



AMENDED AGENDA
City Council Meeting
City of Middleton, Idaho

Date: Wednesday February 16, 2022,

Time: 5:30 p.m.

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

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

Action Item:

- A. Approve Amended Agenda

Information Item: None

Action Items:

1. Consent Agenda (items of routine administrative business) (**Action Items**)
 - a. Consider approving minutes for City Council February 2, 2022, regular meeting.
 - b. Consider ratifying payroll for February 11, 2022, in the amount of \$86,198.76.
 - c. Consider approving accounts payable thru February 11, 2022, in the amount of \$214,453.69.
 - d. Consider approving written Findings of Facts, Conclusions of Law, Decision and Order for Artesian Springs Subdivision
2. Consider adopting Resolution 465-22 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AUTHORIZING THE AWARD OF FRANK ESQUIVEL'S HANDGUN AND BADGE TO HIM UPON HIS RETIREMENT. – Becky Crofts
3. Retirement presentation for Frank Esquivel. – Chief Takeuchi
4. Consider accepting the 2021 Audit Findings as presented by Zwygart John & Associates, PLLC – Jordan Zwygart
5. Consider approving Final Plat for West Highland No. 14 – Roberta Stewart.
6. **Public Hearing:** Application by D&N Investments, LLC and B&A Engineers, Inc for preliminary plat with respect to the Carlton Meadows South Subdivision located at 0 Whiffin Lane (Tax Parcel No. R17610025A) zoned R-3 (Single Family Residential). The proposed preliminary plat consists of 24 single-family homes and 3 common lots on 8.02 acres. – Jennica Reynolds
7. Consider approving written Findings of Facts, Conclusions of Law, Decision and Order for Carlton Meadows South Subdivision. – Jennica Reynolds
8. Consider approving a quote from Integrity Inspection Solutions, Inc. for the repair of the sewer line located beneath Middleton Road near Ridley's Market in an amount not to exceed \$5,550.00. – Jason VanGilder

9. Consider approving a quote from Integrity Inspection Solutions, Inc. for the installation of a cast-in-place liner for the sewer pipeline located beneath S. Paradise Road south of Main Street, in an amount not to exceed \$37,880.00. – Jason VanGilder
10. Consider approving a quote from Integrity Inspection Solutions, Inc. for the repair of an irrigation pipeline located beneath S. Paradise Road north of Main Street, in an amount not to exceed \$5,750.00. – Jason VanGilder
11. Consider approving a quote from Zenner for the purchase of 300 new water meters in an amount not to exceed \$23,109. – Jason VanGilder
12. Consider approving Mayor's recommendation of Roberta Stewart as Planning and Zoning Official. – Mayor Rule
13. Consider approving a request for work project from Canyon Highway District No. 4, for reasonable compensation in the amount of \$234,448.52 for work on Middleton Rd and Meadow Park Blvd. – Becky Crofts

Public Comments, Mayor and Council Comments, Adjourn

Posted by:


Dawn M. Goodwin, Deputy Clerk

Date: February 15, 2022, 9:45 a.m.

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

**MIDDLETON CITY COUNCIL
FEBRUARY 2, 2022**

The Middleton City Council meeting on February 2, 2022, was called-to-order at 5:30 p.m. by Mayor Steven Rule.

Roll Call: Council President Kiser, Council Members O'Meara, Murray, and Huggins were present. City Attorney Douglas Waterman, City Clerk Becky Crofts, Deputy Clerk Dawn Goodwin, City Planning Staff Jennica Reynolds, Public Works Director Jason VanGilder, Building Official Chris Grooms and Police Chief Alan Takeuchi were present.

Pledge of Allegiance, Invocation: Don Watt – United Methodist Church

Action Items

A. Approve Amended Agenda

Motion: Motion by Council President Kiser to approve the amended agenda as posted January 31, 2022, at 3:00 p.m. Motion seconded by Council Member O'Meara and approved unanimously.

Information Items:

1. Presentation by Lisa Marie regarding mandatory alert for missing children.

Lisa Marie was absent from the meeting and did not present to the Council and those in attendance.

2. Building Department Update – Chris Grooms, Building Official (**Exhibit A**)

Building Official Chris Grooms addressed council and presented an overview of the permits that have been pulled in the city over the last three years for both commercial and residential.

Discussion Item:

1. Residential RV Dump/Sewer Clean-Out – Jason VanGilder, Public Works Director (**Exhibit B**)

Public Works Director Jason VanGilder explained to Council that the city was starting to see RV Dump/Sewer Cleanouts being placed at new residential construction sites around the city. He went on to explain that this was just a discussion for Council's thought.

Action Items:

1. Consent Agenda (items of routine administrative business)
 - a. Consider approving minutes for City Council January 19, 2022, regular meeting, Joint City Council and Planning and Zoning Commission Workshop January 7, 2022, and the Special City Council Meeting January 18, 2022.
 - b. Consider ratifying payroll for January 28, 2022, in the amount of \$157,918.19.
 - c. Consider approving accounts payable thru January 28, 2022, in the amount of \$112,584.93.

Mayor Rule called the items. Council President Kiser stated he had gone through the accounts payable, and nothing had changed since the check registers had been uploaded to the council drobox. There were no concerns.

Motion: Motion by Council President Kiser to approve Consent Agenda Items 1 a-c. Motion seconded by Council Member O'Meara and approved unanimously.

2. **Public Hearing:** Application by Value Lane, LLC, and JP Wagoner Planning for a preliminary plat with respect to the Artesian Springs Subdivision located at 10348 Hwy 44 (Tax Parcel No. R33916) zoned R-4 (Single Family Residential). The proposed preliminary plat consists of 40 single-family homes and 7 common lots on 13.56 acres. – Jennica Reynolds

Mayor Rule called the item and opened that public hearing open at 6:06 p.m. City Planning staff Jennica Reynolds presented **Exhibit C** to the Council and those in attendance. Douglas Waterman, City Attorney went on to explain that regarding the disagreement that is being worked on pertaining to the easement on the western side of the property, it is recommended that before being brought before City Council for final plat approval, the developer submit to the City Attorney adequate proof that the access issue has been resolved. Mr. Waterman also went to disclose that the representative to the applicant Mr. Jarom Wagoner is the Mayor of Caldwell and that the law firm Hamilton, Michaelson & Hilty, LLP is also the City of Caldwell's attorney of record, but that this would have zero effect on the matter before Council.

Applicant Remarks by Jarom Wagoner – JP Wagoner Planning

- Projects is 40 lots just off HWY 44
- Asking to be plated as R-3 zoning at 3 units per acre as opposed to the actual R-4 zoning which is 4 units per acre.
- There is an emergency access road that will be bollards and locked that is per the international fire code. In the case that this entrance would ever need to need to be used, by emergency services, they would be able to unlock and remove the bollards to gain the access that is needed.
- The average lot size is 95,000 square feet.
- There is an open space of 8% which is all usable space with walking paths and picnic benches as opposed to storm drainage. This open space along with the pathways and frontage along HWY 44 would be maintained by the Artesian Spring HOA.

Mayor/ Council Questions: Council Member O'Meara asked if the HOA would be willing to help maintain the roundabout in the Greenlinks Subdivision. Mr. Wagoner stated that at this time the HO would not be assisting in the maintenance of the roundabout in question. Council President Kiser wanted to know why the existing entrance off HWY 44 was not being utilized. Mr. Wagoner responded that ITD wanted to protect that exiting entrance and that they do not want it to be used for this project.

Public Comment:

Aaron Gross – 1015 Victoria Drive, Fruitland, ID – Mr. Gross is the owner of the property and expressed that change is inevitable and is good if it is positive for the city, which this development is.

Shaleen Stevenson – 78 Greenlinks, Middleton – spoke on behalf of the Greenlinks HOA and stated that proper notice was not given to in January to the residents of the Greenlinks Subdivision. Mrs. Stevenson then went on to read into record a letter from the Greenlinks HOA (**Exhibit D**) which expressed opposition to the development due to safety concerns such as traffic congestion and safety of the children at the day care center.

Larry Rick – 1522 Fairway St, Middleton, LD Smith – 1518 Mulligan, Middleton, Stephen Krogh – 158 Greenlinks Ave, Middleton, Todd McDonald – 1508 Fairway St, Middleton, Steve & Lynda Nickolia – 2162 Andalusian Ave, Middleton, Chad & Corinna Mink – 1515 Mulligan St, Middleton, Mike McDougall – 13037 Greenwell, Middleton, Greg Lucido 24552 Blackbird St, Middleton, Ron Stenton – 1885 Fairway St, Middleton, and Todd Ogibene – 1973 Scotch Pine, Middleton – all agreed with Mrs. Stevenson's letter and with concerns of traffic congestion, speeding and the safety of the children at the daycare center and that no Traffic Safety Plan had been submitted for city of public review. The residents also wanted to see speed bumps placed in the area to address concerns of speeding.

Rebecca Martin – 10346 HWY 44, Middleton – Strongly opposed the development for the above-mentioned reasons. Mrs. Martin also feels that the development causes her to lose her protected easement and access to HWY 44 and causes inconvenience on her and her family both financially and physically if the development was to be approved.

Mayor Rule called for a break at 7:41 p.m. and resumed the public meeting at 7:51 p.m.

Applicant Rebuttal: Jarom Wagoner – JP Wagoner Planning

- A traffic study was submitted to the City of Middleton on August 20, 2021
- Speed bumps in theory are a great idea but, cause many issues for emergency services and residents alike.
- Most of the resident traffic will flow to the south.
- By converting the open ditch to underground piping this saves that irrigation district hundreds of dollars by preventing seepage of water and evaporation not to mention the safety it provides by closing the ditch.
- Regarding Mrs. Martin's issues with the license agreement and easement access, two separate attorneys have reviewed the agreement and they agree that the HWY 44 access that is forementioned has been met by access through Mulligan.
- Having the emergency access locked when not in use is standard practice universally.
- ITD was sent notice of the right-of-way access but to date ITD has yet to respond with comment or concerns.
- Regarding infrastructure, the developer is providing its proportionate and appropriate amounts.

Mayor Rule closed the public hearing at 8:25 p.m.

Motion: Motion by Council President Kiser to approve the preliminary plat of Artesian Springs Subdivision located at 10348 HWY 44 with the conditions 1-7 from the staff recommendations and that prior to final platting proof of the easement dispute must be submitted to the City Attorney and meet City Attorney satisfaction. Motion seconded by Council Member Huggins and approved unanimously by roll call vote.

-
3. Consider approving Findings of Facts, Conclusions of Law and Order for Artesian Springs Subdivision. – Jennica Reynolds

Mayor Rule called the item.

Motion: Motion by Council President Kiser to table agenda item 3 to the February 16, 2022, regularly scheduled meeting at 5:30 p.m. Motion seconded by Council Member Huggins and approved unanimously.

4. Consider adopting Resolution 464-22 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AUTHORIZING THE SALE OF CERTAIN PERSONAL PROPERTY TO THE GREATER MIDDLETON PARKS AND RECREATION DISTRICT. – Becky Crofts (**Exhibit E**)

Mayor Rule called the item. Becky Crofts, City Administrator addressed the council stating that in December the Council had approved the surplus of unused city property. Some of the property had been sold to Greater Middleton Parks and Recreation District. Mrs. Crofts went on to explain that the resolution before council was backup to show that the property had been sold from one entity to another and the council was aware of such transaction. Council Member O'Meara stated that as the Director of Greater Middleton Parks and Recreation District, he was the one the procured the sale for the parks district and felt that he should recuse himself from the approval or denial of Resolution No. 464-22.

Motion: Motion by Council President Kiser to approve Resolution 464-22 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AUTHORIZING THE SALE OF CERTAIN PERSONAL PROPERTY TO THE GREATER MIDDLETON PARKS AND RECREATION DISTRICT. Motion was seconded by Council Member Huggins and approved unanimously with roll call vote with Council Member O'Meara being recused from the vote.

5. **Public Hearing:** Consider adopting Ordinance No. 660 AN ORDINANCE ENACTED BY THE MIDDLETON CITY COUNCIL AMENDING TITLE 1, MIDDLETON CITY CODE, BY THE ADDITION OF A NEW CHAPTER AND TWO NEW SECTIONS, CHAPTER 1, SECTIONS 1-20-01 AND 1-20-02, OF THE MIDDLETON CITY CODE, PERTAINING TO THE DISPOSITION OF SURPLUS PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. – Douglas Waterman (**Exhibit F**)

Mayor Rule called the item and opened the public hearing at 8:40 p.m. City Attorney Douglas Waterman explained to the council that the State of Idaho has a process and regulations in place for the disposal of real surplus property, but that Ordinance No. 660 gives written proof at the city level of how the city handles the disposal of real surplus property.

There were no residents signed up to provide public comment on Ordinance No. 660. The Public hearing was closed at 8:46 p.m.

Motion: Motion by Council President Kiser to read Ordinance No. 660 by title only. Motion was seconded by Council Member Huggins and approved unanimously by roll call vote. Council President Kiser read Ordinance No. 660 by title only.

Motion: Motion by Council President Kiser to waive the three-reading rule and adopt Ordinance No. 660. Motion was seconded by Council Member Huggins and approved unanimously by roll call vote.

6. Consider approving the request of Chief Alan Takeuchi to award retired officer Frank Esquivel his handgun. – Chief Takeuchi

Mayor Rule called the item. Chief Takeuchi explained that it is customary at the retirement of an officer to retire the officers service piece and gift it to the officer. Although officer Esquivel only served the Middleton Police Department for five years in total, he has served the State of Idaho for 29 years in law enforcement.

Motion: Motion by Council President Kiser to approve the request of Chief Alan Takeuchi to award retired officer Frank Esquivel his handgun. Motion seconded by Council Member O'Meara and approved unanimously.

7. Consider ratifying change order PCO-002 Pressure Sewer Tie-In from LaRiviere Inc for the (Hartley Sewer Main Project) in an amount not to exceed \$5,572.49. – Jason VanGilder

Mayor Rule called the item. Jason VanGilder, Public Works Director gave a brief explanation for the reason of the change order which included the work having to be done closer to the trench line than had originally been anticipated.

Motion: Motion by Council President Kiser to ratify change order PCO-002 Pressure Sewer Tie-In from LaRiviere Inc for the (Hartley Sewer Main Project) in an amount not to exceed \$5,572.49. Motion was seconded by Council Member O'Meara and approved unanimously.

Public Comments, Mayor and Council Comments:

- Mike Graffe—1889 Ridgeway- Mr. Graffe wanted the council to know once more that gross acres and buildable acres needed to be better defined in the city code. Mr. Graffe also wanted the City Council to support the desire of the Middleton and Kuna School Districts effort to obtain have the legislature start collecting school impact fees.
- Mike McDougal – 13032 Green Well Ln – Middleton – Mr. McDougal wanted the council to know that he does appreciate the effort that is put into the City Council and Planning and Zoning meetings.
- Council Member O'Meara— stated that HB 667 was to go before the legislature on February 17, 2022, and he encouraged everyone to speak to their representatives and get their voice heard in support of the bill. Mr. O'Meara also let everyone know that Greater Middleton Parks and Recreation District we in the stages of re-negotiation for the rental space from the Middleton School District for the recreation center.

Adjourn: Mayor adjourned the city council meeting at 9:06 PM.

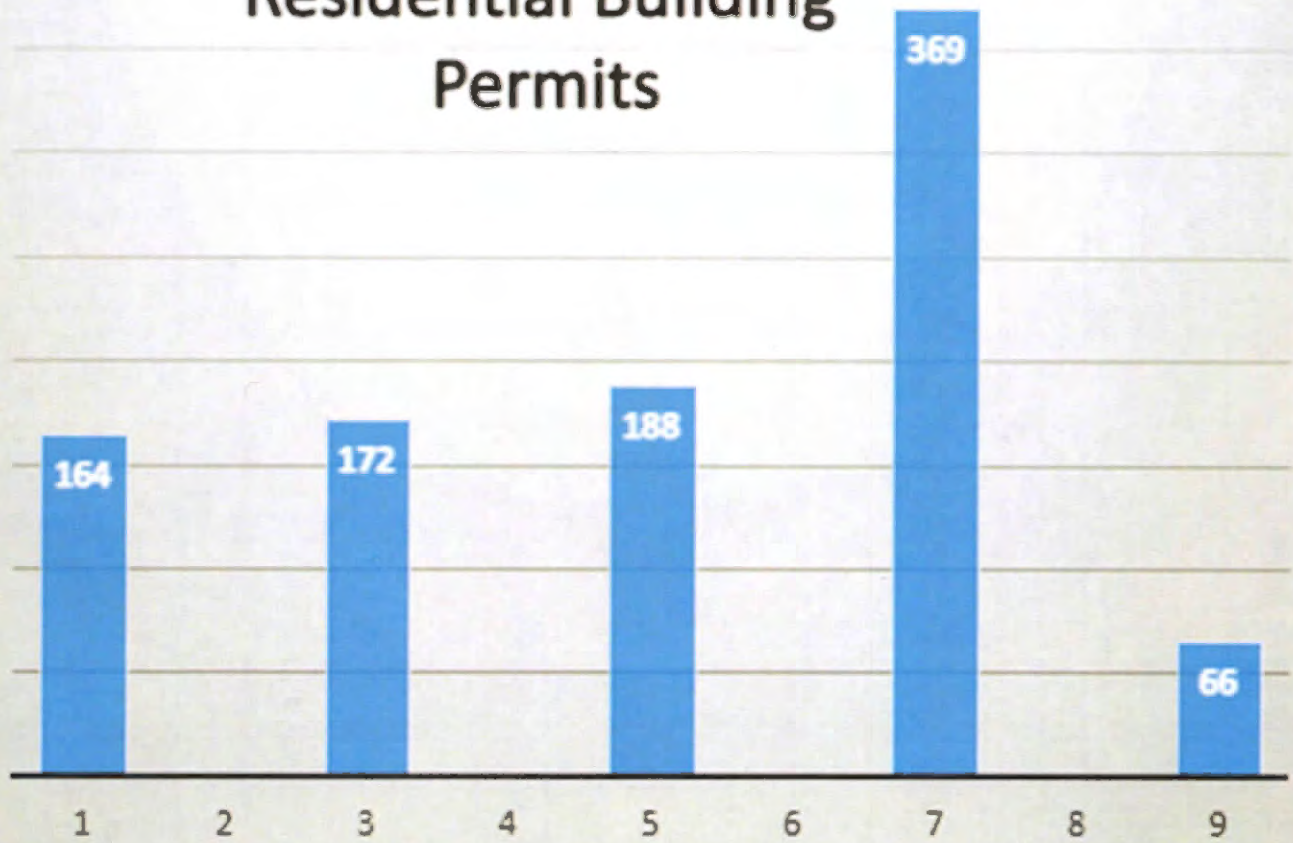
ATTEST:

Steven J. Rule, Mayor

Dawn Goodwin, Deputy Clerk
Minutes Approved: February 16, 2022

EXHIBIT “A”

Residential Building Permits



2018

2019

2020

2021

2022

EXHIBIT “B”

Residential RV Dump / Sewer Clean-Out Discussion

Jason Van Gilder, Public Works Director

1

Residential RV Dump/ Sewer Clean-Out

2

Residential RV Dump/ Sewer Clean-Out

www.rvdumpsites.net

City's RV Dump Station on S. King Street

3

Residential RV Dump/ Sewer Clean-Out

ISPRC Standard Detail
(2017 edition)

4

Residential RV Dump/ Sewer Clean-Out

5

Residential RV Dump/ Sewer Clean-Out

Concerns identified with additional "RV Dump" clean-outs:

1. Septic or Chemical Waste Upsetting the City Treatment Process.
2. Additional/ Convenient Point of Entry for Illicit Discharges.
3. May facilitate RV living in driveways.

