

Middleton Planning & Zoning Commission

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



In the Matter of the Request of Aaron Gross, Value Land, LLC and JP Wagoner Planning for Preliminary Plat with respect to the Artesian Springs Subdivision located at 10348 Hwy 44 (Tax Parcel No. R33916):

A. Findings of Fact:

1. Hearing Facts: See Staff Report for the hearing date of December 6, 2021 and 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 December 6, 2021 and January 10 2022, Exhibit "A".
3. Application and Property Facts: See Staff Report for the hearing date of December 6, 2021 and 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 December 6, 2021 and 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, 67-6513, 67-6511, 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 December 6, 2021 and 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 Aaron Gross, Value Land, LLC and JP Wagoner Planning for Preliminary Plat with respect to the Artesian Springs Subdivision subject to the conditions of approval set forth in the Staff Report for the December 6, 2021 and 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:

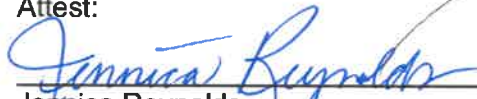

Jennica Reynolds
Planning and Zoning Department

Exhibit "A"

Staff Report Dec 6, 2021 Hearing
Staff Report January 10, 2022 Hearing



STAFF REVIEW AND REPORT Middleton Planning and Zoning Commission

Artesian Springs Subdivision

Snapshot Summary



- A. **Planning & Zoning Commission Hearing Date:** December 6, 2021
- B. **Project Description:** Residential subdivision with 40 buildable lots and 7 common lots on 13.56 acres of vacant land zoned R-3 (Single Family Residential) located at 10348 Hwy 44 (Tax Parcel No. R33916)
- 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:** Currently, city water and sewer are located immediately south in SH44.



Water 

Sewer 

An 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.

- F. **Traffic, Access & Streets:** Access to the subdivision is proposed west connecting into Mulligan Street (shown by yellow line below). There are only 40 buildable lots proposed and according to MCC (5-4-10-2K) no secondary access is required. There will be one loop road throughout the entire subdivision, with a stub road at the northwest border of the property. This stub road will provide for future connectivity to the north.



The property owner (Martins) to the north of the project claim an access easement or license across the applicant's property to the south. The Applicant claims it has terminated that access. 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 that Applicant owns the property, which obligation the City has fulfilled, and forward the application through public hearing process.

However, Applicant has failed to show the easement in issue on the preliminary plat. MCC 5-4-4-(A)(2h) requires that all easements be shown on the plat. Staff recommends that any recommendation for approval of this preliminary plat be subject to the condition that the easement (Instrument #9827345) be shown on the current preliminary plat.

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

- G. Pathway, Sidewalks & Open Space:** The developer will be required to construct a landscape buffer south along SH44 and large meandering sidewalk to match the frontage buffer already existing to the west and east of the project. Applicant's preliminary plat is in compliance with the Transportation, Schools and Recreation Map.

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

- H. Middleton Rural Fire District:** The subject property is in the Middleton Rural Fire District. The District has not commented on the preliminary plat as of yet. As a condition of approval, the preliminary plat will be subject to compliance with the District's comments.
- 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 will not adversely affect the City's ability to deliver services. And, as will be shown in more detail in section K below, Planning Staff finds that the preliminary plat is in harmony with the City's Comprehensive Plan. (A copy of the preliminary plat and landscape plan is attached as Exhibit "A")

- J. Comprehensive Plan:** Applicant's project complies with the *Goals, Objectives, and Strategies* of the 2019 Middleton Comprehensive Plan as follows:
- Goals 3 and 23:** The project provides safe vehicle and pedestrian facilities in light of the street improvements and sidewalks shown on the preliminary plat.

- 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 Received from Surrounding Landowners: Exhibit "C"
Steve Walker – Board President - Greenlinks Homeowners Association letter dated 11/8/2021

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

Mike & Joan Walker letter dated 11/8/2021

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

Gary & Rebecca Martin emailed letter with Easement and License Agreements dated 12/2/2021

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

M. Comments from Agencies: Exhibit "D"
 Canyon County Water Company 11-29-2021 – Tentatively to approve plan to pipe the ditch, after the required license agreement is acquired.

N. Applicant Information: Application was received and accepted on June 29, 2021. The 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.

O. Notices:	Dates:
Neighborhood Meeting	6/17/2021
Newspaper Notification	10/24/2021
Radius notification mailed to Adjacent landowners within 300'	10/22/2021

Circulation to Agencies

10/22/2021

Sign Posting property

10/22/2021

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

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 one 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 findings of facts and conclusions of Law.

As to Findings of Facts, Planning Staff has set forth findings of facts as stated above. If the Commission agrees with those findings of facts and agrees with the testimony and evidence presented at the public hearing, the Commission needs to make a motion to accept those findings of 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 *Findings of 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 are to be completed and approved.
6. Developer must show on the preliminary plat the easement that was created by Quit Claim (Instrument #9827345).
7. License agreement granting access over irrigation easement connecting Mulligan Street to Artesian Ave must be recorded prior to final plat approval.
8. 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: 12/3/2021

EXHIBIT "A"

Preliminary Plat under review

Target Value	Area	Perimeter	Top
EOC1	1.0	4.0	578
EOC2	1.1	4.2	579
EOC3	1.2	4.4	580
EOC4	1.3	4.6	581
EOC5	1.4	4.8	582
EOC6	1.5	5.0	583
EOC7	1.6	5.2	584
EOC8	1.7	5.4	585
EOC9	1.8	5.6	586
EOC10	1.9	5.8	587
EOC11	2.0	6.0	588
EOC12	2.1	6.2	589
EOC13	2.2	6.4	590
EOC14	2.3	6.6	591
EOC15	2.4	6.8	592
EOC16	2.5	7.0	593
EOC17	2.6	7.2	594
EOC18	2.7	7.4	595
EOC19	2.8	7.6	596
EOC20	2.9	7.8	597
EOC21	3.0	8.0	598
EOC22	3.1	8.2	599
EOC23	3.2	8.4	600
EOC24	3.3	8.6	601
EOC25	3.4	8.8	602
EOC26	3.5	9.0	603
EOC27	3.6	9.2	604
EOC28	3.7	9.4	605
EOC29	3.8	9.6	606
EOC30	3.9	9.8	607
EOC31	4.0	10.0	608
EOC32	4.1	10.2	609
EOC33	4.2	10.4	610
EOC34	4.3	10.6	611
EOC35	4.4	10.8	612
EOC36	4.5	11.0	613
EOC37	4.6	11.2	614
EOC38	4.7	11.4	615
EOC39	4.8	11.6	616
EOC40	4.9	11.8	617
EOC41	5.0	12.0	618
EOC42	5.1	12.2	619
EOC43	5.2	12.4	620
EOC44	5.3	12.6	621
EOC45	5.4	12.8	622
EOC46	5.5	13.0	623
EOC47	5.6	13.2	624
EOC48	5.7	13.4	625
EOC49	5.8	13.6	626
EOC50	5.9	13.8	627
EOC51	6.0	14.0	628
EOC52	6.1	14.2	629
EOC53	6.2	14.4	630
EOC54	6.3	14.6	631
EOC55	6.4	14.8	632
EOC56	6.5	15.0	633
EOC57	6.6	15.2	634
EOC58	6.7	15.4	635
EOC59	6.8	15.6	636
EOC60	6.9	15.8	637
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EOC86	9.5	21.0	663
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EOC88	9.7	21.4	665
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EOC90	9.9	21.8	667
EOC91	10.0	22.0	668
EOC92	10.1	22.2	669
EOC93	10.2	22.4	670
EOC94	10.3	22.6	671
EOC95	10.4	22.8	672
EOC96	10.5	23.0	673
EOC97	10.6	23.2	674
EOC98	10.7	23.4	675
EOC99	10.8	23.6	676
EOC100	10.9	23.8	677
EOC101	11.0	24.0	678
EOC102	11.1	24.2	679
EOC103	11.2	24.4	680
EOC104	11.3	24.6	681
EOC105			

Porec Table		
	Lot	Type
	BLOCK 1 Lot 1 OPEN	9799
	BLOCK 1 Lot 2 OPEN	10076
	BLOCK 2 Lot 15 OPEN	4459
	BLOCK 2 Lot 22 OPEN	3223
	BLOCK 2 Lot 27 OPEN	10372
	BLOCK 2 Lot 28 OPEN	1408
	BLOCK 3 Lot 8 OPEN	35943
		1363

Core of Tables		Core	Table	Core	Table
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C3	120	100	120	100	120
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C98	120	100	120	100	120
C99	120	100	120	100	120
C100	120	100	120	100	120

LEADS AND

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TABLES
ARTESIAN SPRINGS SUBDIVISION
VALUE LAND LLC

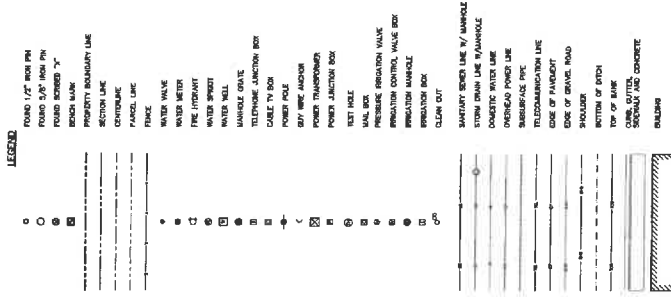
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PROJECT:

5771-28
SUFF

Sheet 1

2

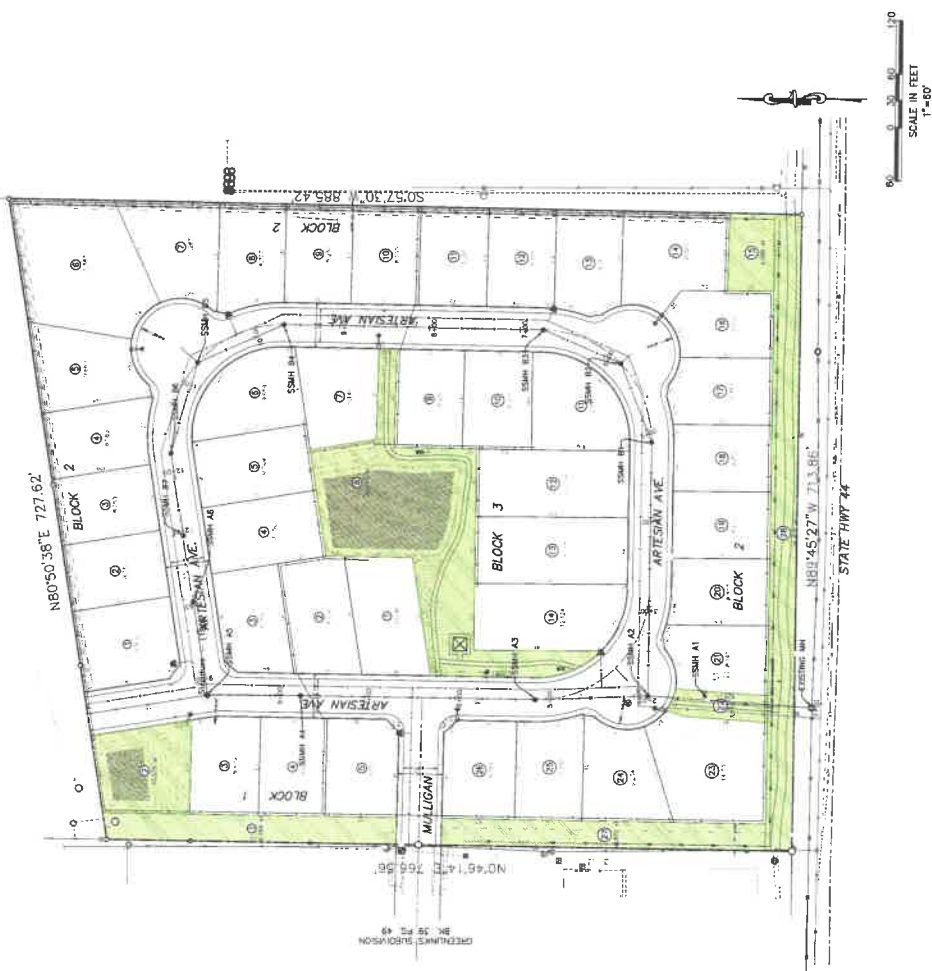


10348 HIGHWAY 44

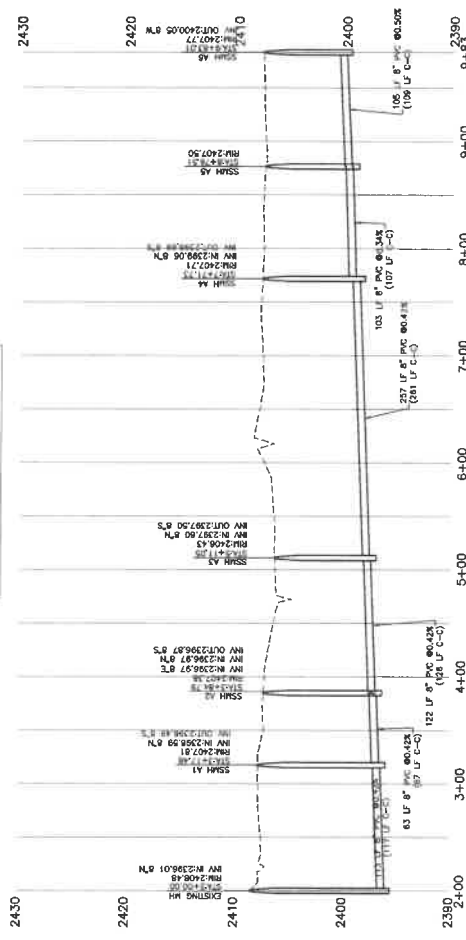
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DATE:	4/27/2021	DATE: 4/27/2021	21-166	1

UTILITY WARNING
THE UNDERGROUND UTILITIES DIVISION HAS LOCATED EXISTING DRAINAGE, SEWER, GAS, AND WATER LINES SHOWN COMPARE ALL INFORMATION WITH THE SURVEYOR FURTHER DOWN THE STREET TO THE EXACT LOCATION INDICATED ON THE MAP. AS POSSIBLE FROM THE INFORMATION PROVIDED, UNDERGROUND UTILITIES HAVE BEEN LOCATED. THESE DRAINAGE, OR ANY OTHER, ARE NOT ON ANY PROJECT OR EXISTING. NO AGREEMENT IN WRITING.

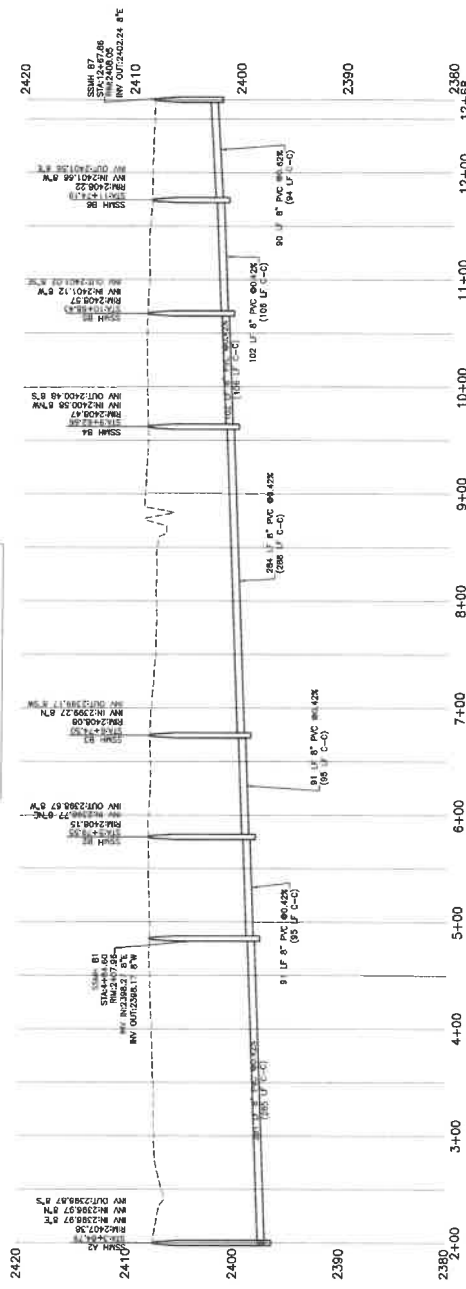
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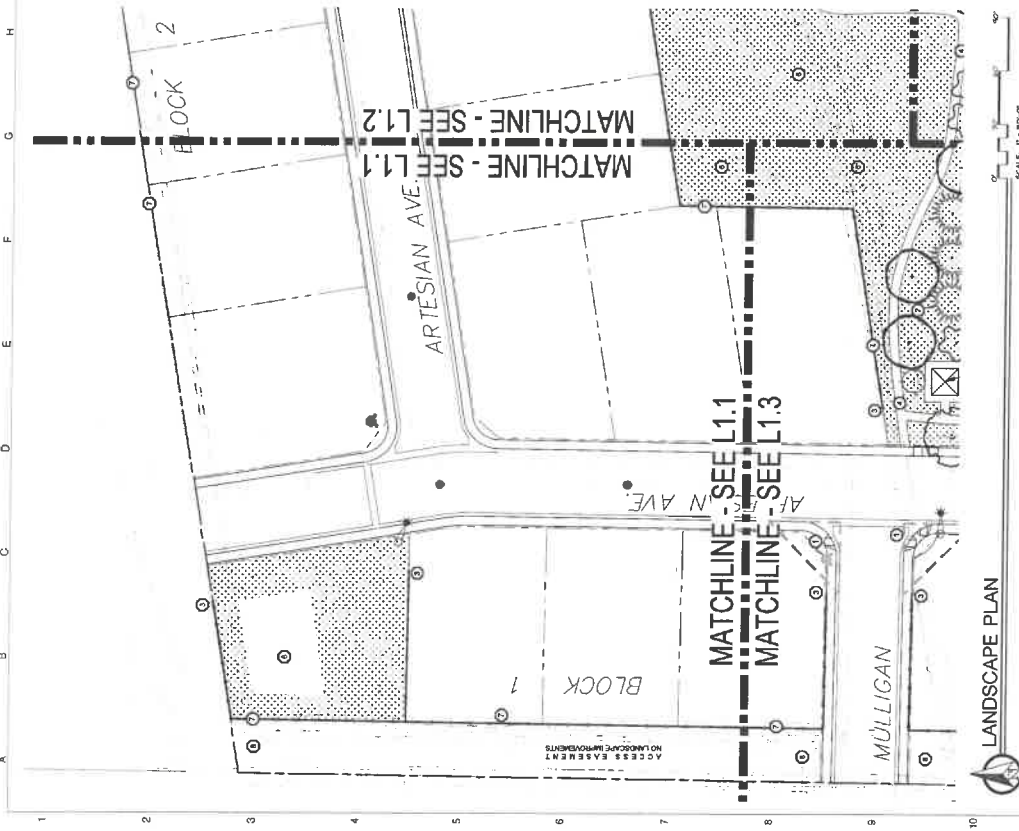


SEWER LINE A PROFILE

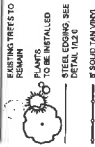


SEWER LINE B PROFILE





LANDSCAPE LEGEND



EXISTING TREES TO REMAIN

PLANTS TO BE INSTALLED

STEEL EDGING, SEE DETAIL 1/26

8" SLOPED TAN VINYL

LANDSCAPE NOTES

- [illegible]

IRRIGATION NOTES:

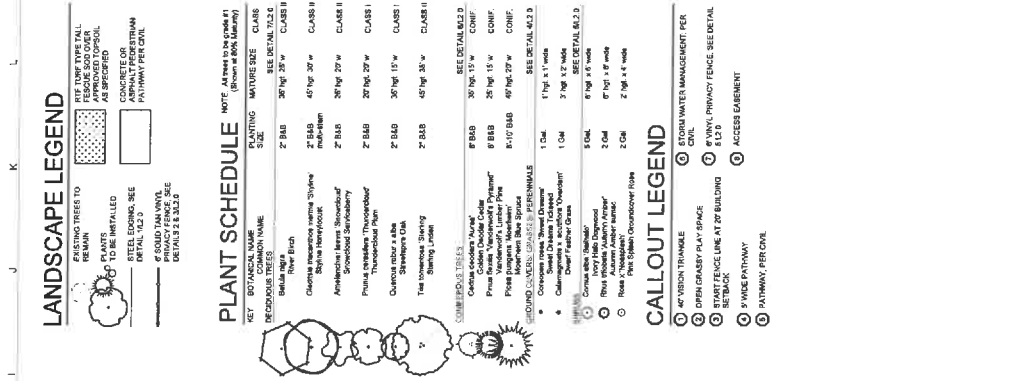
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CALLOUT LEGEND

- | | | | |
|---|--|---|---|
| 1 | 40' VISION TRIANGLE | 6 | STORM WATER MANAGEMENT PER CIVIL |
| 2 | OPEN GRASSY PLAY SPACE | 7 | 4" VINYL PRIVACY FENCE SEE DETAIL 612.0 |
| 3 | START FENCE LINE AT 20' BUILDING SETBACK | 8 | ACCESS EASEMENT |
| 4 | 5' WIDE PATHWAY | | |
| 5 | PATHWAY PER CIVIL | | |

