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**MIDDLETON CITY PLANNING AND ZONING  
COMMISSION MINUTES  
JULY 12, 2021**

The July 12, 2021 Planning and Zoning Commission Meeting was called to order by Chairman Ray Waltemate at 5:35 p.m.

**Call to Order - Pledge of Allegiance**

**Roll Call:** Chairman Ray Waltemate, and Commissioners Jackie Hutchison, Janet Gregory, Springston and Crofts were present. Special Legal Counsel Jeff Wardle was also present.

**Action Items**

- 1. Consent Agenda (items of routine administrative business)**
  - a. Consider approving May 10, 2021 and June 7, 2021 regular meeting minutes.**
  - b. Consider approving FCO for Sterling Lakes Subdivision Preliminary Plat.**

Chairman Waltemate called the items.

**Motion:** Motion by Commissioner Hutchison to approve consent agenda items 1a & b. Motion seconded by Commissioner Gregory and approved unanimously.

- 2. Public Hearing: Consider approving a request by the City of Middleton to amend the city's Comprehensive Plan Text to incorporate updated capital improvement plan and traffic impact fee program for the City's Transportation. — Bruce Bayne**

Chairman Waltemate opened the Public Hearing at 5:37 p.m.

City Public Works Director, Bruce Bayne explained the amendment to the city's Comprehensive Plan Text to incorporate updated capital improvement plan and traffic impact fee program for the City's Transportation.

- The last time the city revised the traffic impact fees was November 2019. Since that time the City has partnered with CHD4 and Star, and did a new comprehensive plan for the entire planning area. That planning area goes all the way up to Gem County, Highway 84 on the west, Ada County line on the east and then the City of Middleton Impact boundary to the south.
- Since 2019 quite a few things have changed in the city. We want to encourage people to move here, but also need to address all the traffic that is going in. The city, CHD4 and Star decided it was time to do an area of impact that actually took in that whole area of impact and try to capture all the road improvements that will be required hopefully going forward. This report was to 2040, but the traffic that is expected is probably more than what is going to be in this report.
- He read the memo sent June 25, 2021 (See Exhibit 1)
- He also noted the Exhibits 1a: Mid-Star CIP, 1b: CHD4 Traffic Impact Fee Program, 1c: DIFAC Comment and Response Summary.
- The Impact fees were prepared by Kittelson and reviewed and approved by Galena stating that the CIP was done properly per state code, therefore the associated fees are also correct.

Commissioner Hutchison: question to the DIFAC Comment and response summary letter, item 4, talks about lowering fees and reimbursement of fees.

*Chris Hopper:* This is a question of exaction versus donation of right of way for

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development. Under the Impact Fee Law which is what governs this CIP and our management and collection of fees for that. If we are intended to charge impact fees for a particular project then we need to either reimburse the developer for that or let them retain the property and purchase it as part of the project. If a development project would be required to dedicate right of way or make improvements that are not on this CIP they would be treated in the same fashion they are currently in that through exaction the city would require those frontage improvements along non CIP roadways or intersections.

*Hutchison:* So if a big business wanted to come into town they would not have the opportunity to pay lesser fees because they are making promises? They have to donate period?

*Chris Hopper:* That is not entirely correct, The city makes the decision on what exactions may be required outside of the CIP. There are also provisions within the Impact Fee Law which will allow the city to negotiate for the developer to construct projects that were part of the CIP and reimburse, pay them back through impact fees collected under this program. The terms and conditions of other agreements and development agreements are not overwritten by this.

*Hutchison:* So it is not controlled by City Council, someone in the administrative office could let someone pay less than someone else just because of whatever reason? Is that a possibility?

*Chris Hopper:* Cannot speak to that. That is not the way the program is meant to be established under Idaho Law. There is a process within the Impact Fee Law that allows for developers to request an individual assessment. Meaning that they think that their development or their type of development is not fairly treated under the assumptions made in this CIP, they could seek an alternate opinion, again that would be subject at the discretion of the city. Would need to be based on a traffic study comparable to the one that was done for the CIP. This study was finished 2021.

*Bruce Bayne:* The study was completed around Feb 2020, but due to Covid was postponed. It is up to date.

Chairman Waltemate opened the public comment portion at 5:49 p.m.

There was no Public Comment

Chairman Waltemate closed the public comment at 5:51 p.m.

**Motion:** Motion to approve a request by the City of Middleton to amend the city's Comprehensive Plan Text to incorporate updated capital improvement plan and traffic impact fee program for the City's Transportation. Motion seconded by Commissioner Springston and approved unanimously.

