
**MIDDLETON CITY PLANNING AND ZONING COMMISSION
MINUTES
JULY 12, 2018**

The Planning and Zoning Commission Special Meeting of July 12, 2018 was called to order by Chairman Lary Sisson at 7:00 p.m.

Deputy Clerk Dawn Dalton then administered the Oath of Office to Commissioner Jackie Hutchison.

Roll Call: Chairman Lary Sisson and Commissioners Jeff Garner and Ray Waltemate were present.

Chairman Sisson announced that the agenda item regarding the request by the City of Middleton to annex forty-eight real properties had been withdrawn by the applicant and that there would be no public hearing on that item.

Motion: Motion by Commissioner Garner to approve the minutes of the April 9, 2018 Planning and Zoning meeting with the change of spelling of Commissioner Garner's name on page 4 second paragraph, was seconded by Commissioner Waltemate and carried unanimously.

Action Items:

A.) Consent Agenda (items of routine Commission business)

1.) Consider approving minutes of the May 21, 2018 Special Meeting of the Planning and Zoning Commission.

Motion: Motion by Commissioner Garner to approve the minutes from the May 21, 2018 Special Meeting was seconded by Commissioner Waltemate and carried unanimously.

B.) Consider a request by NM Enterprises, LLC for a conditional use permit for a K-12 charter school and to rezone the east approximately one-third of the parcel from IP (Industrial Park) to M-1 (Light Industrial) at 1223 W Main St. in Middleton, Idaho.

Chairman Sisson introduced the agenda item and opened the public hearing at 7:11 p.m., immediately following Planning and Zoning Official Randall Falkner read the staff report.

Commission Waltemate asked Randall to clarify about the property zoning, and asked Randall if the one third portion of the parcel was still zoned IP even though that zoning had been removed from the city code. Randall responded that was correct the property stayed IP zoning because it was zoned that way prior to changes in city code regarding zoning.

Nick Goho the builder for the project addressed the commission. Mr. Goho explained that the goal is to bring a rural charter school to Middleton, that would not only attract the residents of Middleton but outlying communities as well. It was also stated that diligence had been taken regarding the west side of the property where the existing canal is located. The main Idaho Power transmission lines that ran along the property had been

negotiated and moved back to the west side of the property, now allowing a continued street to the south of the property to be expanded as further growth moves into the area.

Commissioner questions followed. Chairman Sisson asked three questions regarding the school. How many phases will there be before completion of the entire project? How many projected students would the school be able to enroll? Will there be a busing plan to get the kids to and from school?

Patrick O'Connor with Building Hope responded that there are two building phases to the school over a course of two to three years. Phase one will house grades K-5 and be 40,000 square feet. Phase two will house the older grades and be 20,000 square feet. Phase two will be constructed while school is in progress but will be fenced off and all truck access will be nowhere near phase one for safety concerns, and with as little disturbance to the learning environment as possible. Mr. Conner also explained that there would be between 700 and 800 students at full build out, but that in the first year with grades K-5, there would be approximately 250 students. Regarding transportation there is a busing plan that tentatively will have four total buses, two that will run east and west, and two to run north and south along with a designated area for parent drop-off and pick-up.

Chairman Sisson asked if there were any residents that wanted to speak regarding the conditional use permit and rezone.

Shawn Maybon stated that he was not against the school itself but taking 18 acres and turning it into a non-taxable base was a point of concern for him.

Carliene Thie stated that landscaping and beautification is a big thing that the city and residents need to stay on top of, and that she appreciates Commissioner Hutchison's concern regarding the green space and landscaping for the property.

Kay Duval wanted some clarification from the applicant on how the student base was going to be determined, was it going to give priority to Middleton residents first or was it going to be determined based on a lottery?

Kristy Hayes wanted to know what the size of both the commercial and lots and the school will be.

Patrick O'Conner responded to the publics questions.

With the tax impact, the northern portion will remain on the tax roll and the portion to the south will be held by Building Hope and the charter school.

Changing from IP to M-1 the majority of the property is already zoned M-1 there was about a 1/3 of the property that was zoned as IP so brining this into all M-1 will just unify the property.

There will be nine acres on the south side of the property that will be used by the charter school, 1 acre of land that will make up the street and be dedicated as public right-of-way, with the remaining eight acres to be a separate lot split that can remain as a retail space on the front.

Enrollment is will be determined by a lottery that will be opened to the eight surrounding school districts. When the school is at full enrollment in six years it will hold a total of 650 students total.

Chairman Sisson closed the public hearing at 8:12 p.m.

Motion: Motion by Commissioner Waltemate to approve a request by NM Enterprises, LLC for a conditional use permit for a K-12 Charter school with the following conditions: A traffic safety study is received, and the applicant pays its proportionate share of transportation improvements at State Highway 44 and Hartley Lane. Recommend that City Council approve the request to rezone the east approximate one-third of the property from I-P (Industrial Park) to M-a (Light Industrial) so it is a single M-1 zone, was seconded by Commissioner Hutchison and passed 3-1 by roll call vote.

Public Comments: none.

Commission/Staff Comments: none.

Adjourn

Motion: Motion by Commissioner Garner to adjourn the meeting, was seconded by Commissioner Waletmate and carried unanimously by voice vote. Meeting adjourned at 8:30 p.m.

ATTEST:



Randall Falkner, Planning and Zoning Official

Approved: August 13, 2018

