 PM

	Name	Phone Number	Email Address	Neighboring Address
1.	DOUG FAIRBANKS	(214) 454-128	DOUGFAIRBANKS@PROTONMAIL.COM	1735 Fort Williams St.
2.	DAVID LOIZ	916-715-8340	2REGRATEFUL@PROTONMAIL.COM	1594 Loch Ness Ave
3.	KATHY WROJEN	707-628-5251	STURBSMOM@HOTMAIL.COM	1639 Loch Ness Ave
4.	Danette Ljung	209-602-4339	DeLass5426@Protonmail.com	1594 Loch Ness Ave
5.	Mary Burge	805-558-5373	theburge@msn.com	1535 Loch Ness Ave
6.	Bryan Borsello	208-521-7532	bd.borsello@gmail.com	1540 Shoal Pt. Ave
7.	Tina & Mike Upton	208-514-5208	tinaupton@yahoo.com	116410 Fort Williams St
8.	Jessie Julie Essig	208-404-5994	jessie.je@gmail.com	1592 Fort Williams
9.	Barb Graefe	208-527-6218	msgra@outlook.com	1889 Ridge Way
10.	Mike Graefe	208-527-6227	bimgraefe@outlook.com	" "
11.	Kyle Restad	208-971-7761	kyle.restad@yahoo.com	11660 Loch Ness
12.	Dean Waite	208-631-5052	you know .com	TCC Inc.
13.	Todd Campbell	208-941-8607	" "	" "
14.	Jay Walker	(208) 481-4479	" "	" "
15.				
16.				
17.				
18.				
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21.				
22.				
23.				
24.				
25.				

**Stonehaven 12.5 DA Modification/Rezone/Preliminary Plat
11.18 Acre Residential and Commercial Development
NEIGHBORHOOD DEVELOPMENT MEETING**

6:00 PM – 7:00 PM

[illegible]



2018-010809

RECORDED

03/16/2018 11:43 AM



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CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=9 MBROWN

NO FEE

AGR

CITY OF MIDDLETON

2012-047137

RECORDED

10/24/2012 08:23 AM



005067201200471370060064

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=6 RECORD2

NO FEE

AGR

CITY OF MIDDLETON

Re-recorded with boundary description and record of survey.
DEVELOPMENT AGREEMENT

This Development Agreement (**Agreement**) is entered into by and between the CITY OF MIDDLETON, a municipal corporation in the State of Idaho (**City**), ROBERT WATSON (**Developer**).

RECITALS

WHEREAS, Developer owns 12.51 acres legally described in Exhibit A attached hereto, which is a portion of a parcel of real property in Middleton, Canyon County, Idaho commonly referred to in Canyon County Assessor's records as Parcel No. R34443; and

WHEREAS, Developer has applied to the City to rezone from R-3 (Single-family Residential) to C-1 (Neighborhood Commercial) the property legally described in Exhibit A (**Property**); and

WHEREAS, Developer intends to improve the Property according to the Middleton City Code and the City's public works standards at the time(s) the Property is improved; and

WHEREAS, the City, pursuant to Idaho Code §67-6511A, has the authority to conditionally rezone the property and to enter into a development agreement for the purpose of allowing, by agreement, a specific development agreement to proceed in a specific area and for a specific purpose or use which is appropriate in the area, but for which all allowed uses for the requested zoning may not be appropriate pursuant to the Idaho Code and Middleton City Code.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the recitals above, which are incorporated below, and the mutual covenants, representations, and performances herein bargained for, relied on, and expected, the parties agree as follows:

Development Agreement - Robert Watson

Page 1

**ARTICLE I
LEGAL AUTHORITY**

This Agreement is made pursuant to and in accordance with the provisions of Idaho Code §67-6511A and Middleton City Code, Title 5, Chapter 7.

**ARTICLE II
ZONING ORDINANCE AMENDMENT**

The City will adopt an ordinance amending the Middleton Zoning Ordinance to rezone the property described in Exhibit A to C-1 (Neighborhood Commercial). The Ordinance will become effective after it is approved, signed, published and recorded according to law, all of which actions the City will conduct with the Developer's cooperation.

**ARTICLE III
CONDITIONS OF DEVELOPMENT**

3.1 The Property annexed by the City shall include declared or claimed right-of-ways along Willis Road and Hartley Road.

3.2 Developer will improve the Property according to the Middleton City Code and the City's public works standards at the time(s) the Property is improved.

3.3 Developer agrees to submit a traffic study to the City for review no later than with the application for the first commercial building permit on the Property, and Developer agrees to pay for transportation improvements recommended in the traffic study and approved by City Council. The traffic study shall include intersection analysis of 1) Willis Road and Hartley Road and 2) Hartley Road and State Highway 44. The City shall not issue a certificate of occupancy until after the traffic study has been approved and the City-required improvements are complete and accepted by the City.

**ARTICLE IV
FAILURE TO COMPLY WITH AGREEMENT**

4.1 If the Developer fails to comply with any of the terms or conditions in this Agreement, then the portion(s) of this Agreement pertaining to the breach may be modified or terminated by the Middleton City Council, after complying with the notice and hearing requirement contained in Middleton City Code and Idaho Code.

If after a breach, the City Council determines that the terms of this Agreement applicable to the breach should be modified, the term(s) of this Agreement shall be amended and the Developer shall comply with the amended terms.

Any breach waived by the City shall apply solely to the breach waived and shall not bar any other rights or remedies of the City or apply to any subsequent breach of any such or other covenants and conditions.

4.2 If after a breach, the City Council determines that the zoning should be reverted to R-3, or as otherwise provided in the Idaho Code, then the Developer hereby consents to such reversion or other authorized action and will cease uses not allowed or permitted in the R-3 zone.

4.3 Upon a breach of this Agreement, any of the parties in any court of competent jurisdiction, by action or proceeding at law or in equity, may secure the specific performance of the covenants and agreements herein contained, may be awarded damages for failure of performance of both, or may obtain rescission, disconnection, and damages for repudiation or material failure of performance.

4.4 NOTICE OF FAILED PERFORMANCE. Upon any failure of any party to this Agreement to perform its obligations under this Agreement, the party claiming such failure shall notify, in writing, the party alleged to have failed to perform of the alleged failure and shall demand performance. No breach of this Agreement may be found to have occurred if performance has commenced to the satisfaction of the complaining party with thirty (30) days of the receipt of such notice.

ARTICLE V GENERAL PROVISIONS

5.1 This Agreement contains the entire agreement of the parties respecting the Property and supersedes all prior discussions, and written and verbal agreements between the parties respecting the Property.

5.2 Any amendment or addendum to this Agreement shall be in writing and made only after the City has complied with the notice and hearing provisions of Idaho Code §67-6509 and Middleton City Code Title 5, Chapter 7.

5.3 Any notice that a party may desire to give to another party must be in writing and may be given by personal delivery, by mailing the same registered or certified mail with a return receipt requested, or by Federal Express or other reputable overnight delivery service. Notice shall be given to the parties at the following addresses or such other address and to such other persons as the parties may designate after giving notice. Any such notice shall be deemed given upon

delivery if by personal delivery, upon deposit in the United States mail if sent by mail pursuant to the forgoing:

Middleton: City Clerk
City of Middleton
P.O. Box 487
Middleton, Idaho 83644

Developer: Robert Watson
4300 Los Altos Drive
Meridian, Idaho 83642

5.4 If either party shall fail to perform under this Agreement and said failure is cured with the assistance of an attorney for the other party, as a part of curing said failure, the reasonable attorneys' fees incurred by the other party shall be reimbursed to the other party upon demand. In the event a suit or action is filed by either party against the other to interpret or enforce this Agreement, the unsuccessful party to such litigation agrees to pay to the prevailing party all costs and expenses, including reasonable attorneys' fees incurred therein, including the same with respect to an appeal.

5.5 The Agreement shall be effective after being fully executed. This Agreement shall become valid and binding only upon its approval by the City Council and execution of the Mayor and City Clerk. After its execution, the Agreement shall be recorded in the office of the County Recorder at the expense of the Developer.

5.6 Each commitment and restriction described in this Agreement shall be a burden on the Property and run with the land, and shall be appurtenant to and for the benefit of the Property, adjacent property and other residential land near the Property.

This Agreement shall be binding on the City and Developer, and their respective heirs, administrators, executors, agents, legal representatives, successors and assigns. Provided, however, that if all or any portion of the Property is divided, then each owner of a legal lot shall only be responsible for duties and obligations or breaches as to their owners' parcels or lots.

The new owner of the Property or any portion thereof (including, without limitation, any owner who acquires its interest by foreclosure, trustee's sale or otherwise) shall be liable for all commitments and other obligations arising under this Agreement with respect only to such owner's lot or parcel.

5.7 The Property that is the subject of this Agreement is located in Canyon County, Idaho and the terms of this Agreement shall be construed according to the laws of the State of Idaho in effect at this time this Agreement is executed. Any

DEVELOPER:

By:

Robert Watson

State of IDAHO

)

SS.

County of Canyon

)

I, a notary public, do hereby certify that on this 22nd day of October, 2012, personally appeared before my **Robert Watson** who, being first duly sworn, declared that he signed