Chairman Waltemate closed the public hearing at 5:52 p.m.

**3. Public Hearing: Application from City of Middleton for amendment and revision to the following 2019 Comprehensive Plan Maps: (1) Area of Impact Map, (2) Functional Classification Map, (3) Transit Map, (4) Future Land Use Map, (5) Transportation, Schools, and Recreation Map and (6) Future Acquisitions Map. The City of Middleton**

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**will further apply to delete the following Maps from the 2019 Comprehensive Plan: (1) Crane Creek Park Map, (2) 2018 Current Land Use Map, and (3) River Park Plan Map. – Roberta Stewart**

Chairman Waltemate opened the public hearing at 5:52 p.m.

Roberta stated that there were some letters that need to be added to the record as Agency and Public Comment (See as follows)

Exhibit A: Compass – From Executive Director Matthew Stoll (Opposition)

Exhibit B-1, B-2: CHD4 (Opposition)

Exhibit C: Mayor Trevor Chadwick, Star (Opposition)

Exhibit D: Planning & Zoning Director, Caldwell (supported at least one of applications for the area of impact map and amendments thereto)

Exhibit E: Public – Spencer Kofoed (support)

Exhibit F: Planner, City of Star (Opposition, asking us to wait until they have finished their negotiations with Canyon County before the city makes any decisions on the applications)

City Planner, Roberta Stewart and City Administrator, Becky Crofts presented the Staff Report. See Exhibit 2

Chairman Waltemate opened the public comment at 6:21 p.m.

*Karen Hunter:* Loves the thought of what Middleton could become. However, we need something to alleviate the traffic problem. Is there some alternative in mind? Great insight and planning but need answers for to the rest of it.

*Charles & Karen Anderson:* Question regarding S. Cemetery and Sawtooth Lake connection. From what she sees that will divert some of the traffic. What is the progress on that project?

*City Administrator, Becky Crofts:* That project is federally funded, it is done in 2 phases and Phase 1 is the S. Cemetery Rd that goes behind the middle school and phase 2 finishes the connection which crosses the bridge crossing and connects to Sawtooth Lake Ave. The city got into a real good bidding climate, and we were able to finish both projects under the federal funding umbrella. It is anticipated that the project will be completed about late August timeframe. The city is working on new traffic patterns down there. There will probably be a right out only from Sawtooth onto Middleton Rd. You will be left on Crane Creek if you are looking to go north. As far as future the city is planning a five-leg roundabout there. That is about a 2023-year project so still a couple years out.

*Tyler Hess:* He is one of the partners and owners of the majority of the property in the red area on Roberta's map. They designed the project he is involved with to accommodate the bypass, a collector and did everything that was in accordance with every agency involved. As they did that, they got push back from multiple agencies as far as not working together. ITD proposed purchasing it but said it wouldn't be for 10-15 years. So they waited for ITD to come up with a solution. Finally, his team got with the city, and came up with the new plan that addresses the issue now. The 3 things we saw are missing in Middleton is 1. Connectivity, 2. A place for older people (55 plus community), Larger homesites, 3. Commercial. We came up with a plan that we feel like has great solutions to all those areas. We have hotels and restaurants that want to come here, but they do not want that by pass. Their traffic counts/connectivity, it doesn't work for their business plan. We are tying into

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Middleton Rd and expand all that frontage and tie into Sawtooth Lake and runs through our planning as a collector and shoots out to the River Pointe Subdivision next to us, back to SH44 and also back to Duff. So now we are creating multiple access points for people who need to get around Middleton, by it is not the bypass that is going to create this loud noise. We have been working on this project for 2.5 years and it kept getting stalled by ITD. Finally legal counsel advised us to remove it as well, because ITD was not in a position to purchase it, and they couldn't slow up our pre plat that has been in the city for now over a year.

*Spencer Kofoed:* Partners with Tyler Hess on the residential portion. It is not a surprise to him that ITD and City of Star would have the opinions they do, he understands their perspective. ITD needs to move people through the City of Middleton and Star would just as soon have them all come there. There is a bottleneck in Star, but they would rather have all that business. So moving people past Middleton is good for Star. The City of Middleton has created a good alternative route. There is a collector that ties into the federally funded one just talked about coming from the west side of town, connecting to a roundabout north of the bridge and then comes through our properties as a collector and gets them out and through the City of Middleton without that giant bypass. It doesn't make sense to have SH44, a huge bypass and a collector all next to each other. It is like a ¼ a mile of huge roads. A better solution would be to improve SH44, to do these collectors the city is planning and put the bypass somewhere else. He has appreciated working with the City of Middleton. He has spent a year to year and a half with the bypass in there making no progress. There was complete rigidity. ITD wanted to move everyone past with no access to the property, they were rigid and difficult to work with and the City of Middleton's plan and vision for this is really incredible. It will create a heart in the City of Middleton that will make it vibrant and will have kind of an identity.