PLANT SCHEDULE

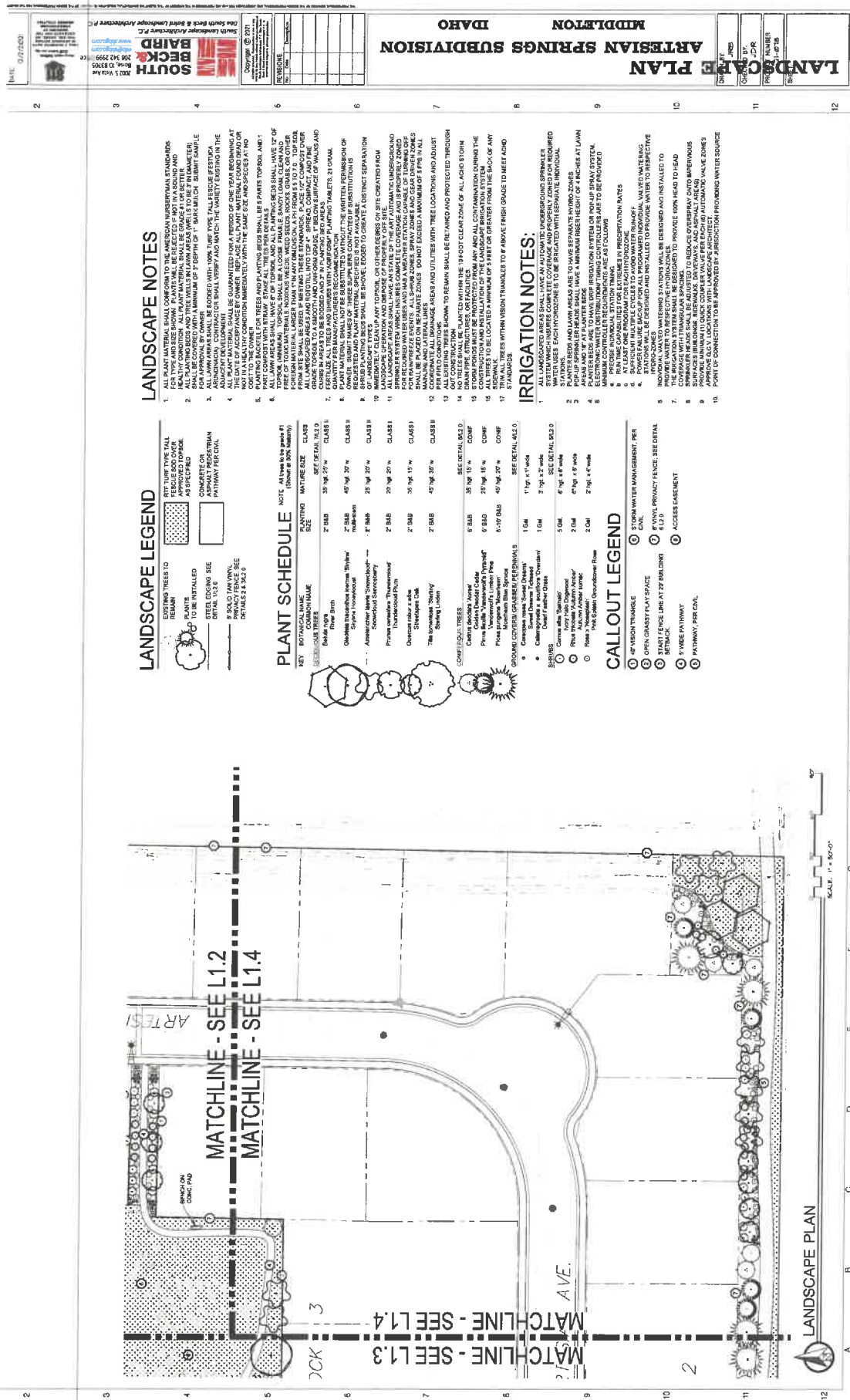
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LANDSCAPE NOTES

[illegible][illegible]

- MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS:
 - a. RUN ON A 24 HOUR STATION TIMING
 - b. RUN ON A 24 HOUR STATION TIMING
 - c. RUN ON A 24 HOUR STATION TIMING
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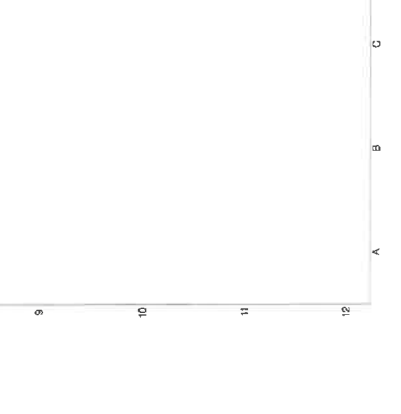
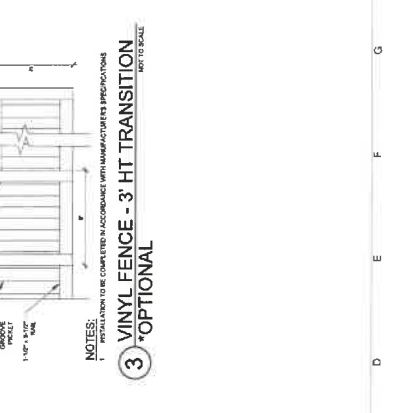
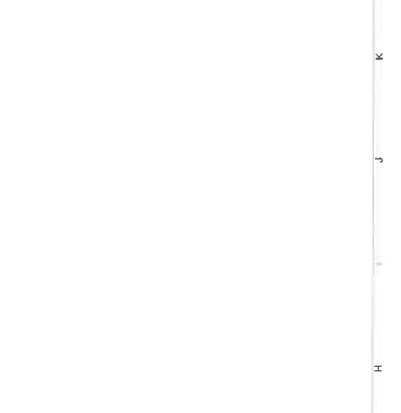
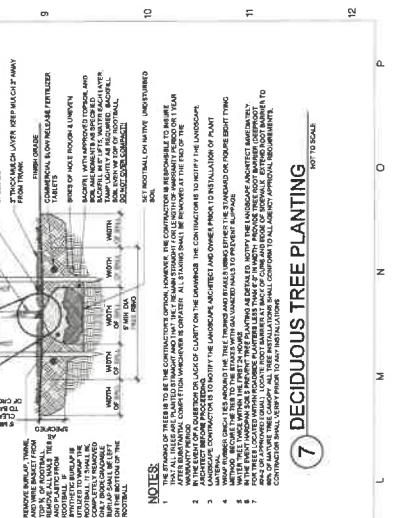
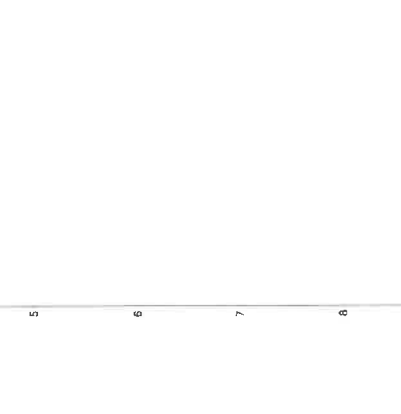
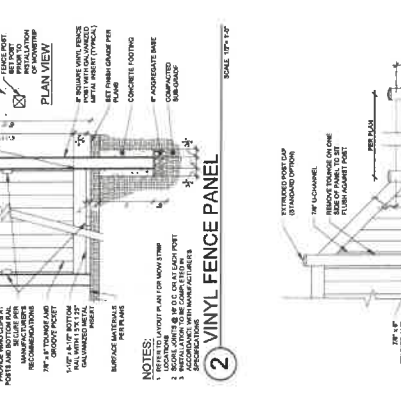
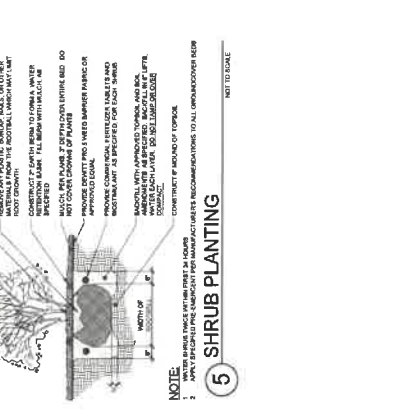
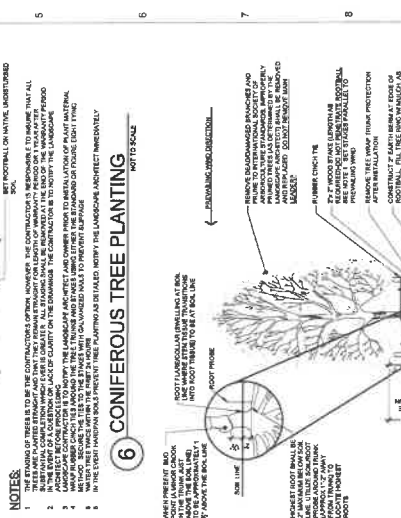
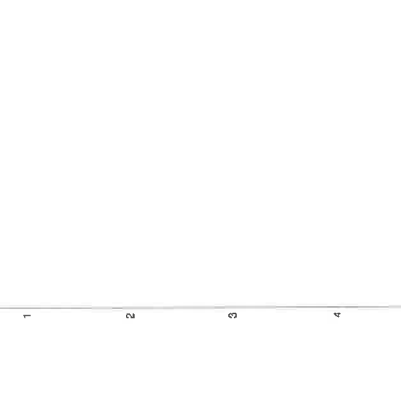
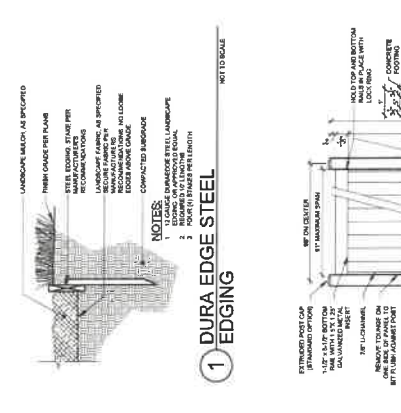
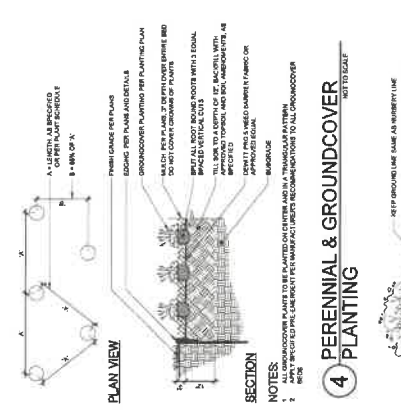
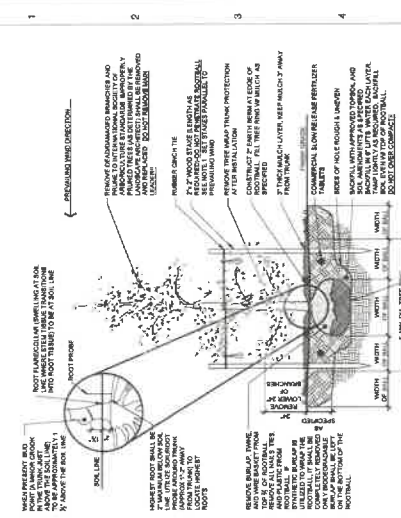


SOUTH BECK & BOLD
LANDSCAPE ARCHITECTURE P.C.
3002 S. VANDERBILT
SIOUX FALLS, SD 57105
605.336.1111
www.southbeckandbold.com

NO.	DATE	DESCRIPTION
1	02/02/2021	ISSUED FOR PERMIT
2	02/02/2021	ISSUED FOR PERMIT
3	02/02/2021	ISSUED FOR PERMIT
4	02/02/2021	ISSUED FOR PERMIT
5	02/02/2021	ISSUED FOR PERMIT
6	02/02/2021	ISSUED FOR PERMIT
7	02/02/2021	ISSUED FOR PERMIT
8	02/02/2021	ISSUED FOR PERMIT
9	02/02/2021	ISSUED FOR PERMIT
10	02/02/2021	ISSUED FOR PERMIT
11	02/02/2021	ISSUED FOR PERMIT
12	02/02/2021	ISSUED FOR PERMIT

ARTESIAN SPRINGS SUBDIVISION MIDDLETON IDAHO

DRAWN BY: JMS
CHECKED BY: JMS
PROJECT NUMBER: 20-010
SHEET: L2.0





PERGOLA SHADE STRUCTURE

Yolo, HTS



1 PICNIC TABLE

See us at 6411



MBE-0720-00020

7



MAGLIN Maglin Engineering
BENCH

Scale: NOT TO SCALE

EXHIBIT “B”

City Engineer & Planner Comments



October 21, 2021

TO: Jennica Reynolds, Planner

Cc: Bailey Engineering, David Bailey, PE

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

RE: **Artesian Springs Subdivision – Preliminary Plat**

Thank you for the opportunity to review the above referenced preliminary plat submittal. We are in receipt of seven pages.