6



Residential RV Dump/ Sewer Clean-Out

Concerns identified with additional "RV Dump" clean-outs:

1. Septic or Chemical Waste Upsetting the City Treatment Process.

7



Residential RV Dump/ Sewer Clean-Out



City's RV Dump Station on S. King Street

8



Residential RV Dump/ Sewer Clean-Out

Concerns identified with additional "RV Dump" clean-outs:

2. Additional/ Convenient Point of Entry for Illicit Discharges.

9



Residential RV Dump/ Sewer Clean-Out

Relevant City Code:

8-1-19: ILLICIT DISCHARGE:

A. Clean Water Prohibited. It shall be unlawful for any person to discharge or cause to be discharged any liquid or solid waste into the sewer system.

B. Objectionable Waste Prohibited. It shall be unlawful for any person to place or deposit in any unsanitary manner on public or private property within the City or in any area under the jurisdiction of the City, any wastewater, human or animal excrement, garbage or other objectionable waste.

C. Discharge of Petroleum. It shall be unlawful for any person to discharge or cause to be discharged any petroleum product or any other liquid or solid waste into the sewer system.

(Ord. 553, 3-18-2015, amd. Ord. 619, 7-17-2019)

10



Residential RV Dump/ Sewer Clean-Out

Relevant City Code:

8-1-20: IMPROPER USE OF SYSTEM:

No one shall throw or deposit or cause to be thrown or deposited in any vessel or receptacle connected with the public sewer, garbage, hair, ashes, fruit, vegetables, paintings, refuse, rags, sticks, cinders or any other matter or thing whatever except human excrement, urine, the necessary paper products, household sewage and drainage of such character.

(Ord. 553, 3-18-2015, amd. Ord. 619, 7-17-2019)

11



Residential RV Dump/ Sewer Clean-Out

Concerns identified with additional "RV Dump" clean-outs:

3. May facilitate RV living in driveways.

12



Residential RV Dump/ Sewer Clean-Out

Relevant City Code:

11-2-3: RESTRICTED PARKING OF TRUCKS, CAMPER, MOTOR HOMES AND TRAILERS:

A. It is unlawful for any person to stop, stand, or park a camper, motor home, recreational vehicle, storage pod, trailer, truck or truck-tractor on any road, alley, or easement in the City for more than forty eight (48) hours.

Ord. 570, 1-20-2018, and Ord. 819, 7-17-2019

11-2-4: RECREATIONAL VEHICLE VISITOR PARKING PERMITS:

Visitors to the City of Middleton are allowed to park their recreational vehicle, trailer or other like vehicle curbside for up to fourteen (14) total days in a twelve (12) month period, upon the acquisition of a permit from the City. Permits shall be permit always applied by the Mayor or his/her designee. The permit fee shall be set by the Council (Ord. 570, 1-20-2018, and Ord. 819, 7-17-2019).

13



Residential RV Dump/ Sewer Clean-Out

Relevant City Code:

8-1-9: VAGRANCY:

It shall be unlawful for any person to be in possession of a motor vehicle, motor home, recreational vehicle, storage pod, trailer, truck or truck-tractor on any road, alley, or easement in the City for more than forty eight (48) hours.

Ord. 570, 1-20-2018, and Ord. 819, 7-17-2019

Resident shall not reside in a storage unit, accessory structure, camper, trailer, RV, bus or other vehicle, tent, tarp, igloo, box, sleeping bag, or other shelter.

(Ord. 570, 1-20-2018, and Ord. 819, 7-17-2019)

14



Residential RV Dump/ Sewer Clean-Out

Thank You

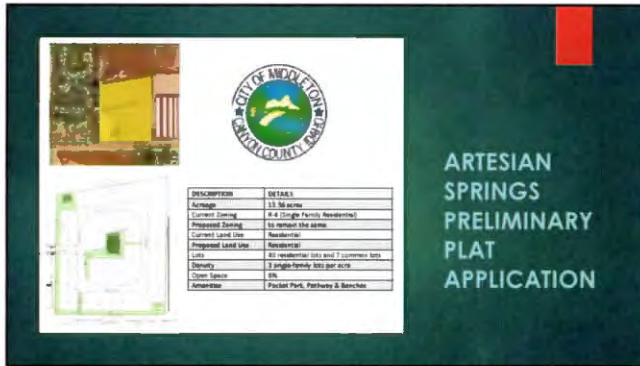
City Staff
Civil Dynamics
City of Caldwell
City of Meridian
City of Nampa

Operations Management Consulting Services (OMCS)
Pacific Northwest Source Control Training Association (PNSCTA)
T-O Engineers

Next Steps

15

EXHIBIT “C”



ARTESIAN SPRINGS PRELIMINARY PLAT APPLICATION

DESCRIPTION	DETAILS
Size	13.56 acres
Current Zoning	R-4 (Single-Family Residential)
Proposed Zoning	As per the plat
Current Land Use	Residential
Proposed Land Use	Residential
Lots	40 residential lots and 2 common lots
Density	3 single-family lots per acre
Open Space	4%
Accessories	Pavilion, Park, Pathway & Bench

1



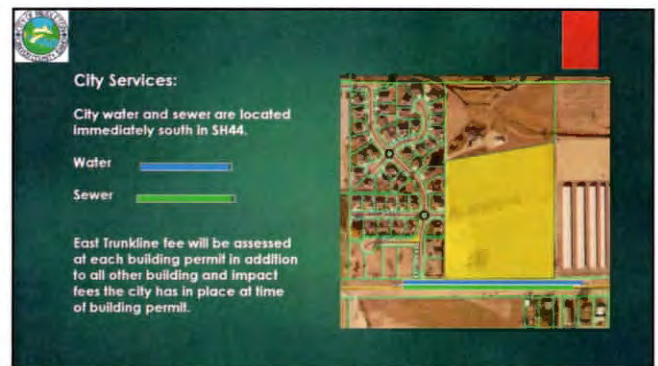
Project Description:
Residential Subdivision with 40 buildable lots and 7 common lots on 13.56 acres of vacant land.

2



Current Zoning & Property Condition:
Located in City Limits and zoned R-4 (Single-Family Residential)

3



City Services:
City water and sewer are located immediately south in SH44.

Water: [Blue line]
Sewer: [Green line]

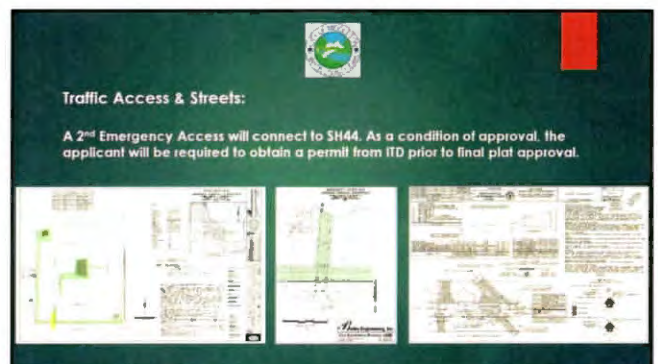
East Trunkline fee will be assessed at each building permit in addition to all other building and impact fees the city has in place at time of building permit.

4



Traffic Access & Streets:
Proposed connection into Mulligan Street with one loop road throughout the entire subdivision. A stub road at the northwest border will provide for future connectivity to the north.

5



Traffic Access & Streets:
A 2nd Emergency Access will connect to SH44. As a condition of approval, the applicant will be required to obtain a permit from ITD prior to final plat approval.

6



The property owner (Martin's) to the north of the project claims an access easement or license across the Applicant's property to the south. The Applicant claims it has legally terminated a portion of the access. The remaining portion has been preserved on the preliminary plat.

This constitutes a legal dispute between neighbors, and the City is not obligated to determine the parties' rights in the matter. The City's only responsibility is to make sure the Applicant owns the property, which obligation the City has fulfilled, and forward the application through public hearing process.

7



Traffic Study:

The Applicant completed a Traffic Study. It will show percentage of impacts this subdivision will have on surrounding intersections, and the Developer will be required to pay for those impacts via a proportionate share traffic fee that must be paid prior to final plat approval.

The Study has been sent to ITD who has not commented.

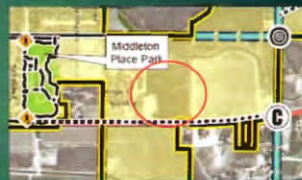
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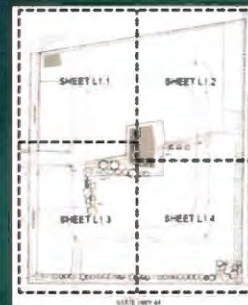
Pathway & Sidewalks:

Developer is required to construct a landscape buffer south along SH44 and a large meandering sidewalk to match the frontage buffer already existing west and east of the project.

The Applicant's Preliminary Plat is in compliance with the Transportation, Schools and Recreation Map.



9



Open Space:

Developer has provided 8% open space (only 5% is required by City Code 5-4-10-10).

A pocket park, meandering pathway and benches are shown as amenities.

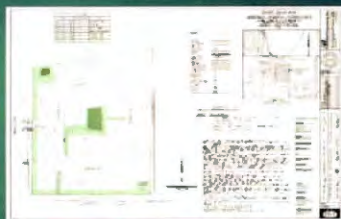
10



Preliminary Plat Application:

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

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



11




Findings:

Planning Staff finds that the Preliminary Plat will not adversely affect the City's ability to deliver services. Planning Staff finds the Preliminary Plat is in harmony with the City's Comprehensive Plan.

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

12



Comprehensive Plan:

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



- a. Goals 3 & 23: Project provides safe vehicle and pedestrian facilities in light of the street improvements and sidewalks shown on the preliminary plat.
- b. Goals 4 & 5: Project will establish a good quality of life with development that pays through impact fees and property taxes for the public services it receives when infrastructure is installed. Additionally, quality lots for residential use increase the quality of life and general welfare of the city.
- c. Goal 11: The housing type matches the residents' lifestyle in the area the project is located and is an in-fill improvement project.

13

City Engineer & Planning Staff
Comments:

City Engineer recommends
approval of the Preliminary Plat.

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

January 14, 2022


☐ Awaiting Staff Review / Response

☒ 1/14/22 City Engineer and Planning Staff Review of the Preliminary Plat

☒ 1/14/22 Advisory Group Submission: Professional and Business Association of Engineers

Notes and City Engineer comments to Review Staff: "Comments attached as exhibit B"

City Engineer and Planning Staff Review of the Preliminary Plat is complete



14



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

Steve Walker – Greenlinks HOA Letter 11-8-2021

- * Concerned with increased traffic on Greenlinks Ave.
- * Propose cost of landscape maintenance along entrance of Greenlinks Ave. up to and including Mulligan Street traffic circle be shared with Artesian Springs HOA.
- * Propose only single-story homes be built along the western boundary where the lots directly back up to existing residents' backyards. (Should only affect up to 4 lots.)

15



Continued Surrounding Landowners Comments:

Mike & Joan Walker – Letter dated 11-8-2021

- Concerned with additional traffic and impacts to Greenlinks Ave. and SH44

Gary & Rebecca Martin – Email letter with Easement and License Agreements dated 12-2-2021

- Objection to plat due to Ingress/egress easement to SH44.

16



Agency Comments: Exhibit "D" of Full Staff Report

Middleton Rural Fire District

- Chief Islas Review 1-5-2022

Canyon County Water Company 11-29-2021

- Tentatively to approve plan to pipe the ditch, after the required license agreement is acquired.

17




Applicant Information:

Application received and accepted on June 29, 2021.

Applicant/Owner: Aaron Gross, Value Land, LLC.
1015 Victoria Drive
Fruitland, ID 83619

Representative: Jarom Wagoner, JP Wagoner Planning
11846 Linden Road
Caldwell, ID 83605

18



Notices & Neighborhood Meeting:


Neighborhood Meeting	6/17/2021
Newspaper Notification	1/16/2022
Radius notification mailed to Adjacent landowners within 300'	1/13/2022
Circulation to Agencies	1/13/2022
Sign Posting property	1/13/2022

Planning Staff finds that notice was appropriate and given according to law.


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Applicable Codes and Standards:

- ▶ Idaho Code Secs. 47-6503, 47-6509, 47-6511, 47-6513, 50-1301 through 50-1329.
- ▶ Idaho Standards for Public Works Construction, the Middleton Supplement to the Idaho Standards for Public Works Construction.
- ▶ Middleton City Code 1-14, 1-15, 5-1, 5-3, and 5-4.



20



Planning & Zoning Recommendation:


This application was considered in a public hearing before the Planning & Zoning Commission on Dec 6, 2021, and January 10, 2022. The Commission recommended approval of the preliminary plat application subject to the conditions of approval set forth in the Staff Reports for those hearings.

(A copy of the FCR from the P&Z hearing is attached as Exhibit "E" of the Staff Report.)


21

Conclusions and Recommended Conditions of Approval:

The decision to approve or deny a preliminary plat application must be based upon *General Facts and Conclusions of Law* formally accepted by City Council.




22



As to General Facts:

Planning Staff has set forth General Facts that are the basis for approving or denying this application. If the Council agrees with these general facts and agrees with the testimony and evidence presented at the public hearing, the Council need merely make a motion to accept those general facts set forth by Staff in the Staff Report and presentation.


23



As to Conclusions of Law:

Planning Staff finds that the City Council has the authority to hear this application and to approve or deny this application. Additionally, Planning Staff notes that all public notice requirements were met. Planning Staff further set forth the portions of the Idaho State Code and Middleton Code to be considered in making a decision on the application. If the public hearing is held and conducted in compliance with Idaho State Statute and the Middleton City Code, then the Council may accept these conclusions of law by passing a motion to accept the conclusions of law set forth in the staff report and public hearing.


24



If the Council is inclined to approve the Preliminary Plat based upon the above *General Facts and Conclusions of Law*, then Planning Staff recommends that any approval be subject to the following conditions:

1. City of Middleton municipal domestic water, fire flow and sanitary sewer services are to be extended to serve the subdivision.
2. Owner/Developer shall construct, at its own cost, all frontage improvements of SH44.
3. Owner/Developer to pay all City required proportionate share traffic fees.
4. All City Engineer review comments are to be completed and approved.
5. All requirements of the Middleton Rural Fire District approved by the City are to be completed and approved.
6. License agreement granting access over irrigation easement connecting Mulligan Street to Artesian Ave must be recorded prior to final plat approval.
7. Sewer and water capacity to be reserved at the time the City approves the construction drawings for the project.

25



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

Planning Deputy Clerk
Jennica Reynolds
2/1/2022

26

EXHIBIT “D”

January 30, 2022

Middleton City Council
1103 W. Main Street
Middleton, Idaho 83644

Dear Honorable City Council,

As board members of the Greenlinks Homeowners Association, we are writing to you on behalf of the residents of Greenlinks Subdivision. This letter is in regards to our public safety concerns we have with the proposed Artesian Springs Subdivision.

Artesian Springs Subdivision includes 40 new homes. The City of Middleton requires a completed traffic study if the development has over 25 lots. Mr. Jarom Wagoner has stated a traffic study was completed for Mulligan Street and "...can handle the traffic" however we have not seen this study, been able to find it in any of the Planning & Zoning Commission Meeting minutes or agendas, and no one has observed any actual study being completed in our neighborhood. With 40 additional homes going in and no proposed improvements to existing streets, we are concerned about the increase in traffic and the impacts it will have on our neighborhood. Greenlinks Avenue has already become a main roadway for other drivers going to/from Highway 44. Besides being driven by Greenlinks residents, it serves as a main roadway for drivers coming and going to the churches and park on Cornell, the daycare on Greenlinks and the homes at Park Place subdivision.