*Alan Mills:* This is a comprehensive plan and ITD hasn't made any progress on an Alternative Route – We are at the same place we have always been. If whatever happens here, if there is a decision to do an alternate route, something has to happen in the timeframe. You cannot take 30 years without expecting people to hold their property and put at risk the City for saying, "don't develop your property because we're coming". That is in the takings issue. It puts the city in a bad spot to not be able to plan and it puts Landowners in one heck of a spot, if they are told ITD is coming through here, we can't tell you when or where. It doesn't work, and there are court cases to back that up. Suggest all the players get together and develop that plan, but don't wait another 15-20 years without revisiting that plan.

*Ed Kaiser:* Where else could the bypass go? He would encourage alternative Route 44 designs to be made public, and run through the cash register to see if they are feasible or not.

*Chris Hopper:* District Engineer for CHD4. CHD4 mission is planning for transportation needs of this region. Comments that the bypass shouldn't go here because the city would like to plan a community that it has a vision for. We respect that, that is a cities job. We would ask where else this bypass might go? Middleton is already constrained by the River to the south and the foothills to the north. There is enough development between the foothills and the river that trying to get an alternate bypass route established at this time is pretty limited. Without a feasible alternative to locating a bypass, the city will be faced with the same issue the city of Star is facing right now. Encroachment on the downtown area, far more traffic through the downtown area than people like and appreciate. The inability to change in the future. Our recommendation from the Highway District would be that prior to



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making any final decisions on improving this plan, provide an alternative that would reasonably handle traffic needs for the future.

*Mike Graefe:* He has heard about the bypass for years. He has also been told that intersections at 44 and Cemetery, Hartley, and Emmett are all getting fixed, and the development is going to pay for it. Of all the time, money and effort that has gone into this bypass that has been somebody's pipe dream for the last 20-25 years. It doesn't fit with what the City of Middleton is. He likes the plans and changes and development along the River. The genie is out of the bottle, and the people are coming in droves whether we like it or not. There is 13% growth in Middleton. The average growth is 3-4%. How do you even plan for that? Quit throwing money at the bypass, put it to improve State Street. A few lights on State Street would make a tremendous amount of difference on the traffic pattern. There are so many other options, bag the bypass and work on State Street and clean that up. This is a pipe dream that will never happen.

*Jay Gibbons:* Chairman Board of Commissioners CHD4-Disappointed to think the bypass may go away. If you look 20 years down the road, the traffic through Middleton will triple. There will be a system like Star, which is a poor system. We would pray that you would delay the decision, form a committee with COMPASS to chair, ITD, CHD4, City of Middleton, and local developers. We could form a group and past decisions could be compromised and a working solution can be made. To the folks that think it will never happen, that is not quite right. There is money because of the federal budget to start buying ROW if Middleton City will release the environmental document they are hanging on to.

*Matt Wilke:* He supports eliminating the bypass. He has worked with investors that have wanted to buy property but have run into some pretty big roadblocks with that bypass. It feels like you are cutting off your commercial through Middleton and adding a second commercial district. The bypass didn't allow for any access points. From what we understood it would have cement wall and be a 5 lane, 45 mph thoroughfare. It is not conducive to what Middleton should have in the future. The proposed bypass creates challenges. Why not use the money to widen 44 as it is. We need commercial businesses to bring in rooftops. Another suggestion would be to make Purple Sage an alternate bypass.

*Matt Stoll:* Executive Director of COMPASS: prepared statements (See Exhibit A)  
As the region grows the SH44 will see significantly more traffic. A bypass around the City of Middleton will help minimize the impacts of this increased traffic by allowing the highway to function as a highway, an efficient travel corridor and by keeping highway traffic out of downtown Middleton and away from schools to provide a safer pedestrian environment for Middleton Residents, particularly children. Because of these benefits a bypass for SH44 has been in the long-range transportation plans since 2003. Delays in completing the environmental study have prevented a multitude of improvements on SH44 from moving forward. This is especially relevant as this spring the Idaho State Legislature increased transportation funding statewide. SH44 has been our number 3 priority for improvements in Ada and Canyon Counties. This bypass is needed to effectively and safely serve the future growth for the valley. He encourages to find a compromise to address all the issues so the environmental study can be completed and SH44 can be eligible for the state funding and also additional Federal funding we have access to. Respectfully request that the commission delay action until all the parties to review available data and discuss the ramifications of the proposed change. To reach a compromise that best serves the City of Middleton and the region.