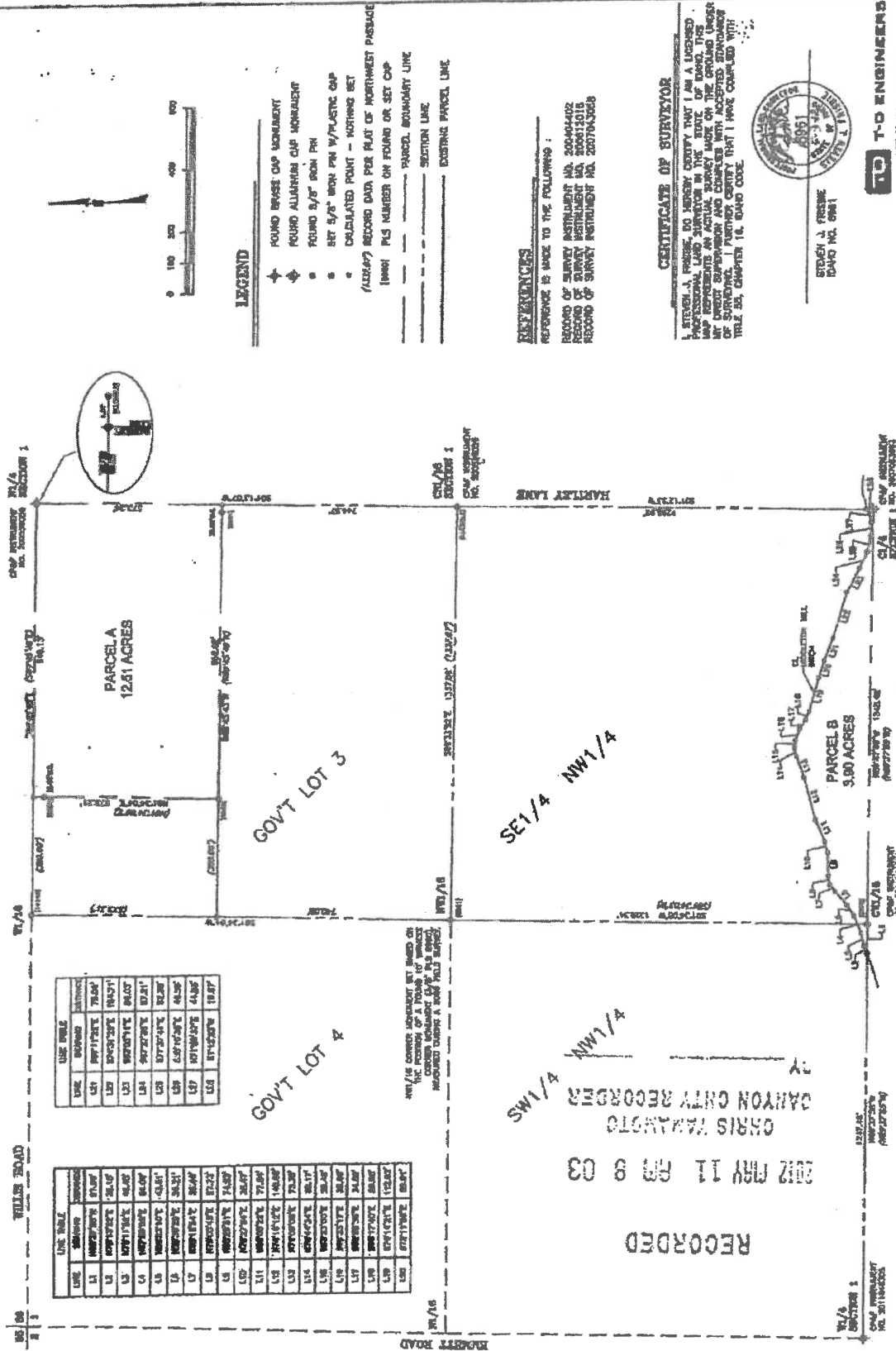
ALAN D. MILLS
Notary Public
State of Idaho

Notary Public

My Commission Expires: Sept. 9, 2017

RECORD OF SURVEY

MADE FOR BOB WATSON
A PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 AND
THE SW1/4 OF THE NW1/4 OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 3 WEST,
BOISE MERIDIAN, CANYON COUNTY, IDAHO
2012



LEGEND

- FOUND BRASS CUP MONUMENT
- FOUND ALUMINUM CUP MONUMENT
- FOUND 5/8" IRON PIN
- SET 5/8" IRON PIN W/ PLASTIC CAP
- CALCULATED POINT - NOTHING SET
- ALREADY RECORD DATA PER PLAT OF NORTHWEST PASSAGE
- PLS NUMBER ON FOUND OR SET CAP
- PARCEL BOUNDARY LINE
- SECTION LINE
- EXISTING PARCEL LINE

REFERENCES

REFERENCE IS MADE TO THE FOLLOWING:
RECORD OF SURVEY INSTRUMENT NO. 200404402
RECORD OF SURVEY INSTRUMENT NO. 200512016
RECORD OF SURVEY INSTRUMENT NO. 2007043068

CERTIFICATE OF SURVEYOR

I, STEVEN A. FREEMAN, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF IDAHO, AND THAT I HAVE PERSONALLY AND INDEPENDENTLY EXAMINED THE SURVEY MAP AND THE DATA THEREON, AND THAT I HAVE FOUND THE SAME TO BE CORRECT AND ACCURATE, AND THAT I HAVE COMPLIED WITH THE REQUIREMENTS OF THE IDAHO SURVEYING ACT, CHAPTER 16, IDAHO CODE.



STEVEN A. FREEMAN
IDAHO NO. 0001

T-D ENGINEERS
8777 CHURCH BOLLINGER
BOISE, IDAHO 83714-0008
PHONE: (208) 333-1111 FAX: (208) 333-1112

SHEET NO. 1 OF 1

2012019202

RECORDED
2012 MAY 11 PM 9 03
CANYON COUNTY RECORDER



T-O ENGINEERS

CONSULTING ENGINEERS, SURVEYORS, AND PLANNERS
2471 S TITANIUM PLACE
MERIDIAN, IDAHO 83642-8703
208-323-2288 • FAX 208-323-2399

Project No: 180057
Date: March 14, 2018
Page 1 of 1

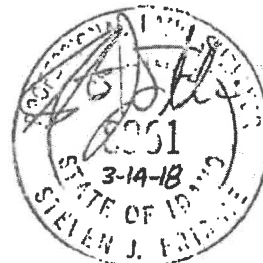
PARCEL A DESCRIPTION OF LAND

A parcel of land being a portion of Government Lot 3, of Section 1, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho,

BEGINNING at the northeast corner of said Government Lot 3, also being the north one-quarter corner of said Section 1, per recorded CP&F Instrument No. 200556058, and shown on Record of Survey Instrument No. 20120192, records of Canyon County, Idaho; thence, along exterior boundary of Parcel A as shown on said Record of Survey,

- 1) S.01°13'07"W., 573.24 feet; thence,
- 2) N.89°45'43"W., 952.62 feet; thence,
- 3) N.01°34'04"E., 573.31 feet; thence,
- 4) S.89°45'43"E., 949.13 feet to the **POINT OF BEGINNING**.

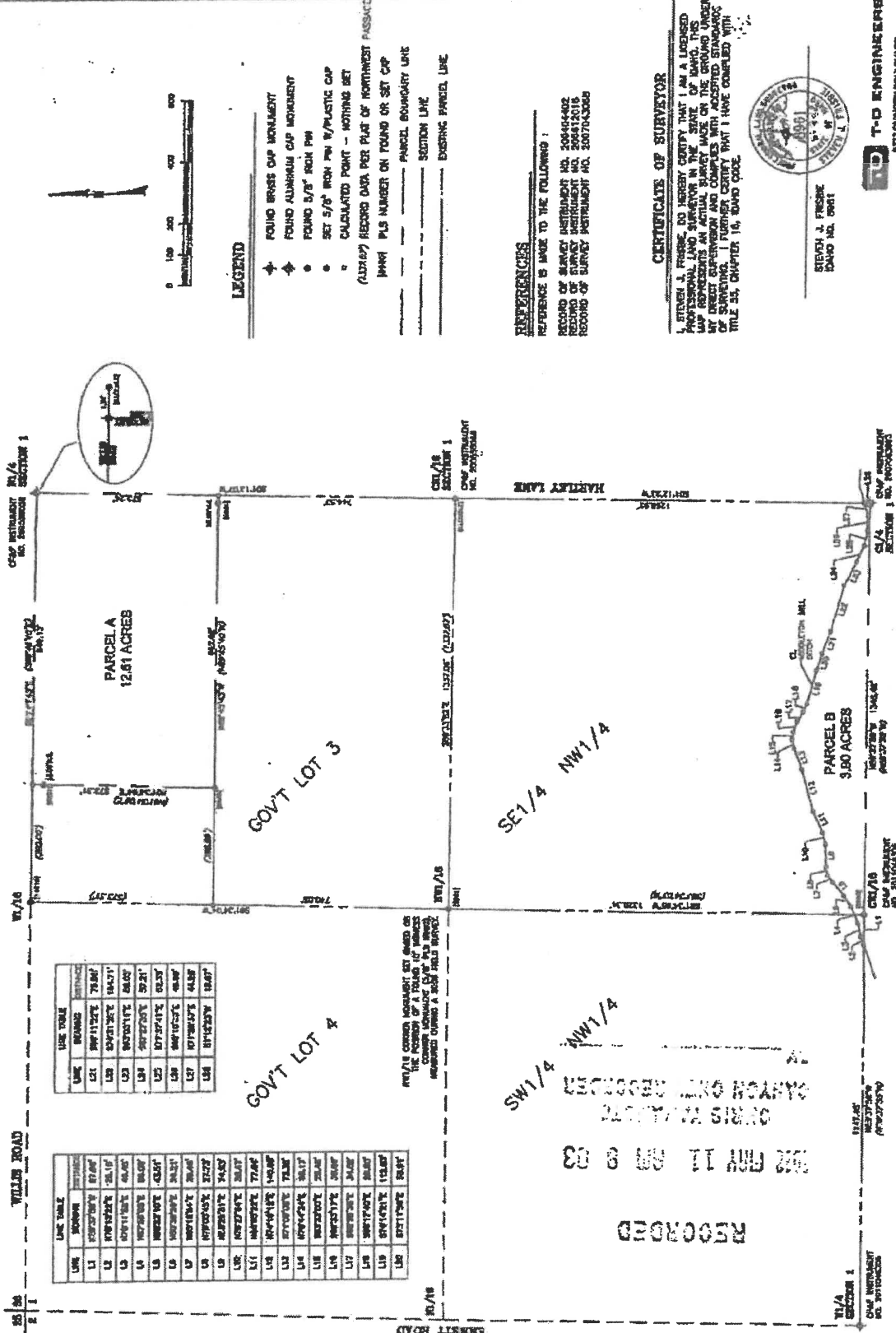
CONTAINING: 12.51 acres
SUBJECT TO: all Record Documents.



MERIDIAN • COEUR d'ALENE • BOISE • NAMPA • SPOKANE

RECORD OF SURVEY

MADE FOR BOB WATSON
A PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 AND
THIS SW1/4 OF THE NW1/4 OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 3 WEST,
BOISE MERIDIAN, CANYON COUNTY, IDAHO
2012



LEGEND

- FOUND BRASS CAP MONUMENT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" IRON PIN
- SET 5/8" IRON PIN
- CALCULATED POINT - NOTHING SET

(AUX167) RECORD DATA PER PLAT OF NORTHWEST PASSAGE
(AUX168) PLS NUMBER ON FOUND OR SET CAP

- PARCEL BOUNDARY LINE
- SECTION LINE
- EXISTING PARCEL LINE

REFERENCES

REFERENCE IS MADE TO THE FOLLOWING:

RECORD OF SURVEY INSTRUMENT NO. 200444402
RECORD OF SURVEY INSTRUMENT NO. 200412016
RECORD OF SURVEY INSTRUMENT NO. 200743388

CERTIFICATE OF SURVEYOR

I, STEVEN J. FESKE, DO HEREBY CERTIFY THAT I AM A LICENSED
LAND SURVEYOR IN THE STATE OF IDAHO. THIS
SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE
IDAHOO RULES AND REGULATIONS FOR LAND SURVEYING
AND COMPLETION WITHIN THE TIME FRAME OF THE
TITLE 33, CHAPTER 16, IDAHO CODE.