Along with an increase in traffic, many of us have witnessed drivers failing to adhere to posted speed limits on Greenlinks Ave. There are drivers that fly through our neighborhood dangerously with complete disregard for speed, the roundabouts, or pedestrians. With a minimum 80+ vehicle trips with the new subdivision, we are very concerned with safety of drivers and pedestrians. To help slow traffic and prevent excessive speeding, we are requesting speedbumps to be installed along Greenlinks Avenue before each intersection throughout our subdivision. Please see the attached map with suggestions for placement of speedbumps (yellow rectangles on attached map).

The most concerning issue for our neighborhood is that Artesian Springs subdivision has only one entrance/exit to the subdivision. We are very concerned with the safety of not only our residents but also for the new ones in Artesian Springs. We believe that there needs to be 2 ways in and out of the new subdivision not just for traffic purposes, but for potential emergency situations or potential evacuations. With Mulligan St. being the only proposed entrance, it poses

a MAJOR safety issue. If there was an emergency evacuation, 40 homes trying to exit one road is dangerous and it would block our residents' driveways and their ability to safely evacuate as well. The proposed Emergency Only entrance to allow Emergency Vehicles in does nothing to allow people to exit if needed.

Thank you for your consideration and time. We hope that we can continue to work together as a community to keep Middleton safe and a great place to live for new and existing residents.

Sincerely,

Greenlinks HOA

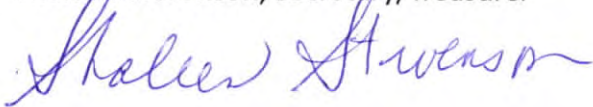
Steve Walker, President

A handwritten signature in blue ink, appearing to read 'Curtis Mihm'.

Curtis Mihm, Vice President

A handwritten signature in blue ink, appearing to read 'Shaleen Stevenson'.

Shaleen Stevenson, Secretary/Treasurer

A handwritten signature in blue ink, appearing to read 'Shaleen Stevenson'.

Proposed speedbumps for Greenlinks Avenue

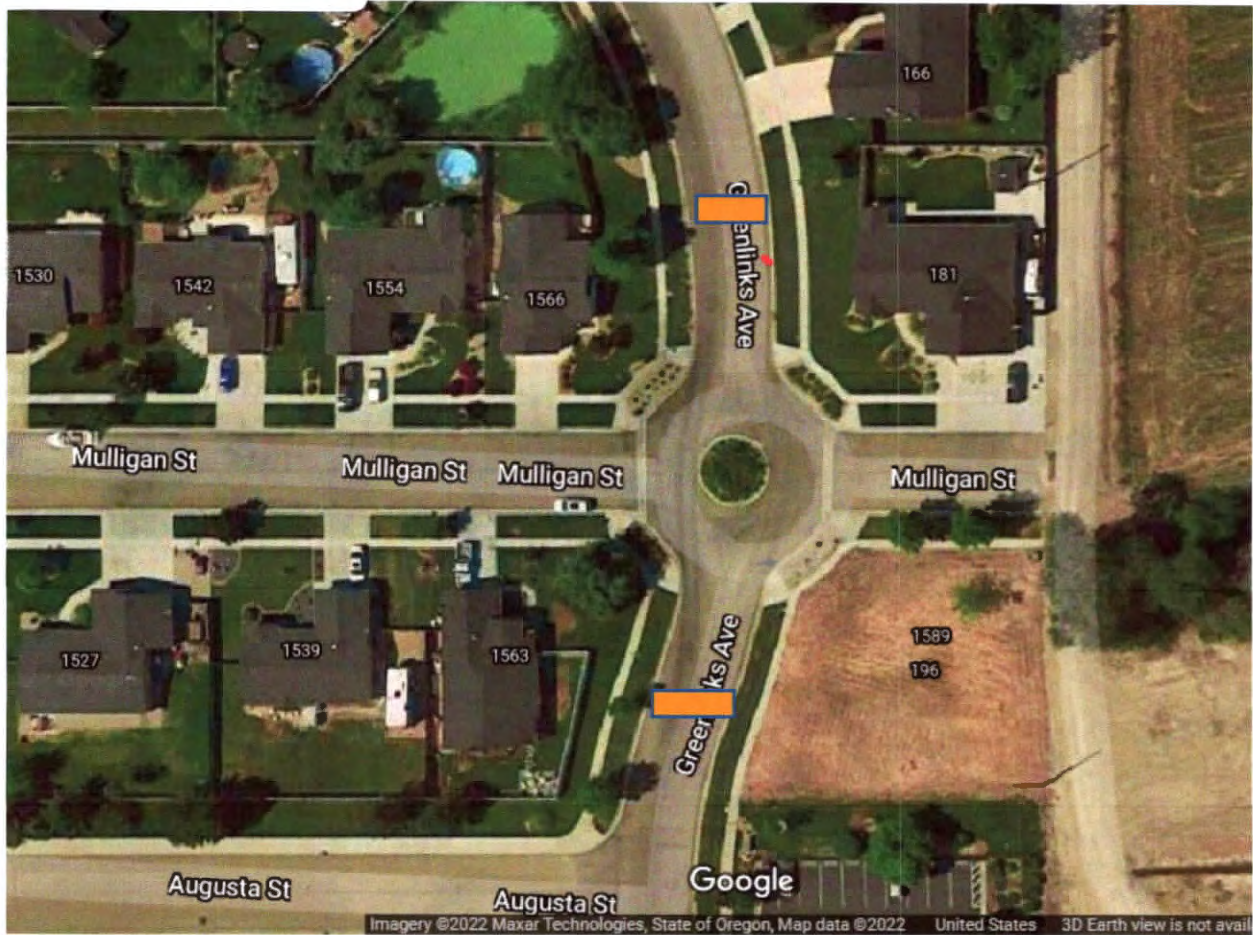


EXHIBIT “E”

RESOLUTION NO. 464-22

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AUTHORIZING THE SALE OF CERTAIN PERSONAL PROPERTY TO THE GREATER MIDDLETON PARKS AND RECREATION DISTRICT.

WHEREAS, the City of Middleton, Idaho, (the "City") has declared certain property to be surplus and has determined the appropriate value for said property on December 15, 2021 ; and,

WHEREAS, included in said list of surplus property was a 2011 Dodge Charger and four picnic tables; and,

WHEREAS, the Middleton City Council determined that the fair market value for the 2011 Dodge Charger was two thousand dollars (\$2,000.00); and,

WHEREAS, the Middleton City Council determined that the fair market value for the four picnic tables was twenty-five dollars (\$25) for all four tables; and,

WHEREAS, the Greater Middleton Parks and Recreation District is a duly formed recreation district operating within the general area of the City of Middleton; and,

WHEREAS, the Greater Middleton Parks and Recreation District desires to purchase the foregoing items of personal property for the amounts determined to be the fair market values for said property; and,

WHEREAS, the Middleton City Council has previously auctioned some items of surplus personal property and has, at other times, authorized the transfer thereof directly to buyers at said fair market value; and,

WHEREAS, the Middleton City Council desires to sell the foregoing items of surplus personal property to the Greater Middleton Parks and Recreation District for their fair market value; and,

WHEREAS, the Middleton City Council has determined that said transaction is on terms that are would be reached at an arms-length commercial transaction; and,

WHEREAS, the Middleton City Council has determined that the foregoing transaction is in the best interests of the City of Middleton and her citizens; and,

WHEREAS, the Middleton City Council has the authority to dispose of surplus personal property.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND DECLARED BY THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO, THAT:

1. The Mayor is hereby authorized to execute any and all documents necessary to consummate the transfer of a 2011 Dodge Charger and four (4) picnic benches to the Greater Middleton Parks and Recreation District.

PASSED BY THE COUNCIL of the City of Middleton, Idaho this 2nd day of February, 2022.

APPROVED BY THE MAYOR of the City of Middleton, Idaho this 2nd day of February, 2022.

APPROVED

By _____
STEVE RULE, Mayor

ATTEST:

By _____
City Clerk



CITY OF MIDDLETON

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

BILL OF SALE

Date: January 13, 2022

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

Buyer: Greater Middleton Parks and Recreation Dist.
P.O. Box 265
Middleton, Idaho 83644

Property: 2011 Dodge Charger
VIN #2B3CL1CT8BH567878
Milage: 159,137

4 Picnic Tables

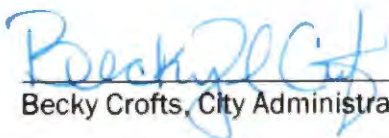
Condition: Charger: Electrical Issues Picnic Tables: Need Repair

Price: \$2,025.00 (Price break down: Charger \$2,000 Picnic Tables \$25)

Terms: Buyer has inspected the Property, understands the condition of said property, and is purchasing the property as is, where is, and assumes the risk of liability associated with the property.

CITY OF MIDDLETON

GREATER MIDDLETON PARKS & RECREATION DIST.


Becky Crofts, City Administrator


Tim O'Meara, Executive Director



City of Middleton

P.O. Box 487 · 1103 West Main Street · Middleton, Idaho 83644
(208) 585-3133 · Fax (208) 585-9601

Invoice No. 2022-01
Invoice Date 1/10/2022
Due Date **Upon Receipt**

Bill To:
Greater Middleton Parks & Recreation
P O Box 265
Middleton, ID 83644

Description of Services	Amount
Regarding: Surplus Items	
2011 Dodge Charger	\$2,000.00
Four (4) Picnic tables	\$25.00

Total Amount Due \$2,025.00

Comments

If you have any questions, please call (208) 585-3133

Please make check payments payable to
City of Middleton

You Must Return This Portion With Your Payment To Insure Timely Credit To Your Account
Remit Payment To : Po Box 487 Middleton, Idaho 83644

Greater Middleton Parks & Recreation
P O Box 265
Middleton, ID 83644

Regarding: Surplus Items

\$2,025.00	Upon Receipt
Invoice No.	2022-01
Balance Due:	\$2,025.00



GMPRD Directors

Dorothy Sandborgh, President
Bo Mackey, Vice President
Elizabeth Weaver, Treasurer
Mike Okamura, Director
Jon Roth, Director

January 7, 2022

City of Middleton
1103 W. Main St.
Middleton, ID 83644

Attn: Mayor Steve Rule

Dear Mayor Rule,

Per our discussion earlier today, Greater Middleton Parks & Recreation District would like to purchase some of the surplus items available through the City of Middleton.

We are interested in the following items:

2011 Dodge Charger – purchase price to be \$2,000.00.

Four (4) picnic tables – purchase price to be \$25.00 for all four tables.

Please send us an invoice for the above items, so we can purchase these from the City of Middleton at your earliest convenience.

Thank you,


Tim O'Meara
Executive Director

P.O. Box 265 Middleton, Idaho 83644 Ph.# 208/585-3461 FAX: 208/585-6198
gmpdrjulia@gmail.com www.greatermiddletonparksandrec.org

EXHIBIT “F”

ORDINANCE NO. 660

AN ORDINANCE ENACTED BY THE MIDDLETON CITY COUNCIL AMENDING TITLE 1, MIDDLETON CITY CODE, BY THE ADDITION OF A NEW CHAPTER AND TWO NEW SECTIONS, CHAPTER 1, SECTIONS 1-20-01 AND 1-20-02, OF THE MIDDLETON CITY CODE, PERTAINING TO THE DISPOSITION OF SURPLUS PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.

BE IT ORDAINED by the Mayor and Council of the City of Middleton, County of Canyon, State of Idaho:

Section 1. That Title 1 of the Middleton City Code is hereby amended by the addition of a new Chapter 20, Section 01-20-21 and 01-20-02, as follows:

01-20-01: SURPLUS PROPERTY; AUTHORIZATION; DECLARATION; DISPOSAL; PROHIBITIONS:

No employee of the city is authorized to sell, transfer or give away personal or real property of the city except in accordance with this article and state law. The unauthorized sale or transfer of property of the city by any employee, other than by discarding as waste material at the sanitary landfill or similar approved depository for refuse, shall constitute a misdemeanor, punishable as provided in Idaho Code sections 50-302(1) and 18-113, as amended, in addition to any other civil or equitable remedy which might be available to the city or criminal charge that might be appropriate under the circumstances. Only the city council has authority to declare property, whether real or personal, to be surplus. The city clerk shall coordinate the disposal of all surplus property, including land, buildings, equipment, and other city assets no longer required for city use, in the manner which is in the best interests of the city and which is consistent with the requirements of law.

- (1) Declaration Of Surplus; Disposal Of Personal Property: For an item or batch of items estimated by the city clerk to be valued at less than one thousand dollars (\$1,000.00), and subject to the prohibitions set forth in subsection (5) of this section, the city clerk shall have full discretion on when and how such an item, or batch of items, shall be disposed of following declaration by the city council that such property is surplus, unless specific dispositive instructions are given by the city council in that declaration. Surplus personal property estimated by the city clerk to have a value of one thousand dollars (\$1,000.00), or more, shall be disposed of in accordance with the provisions set forth in subsection (4) of this section. The city council may, in any resolution declaring personal property to be surplus, direct the method of disposition. If no method of disposition is set forth in the resolution, such property shall be disposed of in any manner consistent with this article and state and federal law.

- (2) Declaration Of Surplus; Disposal Of Real Property: When appropriate, the city shall declare city owned real property to be surplus and dispose of such property in accordance with the requirements and procedures set forth in Idaho Code section 50-1403.
- (3) Transfer Of Surplus Property To Other Government Agencies: When appropriate and in the city's best interest, the city clerk shall recommend to the mayor and city council the transfer or donation of surplus property to other government agencies in accordance with the requirements of Idaho Code.
- (4) Disposition Of Surplus Property: The city clerk may dispose of personal property through a sale, or may, in the alternative, dispose of said property through exchange for property to be acquired by the city.
- A. All sales of surplus personal property, except as specifically provided for herein, shall be made through a public sale or auction and shall be preceded by some form of public notice, which shall include, at a minimum, a posting for at least three (3) days on the city's internet website. Except where such procedures or requirements are set forth in Idaho Code, decisions concerning the procedures to be followed for the sale and any additional notice beyond that required above shall be made by the city clerk.
- B. If any sale or auction of surplus personal property fails to produce a buyer at a minimum price set by the city council, if a minimum price was set, or, if no bids are received, the city clerk shall proceed to dispose of the property at his or her discretion, subject to the prohibitions set forth in subsection (5) of this section, in any appropriate manner designed to maximize the financial return to the city, unless otherwise instructed by the city council in its resolution declaring such property to be surplus.
- C. In the event items of surplus personal property are determined to have no salable value because of condition, obsolescence or inappropriateness of use for the general public, the city clerk shall dispose of such items in any manner appropriate, subject to the prohibitions set forth in subsection (5) of this section.
- D. When real or personal property is purchased, donated or otherwise conveyed to the city and federal funding designated for the purpose of assisting low to moderate income persons with decent, safe, affordable housing opportunities, has been utilized to obtain or improve the property, it may be offered for public sale. If the property is not sold through a public sale, the property may be sold, donated or otherwise conveyed directly to a low to moderate income person as approved by the city clerk and housing program administrator. In either event, the sale or conveyance must be consistent with the requirements of the applicable federal regulations under which the property was obtained initially or improved.

E. All proceeds from the sale or auction of an item or batch of items of surplus property shall be deposited into the miscellaneous revenue account of the department from which such item or batch of items originated.

- (5) **Parties Prohibited From Purchasing Surplus Property:** It shall be unlawful for any of the following persons to purchase surplus property at any sale or auction: mayor, city clerk, members of the city council, appointed officials or department heads. It shall likewise be unlawful for any partnership or entity in which any of the foregoing persons have any financial interest to purchase such property. No employer, business partner, business associate, or immediate family member of one of the aforementioned persons shall be permitted to purchase surplus property at any sale or auction. Finally, no city employee involved in the sale of any specific item or batch of items of surplus property shall be permitted to purchase said property.

01-20-02: SALE AT RETAIL:

Notwithstanding any other provision of this code, the city may sell personal property to employees and members of the public at retail at city facilities and events. For purposes of this section "facilities and events" shall include, but shall not be limited to, vending machines, snack bars, gift shops, pro shops or other marketing methods catering to city employees or members of the public utilizing city facilities or participation in city sponsored events.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval, and publication, according to law.

Section 3. This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

Section 4. All ordinances, resolutions, orders and parts thereof in conflict herewith are repealed.

PASSED BY THE COUNCIL OF THE CITY OF MIDDLETON, IDAHO, this 2nd day of February, 2022.

APPROVED BY THE MAYOR OF THE CITY OF MIDDLETON, IDAHO, this 2nd day of February, 2022.

ATTEST:

Steve Rule, Mayor

City Clerk (or Deputy)

RESOLUTION NO. 465-22

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AUTHORIZING THE AWARD OF FRANK ESQUIVEL'S HANDGUN AND BADGE TO HIM UPON HIS RETIREMENT.

WHEREAS, Frank Esquivel has served a police officer for the City of Middleton for the past five and a half years; and,

WHEREAS, Frank Esquivel is retiring; and,

WHEREAS, Frank Esquivel served the Middleton Police Department and the City of Middleton honorably during his time with the City; and,

WHEREAS, the City is recognizing Frank's service on February 2, 2022 at the regularly scheduled Middleton City Council meeting; and,

WHEREAS, Idaho Code § 31-830 provides for the award to a county sheriff or deputy of his or her handgun and badge upon retirement; and,

WHEREAS, the City Council of the City of Middleton can effectuate the same disposition of a gun and badge under the general powers granted by Idaho Code, Title 50; and,

WHEREAS, Frank Esquivel's handgun and badge are both surplus property now that he has retired; and,

WHEREAS, the Middleton City Council desires to award Frank Esquivel the foregoing items of surplus personal property; and,

WHEREAS, the Middleton City Council has determined that the foregoing transaction is in the best interests of the City of Middleton and her citizens; and,

WHEREAS, the Middleton City Council has the authority to dispose of surplus personal property.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND DECLARED BY THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO, THAT:

1. The Police Chief of the City of Middleton, Alan Takeuchi, is authorized to deliver Frank Esquivel's handgun and badge to him on February 2, 2022, in recognition of his service to the City of Middleton and his retirement.