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*Michael Keys:* City of Star Councilman – The City of Star requests the request by the City of Middleton bypass be removed, be denied. Star did this years ago and it was a mistake. Star's failure to plan for a bypass has caused great harm to our city and is causing them to look towards drastic measures to adapt. Including the relocation of their downtown core. This would have a dramatic impact and impose and indeterminate program delay on the required environmental document that been worked on by several agencies. For comparison drive in Star during commuter times and then drive Eagle's bypass and truly and appreciate the enormous error Star has made. The fronts of the commercial businesses along SH44 will be removed to accommodate the future widening. He encourages the commission to think and plan for Middleton's long-term future.

*Darin Taylor:* Removing the alternate route would be a mistake. ITD is in charge of the state highway systems. COMPASS is in responsible for regional planning in the treasure valley area. The City of Middleton is responsible for its local roads. The commission and City Council is responsible for moving traffic in Middleton. Eagle had a highway, alternate route built. Star had two lanes widened downtown. Our downtown has no room to widen to 4 lanes. In Middleton the alternate route south and parallel to SH44 is the right location. The big question is not when will it happen, the bigger question is how much will residents suffer and pay if we don't have the alternate route because of the transportation congestion. Existing public roads must be accommodated by ITD when it builds the alternate route. If it comes off the comprehensive plan it does not qualify for federal funding. If you remove it where are you going to replace it? We cannot put a timeline on the Federal approval process. Solution is get the local roads built on the ground in the footprint so that when they come in, they are required to accommodate those roads. We don't need any delays or committees, just require developers to put local roads in the footprint of the alternate route.

*Caleb Lakey:* District Engineer for ITD – We have worked with the city in the selection of this route. Up until the last year we have strived for that. There have been some diversions primarily over access. He clarified that in Dec 2019 the public maps shown are still the public maps. The nature of the bypass is to be an expressway. The intent is to provide a way around town for those who are not planning to frequent downtown. There is an intent to make it an Expressway. What is there when we come through will have to be accommodated. There was a 2012 study that talked about going to the north or the south. The South was ultimately selected because as a least impactful alternative. The alternative route has been on the map for a long time. Development does not have to stop because of the alternate route planned. We are asking for partnership on preserving the opportunity of the alternate route. Or a proposal of a different location, Consider the impact, what this looks like going forward.

*Dan McElhiney:* ITD Chief Operations Officer – This is a really important time for this project. We are in the middle of the environmental document, and on track to have it done by the end of next year. If you vote to remove the alternate route from the maps and not pursue the alternate route would really bypass an environmental process. Over the last month we have been talking about looking at access, roundabouts and working with the Mayor's office and city staff, this really surprised us. We would encourage you to give us some time to come back as a region with the City and take another look at the importance of the alternate route. Would like everyone to be a part of the environmental process.

*Greg Timinsky:* Middleton Fire District – Excited for commercial development in Middleton. Concern for not having an alternative if you are going to remove the one that has been proposed for the last 20 years, is traffic. We are going to have to potentially look at moving

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the Fire Station because traffic is getting worse and worse in the downtown. And response times will start to get worse and worse. If you do away with the bypass without having an alternative route, we might have to look at moving fire stations or different locations to make response times happen.

Chairman Waltemate called a 10 minute recess at 7:10 p.m.  
Chairman Waltemate resumed the meeting at 7:20 p.m.

*Sarah Keys:* She lives in Star and works in Eagle. If she hits the traffic wrong it takes her 40 minutes to go 7 miles. She wants to bring up a few points that were mentioned and ask the commission to please table this. She doesn't know anyone who doesn't like the highway. Time is expedient now, it wasn't 17 years ago, but with 13% growth it is now. You are holding peoples livelihoods in your hands. What will happen to your downtown? If you don't do a bypass you will have a problem just like Star. What will happen to those businesses. Look at the City of Eagle for an example. Developers can go on both sides of the bypass.

*Russel Morgan:* He lives in Middleton Lakes. He has concerns both ways. If the bypass goes through to the north of the residents there is obvious concern there. If the bypass is moved, he is concerned that that becomes a defacto alternate route. Where else do you put it? There are definite concerns from Middleton Lakes Neighborhood.