STEVEN J. FESKE
IDAHO NO. 0001

IDAHO NO. 0001

IDAHO NO. 0001

IDAHO NO. 0001

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IDAHO NO. 0001

IDAHO NO. 0001

T-D ENGINEERS

8777 CHURCH BOULEVARD

SUITE 100, BOISE, IDAHO 83714-2000

PHONE: (208) 333-1111

FAX: (208) 333-1111

WEBSITE: WWW.T-DENG.COM

CREATED: 11/03/2012

FILED: 11/03/2012

BOOK: 11/03/2012

PAGE: 1 OF 1

BOOK: 11/03/2012

PAGE: 1 OF 1

2012019202

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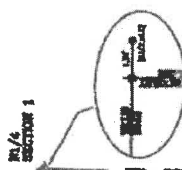
SW1/4 NW1/4

GOVT LOT 4

GOVT LOT 3

PARCEL A
12.81 ACRES

PARCEL B
3.80 ACRES



**MIDDLETON CITY PLANNING AND ZONING
COMMISSION MINUTES
MAY 10, 2021**

The May 10, 2021 Planning and Zoning Commission Meeting was called to order by Chairman Ray Waltemate at 5:33 p.m.

Call to Order - Pledge of Allegiance

Roll Call: Chairman Ray Waltemate, and Commissioners Jackie Hutchison, Janet Gregory, Kip Crofts and Whitney Springston were present.

Information Items:

Action Items

1. Consent Agenda

- a. Consider approving April 12, 2021 regular meeting minutes.

Chairman Waltemate called the consent agenda items and asked for any questions or changes to the minutes.

Motion: Motion by Commissioner Springston to consent agenda items A-D. Motion seconded by Commissioner Gregory and approved unanimously.

2. Public Hearing: Applications from Falkirk Holdings LLC & Todd Campbell for Rezone and Development Agreement with respect to the Stonehaven project planned for an 11.18 acre parcel located at 0 Hartley Lane (Tax Parcel #34443013). Applicant is seeking a rezone of a portion of the parcel from C-1 to M-F to permit the future development of a maximum of 84 townhome lots

Chairman Waltemate opened the Public Hearing at 5:45 p.m.

City Planner, Roberta Stewart presented the Staff Report (See Exhibit 1)

Chairman Waltemate called for the applicant presentation at 6:02 p.m.

- Jay Walker—Representative for Falkirk Holdings, LLC & Todd Campbell: Mr. Walker gave a presentation on the proposed Rezone & Development Agreement (See Exhibit 2)
- Todd Campbell—took questions on the project from the commission and answered questions regarding the properties. The cost would be \$300,000-400,000 per unit with the final product being in the mid-\$400,000 range. The unit size would range from 1500-2400 sq ft. The yard size would comply with Middleton City Code. The yards would be private fenced yards for each unit.

Questions from Commission:

- Springston—Timeline? Answer: applicant is prepared for immediate turnaround with the preliminary plat and design. The goal is to provide homes for smaller families and the elderly to fill a demand.
- Gregory—
 - Setbacks—how will the requirement of 10 feet be met? Answer: there is a

-
- proposed 12 foot setback which will be a total of 24 feet between buildings.
 - Traffic Studies for Hartley? Answer: traffic is projected to decrease with the move from commercial to residential.
 - Waltemate—Is the road is going to remain a commercial collector? Answer: there is no proposed changes to the road with this proposal.

Chairman Waltemate opened the public comments at 6:29 p.m.

- Shawn Maybon of 1382 La Reata Way—lives near Willis and Hartley. Mr. Maybon spoke in opposition to the proposal. He stated the high density zoning would have a negative impact on traffic, sewer, water and water pressure. The buffer of an 8 foot berm already exists. He doesn't believe this proposal is consistent with the comprehensive plan of the city.
- Mike Graefe of 1889 Ridge Way in West Highlands. Mr. Graefe spoke in opposition of the proposal and mirrored the concerns brought forth by Mr. Maybon. He indicated that he is not a fan of townhouses. Two plus vehicles per home would have a tremendous impact on the traffic in the area. He can't see the vision of how a roundabout would work in that area. He also feels that the right of way on both sides of a street should be equal.
- Sandy Sinclair of 1871 Ridge Way in West Highlands. Ms. Sinclair spoke in opposition of the proposal. She agreed with all that Mr. Maybon and Mr. Graefe stated. She is totally against high-density housing in that area.
- Peggy Souza of 12576 Cowboy Lane (outside city limits). Ms. Souza spoke in opposition. She stated that traffic is already a problem in the area from the school and homes. Crowding people into little spaces is going to be a big problem. Crowding roads and areas that are already crowded.

Chairman Waltemate closed the public comment at 6:45 p.m.

Discussion:

- City Planner, Roberta Stewart went on record stating that the city has not approved or disapproved of this proposal.

Motion: Motion by Commissioner Gregory to deny application from Falkirk Holdings LLC & Todd Campbell for Rezone and Development Agreement with respect to the Stonehaven project planned for an 11.18-acre parcel located at 0 Hartley Lane (Tax Parcel #34443013). Applicant is seeking a rezone of a portion of the parcel from C-1 to M-F to permit the future development of a maximum of 84 townhome lots. Motion seconded by Commissioner Hutchinson and approved unanimously.

Chairman Waltemate closed the public hearing at 7:15 p.m

It was moved by Chairman Waltemate to close the meeting at 7:17 p.m. Motion was seconded by Commissioner Springston and unanimously approved.

ATTEST:

Ray Waltemate, Chairman

Rhonda Case, Deputy Clerk
Approved: June 7, 2021

DRAFT

Communities in Motion 2040 2.0 Development Review

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040 2.0* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 2.0 goals.

Development Name: Campbell






Agency: Middleton

CIM Vision Category: Existing Neighborhoods

New households: 82

New jobs: ±50

Exceeds CIM forecast:

	CIM Corridor: N/A Pedestrian level of stress: None Bicycle level of stress: None	Level of Stress considers facility type, number of vehicle lanes, and speed. Roads with G or PG ratings better support bicyclists and pedestrians of all ages and comfort levels.
	Housing within 1 mile: 930 Jobs within 1 mile: 210 Jobs/Housing Ratio: 0.2	A good jobs/housing balance – a ratio between 1 and 1.5 – reduces traffic congestion. Higher numbers indicate the need for more housing and lower numbers indicate an employment need.
	Nearest police station: 1.4 miles Nearest fire station: 2.4 miles	Developments within 1.5 miles of police and fire stations ensure that emergency services are more efficient and reduce the cost of these important public services.
	Farmland consumed: Yes Farmland within 1 mile: 920 acres	Farmland contributes to the local economy, creates additional jobs, and provides food security to the region. Development in farm areas decreases the productivity and sustainability of farmland.
	Nearest bus stop: >4 miles Nearest public school: 0.1 miles Nearest public park: 1.5 miles Nearest grocery store: >4 miles	Residents who live or work less than ½ mile from critical services have more transportation choices. Walking and biking reduces congestion by taking cars off the road, while supporting a healthy and active lifestyle.

Recommendations

The proposal provides a mix of residential and commercial which can mitigate the impact of increased traffic. There are no plans for public transportation to this location.

More information about COMPASS and *Communities in Motion 2040 2.0*:

Web: www.compassidaho.org

Email info@compassidaho.org

More information about the development review process:

<http://www.compassidaho.org/dashboard/devreview.htm>

From: [Carl Hayes](#)
To: [Jennica Reynolds](#); "[Canyon County Paramedics](#)"; "[Carl Miller](#)"; "[Idaho Power - Mike Ybarguen](#)"; "[ITD - Development](#)"; "[ITD - Sarah](#)"; "[Julie Collette](#)"; "[Middleton School District](#)"; "[zoninginfo@canyonco.org](#)"; "[permits@starfirerescue.org](#)"
Cc: [Roberta Stewart](#)
Subject: RE: Notice of Public Hearing CC - Campbell Rezone/DA
Date: Tuesday, June 8, 2021 8:09:43 AM

Our only facility in this area is already piped, but we will require that any easements on this property be recorded on the final plat and that irrigation be provided along with any necessary drainage.

Thank you,



From: Jennica Reynolds <jreynolds@middletoncity.com>
Sent: Friday, May 28, 2021 11:04 AM
To: 'Canyon County Paramedics' <MStowell@ccparamedics.com>; 'Carl Miller' <cmiller@compassidaho.org>; 'Idaho Power - Mike Ybarguen' <MYbarguen@idahopower.com>; 'ITD - Development' <D3Development.services@ITD.idaho.gov>; 'ITD - Sarah' <Sarah.Arjona@itd.idaho.gov>; 'Julie Collette' <gmprdjulie@gmail.com>; 'Middleton School District' <csanderson@msd134.org>; 'zoninginfo@canyonco.org' <zoninginfo@canyonco.org>; Carl Hayes

<carl@blackcanyonirrigation.com>; 'permits@starfirerescue.org' <permits@starfirerescue.org>

Cc: Roberta Stewart <rstewart@middletoncity.com>

Subject: Notice of Public Hearing CC - Campbell Rezone/DA

Please see the attached Public Hearing Notice for City Council.

<https://middleton.id.gov/PublicHearingNotices>

Best,

Jennica Reynolds

Administrative Deputy Clerk

City of Middleton

208-585-3133

jreynolds@middletoncity.com



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

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028

(208) 334-8300 • itd.idaho.gov

June 7, 2021

Roberta Stewart
City Planner
1103 West Main Street
Middleton, Idaho 83644

VIA EMAIL

Development Application	REZONE AND DEVELOPMENT AGREEMENT MODIFICATION
Project Name	STONEHAVEN SUBDIVISION
Project Location	Southwest corner of Hartley Lane and Willis Road, north of SH-44 milepost 2.81
Project Description	Rezone of a 11.18 acre parcel from C-1 to M-F to permit future development of 82 townhome lots and modification of existing development agreement for Stonehaven to allow for rezone
Applicant	Falkirk Holdings LLC & Todd Campbell

The Idaho Transportation Department (ITD) reviewed the referenced rezone and development agreement modification applications and has the following comments:

1. This project does not abut the State Highway system.
2. ITD and the City of Middleton have entered into an interagency agreement to collect proportionate share from new developments to mitigate traffic impacts from incoming developments. Proportionate share for each development is calculated based off of number of trips added to State Highway system. The number of trips generated can be determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual. ITD requires trip distribution information to determine where trips generated by developments access the State Highway system.
3. No trip distribution information was provided; without trip distribution information ITD must assume the worst case scenario that all trips generated will utilize the Hartley Lane/ SH-44 intersection. The proposed subdivision is adding 46 trips to Hartley Lane/SH-44 intersection in the PM Peak at buildout, and 38 trips in the AM Peak. Proportionate share is based on the average AM and PM site trips through the intersection of SH-44/ Hartley Lane which is approximately 2.88% percent of the traffic utilizing the intersection in 2021. The intersection has been documented as failing and is in need of signalization. ITD has already agreed with the City of Middleton that a signalized intersection is the preferred improvement. The construction of the cost of design and construction of a future signal at



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

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028

(208) 334-8300 • itd.idaho.gov

SH-44/Hartley Lane with northbound and southbound left turn lanes, a northbound right turn lane, and eastbound and westbound right turn lanes is approximately \$1,181,233 (see attached). The applicant will only be responsible for contributing their proportionate share of \$34,020 (2.88%).

4. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
5. The Idaho Administrative Procedure Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
6. ITD objects to this development. ITD will remove the objection if the governing board requires, and the applicant agrees to, the execution of a Development Agreement with the City of Middleton binding the contribution of the proportionate share amount of \$34,020.

If you have any questions, you may contact me at (208) 334-8338 or Erika Bowen (208) 265-4312 ext 7.

Sincerely,

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov

Stonehaven

Proportionate Share Calculation

(Dated 6/7/2021)

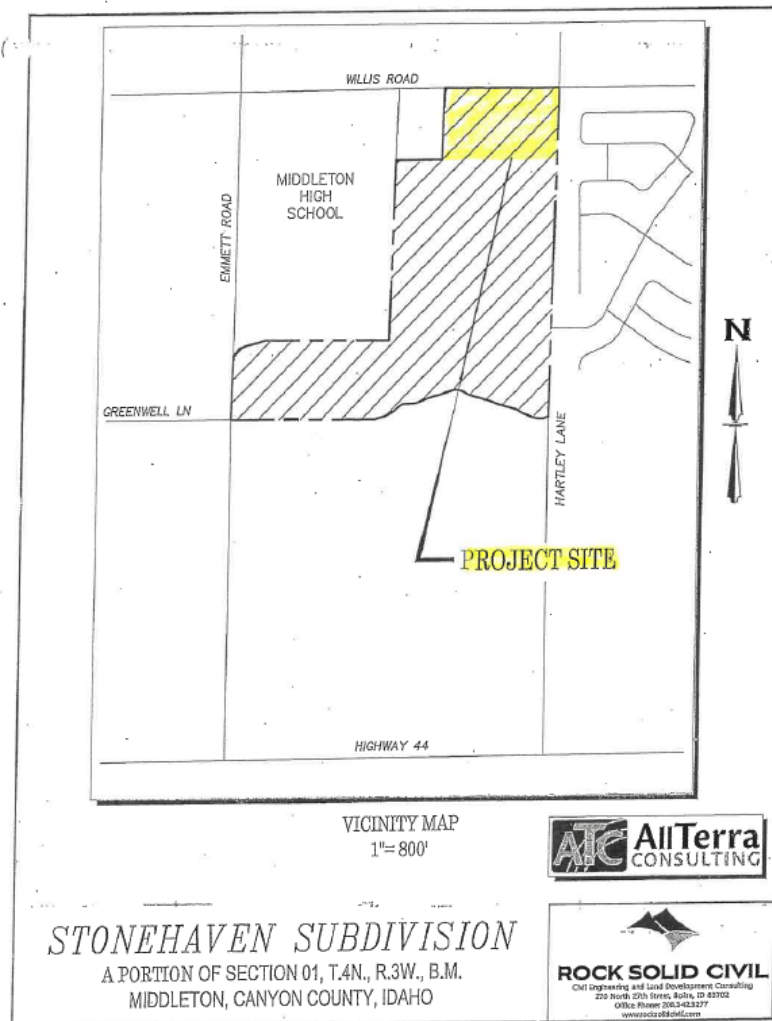
82 Units

Townhomes

ITE Code (220) Multi-Family Housing (Low-Rise)

AM Trip Rate = 0.46

PM Trip Rate = 0.56



A trip distribution diagram was not provided to the department. ITD must assume a worst-case scenario that all 82 residential units will head south on Hartley Road to the SH-44 / Hartley Road intersection. This intersection is not included in the SH-44 Corridor Plan because it is adjacent to the proposed alternate route. The intersection has been documented as failing and is in need of signalization. ITD has already agreed with the city of Middleton that a signalized intersection is the preferred improvement.

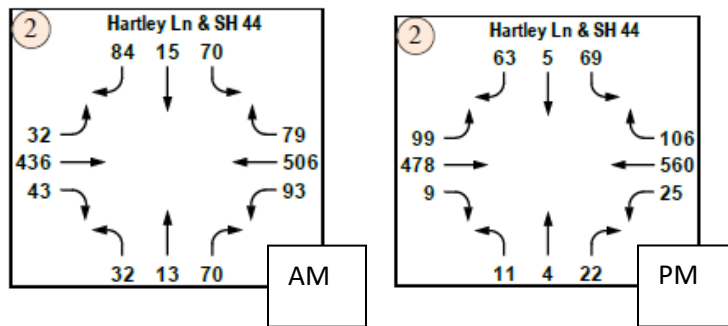
ITD staff estimates the design and construction costs for a signal at the SH-44 / Hartley Lane intersection along with adding northbound and southbound left turn lanes, a northbound right turn lane and eastbound and westbound right turn lanes is approximately \$1,181,233.

2021 Site Traffic

AM = $82 \times 0.46 = 38$ trips

PM = $82 \times 0.56 = 46$ trips

2021 Total Traffic (Traffic Volumes Forecasted in the Idahome RV Resort TIS)



AM Site = 38	AM Total = 1,473	AM % = 2.58
PM Site = 46	PM Total = 1,451	PM % = 3.17
Proportionate Share for SH-44 /Hartley Signalization Improvements		Avg % = 2.88

Staff recommends the developer pay a total proportionate share of \$34,020 (2.88%) towards future signalization improvements at the intersection of SH-44 / Hartley Lane. Proportionate share needs to be provided prior to occupancy of the development.

Intersection Widening - Conceptual Cost Estimate

Estimated By: E. Bowen Date: 8/12/2020
 Checked By: Date:


Location: Intersection of SH-44 and Hartley Lane

Scope: Signalization of the intersection. To include northbound and southbound left turn lanes, northbound right turn lane, and eastbound and westbound right turn lanes.

Item Description	Quantity	Unit Price	Cost	Source
SECTION 1				
201-010A CLEARING & GRUBBING	0.88 ACRE	\$ 6,833.00	\$ 6,032.37	KN 18872
203-015A REM OF BITUMINOUS SURF	656.15 SY	\$ 9.67	\$ 6,344.95	KN 18872
203-130A REMOVAL OF PAV MARKINGS	2905.00 FT	\$ 1.00	\$ 2,905.00	KN 18852
205-005A EXCAVATION	2187.16 CY	\$ 15.25	\$ 33,354.20	KN 18872
301-005A GRANULAR SUBBASE	1945.85 TON	\$ 15.90	\$ 30,939.07	KN 18872
303-022A 3/4" AGGR TY B FOR BASE	1800.64 TON	\$ 18.30	\$ 32,951.63	KN 18872
401-020A CSS-1 DIL EMUL ASPH FOR TACK COAT	377.83 GAL	\$ 3.48	\$ 1,314.85	KN 18872
405-435A SUPERPAVE HMA PAV INCL ASPH&ADD CL SP-3	1013.06 TON	\$ 70.00	\$ 70,914.18	KN 18872
614-015A SIDEWALK	107.78 SY	\$ 80.00	\$ 8,622.22	KN 20294
614-025A CURB RAMP	80.00 SY	\$ 193.50	\$ 15,480.00	KN 19965
615-492A CURB & GUTTER TYPE 2	314.00 FT	\$ 50.00	\$ 15,700.00	KN 20294
621-005A SEED BED PREPARATION	0.47 ACRE	\$ 1,529.67	\$ 718.27	KN 18872
621-010A SEEDING	0.47 ACRE	\$ 1,663.33	\$ 781.03	KN 18872
615-651A TRAFFIC SEPARATOR TYPE 1	0.00 FT	\$ 20.00	\$ -	KN 19965
				KN 20798
630-020A TRANSVERSE, WORD, SYMBOL, ARROW PAV MKG – WATERBORNE	1556.00 SF	\$ 3.40	\$ 5,290.40	KN 13962
630-025A LONGITUDINAL PAVEMENT MARKING	5387.81 FT	\$ 1.05	\$ 5,657.21	KN 18872
656-005A TRAF SIGNAL INSTALLATION	1.00 LS	\$ 229,000.00	\$ 229,000.00	KN 18872
675-005A SURVEY	1.00 LS	\$ 20,000.00	\$ 20,000.00	KN 18872
Traffic Control	1.00 LS	\$ 73,000.00	\$ 73,000.00	KN 18872
Miscellaneous Minor Items	5%		\$ 27,950.27	
Mobilization	10%		\$ 55,900.54	
SECTION 1 Sub-Total			\$ 642,856.19	
SECTION 2				
CN Change Order / Quantity Variance	5%		\$ 32,142.81	
CN Non-Bid Items	3.5%		\$ 22,499.97	
SECTION 2 Sub-Total			\$ 54,642.78	
SUMMARY				
Sub-Total: SECTION 1 & SECTION 2			\$ 697,498.97	
Contingency - Scoping Level			\$ 209,249.69	
TOTAL CONSTRUCTION COST			\$ 906,748.66	

Summary of Project Costs		Amount
Construction		\$ 906,748.66
Design Services	10%	\$ 90,674.87
Construction Services	12%	\$ 108,809.84
Right-of-Way	0.75 ACRES	\$ 75,000.00
Total Cost		\$ 1,181,233.37



 **CITY OF MIDDLETON**
700 N. 4th St., Middleton, WI 53598
208.785.3000, 208.785.3001 Fax
www.middletonwi.us

ADMINISTRATION
SPECIAL COMMUNITY EVENTS
APPLICATION/AGREEMENT FORM
REV 8/1

Date: 6/10/2021

Middleton City Code Section 3-2 Special Events

I. General Information:

Event Name: 9th of July Fireworks

Event Date(s) / Time(s): July 4, 2021

Event Location: Foote Park - 711 Cornell St

II. Applicant / Sponsoring Organization Information:

Applicant Name: Ms. Lori Spattley

Sponsoring organization Name: Middleton Fireworks Fund

Are you a non-profit corporation? Yes ☒ No ☐ If yes, 501(c)(3) ☐ or 501(c)(6) ☐

Address: P.O. Box 412

City: Middleton State: WI Zip: 53644

Phone: 208/969-7654 Cell Phone: _____

Fax: _____ Email: _____

On-Site/Emergency Contact Name: Deid Spattley / Bo Mackey

Address: P.O. Box 412

City: Middleton State: WI Zip: 53644

Cell Phone: Deid 208/855-1113 Bo 208/991-6246

III. Brief Description and Purpose of Event: Community Fireworks Display



CITY OF MIDDLETON

P.O. Box 897, Middleton, IL 63050
202-582-5033, 202-582-9021 Fax
www.middletonil.gov

Application for a Permit

SPECIAL COMMUNITY EVENT
APPLICATION/AGREEMENT/PERMIT

REV 01/11

IV. Street Closure Request:

List any street(s) or lanes of streets requiring temporary street closure for the event. Include street name(s) indicating beginning and end points of the closing, date and time of closing and reopening.