1. **Please condense the plat to fewer pages.**
2. Please add existing zoning information for adjacent parcels.
3. Revise Note 5 to reference Idaho Code and the irrigation district.
4. Dimension irrigation easements (all) and please identify and detail the easement for the irrigation/drainage facility along the east boundary.
5. Please revise Note 6 to specify storm water management to be retention swales.
6. Please extend the 8 inch sewer main at the northwest corner to the north boundary.
7. Please position lights at pedestrian crossings as possible/practical.
8. Connect Artesian Springs water main to the water main in Mulligan Street for looping.
9. Plan to develop and construct a pedestrian pathway along, and parallel to, the SH44 right of way.
10. Add pathway in Lot 26 to connect interior street to SH44.
11. Identify Lot 26 as having a blanket public utility and pathway easement.
12. Irrigation does not co-locate in stormwater management areas or other public utility area. Please think through Lot 8 – perhaps it is blanket public utility/stormwater with a designated area for irrigation.
13. A private lane may be developed to better lot the corners if desired – this would allow the knuckle to be eliminated. Up to 4 lots may front a private lane.
14. Add a note “Subdivision perimeter to be fenced per approved fencing plan” or other similar note stating subdivision perimeter to be fenced.



December 3, 2021

TO: Jennica Reynolds, Planner

Cc: Bailey Engineering, David Bailey, PE

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

RE: Artesian Springs Subdivision – Revised Preliminary Plat

Thank you for the opportunity to review the above referenced preliminary plat submittal. We are in receipt of five pages.

1. **Review notes (all) and update lot/block numbering.**
2. Please add existing zoning information for adjacent parcels.
3. What is going on with irrigation on the east boundary? Is the drain on Artesian property?
4. Lights installed along SH44 as required. You may add a note and finalize going forward.
5. Need to show irrigation point of delivery/pump station location.



CITY OF MIDDLETON

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

PLANNER COMMENTS – ARTESIAN SPRINGS SUBDIVISION

October 19, 2021

1. Provide preliminary drainage calculations.
2. Fire Hydrants and streetlights need to be shown on plat, inside subdivision.
3. Show and call out all irrigation/ditch easements in development.
4. Add note: Any re-subdivision of this plat shall comply with the applicable regulations in effect at the time of the Re-subdivision.
5. Need phasing plan with lot breakdown per phase.
6. Work with City Engineer - Roads need to show a turning radius of minimum of 90 ft. Call out in notes.
7. Add a few benches along walking path as amenity. Call out amenity in notes.
8. Add note to call out common areas by lot and block and state who owns them.
9. Add note: All lots are residential building lots except lots (insert L/B)
10. Add cluster mailbox(s) in common area(s). Call out in notes.
11. Provide name of Avenue that will be the loop road through the entire subdivision. There will not be 4 different road names.
12. Add note: All streets proposed in this development are public streets and shall be constructed in accordance with City of Middleton standards.
13. 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.
14. Add note: Fire protection water shall be provided by the City of Middleton,
15. Add note: Fiber optic to be provided to each lot during Joint Trench construction per the City of Middleton Supplement to the ISPMC.
16. Show all public and private easements on preliminary plat.
17. Vacate Ingress/Egress Easement. Provide agreement showing vacation.
18. Work with City Engineer on irrigation ditch and fence along property line.
19. Add note: Sewer and water capacity shall be reserved when City approves construction drawings.
20. Note 3: Easement can be changed from 15 ft to 10 ft.
21. Will need to construct a landscape buffer and large meandering sidewalk to match the frontage buffer to the west and east.
22. Address any additional comments from City Engineer, MRFD, ITD, Irrigation District.

Jennica Reynolds

Middleton City Deputy Clerk, Planning

EXHIBIT “C”

300’ Landowners Comments



Greenlinks Homeowners Association
133 Greenlinks Avenue
Middleton, ID, 83644

November 8, 2021

Planning and Zoning Commission
City of Middleton

Re: Comments on Preliminary Plat / Artesian Springs Subdivision

Dear Committee Members:

After reviewing the most recently available preliminary plat with respect to the proposed Artesian Springs Subdivision located at 10348 Hwy 44, we have the following comments and requests pertaining to the proposed new development as it impacts existing Greenlinks homeowners and residents.

1. We strongly desire that the proposed new development have it's own separate entrance to Hwy 44 in order to greatly reduce the amount of traffic using the Greenlinks entrance into our neighborhood. The new subdivision will almost double the number of homes accessing our entrance from 43 to 83. Together with the pending new commercial business development on Augusta Street, which will also access Greenlinks Avenue at this sole entrance, the combined increase in traffic using the entrance will quickly become problematic for our residents. It is already strained by the fact that the existing neighborhoods along Cornell Street are using Greenlinks Avenue as a major connector to Hwy 44.
2. If a separate new entrance to Hwy 44 cannot be provided for the proposed new development, the new Artesian Springs HOA should be required to share in the cost of landscaping and maintenance along the entrance to Greenlinks Avenue up to and including the Mulligan Street traffic circle.
3. In consideration of the existing Greenlinks homeowners living immediately adjacent to the new houses on the proposed new development's western border, and who's backyards will now back directly up to these new houses, we strongly request that the design of the houses on these specific lots be restricted to single story homes so as not to completely destroy the backyard privacy of our existing homeowners who currently live in single story homes. We believe this restriction should only impact 3 to 4 of the new houses in the proposed new development as it currently exists.

We thank the Commission for its consideration of these requests.

Sincerely,

Steve Walker
Board President

November 8, 2021

Planning and Zoning Commission

City of Middleton

Re: Comments on preliminary Plat/ Artesian Springs Subdivision

Dear Committee members:

Comments and concerns we have about the addition of the subdivision and access through Greenlinks Subdivision.

- Adding 40 new residences equals at least 80 vehicle trips per day at the intersection of Augusta and Greenlinks through the roundabout. Knowing (by experience) that roughly 30% of vehicles will not properly use the roundabout causes concern for safety. With the proximity to Hwy 44 and people's natural desire to accelerate (above 25 mph) to that point, there will be accidents.
- Suggest adding speed bumps at the intersection going north and from the east.
- Suggest alternate entrance to Artesian Springs from Hwy 44.
- Make Augusta a cul-de-sac with 3 lots. Move entrance to subdivision through lots 20 and 21.
- Suggest using Augusta as the pathway rather than out to Hwy 44 through current lot 32.
- The proposed new subdivision at the north end of Greenlinks will only make the situation worse. Greenlinks was never designed to provide access to hundreds of residents.
- With added traffic, the access to Hwy 44 increases the probability of accidents. Left turn does not have an adequate turn lane. Right turn has to accelerate to 55 mph only to reduce to 45 in ¼ mile. Suggest reducing Hwy 44 to 45 mph, add adequate turn lanes.

We know the growth and adding subdivisions is inevitable but better planning and coordination of projects would be appreciated.

Looking at the Hwy 44 bi-pass plans, the issue of speed control would not be necessary. But, with the recent talk of abandoning the bi-pass and maintaining the current hwy route, speed control would be necessary. Until there is a FINAL decision on the bi-pass and traffic flow/ access through Middleton, we think it is unwise to add ANY additional stress on the current infrastructure.

Mike and Joan Walker

1537 Fairway St.

Middleton, Idaho

From: [Rebecca Martin](#)
To: [Jennica Reynolds](#); [Roberta Stewart](#)
Subject: 12/6 meeting letter
Date: Friday, December 3, 2021 12:45:27 PM

We will be unable to attend the meeting. Please read below into record.

My name is Rebecca Martin. My husband and I own the property located at 10346 Highway 44 in Middleton (Parcel A). We have a 30 foot wide easement across Parcel B, which is the proposed Future Artesian Springs subdivision. Our 30 foot wide ingress/egress easement across the property all the way to Highway 44 was recorded on July 22, 1998 (instrument number 9827345). The proposed plat map submitted by Mr. Gross and/or his representatives contain homes on our current recorded easement. We are not in agreement with this proposed plat map.

There was also a license agreement for an 18 foot wide ingress/egress easement on a portion of the property recorded a June 29, 2011 that was terminated in writing by Mr. Gross on September 3, 2021. This license agreement is completely different than our current 30 foot wide ingress/egress easement from July 22, 1998.

I ask that you deny the proposed plat map for the Artesian Springs subdivision at this time until there is an agreement made between owners of Parcel A and Parcel B, or a plat map is provided that does not effect the current recorded easement.

Thank you for your time!

A

9827345

PC26020

QUITCLAIM DEED

FOR VALUE RECEIVED John P. Hammond and Jean M. Hammond, husband and wife and Doug E. Hammond, a married man who acquired title as a single person

do hereby convey, release, remise and forever quit claim

unto Doug E. Hammond and Mary Ann Hammond, husband and wife

whose address is 16346 Highway 44, Middleton, ID 83644

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

together with their appurtenances.

Dated: July 14, 1998

John P. Hammond

Jean M. Hammond

Doug E. Hammond

STATE OF IDAHO

COUNTY OF CANYON

On this 20 day of July in the year 1998, before me, a Notary Public, personally appeared John P. Hammond and Jean M. Hammond and Doug E. Hammond known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at Caldwell

My commission expires 2/24/01 12/10/98



Back Parcel
+ Easement
Split 1998

EXHIBIT

2

Form No. 1243 (1982)
 NEW STATE Language Consultant

PC 26020

Exhibit "A"

A parcel of land lying in the Northwest Quarter of the Northeast Quarter of Section 8, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Northeast corner, Section 8, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

North 89° 59' 59" West a distance of 1,333.24 feet along the North line of the Northeast Quarter of Section 8, a point being the Northeast corner of Northwest Quarter of the Northeast Quarter of Section 8, the REAL POINT OF BEGINNING of this description; thence continuing along said North line

North 89° 39' 59" West a distance of 718.24 feet to a point; thence South 0° 46' 09" West a distance of 453.47 feet to a point; thence

South 89° 39' 59" East a distance of 716.75 feet to a point on the East line of the Northwest Quarter of the Northeast Quarter of Section 8; thence

North 0° 57' 27" East a distance of 453.48 feet along said East line to the REAL POINT OF BEGINNING.

TOGETHER WITH a 30 foot ingress-egress easement more particularly described as follows:

COMMENCING at the Northeast corner, Section 8, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

North 89° 39' 59" West a distance of 2,051.48 feet to a point; thence

South 0° 46' 09" West a distance of 453.47 feet to the POINT OF BEGINNING of this 30 foot ingress-egress easement; thence

South 0° 46' 09" West a distance of 826.69 feet to a point on the Northerly right-of-way of Highway 44; thence

South 89° 45' 50" East a distance of 30.00 feet along said Northerly right-of-way to a point; thence

North 0° 46' 09" East a distance of 826.64 feet to a point; thence North 89° 39' 59" West a distance of 30.00 feet to the POINT OF BEGINNING of said easement.

REQUESTED
 BY BONER - CALDWELL
 TYPE Deed FEE 6.00

98 JUL 22 PM 4.17
 NED J KERR
 CANYON CNTY RECORDER
 BY [Signature]

RECORDED

9827345

LICENSE AGREEMENT

This License Agreement ("Agreement") is entered into this 13 day of June 2011, by and between Douglas Hammond and Mary Ann Hammond, husband and wife (collectively, "Licensors"), and Gordon St. Clair and Meredith St. Clair, husband and wife (collectively, "Licensees"). Licensors and Licensees are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

RECITALS:

A. Licensors are the owners of real property located in the City of Middleton, County of Canyon, State of Idaho, more particularly described in Exhibit A attached hereto and incorporated herein by this reference ("Parcel B").