PASSED BY THE COUNCIL of the City of Middleton, Idaho this 16th day of February, 2022.

APPROVED BY THE MAYOR of the City of Middleton, Idaho this 16th day of February, 2022.

APPROVED

By _____
STEVE RULE, Mayor

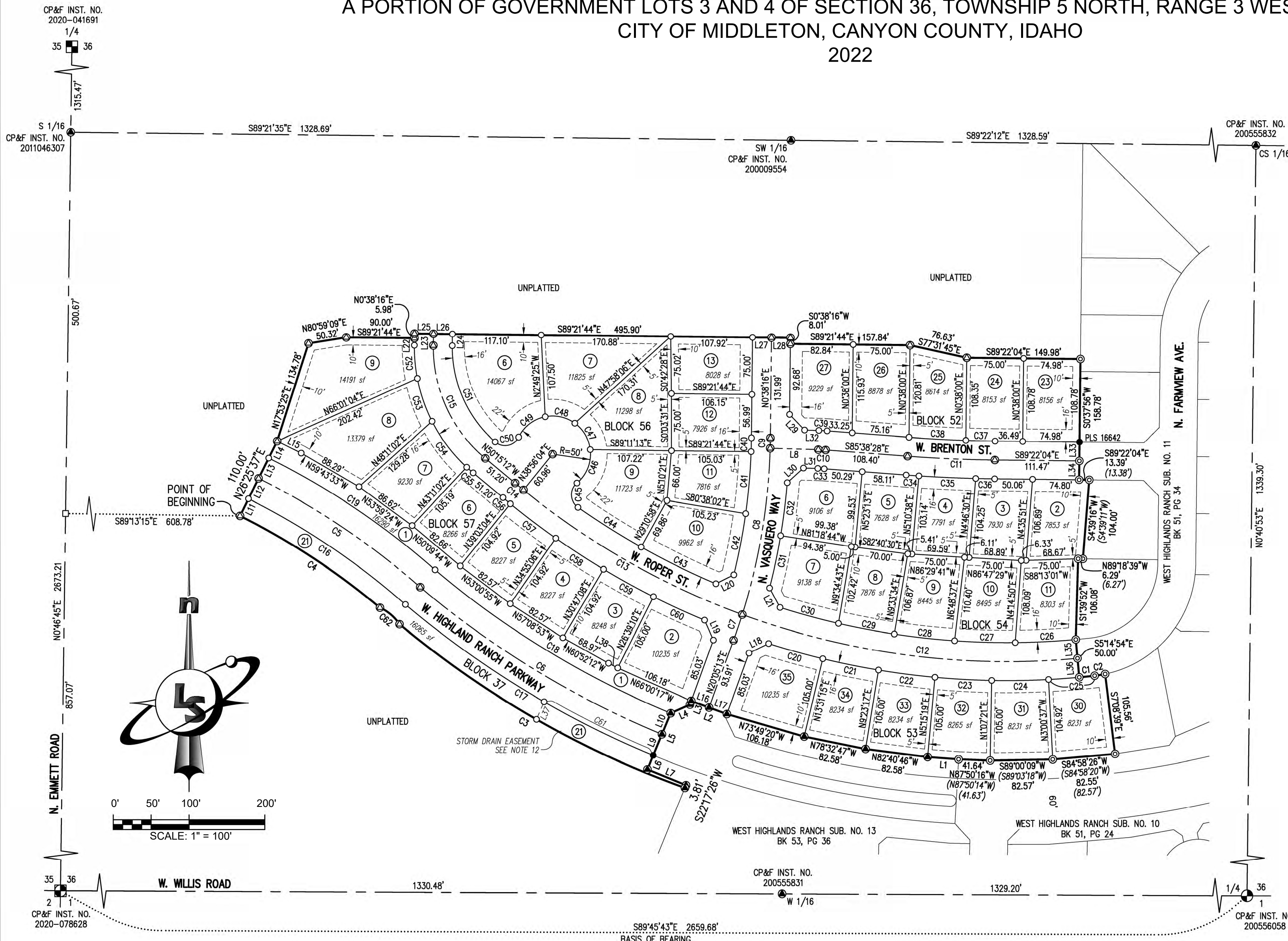
ATTEST:

By _____
City Clerk

WEST HIGHLANDS RANCH SUBDIVISION NO. 14

A PORTION OF GOVERNMENT LOTS 3 AND 4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 3 WEST, B.M.
CITY OF MIDDLETON, CANYON COUNTY, IDAHO
2022

BOOK ____, PAGE ____



NOTES

- ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES AND SIDEWALKS OVER THE SIXTEEN (16) FEET ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
- UNLESS OTHERWISE SHOWN AND DIMENSIONED, ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, PRESSURE IRRIGATION AND LOT DRAINAGE OVER THE FIVE (5) FEET ADJACENT TO ANY INTERIOR SIDE LOT LINE, AND OVER THE TEN (10) FEET ADJACENT TO ANY REAR LOT LINE OR SUBDIVISION BOUNDARY.
- THE OWNER HAS PROVIDED IRRIGATION WATER TO EACH LOT THROUGH A PRESSURIZED IRRIGATION SYSTEM, TO BE OWNED AND MAINTAINED BY THE MEADOWS AT WEST HIGHLANDS HOMEOWNERS ASSOCIATION IN COMPLIANCE WITH THE IDAHO CODE SECTION 31-3805(1)(b). ALL LOTS WILL BE SUBJECT TO ASSESSMENTS OF THE BLACK CANYON IRRIGATION DISTRICT.
- BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION ARE SUBJECT TO THE TERMS AS SET FORTH IN THE DEVELOPMENT AGREEMENT WITH THE CITY OF MIDDLETON.
- MAINTENANCE OF ANY IRRIGATION OR DRAINAGE PIPE OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE ENTITY OR THE HOMEOWNERS ASSOCIATION.
- THE BOTTOM ELEVATION OF STRUCTURAL FOOTINGS SHALL BE SET A MINIMUM OF 12 INCHES ABOVE THE HIGHEST ESTABLISHED GROUND WATER ELEVATION.
- LOT 21, BLOCK 37, AND LOT 1, BLOCK 57 ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE MEADOWS AT WEST HIGHLANDS HOMEOWNERS ASSOCIATION, OR ITS ASSIGNS. SAID LOTS ARE COVERED BY BLANKET PUBLIC UTILITIES, IRRIGATION, PEDESTRIAN ACCESS AND HOMEOWNERS ASSOCIATION LANDSCAPING EASEMENTS. ALL OTHER LOTS ARE FOR SINGLE-FAMILY DWELLINGS.
- THIS DEVELOPMENT IS SUBJECT TO THE TERMS OF A DEVELOPMENT AGREEMENT RECORDED AS INSTRUMENT NO. 2009015525, RECORDS OF CANYON COUNTY, IDAHO.
- DIRECT LOT OR PARCEL ACCESS TO EMMETT ROAD, HIGHLAND RANCH PARKWAY OR WILLIS ROAD IS PROHIBITED.
- ANY FENCES, LANDSCAPING OR ANY OTHER STRUCTURES INSTALLED IN AN EASEMENT AREA MAY BE REMOVED BY THE CITY OF MIDDLETON AND UTILITY COMPANIES AND REPLACED AT THE LANDOWNER'S EXPENSE.
- A PORTION OF LOT 21, BLOCK 37 IS SUBJECT TO A CITY OF MIDDLETON STORM DRAIN EASEMENT AS SHOWN HEREON FOR MAINTENANCE AND OPERATION OF CITY OWNED STORM DRAIN FACILITIES OR OTHER PIPELINES OR INFRASTRUCTURE AS HAS OR WILL BE CONSTRUCTED INCIDENT TO THE CITY OF MIDDLETON'S GENERAL PLAN OF MUNICIPAL UTILITY SERVICE

LEGEND

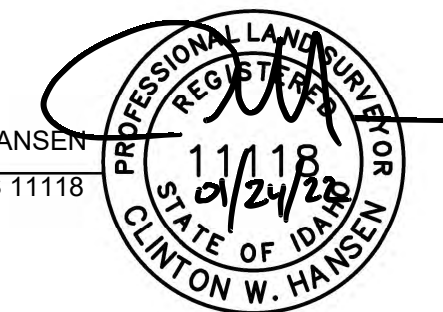
- | | |
|---------------------------------|-------------------------------------|
| FOUND ALUMINUM CAP MONUMENT | SECTION LINE |
| FOUND BRASS CAP MONUMENT | CENTER LINE |
| FOUND 1/2" REBAR WITH PLS 11188 | PUBLIC UTILITY, PRESSURE IRRIGATION |
| PLASTIC CAP, OR AS NOTED | & LOT DRAINAGE EASEMENT LINE - |
| FOUND 5/8" REBAR WITH PLS 11188 | SEE NOTES 1 & 2 |
| PLASTIC CAP, OR AS NOTED | OTHER EASEMENT LINE AS NOTED |
| FOUND 5/8" REBAR WITH PLS 16642 | SURVEY TIE LINE |
| PLASTIC CAP | SUBDIVISION BOUNDARY LINE |
| SET 1/2" REBAR WITH PLS 11118 | LOT LINE |
| PLASTIC CAP | ADJACENT PROPERTY LINE |
| SET 5/8" REBAR WITH PLS 11118 | LOT NUMBER |
| PLASTIC CAP | RECORD DISTANCE |
| CALCULATED POINT, NOT SET | |

SEE SHEET 2 OF 4 FOR LINE AND CURVE DATA

SURVEYOR'S NARRATIVE

THE BOUNDARY FOR THIS SUBDIVISION WAS DEVELOPED FROM SURVEYED TIES TO CONTROLLING SECTION CORNER MONUMENTATION, THE PLATTED SUBDIVISION BOUNDARIES OF WEST HIGHLANDS RANCH SUBDIVISION NO. 10, WEST HIGHLANDS RANCH SUBDIVISION NO. 11, WEST HIGHLANDS RANCH SUBDIVISION NO. 13, INFORMATION FROM RECORD OF SURVEY NUMBERS 200010162, 200260111, 200428075, 200556086, AND 2012002618, AND CURRENT DEEDS OF RECORD. THE SURVEYED MONUMENTATION AND CONTROLLING BOUNDARIES FIT THE RECORDS WELL AND WERE ACCEPTED TO ESTABLISH THE BOUNDARY FOR THIS SUBDIVISION SHOWN HEREON.

CLINTON W. HANSEN
PLS 11118



LandSolutions
Land Surveying and Consulting
231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 fax (208) 288-2557
www.landsolutions.biz

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.95'	N85°46'15"W
L2	50.00'	N69°54'49"W
L3	5.01'	S20°05'13"W
L4	27.86'	S65°56'37"W
L5	60.00'	S22°35'49"W
L6	20.00'	S22°18'19"W
L7	55.00'	S67°42'34"E
L8	63.51'	S88°24'37"E
L9	30.00'	S22°35'49"W
L10	30.00'	S22°35'49"W
L11	25.00'	N26°25'37"E
L12	30.00'	N26°25'37"E
L13	30.00'	N26°25'37"E
L14	25.00'	N26°25'37"E
L15	35.43'	N63°34'23"W
L16	25.00'	N69°54'49"W
L17	25.00'	N69°54'49"W
L18	28.76'	N64°07'21"E
L19	28.76'	S23°56'57"E
L20	26.39'	S63°32'07"W
L21	29.03'	N28°19'51"W
L22	9.39'	S0°38'16"W
L23	15.37'	N0°38'16"E
L24	15.37'	N0°38'16"E
L25	25.00'	S89°21'44"E
L26	25.00'	S89°21'44"E
L27	25.00'	S89°21'44"E
L28	25.00'	S89°21'44"E
L29	28.52'	N43°53'11"W
L30	28.88'	N47°48'18"E
L31	18.89'	S88°24'37"E
L32	18.81'	N88°24'37"W
L33	25.00'	S0°37'56"W
L34	25.00'	S0°37'56"W
L35	25.00'	S51°4'54"E
L36	25.00'	S51°4'54"E
L37	25.14'	S23°33'49"W
L38	13.62'	S63°00'24"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	20.39'	1040.00'	1°07'25"	N84°11'23"E (N84°11'24"E)	20.39'
C2	14.03'	150.00'	5°21'34"	N80°56'54"E	14.03'
C3	435.77'	1255.00'	19°53'40"	N60°15'34"W	433.58'
C4	220.89'	945.00'	13°23'33"	N56°52'37"W	220.39'
C5	257.23'	1000.00'	14°44'17"	N56°12'15"W	256.52'
C6	374.41'	1200.00'	17°52'37"	S58°45'49"E	372.90'
C7	35.83'	800.00'	2°33'58"	N18°48'13"E	35.83'
C8	222.44'	800.00'	15°55'52"	N9°33'19"E	221.72'
C9	13.29'	800.00'	0°57'07"	N1°06'49"E	13.29'
C10	9.67'	200.00'	2°46'10"	S87°01'33"E	9.67'
C11	115.22'	1771.38'	3°43'37"	S87°30'16"E	115.20'
C12	449.61'	1015.00'	25°22'49"	S82°33'30"E	445.95'
C13	333.11'	1015.00'	18°48'14"	S60°27'59"E	331.62'
C14	14.37'	1015.00'	0°48'40"	S50°39'32"E	14.37'
C15	168.76'	190.00'	50°53'28"	S24°48'28"E	163.27'
C16	249.77'	970.00'	14°45'11"	N56°11'48"W	249.08'
C17	383.88'	1230.00'	17°52'55"	S58°45'14"E	382.33'
C18	364.96'	1170.00'	17°52'20"	S58°46'25"E	363.48'
C19	264.68'	1030.00'	14°43'24"	N56°12'41"W	263.95'
C20	74.19'	1040.00'	4°05'14"	S74°26'11"E	74.17'
C21	75.02'	1040.00'	4°07'59"	S78°32'48"E	75.01'
C22	75.02'	1040.00'	4°07'59"	S82°40'47"E	75.01'
C23	75.02'	1040.00'	4°07'59"	S86°48'46"E	75.01'
C24	75.02'	1040.00'	4°07'59"	N89°03'15"E	75.01'
C25	60.98'	1040.00'	3°21'34"	N85°18'28"E	60.97'
C26	80.01'	990.00'	4°37'51"	N87°04'01"E	79.99'
C27	80.03'	990.00'	4°37'53"	S88°18'07"E	80.00'
C28	80.03'	990.00'	4°37'53"	S83°40'14"E	80.00'
C29	75.02'	990.00'	4°20'30"	S79°11'03"E	75.00'
C30	79.93'	990.00'	4°37'34"	S74°42'00"E	79.91'
C31	70.17'	825.00'	4°52'24"	N12°00'55"E	70.15'
C32	70.03'	825.00'	4°51'49"	N7°08'49"E	70.01'
C33	8.46'	175.00'	2°46'10"	N87°01'33"W	8.46'
C34	16.89'	1796.38'	0°32'19"	S85°54'37"E	16.89'
C35	75.02'	1796.38'	2°23'34"	S87°22'34"E	75.02'
C36	24.94'	1796.38'	0°47'43"	S88°58'13"E	24.94'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C37	38.52'	1746.38'	1°15'49"	S88°44'09"E	38.52'
C38	75.08'	1746.38'	2°27'47"	S86°52'21"E	75.07'
C39	10.88'	225.00'	2°46'10"	N87°01'33"W	10.87'
C40	18.01'	775.00'	1°19'54"	N1°18'13"E	18.01'
C41	82.04'	775.00'	6°03'54"	N5°00'07"E	82.00'
C42	81.76'	775.00'	6°02'41"	N11°03'25"E	81.72'
C43	109.76'	990.00'	6°21'07"	S63°59'34"E	109.70'
C44	98.36'	990.00'	5°41'32"	S57°58'15"E	98.31'
C45	36.72'	20.00'	105°12'08"	S2°31'25"E	31.78'
C46	49.73'	50.00'	56°59'00"	N21°35'10"E	47.70'
C47	41.15'	50.00'	47°09'23"	N30°29'01"W	40.00'
C48	41.15'	50.00'	47°09'23"	N77°38'24"W	40.00'
C49	45.61'	50.00'	52°15'42"	S52°39'03"W	44.04'
C50	36.51'	20.00'	104°35'12"	N78°48'48"E	31.65'
C51	142.64'	165.00'	49°31'51"	S24°07'40"E	138.24'
C52	43.74'	215.00'	11°39'23"	S5°11'26"E	43.66'
C53	59.79'	215.00'	15°55'59"	S18°59'07"E	59.60'
C54	76.15'	215.00'	20°17'40"	S37°05'56"E	75.76'
C55	11.28'	215.00'	3°00'26"	S48°44'59"E	11.28'
C56	12.60'	1040.00'	0°41'40"	S50°36'02"E	12.60'
C57	75.02'	1040.00'	4°07'59"	S53°00'51"E	75.01'
C58	75.02'	1040.00'	4°07'59"	S57°08'51"E	75.01'
C59	75.02'	1040.00'	4°07'59"	S61°16'50"E	75.01'
C60	74.19'	1040.00'	4°05'14"	S65°23'26"E	74.17'
C61	160.29'	1230.00'	7°27'59"	S63°57'42"E	160.17'
C62	34.24'	62.00'	31°38'39"	N49°40'47"W	33.81'

CLINTON W. HANSEN
PLS 11118



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SHEET 2 OF 4

JOB NO. 21-04

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT WE, THE UNDERSIGNED, ARE THE OWNERS OF THE REAL PROPERTY DESCRIBED BELOW IN CANYON COUNTY, IDAHO, AND THAT WE INTEND TO INCLUDE THE FOLLOWING DESCRIBED PROPERTY IN THIS PLAT OF WEST HIGHLANDS RANCH SUBDIVISION NO. 14;