1. _____
2. _____
3. _____

No permanent alteration to the street will be permitted.

Note: Permit from Idaho Transportation Department or Canyon County Highway District #4 may be required, depending on location.

V. Site Plan: A Site Plan must be attached that identifies the following, if applicable:

1. An outline of the entire event venue including the names of streets or areas that are part of the venue. If the event involves a moving route such as a parade, indicate the direction of travel and all streets or lane closures.
2. Location of any fencing, barriers and/or barricades. Must be removable for emergency access.
3. Location and identification of all temporary structures, portable toilets, booths, trash containers/dumpsters, cooking areas, identification of location of all vendor cooking with flammable gases or barbecue grills, waste grease containers, gray water containers, hand washing stations, etc.
4. Location of first aid facilities and ambulances.
5. Parking, placement of vehicles and/or trailers.
6. Location of generators and/or sources of electricity.
7. Exit locations for OUTDOOR events within fencing, tents, other temporary structures.
8. Firework launch location.

Information:

- I. Does the event involve the sale or use of alcoholic beverages? Yes _____ No X
If yes, an Alcohol Beverage Permit may be required.
- II. Does the event involve the sale or distribution of food? Yes _____ No X
If yes, a Temporary Food Establishment Permit (South West District Health Department (202) 455-5300) and a vendor permit (City of Middleton) may be required, with copy to the City.
- III. Does the event involve the sale of non-food items? Yes _____ No X
- IV. Will there be entertainment at the event? Yes _____ No X
If yes, please provide the following information:
Dance component/open floor: _____
Live or recorded music: _____
Amplification: _____
Start and end time of entertainment: _____
Refer to Middleton City Code Section Noise.
- V. ADDRESS: If the event is located within a building, name of building, address, owner name: _____
- VI. TEMPORARY STRUCTURES
Will there be any temporary structures on the event site? Yes _____ No X



CITY OF MIDDLETON

P.O. Box 467, Middleton, ID 83644

208-385-1100, 208-385-9000 fax

www.middletonidaho.gov

SPECIAL COMMUNITY EVENT
APPLICATION/AGREEMENT PERMIT

REV 8/1

Number of stages: _____ Size of stage(s): _____

Number of Tents: _____ Size of tent(s): _____

Inspection of temporary structures may be required and applicant is obligated to pay any inspection fee. Inspection / permit may be required for a tent by the Middleton Rural Fire District.

VII. Does the event involve use of fireworks, rockets, pyrotechnics? Yes X No _____

Where and when?

July 4th - Full Day

Inspection / permit by Middleton Rural Fire District may be required

VIII. Will portable toilets for the public be provided? Yes _____ No X

IX. Will electrical hookup for the event be required? Yes _____ No X

Electrical inspection / permit may be required.

X. Will a generator(s) be used? Yes _____ No X

XI. Will access to water be required for the event? Yes _____ No X

XII. Will signs and/or banners be displayed as part of the event? Yes _____ No X

A sign permit may be needed from the City of Middleton.

XIII. Will this event be marketed, promoted, or advertised? Yes _____ No X

XIV. Will there be live media coverage of the event? Yes _____ No X

XV. PARKING:

How will parking be accommodated for this event for all patrons, vendors, service providers, and event staff? Parking at public's discretion

XVI. REFUSE / GARBAGE

How will garbage be contained and removed during and after the event?

We will clean up all generators

Applicant will be responsible for the costs (time and material) any any rubbish or garbage removal by Public Works or City staff.

XVII. NOTIFICATION. Applicant may be required to notify property owners affected by the event before a special events permit will be issued.

XVIII. SECURITY. Applicant may be responsible for hiring and paying off duty law enforcement officers, or reimbursing the City for costs of providing on-duty law enforcement officers, for necessary policing.



CITY OF MIDDLETON

1000 WEST BROADWAY, SUITE 100
MIDDLETON, WISCONSIN 53592
WWW.MIDDLETON.WI.GOV

ADMINISTRATIVE
SPECIAL EVENTS PERMIT
APPLICATION/AGREEMENT FORM
REV 8/17

IX. INSURANCE, ETC.

Pursuant to Middleton City Code Section 9-2-2 (B), all applicants shall submit, with the application, and maintain, at least until the conclusion of the special event, a comprehensive general liability insurance policy in the amount of one million dollars (\$1,000,000.00), with the City of Middleton named as an additional insured, and written by a company authorized to write insurance policies within the state of Wisconsin, and filed with the Middleton City Clerk's office. Applicants must also execute indemnification and hold harmless provisions completed within the application to address potential liabilities and damages to persons and/or property.

FEE: \$180.00 Pursuant to Resolution No. 074 (A Fee Schedule, except as otherwise provided in this Chapter, special event applicants, promoters and sponsors whose special events require the use of municipal resources as a result of their anticipated attendance or heightened security concerns shall be required to reimburse the city for expended resources at the hourly rate or salary of city of other personnel involved in the permit processing, event traffic control, or other facility or event support and for the use of city equipment and other non personnel expense. The city clerk shall require payment of fees and services or a reasonable estimate thereof at the time the completed application is approved, unless the city clerk for good cause extends time for payment. In any event, full cost recovery for resources shall be required no later than ten (10) days following the conclusion of the special event. Any extraordinary resources for which there are additional costs shall be solely dedicated to the special event.

X. INDEMNIFICATION / HOLD HARMLESS AGREEMENT / AGREEMENT FOR LIABILITY AND COSTS.

Middleton Fireworks Fund (Applicant / Organization / Permittee) shall indemnify, defend and hold the City of Middleton, its officers, agents and employees harmless from any and all claims, suits, actions, damages and costs of action which the City of Middleton may incur arising out of any personal injury, bodily injury, loss of life or damage to any property, or violation of any relevant federal, state or local law or ordinance, or other cause resulting from the following services, operations, event or use of City property authorized pursuant to this Special Event Permit.

Acceptance of insurance certificates required under this application / permit does not relieve

Middleton Fireworks Fund (Applicant / Organization / Permittee) from liability under this application / permit. This application / permit shall apply whether or not such insurance policies have been determined to be applicable to any of such damages or claims for damages.

Middleton Fireworks Fund (Applicant / Organization / Permittee) shall reimburse the City of Middleton for all costs and expenses that may be incurred by or on behalf of the Special Event (including but not limited to fees and charges of attorneys and other professionals and court costs incurred by the City of Middleton in enforcing the provisions of this permit).



CITY OF MIDDLETON

PO BOX 887, Middleton, WI 53561
 (608) 835-2225, (608) 835-9433 fax
 www.middletonwi.org

Application Form
 SPECIAL OCCASION PERMIT
 APPLICATION/RESPONSE FORM
 REV 8/17

Further, as to such damages or claims for damages which arise during the scope of the activities or the use of property covered under this Agreement, Middleton Fireworks Fund (Applicant / Organization / Permittee), at its sole cost and expense, shall defend any and all suits, actions or other legal proceedings that may be brought or instituted by third parties against the City of Middleton, its officers, agents or employees, or any such claim or demand, and shall pay and satisfy any judgment or decree that may be rendered against the City of Middleton, its officers, agents or employees in any such suit, action or other legal proceeding.

All insurance companies shall be required to add the City of Middleton, its officers, agents and employees as additional insured by endorsement under the insurance policy and shall stipulate that this insurance policy will operate as primary insurance under this Agreement and that no other insurance effected by the City of Middleton or other named insured will be called upon to contribute to a loss covered there under. The policy shall contain no special limitations on the scope of protection afforded to the City, its officers, employees or agents unless approved in writing by the City of Middleton.

IN WITNESS WHEREOF, Middleton Fireworks Fund (Applicant / Organization Representative/ Permittee) has made and entered into this Agreement with the City of Middleton as of this 10 day of June, 2021.

APPLICANT / ORGANIZATION REPRESENTATIVE

Signature

Date: 6/10/21

Middleton Fireworks Fund
 Print name / Organization Name and Representative Title

OFFICE USE ONLY

Application Received: _____

Fee Received: _____

Insurance Certificate Received: _____

Application Approved by City Council: _____

Application Denied: _____

Permit is hereby issued this _____ day of _____, 20____.

City Clerk

Notary: _____

From: [Julie Collette](#)
To: [Jennica Reynolds](#)
Cc: [Becky Crofts](#)
Subject: Re: Special Events Permits
Date: Tuesday, June 8, 2021 3:17:02 PM

Hello again Jennica,

Here are the events we have planned at our parks this summer and the dates.

I will get the special event forms filled out for the Art in the Park & 4th of July and back over to you by the end of the week.

In the meantime, please discuss with Becky how you would like us to proceed for these future events:

- Baseball Concessions @Hawthorne Park - Monday thru Thursday evenings - ran by GMPRD employees for about 2.5 hours each time. Currently doing this through the end of June.
- Baseball Tournament - Middleton Baseball Association is hosting this on June 17th - June 19th at Hawthorne Park. Sounds like they are inviting food vendors as well. Not sure about alcohol. We are still discussing details - we just found out they were planning on this. They also plan to run concessions out of our concession stand at Hawthorne Park.
- Movies in the Park @ Foote Park. Dates: (6/11, 6/18, 7/16, 8/20, 9/10, 9/24)
- Harvest Festival - 1st Saturday in October (10/2)
- Pedersen's Lemonade at Foote Park concessions on Saturday's to sell to soccer players. (Now through the end of soccer season)
- Sportsman's Outdoor Event at Foote Park (8/27 & 8/28)
- Easter Egg Hunts in March/April 2022 and beyond at Foote & Hawthorne Park.
- Plus any other events we might be holding this summer and are yet to be planned.

Please let me know how you would like me to proceed on these events. If we can do a blanket permit on the Movies in the Park and things like that - that would be great. We will work on getting the vendors to fill out their catering permits as well. We might need to make new forms for GMPRD parks. I noticed yours says "no alcohol" in the parks - which will be confusing for vendors. Just something to think about?? We might need to separate some items out and reorganize all this, since we are two different entities trying to operate under this ordinance and both of us are issuing permits, etc. Which of course will take some time.

Thank you again so much for your help and efforts on this. I apologize for the fire drill with all of this coming to light and hope to hear back from you soon!