B. Licensees are the owners of real property adjacent to Parcel B and located in the City of Middleton, County of Canyon, State of Idaho, more particularly described in Exhibit B attached hereto and incorporated herein by this reference ("Parcel A").

C. Licensees use a roadway located on Parcel B to access their residence located on Parcel A. The roadway was and is used as a convenience to Licensees and is not necessary to access Parcel A or the residence thereon.

D. Licensees desire to continue to use the roadway and Licensors have agreed to allow such use subject to the terms, conditions and limitations set forth herein.

AGREEMENT

In consideration of the mutual promises made herein, the Parties agree as follows:

1. Subject to the terms, conditions and limitations set forth herein, Licensors hereby authorize Licensees to use the driveway/roadway over that portion of Parcel B described in Exhibit C attached hereto ("License Area") for ingress and egress to obtain vehicle access to Licensees' residence located on Parcel A.

2. Licensors retain all rights to use and possess the License Area not inconsistent with this Agreement.

3. The term of this Agreement shall be from the date hereof and shall continue until terminated by Licensors.

4. This Agreement may only be terminated with thirty (30) days' written notice to Licensees, and provided Licensors shall have first relocated the driveway/roadway as set forth in Exhibit C to the thirty foot (30') easement over and across Parcel B or to some other location over or across Parcel B so that Licensees shall have vehicular access to Idaho State Highway 44.

5. Licensees, as a condition to the license hereunder, agree as follows:

a. Licensees will at all times indemnify and hold harmless Licensors, their agents, tenants, invitees, successors and assigns, against all actions, claims, demands, liabilities, damages, debts, bodily injury and property damage, including all expenses, costs and attorneys' fees which may in any manner be incurred by Licensors as a consequence of, or arising out of any acts or omissions on the part of Licensees, or any of their officers, agents, servants or invitees arising out of or in connection in any way with the use of the License Area;

b. Licensees shall maintain the License Area at all times in an orderly condition, free of trash or other unsightly articles, and will not gate the License Area; and

c. Licensees shall not enlarge or cause any construction to be performed on the License Area without the prior written consent of Licensors.

6. It is expressly agreed and understood by the Parties hereto that this Agreement is for the benefit of Parcel A and all rights hereunder shall pass with the sale or transfer of Parcel A.

7. In the event of any controversy, claim or action being filed or instituted between the Parties to enforce the terms and conditions of this Agreement or arising from the breach of any provision hereof, the prevailing Party will be entitled to receive from the other Party all costs, damages and expenses, including reasonable attorneys' fees, incurred by the prevailing Party, whether or not such controversy or claim is litigated or prosecuted to judgment, including all costs and fees incurred as a result of any appeal. The prevailing Party will be that party who was awarded judgment as a result of trial or arbitration, or who receives a payment of money from the other Party in settlement of claims asserted by that Party.

8. The Recitals set forth above are hereby incorporated into this Agreement and made a part hereof.

STATE OF IDAHO)
) ss. .
COUNTY OF CANYON)

On this 13 day of June in the year 2011, before me, Brandy Bonilla,
a Notary Public in and for said State, personally appeared Gordon St. Clair, known or identified
to me (or proved to me on the oath of Valid ID) to be the person whose name is
subscribed to the within instrument, and acknowledged to me that he executed the same.

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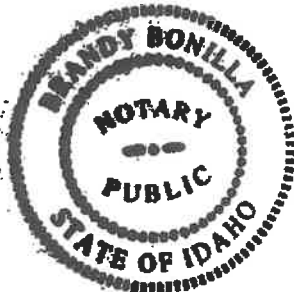


Brandy B.
Notary Public for Idaho
My commission expires on 11-3-12

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this 13 day of June in the year 2011, before me, Brandy Bonilla,
a Notary Public in and for said State, personally appeared Meredith St. Clair, known or
identified to me (or proved to me on the oath of Valid ID) to be the person
whose name is subscribed to the within instrument, and acknowledged to me that she executed
the same.

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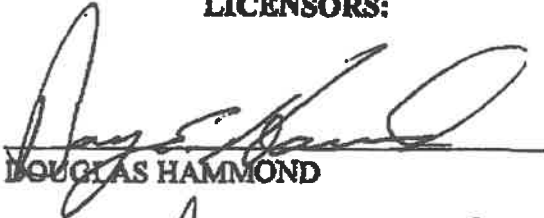


Brandy B.
Notary Public for Idaho
My commission expires on 11-3-12

9. This Agreement shall be governed by the laws of the State of Idaho.

EXECUTED as of the day and year first set forth above.

LICENSORS:


DOUGLAS HAMMOND


MARY ANN HAMMOND

LICENSEES:


GORDON ST. CLAIR


MEREDITH ST. CLAIR

PARCEL B

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

A tract of land situated in the Northwest One Quarter of the Northeast One Quarter of Section 8, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING AT an aluminum cap monumenting the Northeast Corner of said Section 8; thence following the Northerly line of said Section 8 North 89° 39' 56" West a distance of 1,333.24 feet to a point being the East One Sixteenth Corner common to Section 8 and Section 5; thence leaving said Northerly line and following the Easterly line of said Northwest Quarter of the Northeast Quarter South 00° 57' 27" West a distance of 463.58 feet to the POINT OF BEGINNING; thence following the Easterly line of said Northwest Quarter of the Northeast Quarter South 00° 57' 27" West a distance of 826.51 feet to a point on the Northerly right-of-way line of State Highway 44; thence following said Northerly right-of-way line North 89° 45' 50" West a distance of 714.04 feet to a point; thence leaving said Northerly right-of-way North 00° 46' 09" East a distance of 826.09 feet to a point; thence South 89° 39' 56" East a distance of 718.74 feet to the POINT OF BEGINNING.

EXHIBIT A

EXHIBIT

A

PARCEL A

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

A tract of land situated in the Northwest One Quarter of the Northeast One Quarter of Section 8, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING AT an aluminum cap monumenting the Northeast Corner of said Section 8; thence following the Northerly line of said Section 8; North 89° 39' 59" West a distance of 1,333.24 feet to a point being the East One Sixteenth Corner common to Section 8 and Section 5 and the POINT OF BEGINNING; thence leaving said Northerly line and following the Easterly line of said Northwest Quarter of the Northeast Quarter South 00° 57' 27" West a distance of 453.58 feet to a point; thence leaving said Easterly line North 89° 39' 59" West a distance of 716.74 feet to a point; thence North 00° 48' 09" East a distance of 483.47 feet to a point on the Northerly line of said Section 8 from which a 1/2 inch steel pin witness corner bears South 00° 48' 09" West a distance of 29.98 feet; thence following said Northerly line South 89° 39' 59" East a distance of 716.24 feet to the POINT OF BEGINNING.

EXHIBIT A

EXHIBIT
B

PROPERTY LINE ADJUSTMENT

FOR
GORDON & MEREDITH ST. CLAIR
AND

DOUG & MARY ANN HAMMOND
PARCELS OF LAND LYING IN A PORTION OF THE
NW 1/4 NE1/4 OF SECTION 8, T.4N., R.2W.,
BOISE MERIDIAN, CITY OF MIDDLETON,
CANYON COUNTY, IDAHO 2013

CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, COLLEEN MARKS, BEING A REGISTERED LAND
SURVEYOR IN THE STATE OF IDAHO, HEREBY ATTEST THAT THIS IS AN
ACCURATE REPRESENTATION OF SURVEY AS MADE BY ME AND IS IN
CONFORMITY WITH THE CORNER PERPETUATION AND FILING ACT - IDAHO CODE
55-1601 THROUGH 55-1613.



Colleen Marks
COLLEEN MARKS, L.S. 7045

NOTES:

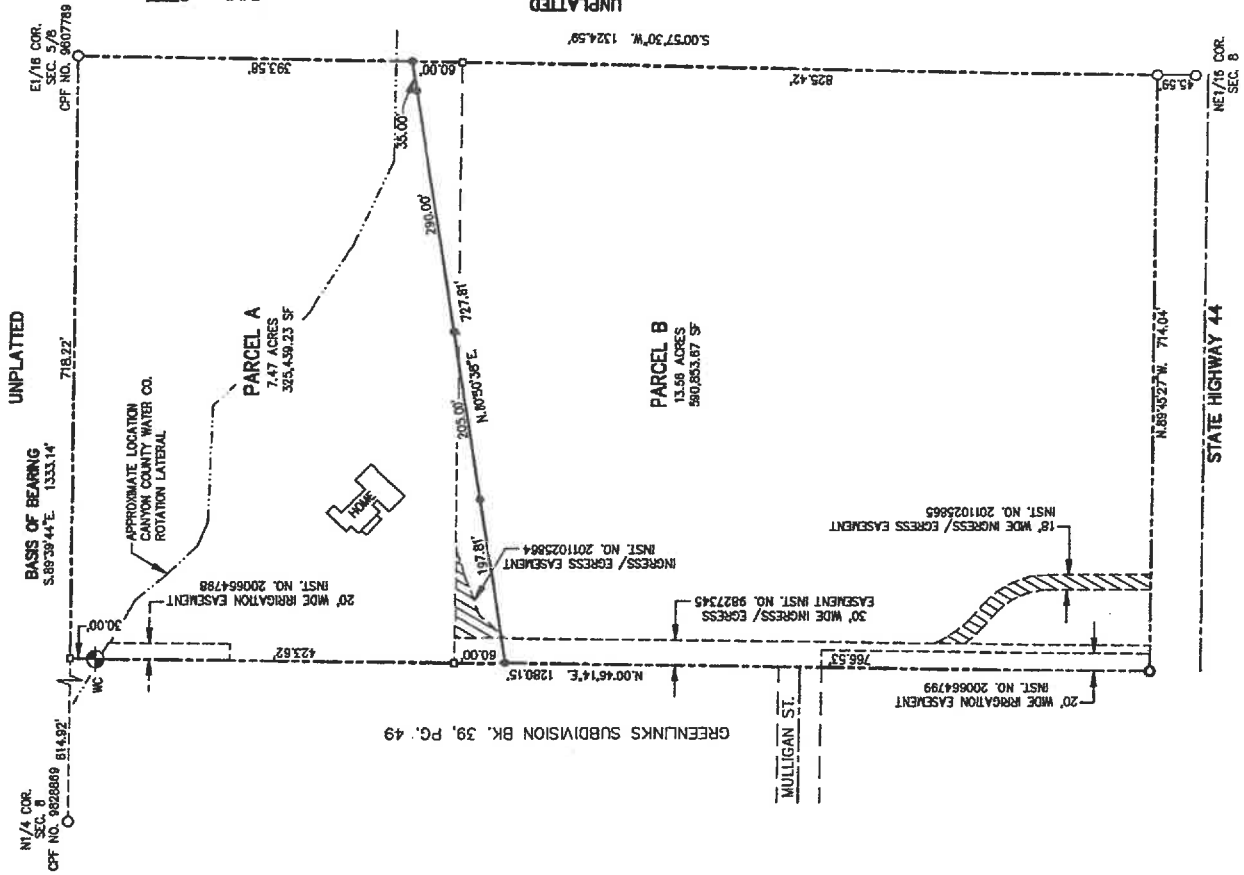
1. REFERENCE IS MADE TO THE FOLLOWING RECORD OF SURVEY INSTRUMENTS: NOS.: 8723151, 9802187, 9831328, 2007081800, AND 2011028780, RECORDS OF CANYON COUNTY, IDAHO.
2. REFERENCE IS MADE TO THE FOLLOWING SUBDIVISION PLATS: PARK PLACE SUBDIVISION NO. 3, BOOK 27, PAGE 35; GREENLINKS SUBDIVISION, BOOK 39, PAGE 49, RECORDS OF CANYON COUNTY, IDAHO.
3. THE CURRENT ZONING FOR PARCELS A AND B ARE R-4 COMBINED RESIDENTIAL.
4. ALL PINS ALONG THE ORIGINAL SOUTH BOUNDARY LINE HAVE BEEN REMOVED TO AVOID CONFUSION WITH THE ADJUSTED BOUNDARY LINE MONUMENTS AS SHOWN HEREON.
5. THE CANYON COUNTY WATER COMPANY CLAIMS A 20' WIDE IRRIGATION EASEMENT ADJACENT TO AND PARALLEL WITH THE EXISTING TOP OF BANK ON EACH SIDE OF THE ROTATION LATERAL SHOWN HEREON.