A PARCEL BEING A PORTION OF GOVERNMENT LOTS 3 AND 4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH A BRASS CAP MONUMENT MARKING THE SOUTHEAST CORNER OF THE SW ¼ (S ¼ CORNER) OF SAID SECTION BEARS S 89°45'43" E A DISTANCE OF 2659.68 FEET;

THENCE ALONG THE WESTERLY BOUNDARY OF THE SW ¼ OF SAID SECTION 36 N 0°46'45" E A DISTANCE OF 857.07 FEET TO A POINT;

THENCE LEAVING SAID WESTERLY BOUNDARY S 89°13'15" E A DISTANCE OF 608.78 FEET TO THE POINT OF BEGINNING;

THENCE N 26°25'37" E A DISTANCE OF 110.00 FEET TO A POINT;

THENCE N 17°53'25" E A DISTANCE OF 134.78 FEET TO A POINT;

THENCE N 80°59'09" E A DISTANCE OF 50.32 FEET TO A POINT;

THENCE S 89°21'44" E A DISTANCE OF 90.00 FEET TO A POINT;

THENCE N 0°38'16" E A DISTANCE OF 5.98 FEET TO A POINT;

THENCE S 89°21'44" E A DISTANCE OF 495.90 FEET TO A POINT;

THENCE S 0°38'16" W A DISTANCE OF 8.01 FEET TO A POINT;

THENCE S 89°21'44" E A DISTANCE OF 157.84 FEET TO A POINT;

THENCE S 77°31'45" E A DISTANCE OF 76.63 FEET TO A POINT;

THENCE S 89°22'04" E A DISTANCE OF 149.98 FEET TO A POINT ON THE WESTERLY BOUNDARY OF WEST HIGHLANDS RANCH SUBDIVISION NO. 11, AS SHOWN IN BOOK 51 OF PLATS ON PAGE 34, RECORDS OF CANYON COUNTY, IDAHO;

THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING COURSES AND DISTANCES:

THENCE S 0°37'56" W A DISTANCE OF 158.78 FEET TO A POINT;

THENCE S 89°22'04" E A DISTANCE OF 13.39 FEET (FORMERLY 13.38 FEET) TO A POINT;

THENCE S 4°39'16" W (FORMERLY S 4°39'11" W) A DISTANCE OF 104.00 FEET TO A POINT;

THENCE N 89°18'39" W A DISTANCE OF 6.29 FEET (FORMERLY 6.27 FEET) TO A POINT;

THENCE S 1°39'52" W A DISTANCE OF 106.08 FEET TO A POINT;

THENCE S 5°14'54" E A DISTANCE OF 50.00 FEET TO A POINT;

THENCE A DISTANCE OF 20.39 FEET ALONG THE ARC OF A 1040.00 FOOT RADIUS NON-TANGENT CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 1°07'25" AND A LONG CHORD BEARING N 84°11'23" E (FORMERLY N 84°11'24" E) A DISTANCE OF 20.39 FEET TO A POINT OF COMPOUND CURVATURE;

THENCE A DISTANCE OF 14.03 FEET ALONG THE ARC OF A 150.00 FOOT RADIUS CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 5°21'34" AND A LONG CHORD BEARING N 80°56'54" E A DISTANCE OF 14.03 FEET TO A POINT;

THENCE S 7°08'39" E A DISTANCE OF 105.56 FEET TO AN ANGLE POINT ON THE NORTHERLY BOUNDARY OF WEST HIGHLANDS RANCH SUBDIVISION NO. 10, AS SHOWN IN BOOK 51 OF PLATS ON PAGE 24, RECORDS OF CANYON COUNTY, IDAHO;

THENCE LEAVING THE BOUNDARY OF SAID WEST HIGHLANDS RANCH SUBDIVISION NO. 11, AND ALONG THE NORTHERLY BOUNDARY OF SAID WEST HIGHLANDS RANCH SUBDIVISION NO. 10 THE FOLLOWING COURSES AND DISTANCES:

THENCE S 84°58'26" W A DISTANCE OF 82.55 FEET (FORMERLY S 84°58'20" W, 82.57 FEET) TO A POINT;

THENCE S 89°00'09" W (FORMERLY S 89°03'18" W) A DISTANCE OF 82.57 FEET TO A POINT;

THENCE N 87°50'16" W A DISTANCE OF 41.64 FEET (FORMERLY N 87°50'14" W, 41.63 FEET) TO THE NORTHEASTERLY CORNER OF WEST HIGHLANDS RANCH SUBDIVISION NO. 13, AS SHOWN IN BOOK ____ OF PLATS ON PAGE ____, RECORDS OF CANYON COUNTY, IDAHO;

THENCE LEAVING THE BOUNDARY OF SAID WEST HIGHLANDS RANCH SUBDIVISION NO. 10, AND ALONG THE NORTHERLY BOUNDARY OF SAID WEST HIGHLANDS RANCH SUBDIVISION NO. 13 THE FOLLOWING COURSES AND DISTANCES:

THENCE N 85°46'15" W A DISTANCE OF 40.95 FEET TO A POINT;

THENCE N 82°40'46" W A DISTANCE OF 82.58 FEET TO A POINT;

THENCE N 78°32'47" W A DISTANCE OF 82.58 FEET TO A POINT;

THENCE N 73°49'20" W A DISTANCE OF 106.18 FEET TO A POINT;

THENCE N 69°54'49" W A DISTANCE OF 50.00 FEET TO A POINT;

THENCE S 20°05'13" W A DISTANCE OF 5.01 FEET TO A POINT;

THENCE S 65°56'37" W A DISTANCE OF 27.86 FEET TO A POINT;

THENCE S 22°35'49" W A DISTANCE OF 60.00 FEET TO A POINT;

THENCE S 22°18'19" W A DISTANCE OF 20.00 FEET TO A POINT;

THENCE S 67°42'34" E A DISTANCE OF 55.00 FEET TO A POINT;

THENCE S 22°17'26" W A DISTANCE OF 3.81 FEET TO A POINT ON A CURVE;

THENCE LEAVING SAID SUBDIVISION BOUNDARY A DISTANCE OF 435.77 FEET ALONG THE ARC OF A 1255.00 FOOT RADIUS NON-TANGENT CURVE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 19°53'40" AND A LONG CHORD BEARING N 60°15'34" W A DISTANCE OF 433.58 FEET TO A POINT ON A CURVE;

THENCE A DISTANCE OF 34.24 FEET ALONG THE ARC OF A 62.00 FOOT RADIUS NON-TANGENT CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 31°38'39" AND A LONG CHORD BEARING N 49°40'47" W A DISTANCE OF 33.81 FEET TO A POINT ON A CURVE;

THENCE A DISTANCE OF 220.89 FEET ALONG THE ARC OF A 945.00 FOOT RADIUS NON-TANGENT CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 13°23'33" AND A LONG CHORD BEARING N 56°52'37" W A DISTANCE OF 220.39 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 11.75 ACRES MORE OR LESS.

ALL THE LOTS IN THIS SUBDIVISION WILL RECEIVE WATER SERVICE FROM THE CITY OF MIDDLETON. THE CITY OF MIDDLETON HAS AGREED IN WRITING TO SERVE ALL THE LOTS IN THIS SUBDIVISION.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. PUBLIC UTILITY, IRRIGATION AND DRAINAGE EASEMENTS ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT OF ACCESS TO, AND USE OF, THESE EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES, DRAINAGE AND FOR ANY OTHER USES AS MAY BE DESIGNATED HEREON AND NO PERMANENT STRUCTURES OTHER THAN FOR SAID USES ARE TO BE ERRECTED WITHIN THE LIMITS OF SAID EASEMENTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS ____ DAY OF _____, 20__.

TOLL SOUTHWEST LLC, AN IDAHO LIMITED LIABILITY COMPANY

BY SUSAN STANLEY, DIVISION PRESIDENT

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF ADA } S.S.

ON THIS ____ DAY OF _____, 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED SUSAN STANLEY, KNOWN OR IDENTIFIED TO ME TO BE A DIVISION PRESIDENT OF TOLL SOUTHWEST LLC, AN IDAHO LIMITED LIABILITY COMPANY, THAT EXECUTED THE FOREGOING "CERTIFICATE OF OWNERS" AND ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

RESIDING AT _____

NOTARY PUBLIC FOR THE STATE OF IDAHO

CERTIFICATE OF SURVEYOR

I, CLINTON W. HANSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

CLINTON W. HANSEN
PLS 11118



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Land Surveying and Consulting
231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 fax (208) 288-2557
www.landsolutions.biz

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED BASED ON A REVIEW BY A QUALIFIED LICENSED PROFESSIONAL ENGINEER (QLPE) REPRESENTING THE CITY OF MIDDLETON AND THE QLPE APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTIONS OF THE SANITARY RESTRICTIONS. BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER EXTENSIONS OR SEWER EXTENSIONS WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER EXTENSIONS OR SEWER EXTENSIONS HAVE SINCE BEEN CONSTRUCTED, OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES, THEN THE SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

SOUTHWEST DISTRICT HEALTH DEPARTMENT DATE

APPROVAL OF MIDDLETON CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE ____ DAY OF _____, 20____, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

MIDDLETON CITY MAYOR DATE

APPROVAL OF THE CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

MIDDLETON CITY ENGINEER DATE

CERTIFICATE OF THE COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR CANYON COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

CANYON COUNTY SURVEYOR DATE

CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF CANYON, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

DATE: COUNTY TREASURER

CLINTON W. HANSEN
PLS 11118



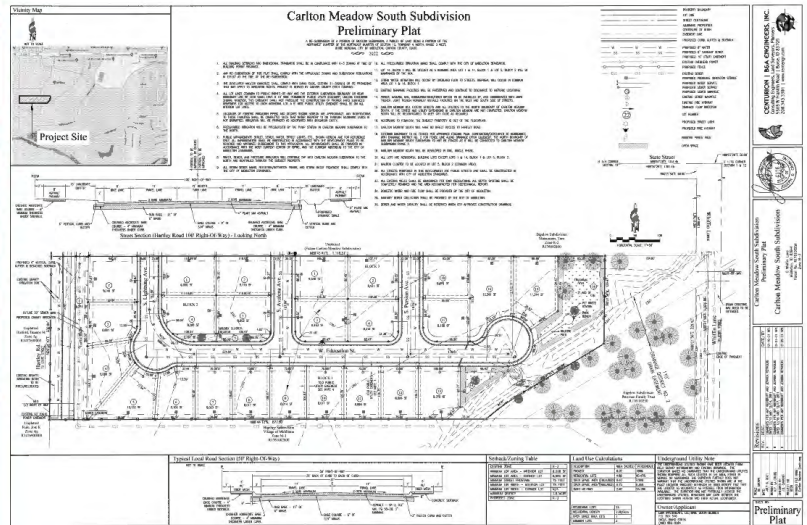
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STAFF REVIEW AND REPORT

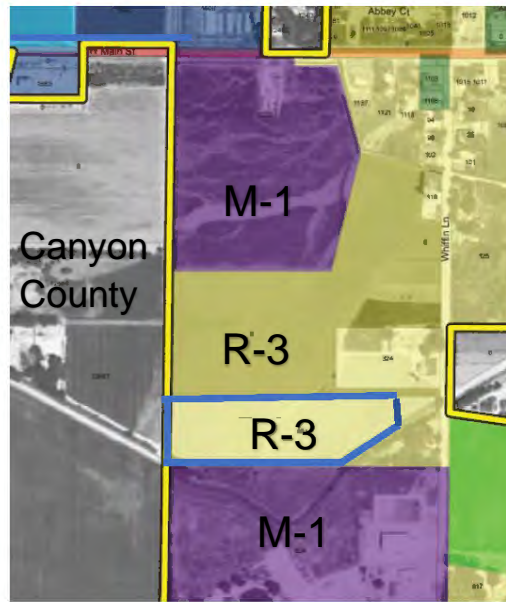
Middleton City Council

Carlton Meadows South Subdivision

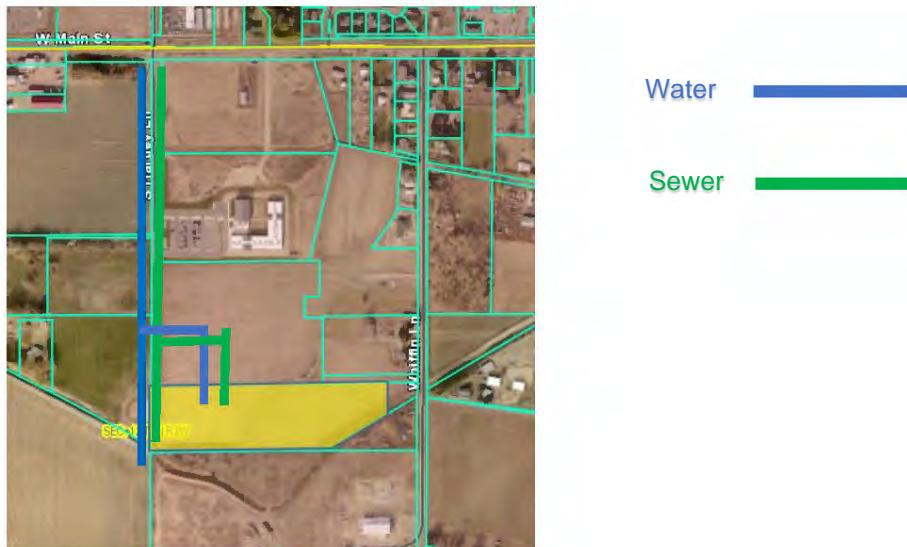


DESCRIPTION	DETAILS
Acreage	8.02 acres
Current Zoning	R-3 (Single Family Residential)
Proposed Zoning	to remain the same
Current Land Use	Residential
Proposed Land Use	Residential
Lots	24 residential lots and 1 common lot
Density	3 single-family homes per gross acre
Open Space	6%
Amenities	Pocket Park, Pathway, Benches & Pet Waste Station

- A. City Council Hearing Date:** February 16, 2022
- B. Project Description:** Residential subdivision consisting of 24 buildable lots and 1 common lot on 8.02 acres located at 0 Whiffin Lane (Tax Parcel No. R17610025A0).
- C. Application Requests:** Applicant is applying for Preliminary Plat.
- D. Current Zoning & Property Condition:** The property is currently located in city limits and zoned R-3 (Single-Family Residential).

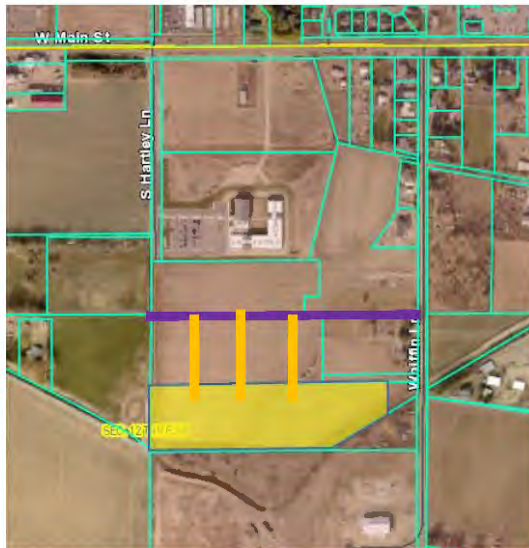


- E. City Services:** City water and sewer are located in Hartley Road to the west. Water and sewer will connect from the Carlton Meadows Subdivision directly to the north.



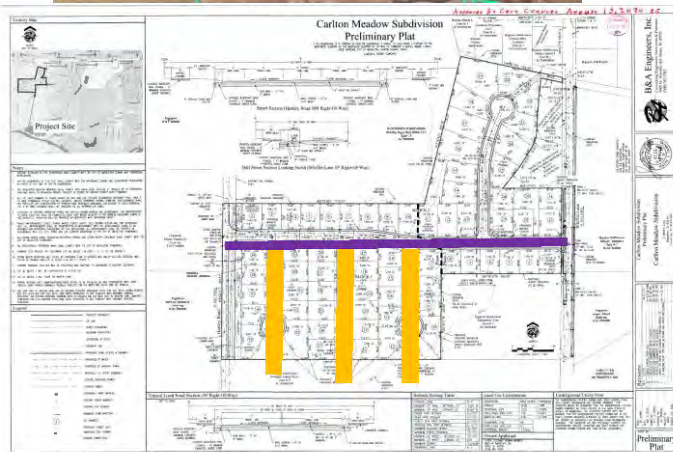
Planning Staff finds that City Services are nearby and available. However, sewer and water capacity will not be reserved until Construction Drawings are approved by the City.

- F. Traffic, Access & Streets:** Access to the subdivision is proposed north connecting to the local roads in Carlton Meadows Subdivision which access Hartley Road to the west and Whiffin Lane to the east. There is no direct access onto Hartley Road or Whiffin Lane from this subdivision.

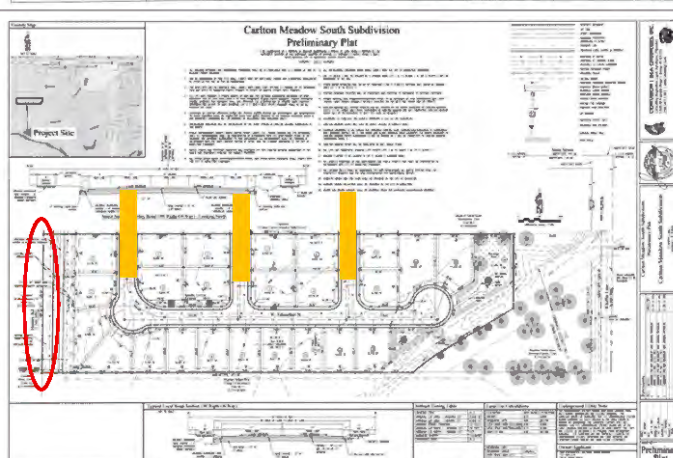


Streets connecting internally to the north

Street connecting to Hartley & Whiffin



Carlton Meadows Preliminary Plat approved 8/19/2020



Carlton Meadows South Proposed Preliminary Plat

The Developer will construct their ½ road section and frontage of Hartley Road per Middleton City Code.