Kind Regards,
Julie-

Julie Collette
District Clerk
Greater Middleton Parks and Recreation District
310 N. Hawthorne Ave., P.O Box 265, Middleton, ID 83644
208-585-3461
greatermiddletonparksandrec.org



On Tue, Jun 8, 2021 at 2:10 PM Jennica Reynolds <jreynolds@middletoncity.com> wrote:

Julie,

As promised, attached is the code for Special Events.

Here is the link to the Special Event Permit Application:

<https://middleton.id.gov/Portals/0/FormsFees/Special-Community%20Events%20Permit%20Application%20-8-17.pdf>

And the link to the Catering Permit:

<https://middleton.id.gov/Portals/0/FormsFees/Catering%20Permit%20Application%204-2021.pdf>

Let me know if you have any questions.

Best,

Jennica Reynolds

Administrative Deputy Clerk

City of Middleton

208-585-3133

jreynolds@middletoncity.com



CITY OF MIDDLETON

P O Box 487, MIDDLETON, ID 83644
208-585-3133, 208-585-9601 FAX
WWW.MIDDLETONIDAHO.US

ADMINISTRATION

SPECIAL COMMUNITY EVENTS
APPLICATION/AGREEMENT/PERMIT
REV 8/17



Date: 6-9-2021

Middleton City Code Section 3-2 Special Events.

I. General Information:

Event Name: Art in Foote Park
Event Dates(s) / Time(s): June 18 3-7pm, June 19 11^{am}-6pm
Event Location: 711 Cornell St., Middleton - Foote Park

II. Applicant / Sponsoring Organization Information:

Applicant Name: Julie Collette
Sponsoring organization Name: Greater Middleton Parks & Rec Dist.

Are you a non-profit corporation? Yes ☒ no ☐ if yes, 501c(3) ☐ or 501c(6) ☐

Address: 310 N. Hawthorne Ave.
City: Middleton State: ID Zip: 83644
Phone: 208-585-3461 ; Cell Phone: 208-404-3350
Fax: 208-585-6198 ; Email: gmprdjulie@gmail.com

On-Site/Emergency Contact Name: Tim O'Meara

Address: 501 N. Dewey
City: Middleton State: ID Zip: 83644

Cell Phone: 208-850-1869 ; Email: gmprdtim@gmail.com

III. Brief Description and Purpose of Event:

Art & Craft vendors, Food trucks, beer garden,
live music & dance performances, face painting,
photography contest, chalk contest & magician. See flyer.
— Overnight Security also provided at event.
* We respectfully request for the city to waive fees.



CITY OF MIDDLETON

P O Box 487, MIDDLETON, ID 83644
208-585-3133, 208-585-9601 FAX

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ADMINISTRATION

SPECIAL COMMUNITY EVENTS

APPLICATION/AGREEMENT/PERMIT

REV 8/17

IV. Street Closure Request:

List any street(s) or lanes of streets requiring temporary street closure for the event. Include street name(s) indicating beginning and end points of the closing, date and time of closing and reopening:

1. N/A
2. N/A
3. N/A

No permanent alteration to the street will be permitted.

Note: Permit from Idaho Transportation Department or Canyon County Highway District #4 may be required, depending on location.

V. Site Plan. A Site Plan must be attached that identifies the following, if applicable:

1. An outline of the entire event venue including the names of streets or areas that are part of the venue. If the event involves a moving route such as a parade, indicate the direction of travel and all streets or lane closures.
2. Location of any fencing, barriers and/or barricades. Must be removable for emergency access.
3. Location and identification of all temporary structures, portable toilets, booths, trash containers/dumpsters, cooking areas, identification of location of all vendor cooking with flammable gases or barbeque grills, waste grease containers, gray water containers, hand washing stations, etc.
4. Location of first aid facilities and ambulances.
5. Parking, placement of vehicles and/or trailers.
6. Location of generators and/or sources of electricity.
7. Exit locations for OUTDOOR events within fencing, tents, other temporary structures.
8. Firework launch location.

Information:

- I. Does the event involve the sale or use of alcoholic beverages? Yes ☒ No ☐
If yes, an Alcohol Beverage Permit may be required.

- II. Does the event involve the sale or distribution of food? Yes ☒ No ☐
If yes, a Temporary Food Establishment Permit (South West District Health Department (208) 455-5300) and a vendor permit (City of Middleton) may be required, with copy to the City.

- III. Does the event involve the sale of non-food items? Yes ☒ No ☐

- IV. Will there be entertainment at the event? Yes ☒ No ☐

If yes, please provide the following information:

Dance component/open floor: MHS Dance team - performing 2 songs

Live or recorded music: 1 person playing guitar/singing for tips

Amplification: n/a

Start and end time of entertainment: See Schedule of events flyer

Refer to Middleton City Code Section Noise.

- V. ADDRESS: If the event is located within a building, name of building, address, owner name:

- VI. TEMPORARY STRUCTURES.

Will there be any temporary structures on the event site? Yes ☐ No ☒



CITY OF MIDDLETON

P O Box 487, MIDDLETON, ID 83644
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ADMINISTRATION

SPECIAL COMMUNITY EVENTS

APPLICATION/AGREEMENT/PERMIT

REV 8/17

Number of stages: 0 Size of stage(s): n/a
Number of Tents: up to 40 Size of tent(s) 10 x 10, 10 x 20

Inspection of temporary structures may be required and applicant is obligated to pay any inspection fee. Inspection / permit may be required for a tent by the Middleton Rural Fire District.

- VII. Does the event involve use of fireworks, rockets, pyrotechnics? Yes ☐ No ☒
Where and when?

Inspection / permit by Middleton Rural Fire District may be required.

- VIII. Will portable toilets for the public be provided? Yes ☒ No ☐ *+ onsite park restrooms*
IX. Will electrical hookup for the event be required? Yes ☒ No ☐
Electrical inspection / permit may be required.
X. Will a generator(s) be used? Yes ☒ No ☐
XI. Will access to water be required for the event? Yes ☐ No ☒
XII. Will signs and/or banners be displayed as part of the event? Yes ☒ No ☐
A sign permit may be needed from the City of Middleton.
XIII. Will this event be marketed, promoted, or advertised? Yes ☒ No ☐
XIV. Will there be live media coverage of the event? Yes ☐ No ☒

XV. PARKING:

How will parking be accommodated for this event for all patrons, vendors, service providers, and event staff? See Vendor Map. Parking to be located on East side of park off Cornell St.

XVI. REFUSE / GARBAGE:

How will garbage be contained and removed during and after the event?

Cardboard lined trash boxes - will be removed + dumped by park Superintendent + crew for B.M.P.R.D.

Applicant will be responsible for the costs (time and material) any any rubbish or garbage removal by ~~Public Works or City staff.~~

XVII. NOTIFICATION. Applicant may be required to notify property owners affected by the event before a special events permit will be issued.

XVIII. SECURITY. Applicant may be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the City for costs of providing on-duty law enforcement officers, for necessary policing.



CITY OF MIDDLETON

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ADMINISTRATION

SPECIAL COMMUNITY EVENTS

APPLICATION/AGREEMENT/PERMIT

REV 8/17

XIX. INSURANCE, FEE.

Pursuant to Middleton City Code Section 3-2-2 (E), all applicants shall submit, with the application, and maintain, at least until the conclusion of the special event, a comprehensive general liability insurance policy in the amount of one million dollars (\$1,000,000.00), with the city of Middleton names as an additional insured, and written by a company authorized to write insurance policies within the state of Idaho, and filed with the Middleton city clerk's office. Applicants must also execute indemnification and hold harmless provisions contained within the application to address potential liabilities and damages to persons and/or property.

FEE: \$160.00 Pursuant to Resolution No. 334-13 Fee Schedule, except as otherwise provided in this chapter, special event applicants, promoters and sponsors whose special events require the use of municipal resources as a result of their anticipated attendance or heightened security concerns shall be required to reimburse the city for expended resources at the hourly rate or salary of city of other personnel involved in the permit processing, event traffic control, or other facility or event support and for the use of city equipment and other non-personnel expense. The city clerk shall require payment of fees and services or a reasonable estimate thereof at the time the completed application is approved, unless the city clerk for good cause extends time for payment. In any event, full cost recovery for resources shall be required no later than ten (10) days following the conclusion of the special event. Any extraordinary resources for which there are additional costs shall be solely dedicated to the special event.

XX. INDEMNIFICATION / HOLD HARMLESS AGREEMENT / AGREEMENT FOR LIABILITY AND COSTS.

GM PRO (Applicant / Organization / Permittee) shall indemnify, defend and hold the City of Middleton, its officers, agents and employees harmless from any and all claims, suits, actions, damages and causes of action which the City of Middleton may incur arising out of any personal injury, bodily injury, loss of life or damage to any property, or violation of any relevant federal, state or local law or ordinance, or other cause resulting from the following services, operations, event or use of City property authorized pursuant to this Special Event Permit.

Acceptance of insurance certificates required under this application / permit does not relieve

GM PRO (Applicant / Organization / Permittee) from liability under this application / permit. This application / permit shall apply whether or not such insurance policies have been determined to be applicable to any of such damages or claims for damages.

GM PRO (Applicant / Organization / Permittee) shall reimburse the City of Middleton for all costs and expenses that may be incurred by or on behalf of the Special Event (including but not limited to fees and charges of attorneys and other professionals and court costs incurred by the City of Middleton in enforcing the provisions of this permit.



CITY OF MIDDLETON

P O Box 487, MIDDLETON, ID 83644

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ADMINISTRATION

SPECIAL COMMUNITY EVENTS

APPLICATION/AGREEMENT/PERMIT

REV 8/17

Further, as to such damages or claims for damages which arise during the scope of the activities or the use of property covered under this Agreement, Gm PRO

(Applicant / Organization / Permittee), at its sole cost and expense, shall defend any and all suits, actions or other legal proceedings that may be brought or instituted by third parties against the City of Middleton, its officers, agents or employees, or any such claim or demand, and shall pay and satisfy any judgment or decree that may be rendered against the City of Middleton, its officers, agents or employees in any such suit, action or other legal proceeding.

All insurance companies shall be required to add the City of Middleton, its officers, agents and employees as additional insured by endorsement under the insurance policy and shall stipulate that this insurance policy will operate as primary insurance under this Agreement and that no other insurance affected by the City of Middleton or other named insured will be called upon to contribute to a loss covered there under. The policy shall contain no special limitations on the scope of protection afforded to the City, its officers, employees or agents unless approved in writing by the City of Middleton.

IN WITNESS WHEREOF, Gm PRO (Applicant / Organization Representative/ Permittee) has made and entered into this Agreement with the City of Middleton as of this 9th day of June, 2021.