LEGEND

- PROPERTY BOUNDARY
- ADJUSTED PROPERTY LINE
- ORIGINAL PROPERTY LINE
- CENTERLINE
- EXISTING EASEMENT LINE
- WC FOUND WITNESS CORNER BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN
- SET 1/2" IRON PIN W/ CAP MARKED LS 7045
- POINT ON LINE - SET 1/2" IRON PIN W/ CAP MARKED LS 7045
- CALC. POINT



SCALE IN FEET



2013-014768

RECORDED
04/04/2013 04:47 PM



CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Page 1 RECORD
\$5.00
MARKS LAND SURVEYING

INDEX NO. 424-08-140-000

MARKS LAND SURVEYING, INC
COLLEEN MARKS, L.S. 7045
5300 HILL ROAD
BOISE, IDAHO 83703
PH: (208) 378-7703 FX: 378-7759
DATE: 04/03/13 DRAWN BY: SJB FILE: CLAR POS.dwg

EXHIBIT “D”

Agency Comments

From: [Roberta Stewart](#)
To: [Betha Secretary](#)
Cc: [Amy Woodruff](#); [Jennica Reynolds](#)
Subject: RE: Canyon County Water Company
Date: Tuesday, November 30, 2021 9:30:09 AM
Attachments: [image001.png](#)

Hi Betha: thank you for the heads up on Mr. Gross' irrigation efforts on Artesian Springs subdivision.

Roberta L. Stewart

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

Tele - (208) 585-3133
Fax - (208) 585-9601
rstewart@middletoncity.com

www.middleton.id.gov



From: Betha Secretary <irr.water.3@gmail.com>
Sent: Monday, November 29, 2021 3:55 PM
To: Roberta Stewart <rstewart@middletoncity.com>
Subject: Canyon County Water Company

Middleton City Hall

To Roberta Stewart,

Mr. Gross met with Canyon County Water Company Board discussing piping the ditch in front of his property on Hwy 44. It was tentatively agreed by all parties to approve his plan to pipe his ditch, after he gets the required license agreement.

Thank you,

Betha Foster, Secretary
Canyon County Water Company

P O Box 11

Star, Idaho 83669

Phone 208/455-1735



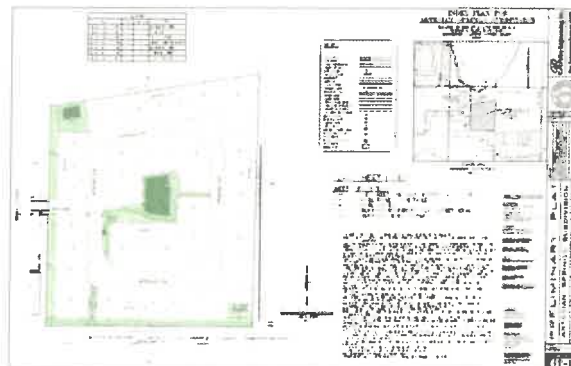
STAFF REVIEW AND REPORT Middleton Planning and Zoning Commission

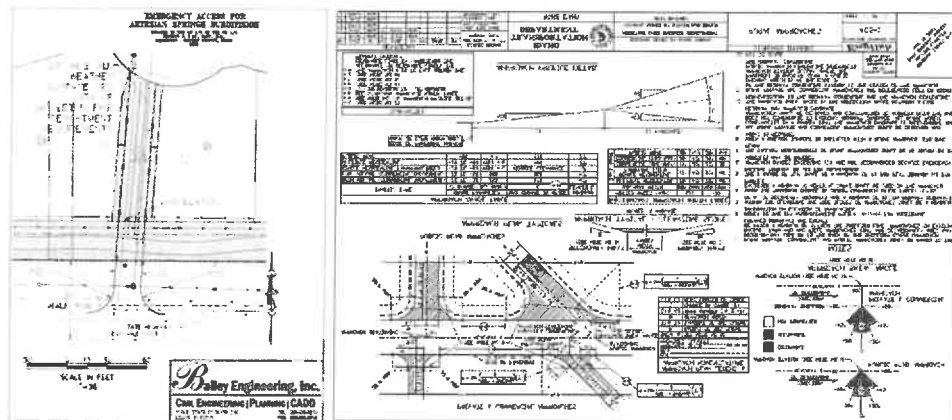
Artesian Springs Subdivision 2nd Emergency Access Continued from Preliminary Plat Application

Snapshot Summary



- A. **Planning & Zoning Commission Hearing Date:** January 10, 2021
- B. **Project Description:** Residential subdivision with 40 buildable lots and 7 common lots on 13.56 acres of vacant land zoned R-3 (Single Family Residential) located at 10348 Hwy 44 (Tax Parcel No. R33916)
- C. **Applicant Request:** Preliminary Plat (Full Staff Report presented at 12/3/2021 Public Hearing attached as Exhibit 1)
- C. **Traffic, Access & Streets:**
Applicant was asked by P&Z Commission and MRFD to create a 2nd Emergency Access to bring the plat up to International Fire Standards which requires a 2nd access after 30 lots. As a condition of approval, the Applicant will be required to obtain a permit from ITD for 2nd access onto SH44 prior to final plat approval. The revised Preliminary Plat showing the 2nd Access is attached as Exhibit 2. ITD access requirements attached as Exhibit "A".





FINDINGS:

Planning Staff finds that the 2nd Emergency access is in conformance with MCC 5-4-10-2K, MRFD and ITD requirements. This access will not adversely affect the City's ability to deliver services.

- D. **Comments from City Engineer and Planning Staff:** City Engineer comment attached as Exhibit "B" and Planning Staff comments attached to full staff report presented 12/6/2021.
- E. **Agencies Comments:** Middleton Rural Fire District Chief Islas' comments attached as Exhibit "C".
- F. **Applicant Information:** Application was received and accepted on June 29, 2021. The 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.
- G. **Notices:**

Dates:	
6/17/2021	Neighborhood Meeting
10/24/2021	Newspaper Notification
10/22/2021	Radius notification mailed to Adjacent landowners within 300'
10/22/2021	Circulation to Agencies
10/22/2021	Sign Posting property

Planning staff finds that notice was given in compliance with Idaho State Law and Middleton City Code.

H. 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 one 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 and in the 12/3/2021 Staff Report (Exhibit 1). 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 of 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 Preliminary Plat application based upon the above *General Facts and Conclusions of Law, set forth in this report and in the previously presented 12/3/2021 Staff Report (Exhibit 1)* 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. 2nd Emergency Access to be shown on the preliminary plat.

6. Developer must show on the preliminary plat the easement that was created by Quit Claim (Instrument #9827345).
7. License agreement granting access over irrigation easement connecting Mulligan Street to Artesian Ave must be recorded prior to final plat approval.
8. Applicant to obtain a permit from ITD for 2nd access onto SH44 prior to final plat approval.
9. 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: 1/6/2022

EXHIBIT "1"

See previously attached:

Staff Report presented to Planning & Zoning
Commission. *12/6/2021*

Exhibit “2”

DATE: 01-08-2022
PROJECT: EXAT-098
SHEET: PP-2

Curve Table				
Curve #	Max. Δ	Max. Δ (ft)	Max. Δ (in)	Rating
C1	15.00	13.81	10.67	10
C2	15.00	16.26	12.91	9
C3	15.00	18.70	15.16	8
C4	15.00	21.15	17.41	7
C5	15.00	23.59	19.66	6
C6	15.00	26.04	21.91	5
C7	15.00	28.48	24.16	4
C8	15.00	30.93	26.41	3
C9	15.00	33.37	28.66	2
C10	15.00	35.82	30.91	1
C11	15.00	38.26	33.16	0
C12	15.00	40.71	35.41	-1
C13	15.00	43.15	37.66	-2
C14	15.00	45.60	39.91	-3
C15	15.00	48.04	42.16	-4
C16	15.00	50.49	44.41	-5
C17	15.00	52.93	46.66	-6
C18	15.00	55.38	48.91	-7
C19	15.00	57.82	51.16	-8
C20	15.00	60.27	53.41	-9
C21	15.00	62.71	55.66	-10
C22	15.00	65.16	57.91	-11
C23	15.00	67.60	60.16	-12
C24	15.00	70.05	62.41	-13
C25	15.00	72.49	64.66	-14
C26	15.00	74.94	66.91	-15
C27	15.00	77.38	69.16	-16
C28	15.00	79.83	71.41	-17
C29	15.00	82.27	73.66	-18
C30	15.00	84.72	75.91	-19
C31	15.00	87.16	78.16	-20
C32	15.00	89.61	80.41	-21
C33	15.00	92.05	82.66	-22
C34	15.00	94.50	84.91	-23
C35	15.00	96.94	87.16	-24
C36	15.00	99.39	89.41	-25
C37	15.00	101.83	91.66	-26
C38	15.00	104.28	93.91	-27
C39	15.00	106.72	96.16	-28
C40	15.00	109.17	98.41	-29
C41	15.00	111.61	100.66	-30
C42	15.00	114.06	102.91	-31
C43	15.00	116.50	105.16	-32
C44	15.00	118.95	107.41	-33
C45	15.00	121.39	109.66	-34
C46	15.00	123.84	111.91	-35
C47	15.00	126.28	114.16	-36
C48	15.00	128.73	116.41	-37
C49	15.00	131.17	118.66	-38
C50	15.00	133.62	120.91	-39
C51	15.00	136.06	123.16	-40
C52	15.00	138.51	125.41	-41
C53	15.00	140.95	127.66	-42
C54	15.00	143.40	129.91	-43
C55	15.00	145.84	132.16	-44
C56	15.00	148.29	134.41	-45
C57	15.00	150.73	136.66	-46
C58	15.00	153.18	138.91	-47
C59	15.00	155.62	141.16	-48
C60	15.00	158.07	143.41	-49
C61	15.00	160.51	145.66	-50
C62	15.00	162.96	147.91	-51
C63	15.00	165.40	150.16	-52
C64	15.00	167.85	152.41	-53
C65	15.00	170.29	154.66	-54
C66	15.00	172.74	156.91	-55
C67	15.00	175.18	159.16	-56
C68	15.00	177.63	161.41	-57
C69	15.00	180.07	163.66	-58
C70	15.00	182.52	165.91	-59
C71	15.00	184.96	168.16	-60
C72	15.00	187.41	170.41	-61
C73	15.00	189.85	172.66	-62
C74	15.00	192.30	174.91	-63
C75	15.00	194.74	177.16	-64
C76	15.00	197.19	179.41	-65
C77	15.00	199.63	181.66	-66
C78	15.00	202.08	183.91	-67
C79	15.00	204.52	186.16	-68
C80	15.00	206.97	188.41	-69
C81	15.00	209.41	190.66	-70
C82	15.00	211.86	192.91	-71
C83	15.00	214.30	195.16	-72
C84	15.00	216.75	197.41	-73
C85	15.00	219.19	199.66	-74
C86	15.00	221.64	201.91	-75
C87	15.00	224.08	204.16	-76
C88	15.00	226.53	206.41	-77
C89	15.00	228.97	208.66	-78
C90	15.00	231.42	210.91	-79
C91	15.00	233.86	213.16	-80
C92	15.00	236.31	215.41	-81
C93	15.00	238.75	217.66	-82
C94	15.00	241.20	219.91	-83
C95	15.00	243.64	222.16	-84
C96	15.00	246.09	224.41	-85
C97	15.00	248.53	226.66	-86
C98	15.00	250.98	228.91	-87
C99	15.00	253.42	231.16	-88
C100	15.00	255.87	233.41	-89
C101	15.00	258.31	235.66	-90
C102	15.00	260.76	237.91	-91
C103	15.00	263.20	240.16	-92
C104	15.00	265.65	242.41	-93
C105	15.00	268.09	244.66	-94
C106	15.00	270.54	246.91	-95
C107	15.00	272.98	249.16	-96
C108	15.00	275.43	251.41	-97
C109	15.00	277.87	253.66	-98
C110	15.00	280.32	255.91	-99
C111	15.00	282.76	258.16	-100