Chairman Waltemate closed the public comment portion at 7:26 p.m.

*Roberta Stewart:* The main question, are there any alternatives, we are not just saying this is ITD's problem and they need to find another route. The question is what are the other solutions? We know for a fact the old corridor study on SH44 wasn't saying there is a problem with SH44. The problem is the intersections of our local streets with SH44. There are solutions that will work more with intersections and local roads that are within our power.

*Becky Crofts:* Traffic is a problem in Middleton. Hartley Intersection is planned to be completed by 2022 school start. The city has worked hard to fund that project. We had a developer contribute some money to getting that funded through a negotiated contract, we sold park property, collected impact fees. The city is aware and has an obligation to get that project completed. Traffic is difficult in Middleton, there is one east/west route that is downtown through SH44. What are the alternatives? The city has been working really hard for the past 8 years for city planning for additional east/west routes – local traffic. The city is most concerned with local traffic. ITD is concerned regional traffic. The city has been working as fast as it can with developers as they come in, to identify and build one section at a time as they come in. 9<sup>th</sup> Street will likely be the next east/west road to go in from Emmett to Star. Those local roads with additional connectivity are planned. What is prohibiting that? Some of the property owners are not ready to sell, the city is not asking for them to give up their land, but we have alternative routes planned. Alternatives the city has planned other than the alternate route, the city has some alternatives we are working on for local traffic. South Cemetery Road connecting to Sawtooth diverts a little of the traffic heading south, and then the local connector out to Duff. These are local road collectors. They are not 5 lane collectors, they are 25 mph roads, not meant to divert major traffic, but will alleviate some of the traffic for our citizens for our residents. Where else can the bypass go? I don't know. There may be other alternatives, but what she is hearing tonight is delay, delay, delay. Do not make a decision planning and zoning, we need to talk about this more and more and more. Until we figure out this 15-year problem, are we going to wait 15 more years? ITD has said it is 18 months until the environmental assessment is complete. Then it is a matter of



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design, planning, design which is not a short timeframe 1-10 years. Then we are into funding. We have heard about 80 million dollars from HSB 362 that is going to increase for large infrastructure projects that we have heard tonight will fund this project. It can't be funded until the environmental assessment is done.

Commission, we have traffic problems that we are trying to solve. If you think the only thing that is going to solve those traffic problems is the alternative route, you are betting on a 5, 10-, or 15-year project. It has been 18 years. You decide. I don't know how long it will take and I don't even know if ITD knows how long it will take. We have been told tonight that it is the #3 priority. It is number 3 but it requires Right of Way purchase. If you look at all the Right of Way that has to be purchased from Duff all the way west to Emmet, we are YEARS away. There is no question we are years away. So, when we look at where we are today and our opportunities, yes traffic is a problem in Middleton. Even if you vote tonight to keep the alternative route on the table, traffic will still be a problem and that alternative route will not solve your traffic concerns for 15 years. What you give is the ability to develop a downtown core. To develop something in Middleton that is a little bit different than what Middleton has had in the past. She did not assert that folks in Eagle were not happy, those are conversations that she has had with real people, they don't like the division that it has created in their town. COMPASS, ITD, CHD4 all of those are in opposition. All of those jurisdictions we respect, love to partner with, but where are we going to end? And even if we end in the same place we are today, we are 15 years away. How long do we want to wait? Today's traffic problems are not solved with the alternate route. Today's traffic problems are solved the best way we can. We are a small city; we have a lot of growth upon us. Traffic is paid for by a number of ways: Real property tax dollars (HSB 389 just capped that for us, so thanks to the legislature for dealing us that set of cards to deal with) Impact Fees (thank you for approving getting us headed in the right step with Impact Fees) Previously only the City of Middleton Residents were paying impact fees towards traffic improvement. Now we are going area wide. Finally, we are hopefully be gathering enough fees that can help pay for some of these improvements. We do need stoplights, and most of our connection points are the bottlenecks where we hear the most complaints are attaching and getting onto SH44. The state highway functions fine if there are no connection points to it. But we do have connection points. We are a city that was developed and built around a state highway.

*Geoffrey Wardle: City of Middleton Legal Counsel:* Has been brought in to advise on the city on the Comp Plan amendment and transportation issue. The local land use planning act bests with cities the land use authority to make the decision. Under Idaho Code 67-6508 you (commission) are tasked with certain obligation related to planning and making those recommendations to the City Council. 67-6509 provides the process-that you have this hearing here, you take comments, you evaluate the request, make recommendations to the City Council and the City Council then takes it up. You are a recommending body to City Council, but City Council is tasked with also holding a public hearing.