APPLICANT / ORGANIZATION REPRESENTATIVE

Julie Collette
Signature

Date: 6/9/2021

Julie Collette / District Clerk
Print name / Organization Name and Representative Title

OFFICE USE ONLY

Application Received: _____

Fee Received: _____

Insurance Certificate Received: _____

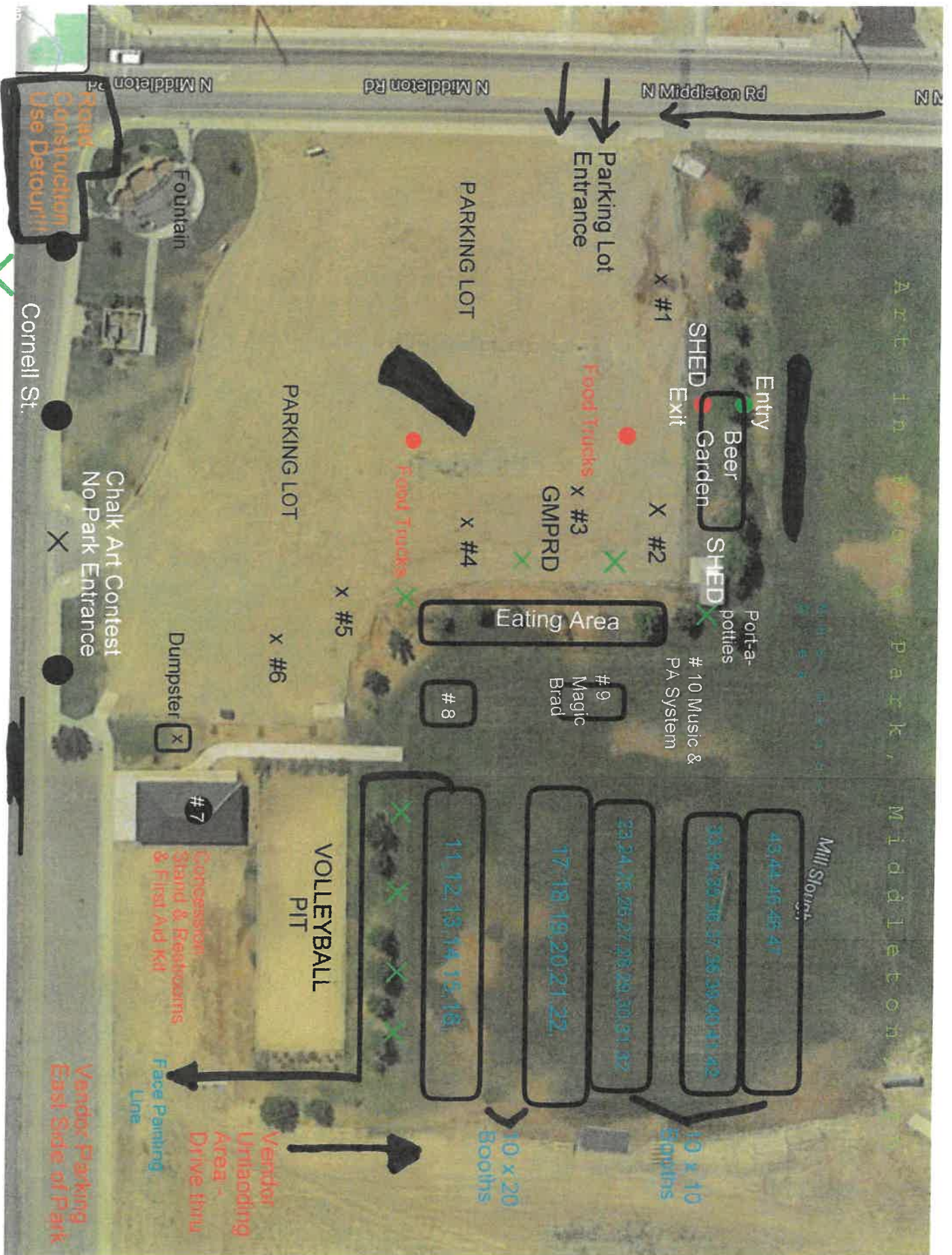
Application Approved by City Council: _____

Application Denied: _____

Permit is hereby issued this _____ day of _____, 20____.

City Clerk

Notes: _____



ART IN FOOTE PARK MIDDLETON, ID JUNE 18th 3-7pm & JUNE 19th 11am-6pm

Food Vendors in Parking Lot:

#1	The Beer Guys (Friday) Fly Food & Mobile Bar (Saturday)
#2	D & D Smoke BBQ
#3	GMPRD Blue Booth (Lost Child Booth, Information, etc.)
#4	The Gyro Shack
#5	Machupicchu Peruvian Food
#6	Twisted Taco
#7	Petersen's Fresh Squeezed Lemonade

Power?

Yes

Yes

Yes

Vendors:

Crafted by JP
Sage to Sawtooth Bushcraft
The Idaho Cookier
G-Crew Designs
3 bells and an elf
Scentsy Independent Director
Custom Lady- Kassie's Creations and Charlee's Confections
Fly Food Truck and Fly Mobile Bar
Abandoned Idaho
Lil Italia Designs & Ali's Organics LLC
Ayres Photography
Cotton Candy
The Parlour Ice Cream Co
Fab nails with Stacie/Color Street
Natural Frequency products
ERA Tree's
Independent Consultant for Paparazzi Accessories

PARK VENDORS:

#8	Canyon Fine Arts
#9	Magic Man Brad
#10	Raegan Leilani Music

10 x 20 Booth Spaces (next to Volley Pit)

Row 1

#11	MHS Face Painting (Line to wrap around Volleyball Pit)
#12	The Parlour Ice Cream
#13	Abandoned Idaho
#14	Forged by Josie
#15	Irene Ayres Photography
#16	Art Creations by Tricia

Yes

Yes

Yes

Yes

Stella's Ice Cream
Twisted Taco Shop LLC
AmplIFEi
GMPRD
Pops Popcorn LLC
Pastora Designs
The Gyro Shack
C&C Felt Balls
SLAY THE SNOW
Machupicchu Peruvian foodtruck
Forged By Josie
Jayne Teich
Art Creations by Tricia
Petersen's Fresh Squeezed Lemonade
Middleton High School
Middleton Public Library
Kay's Freezies
B. Baker
D & D Smoke BBQ Trailer
Nora earrings
Threads n bags boutique
Canyon Fine Arts
Rustic Lotus Creations
BlueStarUpcycle / Artzwear
Crimson creations
Unruhly Behaviors
Magic Man Brad
Raegan Leilani Music
The Beer Guys

Row 2

#17	Betty Baker
#18	3 Bells & and an Elf
#19	C & C Felt Balls
#20	Threads N Bags Boutique
#21	Custom Lady- Kassie's Creations & Charlee's Confections
#22	Stella's Ice Cream

10 x 10 Booth Spaces

Row 3

#23	Crafted by JP
#24	Kay's Freezies
#25	Kay's Freezies
#26	Sage to Sawtooth
#27	G Crew Designs
#28	Rustic Lotus Creations
#29	Lil Italia & Ali's Organics LLC
#30	Fab Nails w/ Stacie/Color Street
#31	Scentsy by Holli
#32	Natural Frequency

Row 4

#33	Blue Star Upcycle/Artzwear
#34	Crimson Creations
#35	ERA Tree's
#36	Pastora Designs
#37	Jayne Teich
#38	Nora Earrings
#39	Unruhly Behaviors
#40	Paparazzi by Lucille
#41	AmplIFEi
#42	Middleton Public Library - (Friday only)

Row 5

#43	Slay the Snow
#44	Pops Popcorn
#45	The Idaho Cookier
#46	Cotton Candy by Marcee
#47	Photo Contest by GMPRD

Art in Foote Park Event Schedule

Friday, June 18th 3-7pm

Middleton Public Library - Button making 3-7pm

Photography Contest Awards Announced at 6:30pm

Face Painting 3-7pm

Saturday, June 19th 11am-6pm

Chalk Art Contest 11am-2:30pm

Live Dance Performance from the
MHS - Blue Legacy Dance Team @ 11:30am

Face Painting 12-6pm

Raegan Leilani Musician 2-3pm

Magic Man Brad 3-6pm





CITY OF MIDDLETON

P O Box 487, MIDDLETON, ID 83644

208-585-3133, 208-585-9601 Fax

WWW.MIDDLETON.ID.GOV



ADMINISTRATIVE

CATERING PERMIT APPLICATION

REV. 4/2021

Event Information:

Permit to be used from: June 19 To: June 19 Start Time: 10:30 End Time: 01:30
(Month/Day) (Month/Day)

Catering for: Art in Foote Park Sponsored By: Greater Parks and Rec
(Event Name) (Name of Organization, Group or Person)

Sponsor Address: 211 Cornell St Middleton ID 83644
Street City State Zip

Sponsor phone: 208-585-3461

Is this a 21 Year and older only event?

☐ Yes

☒ No

Estimate Number of Guests: 300

Estimated number of Guests in attendance per hour: 45

Event Location: Foote Park

Catering Applicant Information: (No Alcohol in City Parks)

Food Truck Vendor: Fly Mobile Bar Phone: 208-539-7900

State Licensed Alcohol Holder: Shelwin LLC Steaks Bar
(Business Name as Listed on State Alcohol License)

Idaho State Alcohol License Number: 17017 Year: 2022

Responsible Licensee Name: Jordan Chester Manager 208-539-7900
(Name) (Title) (Phone Number)

Premises - Address: 525 W Karcher RD Nampa ID 83687
(Street) (City) (State) (Zip)

Jordan Chester
Signature of Responsible Licensee/Vendor

For City of Middleton Use Only

BEC No Fee per Bar \$20.00 Receipt Number

gr Verify "On Premises Consumption" designation with Idaho State Police Alcohol and Beverage Control
at <https://isp.idaho.gov/abc/licenseSearch/>

E-mail this form to Middleton Police Department, Middleton/Star Fire and Idaho State Police:
abc@isp.idaho.gov