PRELIMINARY ENGINEERING FOR ARTESIAN SPRINGS SUBDIVISION

LOCATED IN THE NW 1/4 OF THE NE 1/4
SECTION 8, T.4N., R.2E., S.4M.
MADISON COUNTY, IDAHO

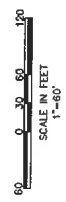
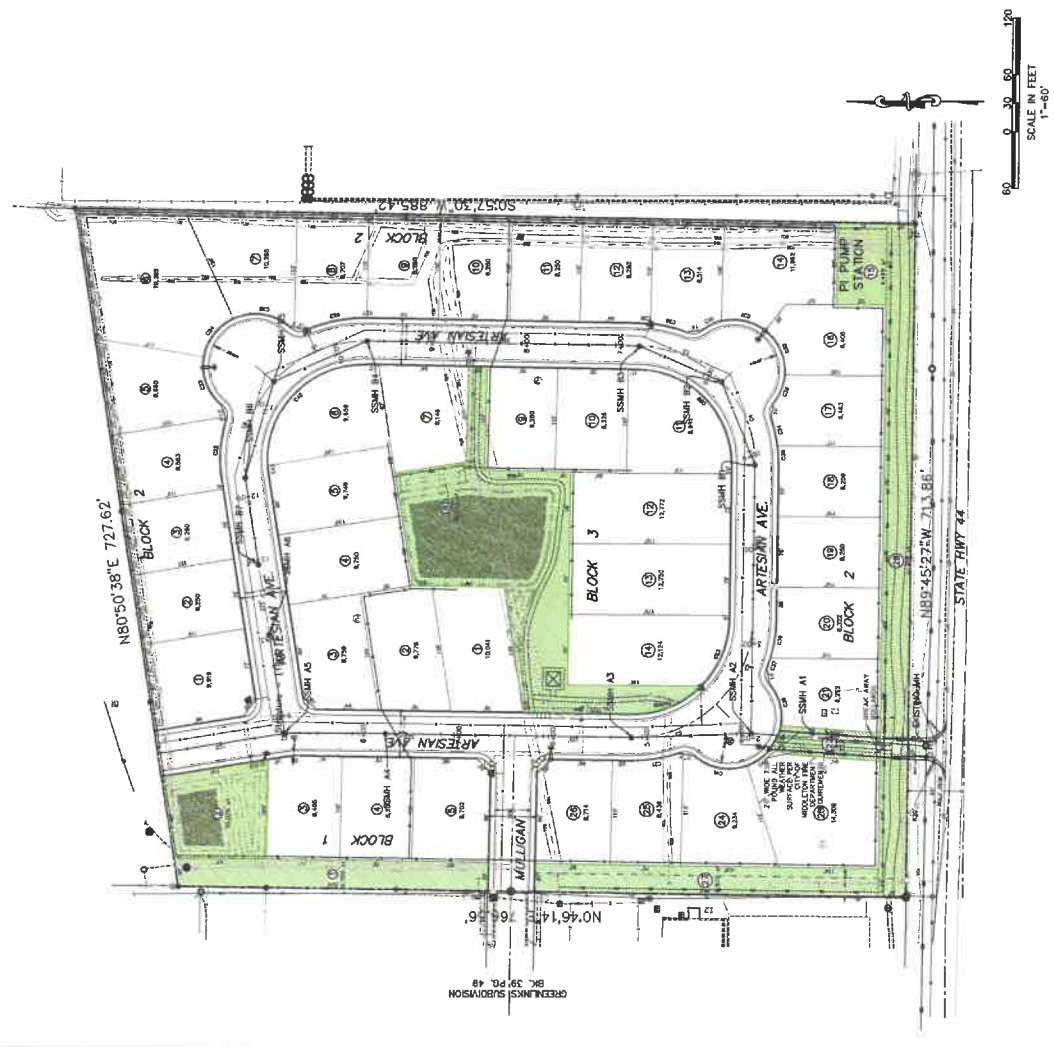
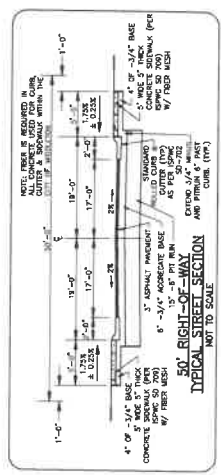
PRELIMINARY ENGINEERING
ARTESIAN SPRINGS SUBDIVISION
VALUE LAND LLC



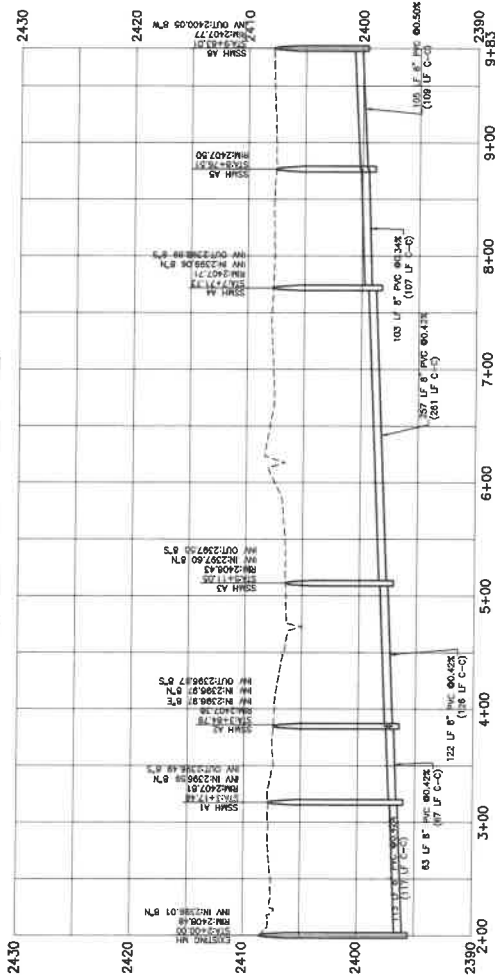
REVISIONS
2021-12-01 ADD NORTH SIDE STREET
2021-11-02 CITY & PLANNING DEPARTMENT
2021-10-01 ADD NORTH SIDE STREET

SHEET
PP-4

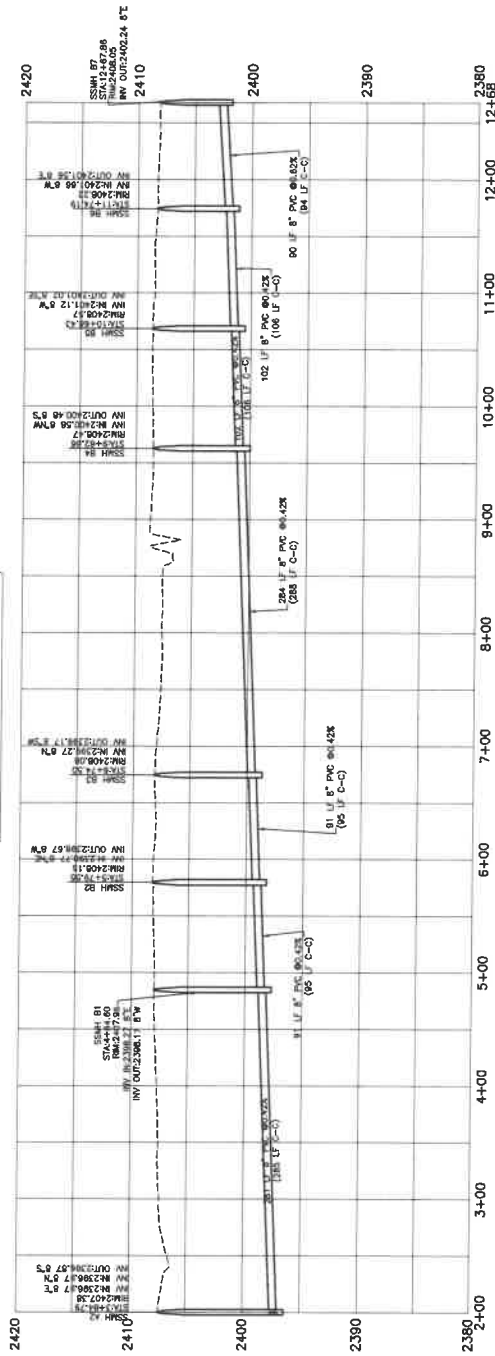
LEGEND
BOUNDARY
LOT LINES
ROAD CENTERLINE
LOT OF WAY
LOT NUMBER
BLOCK NUMBER
EASEMENT
STREET NAME
CURB CUTTER & SW
HANDICAP RAMP
WATER LINE
STORM DRAIN LINE
SEWER LINE
GRAVITY IRRIGATION
FLOW ARROW
FIRE HYDRANT
STOP SIGN
EXISTING WATER WELL
PROPOSED WATER WELL
FOUND BRASS CAP
MONUMENT
WELL LOTS

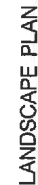


SEWER LINE A PROFILE



SEWER LINE B PROFILE





EXISTING TREES TO REMAIN	PLANTS TO BE INSTALLED	RTF TURF TYPE TALL FESCUE SOO OVER APPROVED TOPSOIL AS SPECIFIED	CONCRETE OR ASPHALT PEDIESTRIAN PATHWAY PER CIVIL

1. ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE. SHOWN. PLANTS WILL BE REJECTED IF HOT IN A SOUND AND HEALTHY CONDITION. ALL PLANT MATERIAL SHALL BE GRADE #1 OR BETTER.
2. ALL PLANTS SHALL BE PLANTED IN PLANT AREAS (MINIMUM 2" IN DIAMETER) WHICH SHALL BE EQUIPPED WITH A MINIMUM OF 2" DEPTH OF 1" BARK MULCH. SUBMIT SAMPLE FOR APPROVAL BY OWNER.
3. ALL LAWN AREAS SHALL BE SOODED WITH 100% TURF TYPE TALL FESCUE (FESTUCA ARDENSIANA). CONTRACTOR SHALL VERIFY AND MATCH THE VARIETY EXISTING IN THE