The subdivision has only 24 lots, therefore a TIS is not required according to MCC. However, each residential building permit will be assessed a Transportation Impact

Fee (currently \$5,050.00 x 24 for a total of \$121,200.00) to go towards City roads and intersection improvements.

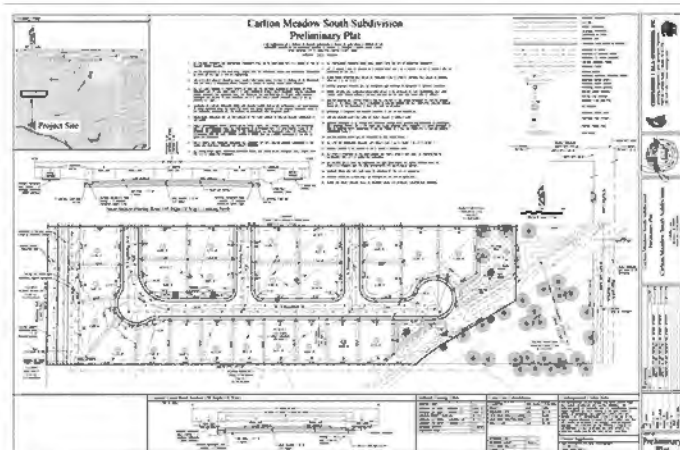
- G. Pathway, Sidewalks & Open Space:** Developer has provided 6% open space as a pocket park which exceeds the 5% minimum required by MCC 5-4-10-10. A pathway to a sitting area with benches and a pet waste station will be located in the park.

The developer will also be required to construct a landscape buffer west along Hartley Road as part of the road improvements.

- H. Preliminary Plat Application:** The preliminary plat does not show a phasing plan, and the project will be brought to final plat in one phase. The preliminary plat complies with all dimensional standards and codes of the City of Middleton.

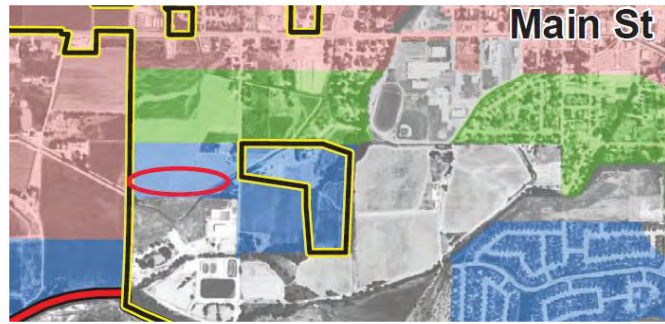
FINDINGS:

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



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

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



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

- a. *Goals 3 and 23*: The project provides safe vehicle and pedestrian facilities in light of the street improvements and sidewalks shown on the preliminary plat.
- b. *Goals 4 and 5*: The project will establish a good quality of life with development that pays through impact fees and property taxes for the public services it receives when infrastructure is installed. Additionally, quality lots for residential use increase the quality of life and general welfare of the city.
- c. *Goal 11*: The housing type matches the residents' lifestyle in the area the project is located and is an in-fill improvement project.

J. Comments from City Engineer and Planning Staff: City Engineer and Planning Staff comments attached as Exhibit "B".

K. City Engineer Recommendation Letter: Attached as Exhibit "F".

L. Comments from Agencies:

Middleton Rural Fire District: Fire Chief Islas submitted comment attached as Exhibit "C". As a condition of approval, the preliminary plat will be subject to compliance with the District's comments approved by the City.

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

After the Planning and Zoning public hearing the Applicant went back to Mr. Bowman to resolve the dispute. It has been resolved with a revision to the original preliminary plat submitted and a Lot Line Adjustment Application received 2/9/2022, bringing the total acreage for the subdivision parcel from 8.56 to 8.02 acres and Mr. Bowmans parcel to 1.84 acres. As a condition of approval, the Lot Line Adjustment needs to be finalized prior to submittal of Construction Drawings.

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

O. Notices:

Dates:

Neighborhood Meeting	6/20/2021 & 6/21/2021
Newspaper Notification	1/30/2022
Radius notification mailed to Adjacent landowners within 500'	1/28/2022
Circulation to Agencies	1/28/2022
Sign Posting property	1/28/2022

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

P. Applicable Codes and Standards:

Idaho Code Secs., 67-6503, 67-6509, 67-6511, 67-6513, 50-1301 through 50-1329. Idaho Standards for Public Works Construction, the Middleton Supplement to the Idaho Standards for Public Works Construction. Middleton City Code 1-14, 1-15, 5-1, 5-3, and 5-4.

T. Planning and Zoning Recommendations: This application was considered in a public hearing before the Planning and Zoning Commission on January 10, 2022. The Commission recommended approval of the preliminary plat application subject to the conditions of approval set forth in the Staff Report for that hearing. A copy of the FCR from the P&Z hearing is attached as Exhibit "E".

U. Conclusions and Recommended Conditions of Approval:

The decision to approve or deny a preliminary plat application must be based upon *General Facts and Conclusions of Law* formally accepted by City Council.

As to General Facts, Planning Staff has set forth general facts that are the basis of approving or denying this application. If the Council agrees with these general facts and agrees with the testimony and evidence presented at the public hearing, the Council need merely make a motion to accept the general facts set forth by Staff in the Staff Report and public hearing.

As to Conclusions of Law, Planning Staff finds that City Council has the authority to hear this application and to approve or deny this application. Additionally, Planning Staff notes that all public notice requirements were met. Planning Staff further set forth the portions of the Idaho State Code and Middleton Code to be considered in approving or denying the application. If the February 16th public hearing is held and conducted in compliance with Idaho State Statute and the Middleton City Code, then the Council may accept these conclusions of law by passing a motion to accept the conclusions of law set forth in the Staff Report and public hearing.

If the Council is inclined to approve the application based upon the above *General Facts and Conclusions of Law*, then Planning Staff recommends that any approval be subject to the following conditions:

1. City of Middleton municipal domestic water, fire flow and sanitary sewer services are to be extended to serve the subdivision.
2. All City Engineer review comments are to be completed and approved.
3. All Middleton Rural Fire District comments approved by the City are to be completed and approved.
4. Lot Line Adjustment to be finalized and approved prior to submittal of Construction Drawings.
5. Sewer and water capacity to be reserved at the time the City approves the construction drawings for the project.

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

Prepared by Planning Deputy Clerk, Jennica Reynolds

Dated: 2/11//2022

EXHIBIT “A”

Preliminary Plat under review

[illegible]

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

-
- Diagram illustrating the layout of a street and adjacent properties, showing various utility lines and features:
- STREET CENTERLINE
 - LOT LINE
 - ADJOINING PROPERTIES
 - CENTERLINE OF DITCH
 - EASEMENT LINE
 - PROPOSED CURB, GUTTER & SIDEWALK
 - PROPOSED 8" WATER
 - PROPOSED 8" SANITARY SEWER
 - PROPOSED 10" UTILITY EASEMENT
 - EXISTING OVERHEAD POWER
 - PROPOSED FENCE
 - EXISTING SEWER
 - PROPOSED PRESSURE IRRIGATION SERVICE
 - PROPOSED WATER SERVICE
 - PROPOSED SEWER SERVICE
 - PROPOSED SEWER MANHOLE
 - EXISTING SEWER MANHOLE
 - EXISTING FIRE HYDRANT
 - DRAINAGE FLOW DIRECTION
 - LOT NUMBER
 - PROPOSED STREET LIGHT
 - PROPOSED FIRE HYDRANT
 - EXISTING POWER POLE
 - OPEN SPACE

ROW

2' 8' ASPHALT PATHWAY 15' LANDSCAPE BUFFER 2' 6' BIKE LANE 11' TRAVEL LANE 12' CENTER TURN LANE 11' TRAVEL LANE 6' BIKE LANE 2' 15' LANDSCAPE BUFFER 8' ASPHALT PATHWAY 2' PLAN ASPHALT

100' RIGHT-OF-WAY

2.00% MINIMUM

4" PLANT MIX ASPHALT

BASE COURSE - 9" OF 3/4" MINUS

SUB BASE - 21" OF 6" MINUS

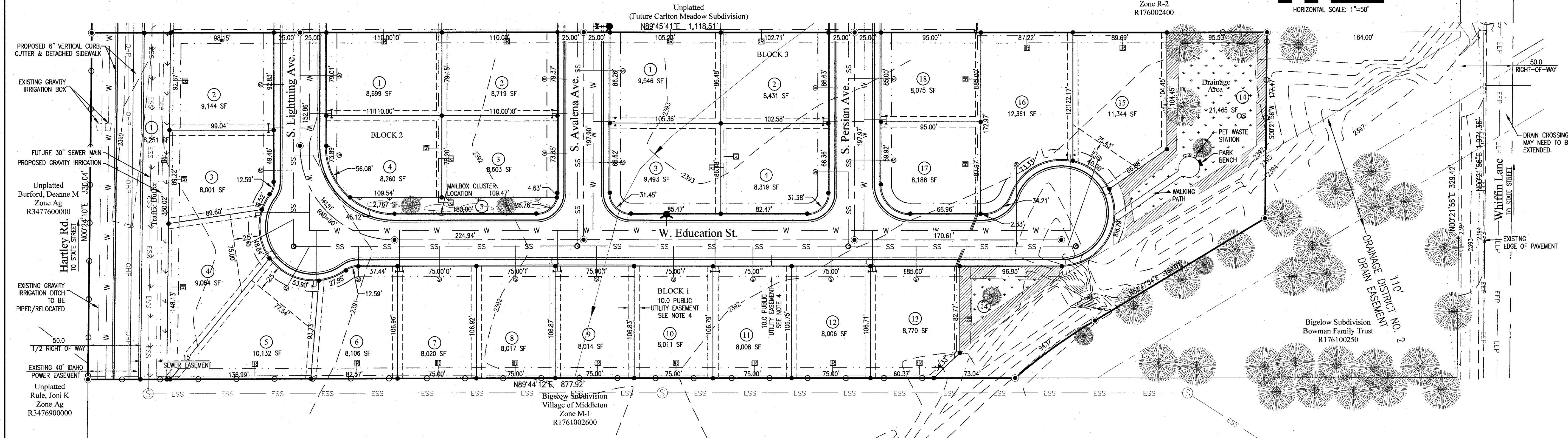
CRUSHED AGGREGATE BASE COURSE - 4" MINIMUM THICKNESS UNDER CURB.

6" VERTICAL CURB AND GUTTER

PROPOSED DRAINAGE SWALE

6" VERTICAL CURB AND GUTTER

CRUSHED AGGREGATE BASE COURSE - 6" MINIMUM THICKNESS UNDER SIDEWALK.



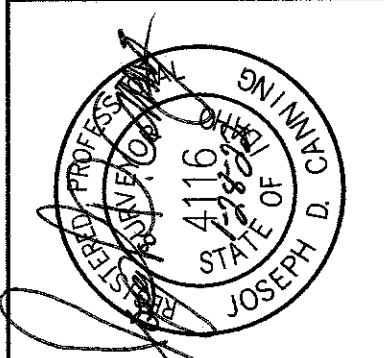
EXISTING ZONE	R-3
MINIMUM LOT AREA - INTERIOR LOT	8,000 SF
MINIMUM LOT AREA - CORNER LOT	8,000 SF
MINIMUM STREET FRONTAGE	75 FEET
MINIMUM LOT WIDTH - INTERIOR LOT	75 FEET
MINIMUM LOT WIDTH - CORNER LOT	N/A
MAXIMUM DENSITY	3.0/ACRE
PROPOSED ZONE	R-3

DESCRIPTION	AREA (ACRES)	PERCENTAGE
PROJECT	8.02	100%
RESIDENTIAL LOTS	4.85	60.47%
OPEN SPACE AREA (EXCLUDED)	0.40	4.99%
OPEN SPACE AREA *(INCLUDED)	0.75	9.35%
RIGHT-OF-WAY	2.02	25.19%

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

D&N INVESTMENTS, LLC/DAVE BUICH-MEMBER
P.O. BOX 516
EAGLE, IDAHO 83616
(208) 866-0594

CENTURIUM | B&A ENGINEERS, INC.
Consulting Engineers, Land Surveyors, Planners
5505 W Franklin Road | Boise, ID 83705
208.343.3381 | www.centengr.com



**Carlton Meadow South Subdivision
Preliminary Plat**

Carlton Meadow South Subdivision

Revisions			DATE/BY
REV.	DESC.		
A	COMMENTS PER AMY WOODRUFF AND JENNIKA REYNOLDS DATED 12/13 AND 12/14, 2021		12-16-21 NPL
B	COMMENTS PER AMY WOODRUFF AND JENNIKA REYNOLDS DATED 12/16 AND 12/17, 2021		12-21-21 NPL
C	COMMENTS PER AMY WOODRUFF AND JENNIKA REYNOLDS		12-29-21 NPL

SCALE: AS SHOWN
DATE: JULY 6, 2021
DRAWN BY: N.P. LA CROSS
CHECKED BY: J.D. CANNING
PROJECT NO. BD28
DRAWING FILE NAME: Carlton Meadow South.dwg

SHEET NO:

Preliminary
Plat

EXHIBIT “B”

City Engineer & Planner Comments



December 13, 2021

TO: Jennica Reynolds, Planner

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

RE: CARLTON MEADOWS SOUTH PRELIMINARY PLAT

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

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



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



CITY OF MIDDLETON

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

PLANNER COMMENTS – Carlton Meadows South Preliminary Plat

December 14, 2021

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

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

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

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

Jennica Reynolds

Middleton City Deputy Clerk, Planning



CITY OF MIDDLETON

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

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

December 16, 2021

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

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

Jennica Reynolds

Middleton City Deputy Clerk, Planning

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

Nick,

Per our conversation please change the following:

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

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

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

Happy Holidays,

Jennica Reynolds

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

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

Jennica,

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

Thanks

Best Regards,

Nick LaCross

Centurion / B&A Engineers, Inc.

Project Manager

208.343.3381 x 219

nplacross@centengr.com



EXHIBIT “C”

Agency Comments

MIDDLETON RURAL FIRE DISTRICT



Carlton Meadow South Subdivision

STAR FIRE PROTECTION DISTRICT

DATE: January 5, 2022

TO: Middleton City Planning & Zoning
Middleton City Council

FROM: Victor Islas, Deputy Chief

SUBJECT: Fire District Review

PROJECT NAME: Carlton Meadow South Subdivision

Fire District Summary Report:

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

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

Accessibility: Roadway Access, Traffic, Radio Coverage

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

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

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

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

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

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

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



MIDDLETON RURAL FIRE DISTRICT

Carlton Meadow South Subdivision

STAR FIRE PROTECTION DISTRICT

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

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

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

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

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

Specialty/Resource needs:

No specialty/resources will be needed for this development.

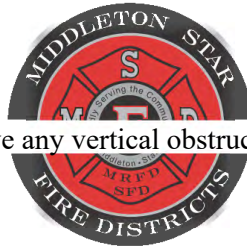
Water Supply:

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

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

(208) 286-7772

11665 W. STATE ST., SUITE B
STAR, IDAHO 83669



Carlton Meadow South Subdivision

MIDDLETON RURAL FIRE DISTRICT

STAR FIRE PROTECTION DISTRICT

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

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

Inspections:

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

Additional Comments:

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

EXHIBIT “D”

Surrounding Landowner Comments



CITY OF MIDDLETON

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



December 21, 2021

Roy Bowman

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

To Landowners and Occupants:

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

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

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

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

Sincerely,

Jennica Reynolds

Middleton City
Deputy Clerk, Planning

FAX

1-208-454-7349

R17610025A

0

1 208 454 7431

8211

ADDENDUM

1

(All addendums shall be numbered sequentially.)

JULY 2, 19 11: 7: N
Page 1 of 1

RE-11 ADDENDUM

IDAHO
REALTORS

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



Today's Date:

5/26/2021

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

n/a

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

AGREEMENT DATED: 1/8/2021

ID #

98759929

ADDRESS: TBD Whiffen Lane

Middleton

ID

83844

BUYER(S): D&N Investments, LLC

SELLER(S): Roy Bowman

Marsha Bowman

The undersigned parties hereby agree as follows:

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

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

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

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

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

BUYER: Dave Buich

5/26/2021 3:41:38 PM EDT

Dave Buich D&N Investments, LLC

Date:

BUYER:

Date:

SELLER:

Roy Bowman

Date: 5/26/21

SELLER:

Marsha Bowman

Date: 5/26/21

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JULY 2019 EDITION

RE-11 ADDENDUM

Page 1 of 1

This form was prepared by Boon Dykstra | Coldwell Banker Tomlinson-Bellman | bdykstra@cbtbois.com | 208.471.4133

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

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

Thence N89°28'12"E, 1,802.22 feet along the northerly boundary of said Lot 12 to the Point of Beginning.

Comprising 7.59 acres, more or less.