Attach copy of Catering Application Permit to Trolley Station Rental Agreement

ART IN THE PARK - FOOTE PARK
GMPRD



Ryan & Jordan Chesler <flyfoodtruck@gmail.com>

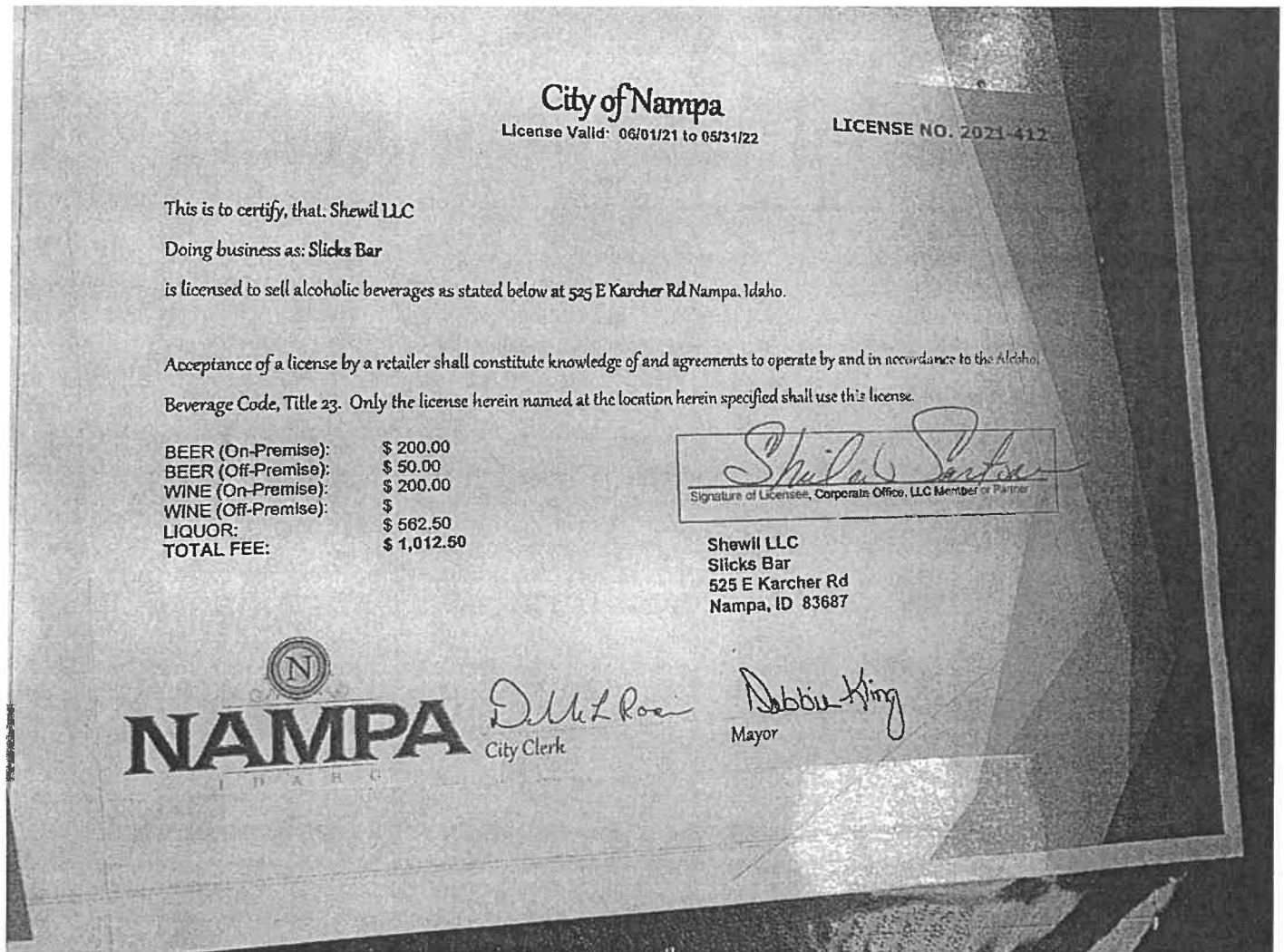
(no subject)

1 message

Ryan & Jordan Chesler <flyfoodtruck@gmail.com>

Fri, Jun 4, 2021 at 10:03 AM

To: flyfoodtruck@gmail.com



Cycle Tracking Number: 125806
ISLD ID: 7284

Idaho State Police

Premises Number: 2C-17017 Retail Alcohol Beverage License

Incorporated City

License Year: 2022
License Number: 17017

This is to certify, that Shewil LLC
doing business as: Slicks Bar

is licensed to sell alcoholic beverages as stated below at:
525 Karcher Rd, Nampa, Canyon County

Acceptance of a license by a retailer shall constitute knowledge of and agreement to operate by and in accordance to the Alcohol Beverage Code, Title 23. Only the licensee herein specified shall use this license. County and city licenses are also required in order to operate.

Liquor	Yes	\$750.00
Beer	Yes	\$50.00
Wine by the bottle	Yes	\$0.00
Wine by the glass	Yes	\$0.00
Kege to go	No	
Growlers	No	
Restaurant	No	
On-premises consumption	Yes	\$0.00
Multipurpose arena	No	
Plaza	No	

TOTAL FEE: \$800.00

Signature of Licensee, Corporate Officer, LLC Member or Partner

Shawla V. Pastore

SHEWIL LLC
SLICKS BAR
7388 BRIDGEPORT DR
NAMPA, ID 83687

Mailing Address

License Valid: 06/01/2021 - 05/31/2022

Expires: 05/31/2022

Director of Idaho State Police

Will Will





PROPOSAL FOR 3D MODELING & RENDERING

Prepared For:

**CITY OF MIDDLETON
BECKY
CROFTS**

Prepared By:

STACK ROCK GROUP

**404 S 8TH STREET #154
BOISE, IDAHO 83702
(208) 345-0500**

**185 W 700 S, SUITE A
SALT LAKE CITY, UTAH 84101
(801) 572-5260**

STACKROCKGROUP.COM

Attention:

*City of Middleton
Becky Crofts*

208.585.3133

bcrofts@middletoncity.com

Proposal Date: June 08, 2021

INTRODUCTION

Re: The Middleton Riverwalk Conceptual Visualization

Dear Becky,

Please find this proposal in response to your request for a visual plan of the proposed new Riverwalk system for the City of Middleton.

Project Goal Statement: Create a cohesive visual plan for a proposed new riverwalk system for the city of Middleton. This riverwalk will incorporate a walking path, commercial nodes, connections, park ideas, etc.... It will be unique to Middleton, but similar to ideas seen in Caldwell, Idaho's Indian Creek Plaza, San Antonio's riverwalk, and other locations that create a sense of community, inclusion, and experience driven design.

Scope:

SRG'S SERVICES TO INCLUDE:

1. Site Inventory & Initial Meeting(s): SRG will conduct an inventory of the site and important surroundings via site visits and digital medium, and will meet with the client and key members of the City of Middleton Team up to (2) meetings.

2. Initial Imagery & Inspiration Boards, with Client Feedback: SRG will create visual inspiration boards with various imagery (photos, graphics, etc) to help guide the program and theme of the project and promote ideation for the following conceptual design phase. This item also includes a meeting with the client for discussion and feedback.

3. Two (2) Plan-View Concepts with Photo Inspiration & Review Meeting: SRG will produce two (2) different conceptual alternatives exploring how the project site could layout based on a connectivity, nodes, views, and other design criteria. Imagery will also be provided as visual aids to support conceptual ideas. A presentation & review meeting will be conducted to gather feedback as guidance in further refining and developing the project design.

4. One (1) Plan-View Master Plan & Review Meeting: SRG will refine the desired concept (or combination of ideas from each) into further design development of the master plan. A presentation & review meeting will be conducted to gather feedback for guidance in further refining and developing the project design.

5. One (1) Initial 3D Master Plan & Review Meeting: SRG will develop the master plan in 3D based on the feedback and direction from the review meeting for the plan-view master plan. This 3D model will show the elements and design of the project and also include some of the surrounding area for context. A presentation & review meeting will be conducted to gather further feedback and direction to refine the product into a refined iteration of the project master plan design.

6. Revised 3D Master Plan & Review Meeting: SRG will revise the 3D model of the project design based on feedback into another refined version to better capture the vision of the project from design team and client feedback illustrating what this great project could become. A presentation will be provided to the client team for pre-final review.

7. Final Presentation & Video Graphics for the City of Middleton: SRG will produce a final version of the master plan design and a video fly through with additional graphics for presentation to the City of Middleton.

Note: All documents will be conceptual in nature, these are not for bidding or construction purposes. Any portion of the design shall be priced out for drawing designs for construction when needed.

3D MODELING FEES

3D MODELING SCOPE OF SERVICES	FEE
1. Site Inventory & Initial Meeting(s): *Includes up to two (2) meetings	\$2,400
2. Initial Imagery & Inspiration Boards, with Client Feedback:	\$2,400
3. Two (2) Plan-View Concepts With Photo Inspiration & Review Meeting:	\$6,000
4. One (1) Plan-View Master Plan & Review Meeting:	\$3,600
5. One (1) Initial 3D Master Plan & Review Meeting:	\$4,200
6. Revised 3D Master Plan & Review Meeting:	\$4,200
7. Final Presentation & Video Graphics for the City of Middleton: Note: All documents will be conceptual in nature, these are not for bidding or construction purposes. Any portion of the design shall be priced out for drawing designs for construction when needed.	\$1,200
Total	\$24,000



Let's Do This!

Stack Rock Group is confident that we have the services and team that can best suit your project and needs. Our team is recognized in the industry as being among the most collaborative, cost-efficient and is renowned for consistently meeting our timelines.

We look forward to working with you and helping make your landscape awesome!

Stack Rock Group

404 S. 8th Street #154

Boise, Idaho 83702

Phone: (208) 345-0500

185 W 700 S, Suite A

Salt Lake City, Utah 84101

(801) 572-5260

StackRockGroup.com

June 08, 2021

TERMS AND CONDITIONS

Additional items not included within this Scope of Services will be provided on a time and materials basis or as a negotiated lump sum under a supplemental Scope of Work. Hourly Rates for Time and Materials Work are as follows:

Principal Landscape Architect = \$140; Landscape Architect = \$120; Designer = \$110; Drafter = \$100.00;
Clerical Staff = \$85

This proposal is for 3D modeling and rendering. Models and renders are not construction documents and are in no way intended for use as such.

Stack Rock Group shall be deemed the author and owner of all deliverables provided to the Client, including but not limited to plans, drawings, specifications, Construction Documents, displays, graphic art, photographs, and other images and devices of any medium, including electronic data or files, which are developed, created, or derived pursuant to this Agreement by the Landscape Architect (collectively, the "Design Materials").

Subject to payment by the Client of all fees and costs owed to Stack Rock Group, Stack Rock Group grants to the Client a nonexclusive license to reproduce the Design Materials solely for the Project. Termination of this Agreement prior to the completion of the Project shall terminate this license; all Design Materials and copies thereof in the Client's possession or control shall be returned to Stack Rock Group immediately following the notice of termination. In this event, Client or any of its associated entities are prohibited from utilizing, reproducing, publishing or using the Design Materials in any capacity.

The work will be invoiced on a monthly basis. Payments are expected when invoiced. Any invoices over 30 days are subject to 2% per month. This proposal is good for 30 days.

In the event you become delinquent (60 days) and payment is not made on the amounts owing under the terms of this agreement, and the balance is placed with a licensed collection agency, client agrees to pay the fees of the collection agency, which amount is therefore agreed to be 50% of the outstanding balance at the time the account is placed for collections. The 50% collection agency fee will be calculated and added at the time the account is placed into collections.

The aforementioned Project Description, Scope of Service, Fee Estimate and Stack Rock Group's Standard Terms and Conditions are hereby accepted as the Agreement between Client and Stack Rock Group.

 SIGNATURE
Becky Crofts