	3" hgt. x 2" wide	SEE DETAIL 60.2.0
• Sweet Dreamz Teakwood	1 Gal.	5 Gal.
• Calamagrostis x scutellaria 'Ovenden'	1 Gal.	2 Gal.
• Dwarf Feather Grass		
• Cornus alba 'Beckham'		
• Irony Halo Dogwood		
• Rhus typhelata 'Autumn Amber'		
• Autumn Amber sumac		

- 1 40° VISION TRIANGLE
- 2 OPEN GRASSY PLAY SPACE
- 3 STORM WATER MANAGEMENT, PER CIVIL
- 4 6" VINYL PRIVACY FENCE, SEE DETAIL 5.12.0
- 5 START FENCE LINE AT 20' BUILDING SETBACK
- 6 ACCESS EASEMENT
- 7 5' WIDE PATHWAY
- 8 EXISTING, SEE CIVIL

- a. ALL LANDFILLED AREAS SHALL HAVE AN AUTOMATIC UNDERGROUND SPRINKLER SYSTEM.
- b. ALL WATER LINES TO BE INSTALLED TO BE PROTECTED WITH SEPARATE UNDERGROUND SPRINKLER SYSTEMS.
- c. ALL WATER MAINS SHALL HAVE A MINIMUM RADIUS BENT OF 4 INCHES AT 1' JAWN POP-UP SPRINKLER HEADS SHALL HAVE AN AUTOMATIC VALVE.
- d. ALL SPRINKLER HEADS SHALL HAVE AN AUTOMATIC VALVE.
- e. ALL SPRINKLER HEADS SHALL HAVE AN AUTOMATIC VALVE.
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- x. ALL SPRINKLER HEADS SHALL HAVE AN AUTOMATIC VALVE.
- y. ALL SPRINKLER HEADS SHALL HAVE AN AUTOMATIC VALVE.
- z. ALL SPRINKLER HEADS SHALL HAVE AN AUTOMATIC VALVE.

OWN BY:	JOB
BOOKED BY:	JOB
SUBJECT NUMBER	21-6718
SET:	L1.1

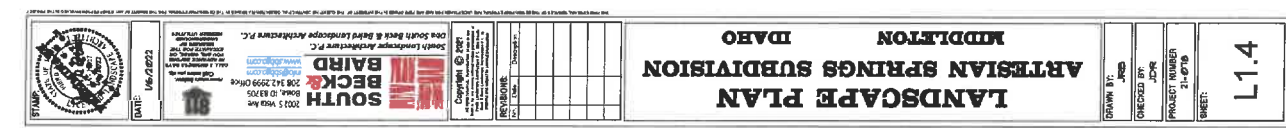
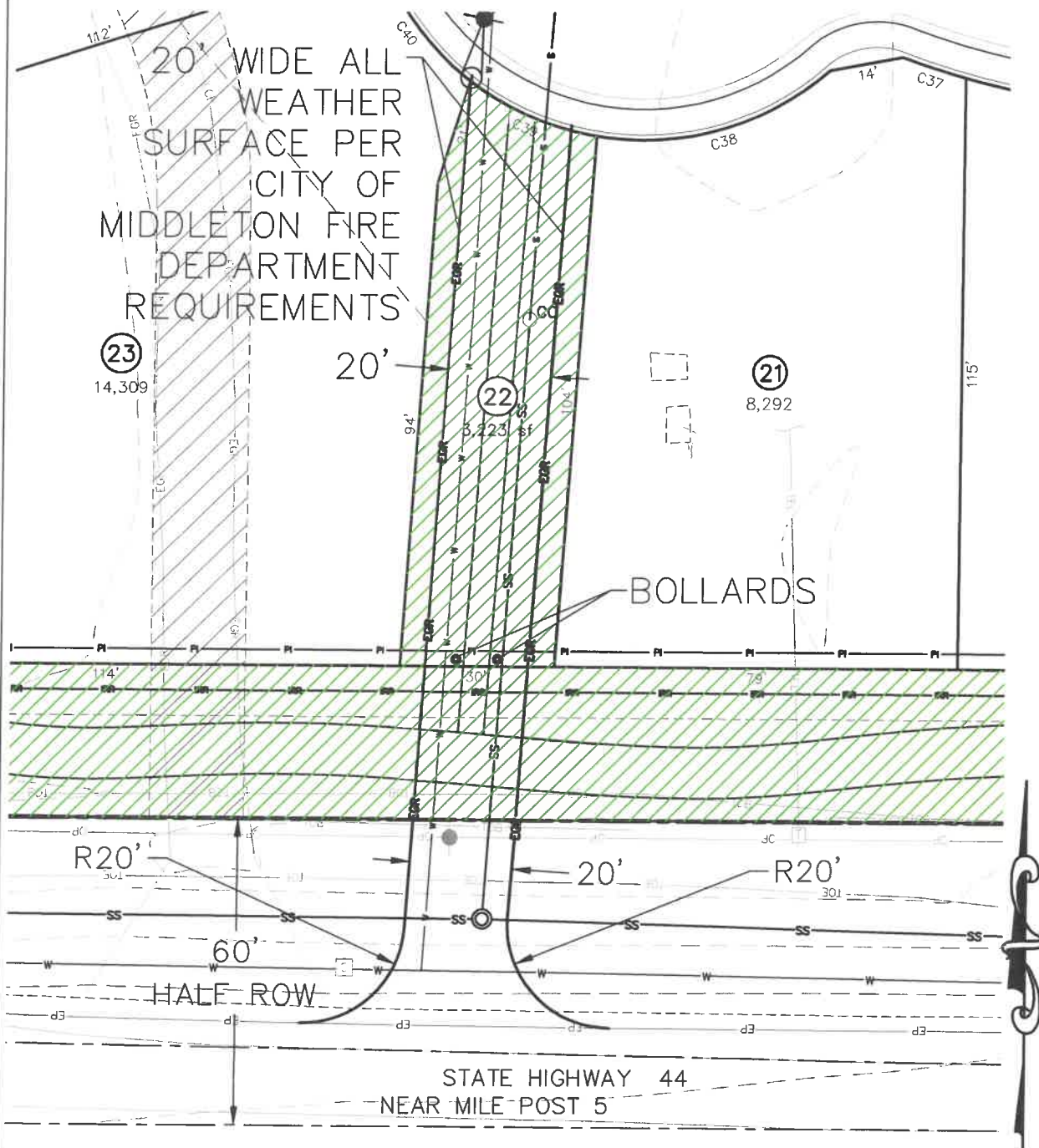


Exhibit “A”

EMERGENCY ACCESS FOR ARTESIAN SPRINGS SUBDIVISION

LOCATED IN THE NW 1/4 OF THE NE 1/4
SECTION 8, T.4N., R.2W., B.M.,
MIDDLETON, CANYON COUNTY, IDAHO
2022



SCALE IN FEET
1"=30'

Bailey Engineering, Inc.

CIVIL ENGINEERING | PLANNING | CADD

1119 E. STATE ST, SUITE 210
EAGLE, ID 83616

TEL 208-938-0013
FAX 208-938-0516

Route

Milepost

Permit Number

Pipe Required

☐ Yes

☐ No

Right-of-Way line

Right of Way Width

Radius Dimension

Applicant: Please fill in the red boxes with the desired approach width and radii dimensions. See IDAPA 39.03.42 for minimum and maximum allowed widths.

Approach width at Right-of-Way in feet

Approach shall be paved to right-of-way line or back of radii, whichever is shorter.

Radii dimensions and approach widths are determined by IDAPA requirements.

Radius Dimension

APPROACH USE	< 35 MPH		≥ 35 MPH		RADII	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Single Residential, Farmyard, Field	12ft	40ft	20ft	40ft	20ft	30ft
Multiple Residential	28ft	40ft	28ft	40ft	20ft	30ft
Commercial (One-Way)	15ft	30ft	20ft	30ft	30ft	40ft
Commercial (Two-Way)	25ft	40ft	25ft	40ft	30ft	40ft
Boulevard Approach	84ft	84ft	84ft	84ft	Contact Department	
Joint-Use Residential/Farm	25ft	40ft	25ft	40ft	20ft	30ft
Joint-Use Commercial	12ft	40ft	20ft	40ft	30ft	40ft
Public Highways	28ft	N/A	28ft	N/A	30ft	50ft

(3-27-13)

07. Property Line Clearance.

(3-30-01)

a. In curbed sections, there shall be a minimum property line clearance of six (6) feet to accommodate approach transitions. Approaches shall be constructed so that all approach flares and any extensions of the approach remain within applicant's property.

(3-27-13)

b. In rural or uncurbed sections, property line clearances shall be equal to approach radius. Approaches shall be constructed so that all approach radii remain within applicant's property.

(3-30-01)

c. Approach transitions or radii may be allowed to abut the adjacent property line when required for proper utilization of property. Joint-use approaches shall be required whenever property frontage is insufficient to include full width of the approach, including both radii.

(3-30-01)

08. Setback.

(3-30-01)

a. Improvements intended to serve patrons on private property adjacent to state highway right-of-way shall be setback from the highway right-of-way line so that stopping, standing, parking or maneuvering of vehicles on the right-of-way is not necessary. A minimum setback of fourteen (14) feet from state highway right-of-way line is recommended, unless a greater minimum is established by an engineering study. When an ordinance requires a certain number of parking spaces per square footage of building, the parking spaces shall not be included within state highway right-of-way.

(3-27-13)

b. Traffic movements into and out of a business shall be designed, whenever possible, to utilize existing local roads. Existing approaches along traveled way should serve as exits only from the business onto the state highway. Entrance to the property should be made from a local road.

(3-30-01)

09. Sight Distance. Any encroachment, including but not limited to hedges, shrubbery, fences, walls, or other sight obstructions of any nature, that constitutes a traffic hazard within the "vision triangle" of vehicle operators at the intersection of roads with other roads, private approaches, alleys, bike or pedestrian paths, or railroad

Exhibit “B”



December 6, 2021

TO: Jennica Reynolds, Planner

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

RE: Artesian Springs Subdivision - Preliminary Plat Recommendation of Approval

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

We recommend the preliminary plat be approved as presented.

Exhibit “C”

MIDDLETON RURAL FIRE DISTRICT



Artesian Springs 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: Artesian Springs 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.

The purposed secondary Emergency Access presented by the developer via email on January 5, 2021, will meet the intent of the fire code for secondary access.

Access shall have an unobstructed width of not less than 20feet exclusive of shoulders with an unobstructed vertical clearance of not less than 13 feet 6 inches. The drivable surface shall be capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds. The access shall be protected from unauthorized vehicles using MaxiForce collapsible bollards. The access shall also be marked with signs on both ends of the access point reading "Emergency and Authorized Vehicles ONLY".

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

MIDDLETON RURAL FIRE DISTRICT



Artesian Springs Subdivision

STAR FIRE PROTECTION DISTRICT

Examples:



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

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.

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

MIDDLETON RURAL FIRE DISTRICT



Artesian Springs Subdivision

STAR FIRE PROTECTION DISTRICT

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.
 - 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.

LOCATED IN THE NW 1/4 OF THE NE 1/4
SECTION 8, T.4N., R.2W., B.M.,
MIDDLETON, CANYON COUNTY, IDAHO
2022