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

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



Sellers: Ray Brown Date 5/26/21
Ray Brown
Carolee Brown 5/26/21
Carolee Brown
Buyer: Dave Buich Date _____
Dave Buich and Deborah

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

Page 2 of 2

Proud to be Serving the
Pacific Northwest for 100 Years

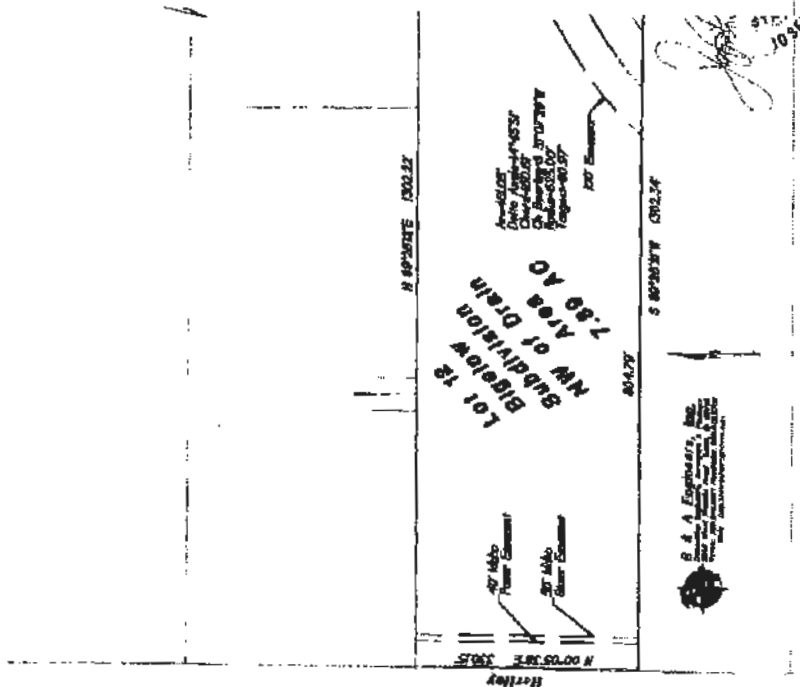


EXHIBIT “E”

Planning & Zoning Commission
Recommendation

January 10, 2022 Public Hearing

Middleton Planning & Zoning Commission

Findings of Facts, Conclusions of Law, and Decision & Recommendation



In the Matter of the Request of D&N Investments, LLC and B&A Engineers, Inc for Preliminary Plat with respect to the Carlton Meadows South Subdivision located at 0 Whiffin Lane (Tax Parcel No. R17610052A0):

A. Findings of Fact:

1. Hearing Facts: See Staff Report for the hearing date of January 10, 2022, which Report is attached hereto as Exhibit "A" and incorporated herein by this reference.
2. Process Facts: See Staff Report for the hearing date of January 10, 2022, Exhibit "A".
3. Application and Property Facts: See Staff Report for the hearing date of January 10, 2022, Exhibit "A".
4. Required Findings per Middleton City Code 1-14-2(E)(7), Idaho State Statue Title 67, Chapter 65, and Title 50, Chapters 13; Idaho Standards for Public Works Construction and Middleton Supplement thereto; and Middleton City Code 1-14, 1-15, 5-1, 5-3, and 5-4: See Staff Report for the hearing date of January 10, 2022, Exhibit "A".

B. Conclusions of Law:

1. That the City of Middleton shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. That due consideration has been given to the comments received from the governmental subdivisions providing services in the City of Middleton planning jurisdiction, comments received from individuals of the public, and comments from City Planning Staff and City Engineer.
3. That notice of the application and public hearing was given according to law.
4. That Planning and Zoning Commission's public hearing was conducted according to law, and the City has kept a record of the application and related documents.
5. That codes and standards applicable to the application are the Idaho Standards for Public Works Construction, the Middleton Supplement to the Idaho Standards for Public Works Construction, and Middleton City Code 1-14, 1-15, 5-1, 5-3, and 5-4 and Idaho State Code Secs., 67-6503, 67-6509, 67-6511, 67-6513, 50-1301 through 50-1329.
6. That public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
7. That this recommendation is subject to the Conditions of Approval set forth in the attached Staff Report for the hearing date of January 10, 2022, Exhibit "A".

C. Decision and Recommendation:

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


1. City Council approve the application of D&N Investments, LLC and B&A Engineers, Inc for Preliminary Plat with respect to the Carlton Meadows South Subdivision located at 0 Whiffin Lane (Tax Parcel No. R17610052A0) subject to the conditions of approval set forth in the Staff Report for the January 10, 2022 public hearing on the matter. (Exhibit "A")

WRITTEN RECOMMENDATION APPROVED ON: January 10, 2022.



Ray Waltemate, Chairman
Planning and Zoning Commission

Attest:



Jennica Reynolds
Planning and Zoning Department

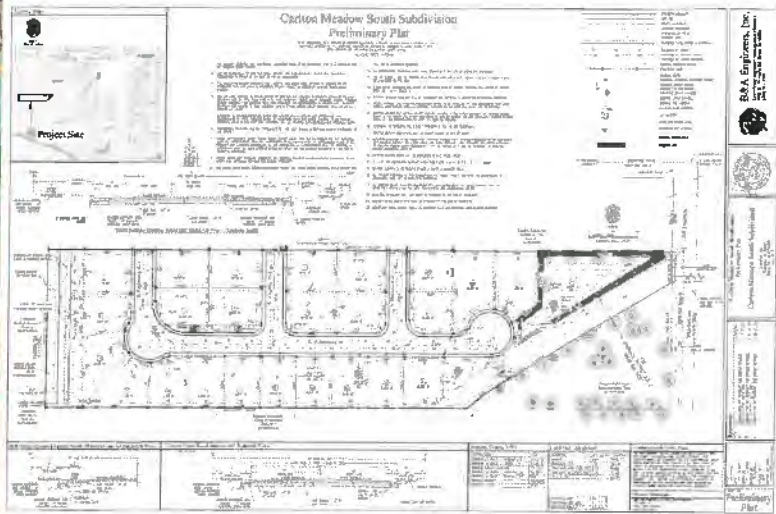
Exhibit “A”



STAFF REVIEW AND REPORT

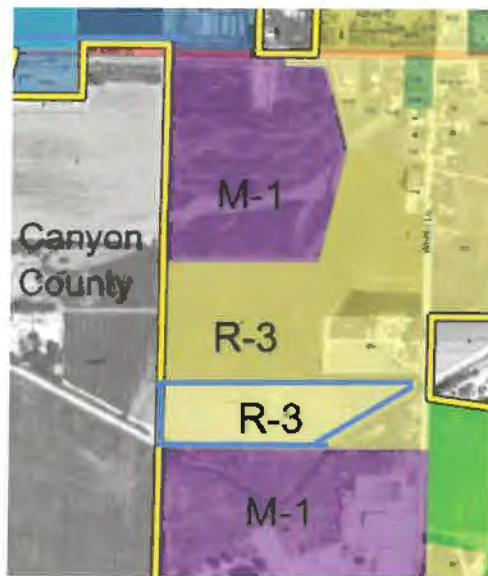
Middleton Planning and Zoning Commission

Carlton Meadows South Subdivision



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

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

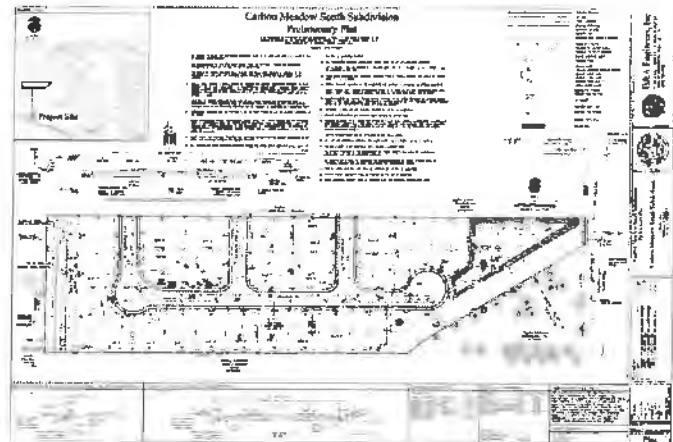


- E. City Services:** City water and sewer are located in Whiffin Lane at the north east corner of the project and in Hartley Road to the north west. Water and sewer will connect from the Carlton Meadows Subdivision directly adjacent to the north.



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

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



The Developer will construct their $\frac{1}{2}$ road section and frontage of Hartley Road per Middleton City Code. Each residential building permit will be assessed a Transportation Impact Fee (currently \$5,050.00 x 24 for a total of \$121,200.00) to go towards the City roads and intersection improvements.

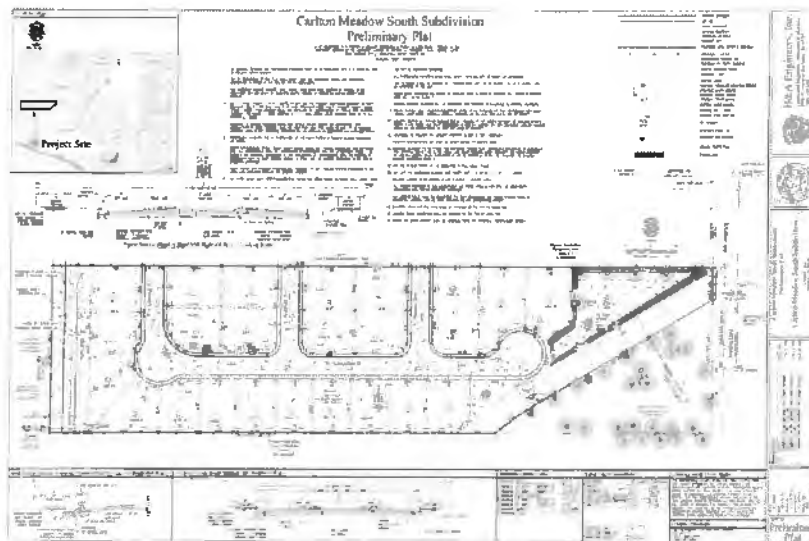
- G. Pathway, Sidewalks & Open Space:** The developer will be required to construct a landscape buffer west along Hartley Road. A pathway to a sitting area will be located in the park by the irrigation ditch.

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

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

FINDINGS:

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



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

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



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

- a. *Goals 3 and 23:* The project provides safe vehicle and pedestrian facilities in light of the street improvements and sidewalks shown on the preliminary plat.
- b. *Goals 4 and 5:* The project will establish a good quality of life with development that pays through impact fees and property taxes for the public services it receives when infrastructure is installed. Additionally, quality lots for residential use increase the quality of life and general welfare of the city.
- c. *Goal 11:* The housing type matches the residents' lifestyle in the area the project is located and is an in-fill improvement project.

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

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

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

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

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

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

P. Applicable Codes and Standards:
Idaho Code Secs., 67-6503, 67-6509, 67-6511, 67-6513, 50-1301 through 50-1329. Idaho Standards for Public Works Construction, the Middleton Supplement to the Idaho Standards for Public Works Construction.
Middleton City Code 1-14, 1-15, 5-1, 5-3, and 5-4.

T. Conclusions and Recommended Conditions of Approval:

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

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

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

As to Conclusions of Law, Planning Staff finds that the Planning & Zoning Commission has the authority to hear this application and to recommend approval or denial of this application. Additionally, Planning Staff notes that all public notice requirements were met. Planning Staff further set forth the portions of the Idaho State Code and Middleton Code to be considered in making a recommendation on the applications. If the public hearing is held and conducted in compliance with Idaho State Statute and the Middleton City Code, then the Commission may accept these conclusions of law by passing a motion to accept the conclusions of law set forth in the staff report and public hearing.

If the Commission is inclined to recommend approval of the application based upon the above *General Facts and Conclusions of Law*, then Planning Staff recommends that any approval be subject to the following conditions:

1. City of Middleton municipal domestic water, fire flow and sanitary sewer services are to be extended to serve the subdivision.
2. All City Engineer review comments are to be completed and approved.
3. All requirements of the Middleton Rural Fire District approved by the City are to be completed and approved.
4. Sewer and water capacity to be reserved at the time the City approves the construction drawings for the project.

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

Prepared by Planning Deputy Clerk, Jennica Reynolds

Dated: 1/5/2022

Exhibit “A”

Exhibit “B”



December 13, 2021

TO: Jennica Reynolds, Planner

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

A handwritten signature in blue ink, appearing to read "Amy Woodruff", is placed over the printed name.

RE: CARLTON MEADOWS SOUTH PRELIMINARY PLAT

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

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



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



CITY OF MIDDLETON

P.O. Box 487 | 1103 W Main Street, Middleton, ID 83644

Tel (208) 585-3133 | Fax (208) 585-9601

citmid@middletonidaho.us | www.middleton.id.gov

PLANNER COMMENTS – Carlton Meadows South Preliminary Plat

December 14, 2021

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

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

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

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

Jennica Reynolds

Middleton City Deputy Clerk, Planning



CITY OF MIDDLETON

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

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

December 16, 2021

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

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

Jennica Reynolds

Middleton City Deputy Clerk, Planning

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

Nick,

Per our conversation please change the following:

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

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

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

Happy Holidays,

Jennica Reynolds

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

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

Jennica,

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

Thanks

Best Regards,

Nick LaCross

Centurion / B&A Engineers, Inc.

Project Manager

208.343.3381 x 219

nplacross@centengr.com



Exhibit “C”

MIDDLETON RURAL FIRE DISTRICT



Carlton Meadow South Subdivision

STAR FIRE PROTECTION DISTRICT

DATE: January 5, 2022

TO: Middleton City Planning & Zoning
Middleton City Council

FROM: Victor Islas, Deputy Chief

SUBJECT: Fire District Review

PROJECT NAME: Carlton Meadow South Subdivision

Fire District Summary Report:

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

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

Accessibility: Roadway Access, Traffic, Radio Coverage

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

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

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

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

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

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

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

MIDDLETON RURAL FIRE DISTRICT



Carlton Meadow South Subdivision

STAR FIRE PROTECTION DISTRICT

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

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

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

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

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

Specialty/Resource needs:

No specialty/resources will be needed for this development.

Water Supply:

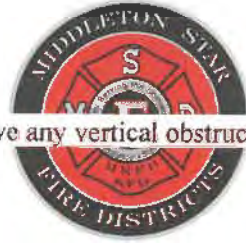
Water supply requirements will be followed as described in Appendix B of the 2018 International Fire Code unless agreed upon by the Fire District.

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

(208) 286-7772

**11665 W. STATE ST., SUITE B
STAR, IDAHO 83669**

MIDDLETON RURAL FIRE DISTRICT



Carlton Meadow South Subdivision

STAR FIRE PROTECTION DISTRICT

- d. Fire hydrants shall not have any vertical obstructions to outlets within 10'.
- e. Fire hydrants shall be placed 18" above finished grade to the center of the Storz outlet.
- f. Fire hydrants shall be provided to meet the requirements of the Fire District and City of Middleton Standards.
- g. Show all proposed or existing hydrants for all new construction or additions to existing buildings within 1,000 feet of the project.

Inspections:

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

Additional Comments:

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

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

Exhibit “D”



CITY OF MIDDLETON

P.O. Box 487, 1103 W. Main St., Middleton, ID 83644
208-585-3133 Fax (208) 585-9801
citmid@middletontcity.com
www.middletontcity.gov



December 21, 2021

Roy Bowman

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

To Landowners and Occupants:

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

Application by D&N Investments, LLC and B&A Engineers, Inc for preliminary plat with respect to the Carlton Meadows South Subdivision located at 851 Whiffin Lane (Tax Parcel No. R17610025A) zoned R-3 (Single Family Residential). The proposed preliminary plat consists of 24 single-family homes and 3 common lots on 8.56 acres.

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

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

Sincerely,

Jennica Reynolds

Middleton City
Deputy Clerk, Planning

FAX:

1-208-454-7349

R17610025A

0

1 208 454 7431

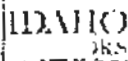
821

ADDENDUM # 1

(All addendums shall be numbered sequentially.)

JULY 2, 1993 EDITION
Page 1 of 1

RE-11 ADDENDUM



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



Today's Date:

5/25/2021

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

n/a

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

AGREEMENT DATED:

1/8/2021

ID #

98758820

ADDRESS: TBD Whiffin Lane

Middleton

ID

83844

BUYER(S): DAN Investments, LLC

SELLER(S): Roy Bowman

Marsha Bowman

The undersigned parties hereby agree as follows:

- Section 2 - Purchase price to be \$600,000 (Six Hundred Thousand Dollars).
- Section 3A - Buyer to release \$10,000 earnest money currently held by First American Title to Sellers - Roy & Marsha Bowman. Additional \$40,000 to be released as a Cashier's Check made out to Roy & Marsha Bowman.
- Attached legal description and plat to be included as Exhibit B.
- Buyer reserves the right to update the legal description and extend the South/East property line along the ditch bank, but no farther than to the center of the ditch, and at no expense to the sellers.

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

BUYER: Dave Bulch

5/25/2021 3:44:26 PM EDT

Dave Bulch DAN Investments, LLC

Date:

BUYER:

Date:

SELLER:

Roy Bowman

Date:

SELLER:

Marsha Bowman

Date:

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JULY 2019 EDITION

RE-11 ADDENDUM

Page 1 of 1

This form was prepared by Scott Dykstra | Coldwell Banker Tomlinson- Davidson | scott@cbtd.com | 208-471-1133

Thence 88°26'21"W, 804.79 feet along the southerly boundary of said Lot 12 to the southwest corner of said Lot 12;

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

Thence N89°28'12"W, 1,902.82 feet along the northerly boundary of said Lot 12 to the Point of Beginning.

Comprising 7.88 acres, more or less.

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

This description has been prepared from information of record shown on Record of Surveys 2014-022132 and 2018-014654 within the office of the Canyon County, Idaho, Recorder. The basis of bearing is based upon Record of Survey 2018-014656. A new survey specific to this description has not been performed by the Professional Land Surveyor executing this description.



Sellers: Ray Brown DATE 5/26/21
Ray Brown
Carole Brown DATE 5/26/21
Carole Brown

Buyer: Dave Bulch DATE _____
Dave Bulch

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

Page 2 of 2

Proud to be Serving the
Pacific Northwest for 100 Years

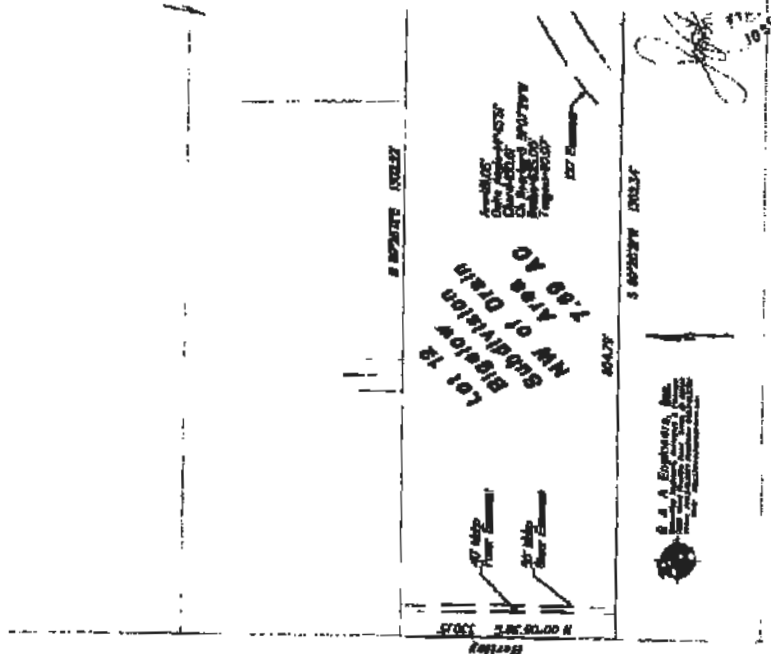


EXHIBIT “F”

City Engineer Recommendation Letter



Middleton City Council

Findings of Facts, Conclusions of Law, and Decision & Order

In the Matter of the Request of D&N Investments, LLC and B&A Engineers, Inc for Preliminary Plat with respect to the Carlton Meadows South Subdivision located at 0 Whiffin Lane (Tax Parcel No. R17610052A0):

A. Findings of Fact:

1. Hearing Facts: See Staff Report for the hearing date of February 16, 2022, which Report is attached hereto as Exhibit "1" and incorporated herein by this reference.
2. Process Facts: See Staff Report for the hearing date of February 16, 2022, Exhibit "1".
3. Application and Property Facts: See Staff Report for the hearing date of February 16, 2022, Exhibit "1".
4. Required Findings per Middleton City Code 1-14-2(E)(7), Idaho State Statue Title 67, Chapter 65, and Title 50, Chapters 13; Idaho Standards for Public Works Construction and Middleton Supplement thereto; and Middleton City Code 1-14, 1-15, 5-1, 5-3, and 5-4: See Staff Report for the hearing date of February 16, 2022, Exhibit "1".

B. Conclusions of Law:

1. That the City of Middleton exercised the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. That due consideration has been given to the comments received from the governmental subdivisions providing services in the City of Middleton planning jurisdiction, comments received from individuals of the public, and comments from City Planning Staff and City Engineer.
3. That notice of the application and public hearing was given according to law.
4. That City Council's public hearing was conducted according to law, and the City has kept a record of the application and related documents.
5. That codes and standards applicable to the application are the Idaho Standards for Public Works Construction, the Middleton Supplement to the Idaho Standards for Public Works Construction, and Middleton City Code 1-14, 1-15, 5-1, 5-3, and 5-4 and Idaho State Code Secs., 67-6503, 67-6509, 67-6511, 67-6513, 50-1301 through 50-1329.
6. That public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
7. That this approval is subject to the Conditions of Approval set forth in the attached Staff Report for the hearing date of February 16, 2022, Exhibit "1".

C. Decision and Order:

Pursuant to the City Council's authority as provided in Middleton City Code 1-5-2, and based upon the above Findings of Facts and Conclusions of Law, it is hereby **decided and ordered:**

1. The application of D&N Investments, LLC and B&A Engineers, Inc for Preliminary Plat with respect to the Carlton Meadows South Subdivision is approved subject to the conditions of approval set forth in the Staff Report for the February 16, 2022 public hearing on the matter. (Exhibit "1")

WRITTEN RECOMMENDATION APPROVED ON: February ____, 2022.

Steven J. Rule
Mayor, City of Middleton

Attest:

Jennica Reynolds
Planning and Zoning Department

ESTIMATE

Integrity Inspection Solutions, Inc.

Cell: 208-960-2883
Office: 208-442-4470
Fax: 844-351-6902

204 S Dudley Ln Nampa, ID 83687
integrity@iispipeline.com

CUSTOMER
City of Middleton

DATE
11/15/2021

PHONE

SALESPERSON
Richard Mason

PROJECT
Middleton - Ridleys
lateral Abandonment

PREPARED BY:
Richard Mason

ATTENTION
Terrell

PAYMENT TERMS
Net 30

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
8	15" flow through packer to plug lateral temporarily - Laborer to monitor flow while the packer is in the line.	\$150.00	\$1,200.00
1	Trip Charge	\$50.00	\$50.00
1	CCTV Van to make sure the packer is in place	\$250.00	\$250.00
1	Traffic Control Sinage	\$250.00	\$250.00
			\$0.00
	Permanent Abandonment		\$0.00
1	Installation of 15"X48" CIPP repair over existing lateral	\$3,500.00	\$3,500.00
1	Traffic Control Sinage	\$250.00	\$250.00
1	Trip Charge	\$50.00	\$50.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
		TOTAL	\$5,550.00

THIS PROPOSAL INCLUDES THE CONDITIONS NOTED:

Owner must provide clear access to the upstream and downstream manholes. • Integrity Inspection Solutions is not responsible for any Traffic Control, Bypass Pumping or Permitting unless otherwise stated in the proposal portion of this document

Date _____

Sign Below to Accept Quote:

Authorized Rep.

Public Works Contractors License Number 036543-C-4

Thank You For Your Business

2/4/22 JVK NOTE: RECOMMEND FOR APPROVAL. THIS IS TO
REPAIR AN INFILTRATION ISSUE IDENTIFIED IN THE
PHASE II CCTV INSPECTIONS. THE ISSUE APPEARS TO BE
AN ABANDONED SIDE SEWER BENEATH S. MIDDLETON ROAD
[BUDGET CODE 61-435-353]



Cell: 208-960-2883
Office: 208-442-4470
Fax: 844-351-6902

CUSTOMER
City of Ketchum

DATE
7/16/2021

PHONE

SALESPERSON
Richard Mason

PROJECT
UV CIPP Sewer Lining

PREPARED BY:
Richard Mason

ATTENTION

PAYMENT TERMS
Net 30

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
350	Installation of up to 350ft of 8"X3.6mm CIPP Liner Manhole to Manhole - Includes everything listed below.	\$90.00	\$31,500.00
1	Mobilization and Traffic Control	\$2,500.00	\$2,500.00
1	Service Reconnection	\$2,000.00	\$2,000.00
	Note: We would need (1) day to install CIPP Liner each section and (1) day to prep/clean pipe. We will need good access at both ends of this pipe.		\$0.00
8	Low Flow bypass - Plugging of the line to block any residual flow	\$235.00	\$1,880.00
	Note: we will need access onto the property in a couple areas and the Owner will be responsible for restoration. We will be driving a skidsteer and a telehandler only where needed and will do our best to keep damage minimal.		\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
		TOTAL	\$37,880.00

Owner must provide clear access to the upstream and downstream manholes. • Integrity Inspection Solutions is not responsible for any Traffic Control, Bypass Pumping or Permitting unless otherwise stated in the proposal portion of this document.

Date _____

Sign Below to Accept Quote:

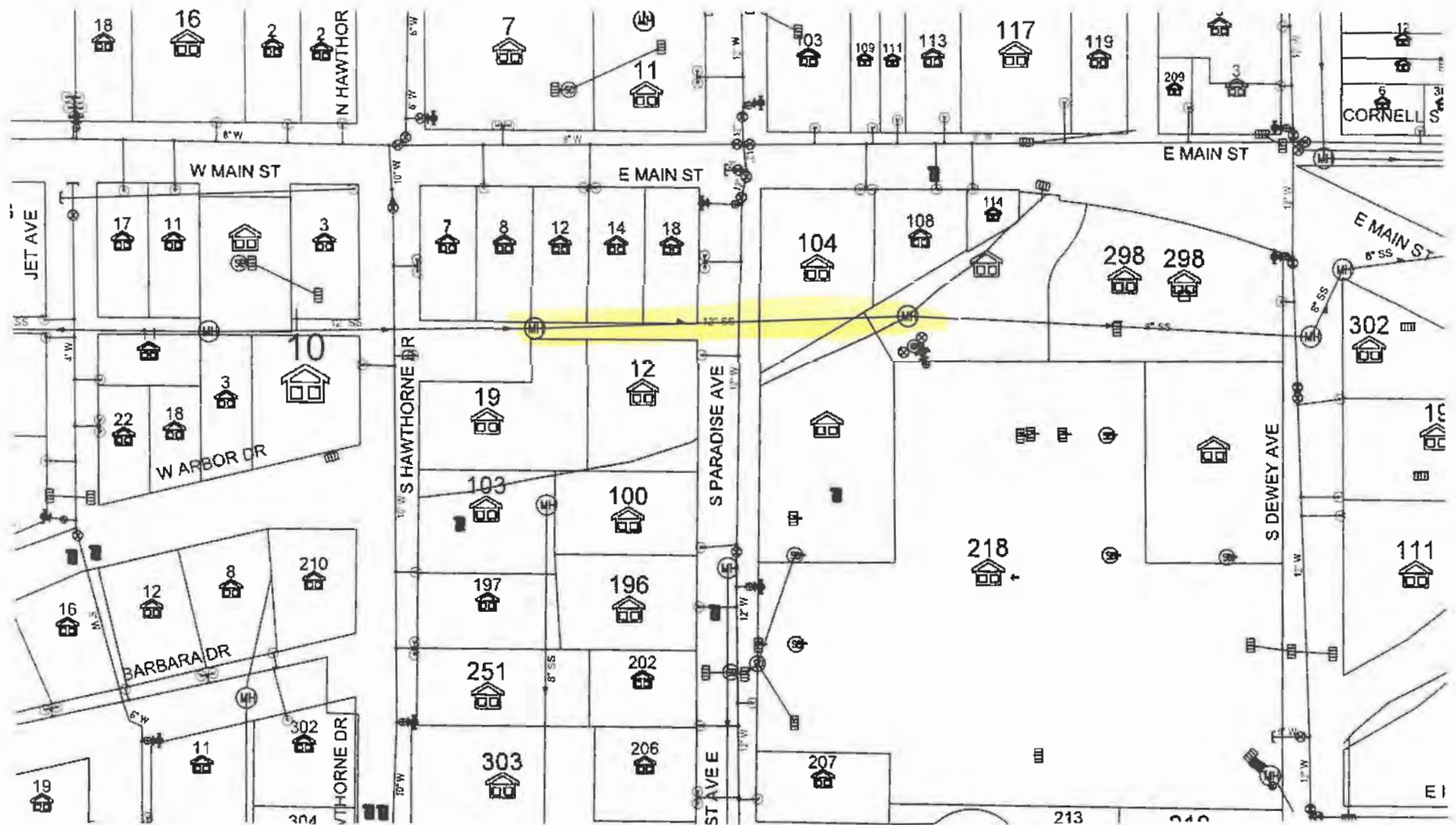
Authorized Rep

Public Works Contractors License Number 036543-C-4

Thank You For You Business

Z/4/22 JVG NOTE: SLOPING OF PIPE MANHOLES 4130-4131
CROSSING S. PARADISE AVENUE ~~BETWEEN~~ SOUTH OF MAIN STREET.
THIS SECTION WAS IDENTIFIED AS HAVING HIGH INFILTRATED
RATES DURING THE PHASE II CCTV INSPECTIONS.
[61-435-353]

JVh SKETCH
2/1/22





Customer Name: Middleton, City of
Billing Address: 1103 W. Main St.
City/State/Zip: Middleton, ID 83644
Shipping Name: Middleton, City of
Shipping Address: 786 Wiffin Ln
City/State/Zip: Middleton, ID 83644
Email: lgordon@middletoncity.com
Phone: (208) 585-3133

Salesman: Mike Medici
Attn: Jeremy Hammar
Subject:
PO:
Ship VIA:
FFA:

Sales Order
Version 2.4.2
Date: 2/3/2022

Accept Partial Shipments:

Section	Meter Type	Meter Size	Register Units	Register Options	Qty	Unit Price	Extended Price	Annual Maintenance	List Price
Section	Register/ETR Options	Register Shroud	Register Lid	Bottom Type	Part Number	Notes			
Section	Fire Hydrant Meter	Handle Options	Registration	Inlet Connection	Qty	Unit Price	Extended Price	Annual Maintenance	List Price
Section	Outlet Connection	FHM Add-ons							
Section	Description				Qty	Unit Price	Extended Price	Annual Maintenance	List Price
2	Flanges/Gaskets/Bolts/Kits						\$0.00	\$0.00	
3	Radio Interface Units						\$22,500.00	\$0.00	
3.1	Stealth 2 w/5' Bare Wire (ST2BW) "Stealth 2 Bare Wire"			PHY B4D2B4D2	300	\$75.00	\$22,500.00		
4	Handheld / Cradle / Accessories						\$0.00	\$0.00	
5	Stealth AMI System Hardware and Infrastructure						\$0.00	\$0.00	
6	Software						\$0.00	\$0.00	
7	Project Management Installation/Training						\$0.00	\$0.00	
8	Accessories and other Items						\$609.00	\$0.00	
8.2	Stealth pit install kit (S-PIT-INSTALLKIT)				300	\$2.03	\$609.00		
9	Hydrant Meter Accessories						\$0.00	\$0.00	
Total System Cost and Annual Maintenance							\$23,109.00	\$0.00	

300 METERS

23,109⁰⁰

CODE 60-434-530 CAPITAL OUTLAY

(ITEM #02 NEW ~~METER~~ CONSTRUCTION METERS)
\$60,000 IN BUDGET.

2-3-22 JVH NOTE: RECOMMEND FOR APPROVAL.

John

APPENDIX 1.7

REQUEST FOR WORK PROJECT

From: [insert legal name of agency] City of Middleton
To: Director of Highways, Canyon Highway District No. 4
Project No. _____
Fiscal Year: FY 2022

Scope of Work: [describe in detail]
As described in Exhibit A & B (attached)

Reasonable Compensation to be paid by Agency: \$ 234,448.52

Dates tentatively recommended for Work Project services by Highway District:
February 22 - March 2022

Submitted by: Jason VanGilder [insert name and position of Agency Public Works Director official], City of Middleton [insert legal name of agency]

Recommendation of Director of Highways, Canyon Highway District No. 4

[Director of Highways initials the appropriate action]

_____ Agreeable as submitted:

or

_____ Director of Highways requires the following changes:

Changes to Scope of Work:

Changes in reasonable Compensation:

Submitted to Highway District Commissioners by Director of Highways: _____ [initials]

Agreed by Agency: _____

Acceptance of Work Project by Highway District Commissioners

The Highway District agrees to perform the Work Project as set forth above, including any changes set forth.

By: _____ Dated: _____
Chairman, Board of Commissioners

Inspection and Acceptance: The Parties hereby stipulate that certain contingencies may arise from time to time during the operation of this contract and agree that a good faith effort will be made by both Parties to settle any controversies or disputes which arise due to said contingencies.

Item Number	Item	Quantity	Units	Unit Price	Estimate Total	Actual Quantity	Unit Price	Actual Total	Comments
1	Mobilization	1	LS	\$8,807.80	\$8,807.80	0	\$8,807.80	\$0.00	
2	Demo/Haul off	440	CY	\$20.86	\$9,178.40	0	\$20.86	\$0.00	
3	SWPPP	1	LS	\$6,087.00	\$6,087.00	0	\$6,087.00	\$0.00	
4	Traffic Control	1	LS	\$5,775.00	\$5,775.00	0	\$5,775.00	\$0.00	
5	Mass Excavation	2,100	CY	\$16.85	\$35,385.00		\$16.85		
6	Saw Cutting	1,100	LF	\$2.10	\$2,310.00	0	\$2.10	\$0.00	
7	S&G Traps	4	Each	\$4,490.61	\$17,962.44				Used Unit Price from 8/23/21 estimate
7	Catch Basin	4	Each	\$4,415.32	\$17,661.28				
8	Curb & Gutter & Ribbon	1,025	LF	\$33.32	\$34,153.00				
9	Subbase	16,700	SF	\$2.05	\$34,235.00		\$2.05		
10	Base	16,700	SF	\$1.20	\$20,040.00		\$1.20		
11	Asphalt	16,700	SF	\$2.27	\$37,909.00				Used Unit Price from 9/10/20 estimate @ 92% compaction assumed density 150
12	Signs and Striping	1		\$1,575.00	\$1,575.00	0	\$1,575.00	\$0.00	
13 (7)	S&G Trap Labor	120	MHRS	\$24.93	\$2,991.60		\$24.93		Used from 8/23/21 estimate
14 (8)	Misc Repair	18	LF	\$21.00	\$378.00		\$21.00		
15	Additional Costs Reserved by CHD4								

TOTAL CASH DEPOSIT FROM VALHALLA **\$234,448.52** **CONSTRUCTED TOTAL**

REFUND (TOTAL CASH DEPOSIT-CONSTRUCTED TOTAL)

Notes

() references item number from 8/23/21 estimate

Asphalt quantity determined by CAD based on CHD4 topo and Valhalla Plans:

Section line to Exist EP	Section line to Saw Cut	Total asphalt widening from section	New Asphalt Width
9'	7'	23'	16'

Subbase and base quantity determined by CAD based on CHD4 topo and Valhalla Plans:

Section line to Exist EP	Total widening from section line to TBC	New Subbase/Base Width
9'	25'	16'