Local Land Use Planning act identifies those elements, identifies your maps and says your land use decisions have to be in accordance with your comprehensive plan. There are a variety of statutory elements identified in the Land Use Planning Act and maps are an element of that. What you have heard tonight from some of the property owners is some of the frustration with the process that has been dictated by certain transportation authority's seeking to limit the land use authority of the City of Middleton in addressing those requests from applicants. That is why you have this issue in front of you tonight. Everything you have heard from your staff is correct. Everyone has spoken on the bypass, there are other planning activities that are being asked to evaluate: the Area of City Impact, other public elements and updating maps to your comprehensive plan. Staff has also identified the textual provisions that are identified with these maps going further in thought. Not everything



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in the Comprehensive Plan is always going to be consistent. It is a general guide and then we have to make determinations. There are a variety of goals under the comprehensive plan which are at times at odds with one another. The economic develop provisions, the parks and natural landscape provisions are potentially at odds with the issue of the bypass. As Staff has indicated there has been a lot of work that has gone into this, but you are at a point now where the delay that has occurred is significantly impacting development decisions and the decisions of property owners in this city.

*Discussion by Commission:*

*Hutchison:* In her personal business life she solves problems and works out compromises. Eagle Road is Eagle Road. There is a little tiny part of Eagle that is very cute. But the rest of Eagle is gone, and it is gone forever. We have an opportunity do in Middleton is to grow the downtown feeling to the next level. But we have a bypass in the middle. ITD has been working on it for a long time, COMPASS has spoken to us, and everything has said makes sense. However, they stuck to a 5 lane. Most of the traffic that comes down SH44, all the big trucks do so to get to Eagle and it is faster to come through Middleton, than to go around on I-84. If we lowered the speed limit to 20 mph as soon as SH44 starts after the exit at I-84, at least 1/3 of the traffic would not go on that road. What if the bypass was only 3 lanes with enough land on both sides with enough land that could be park area, later to be widened like Caldwell Blvd has done over the last 30 years and a slow process with a signal or two at both of those connection points. ITD would save money, they could put in the signals, those decisions could be done very quickly. You would have the bypass, but still have your small town that is willing to go to the next level. For alternative routes, for 25 years people have building homes, buying homes and moving into homes understanding that the bypass is going here. To all of a sudden reroute it is dishonest in her mind. ITD has been focused on certain things and haven't opened up their minds. We don't need more committees.

*Waltemate:* Problem with 20 mph road, our plan is to use that area to invite business. So now my trucks that are going to my businesses in Middleton are going to have the same issues. So, I don't want to deter traffic in that manner. The bypass has to accommodate local roads that are on the ground. If we are going to accommodate those roads that are 25 and 15 mph coming onto a 45mph street, now we have to put more traffic mitigation on that road, which will slow traffic.

*Hutchison:* Wants ITD and COMPASS to say they are willing to adjust the bypass down to 3 lanes, at 45 mph. At get back to us in 30 days.

*Waltemate:* They can't do that until the environmental study is done.

*Hutchison:* They can make a decision in 30 days.

*Springston:* Our job is not to say determine what the alternative needs to be, our job is to discuss what has been presented.

*Questions:* Seeing this bypass goes over Middleton Road. Is that creating a new intersection, is that an overpass, what is the plan?

*Becky Crofts:* It creates a new intersection.

*Springston:* That intersection is just north or south of Crane Creek as it exists now. It looks like it goes between Sawtooth and Crane Creek?

*Becky Crofts:* If you think about where the Pioneer Federal Credit Union is, the bypass is right there. For the record it would not impact Pioneer Federal Credit Union.

*Springston:* Is there another intersection being created being created at Sawtooth and Middleton Rd.

*Becky Crofts:* Yes

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*Springston:* This then comes out just passed Our Kids Daycare if this was going to proceed as planned with 5 lanes up against the subdivision. And just to be clear, the bypass was not discussed by her real-estate agent when she purchased in Middleton Lakes. She would decline deleting the current land use map, she finds that really useful.

Do we have a solid idea how much east to west traffic actually goes through in really good numbers? We are the cul-de-sac of SH44. Eagle is different.

*Becky Crofts:* Doesn't have traffic counts on SH44, ITD would have those numbers.

*Springston:* Mitigating traffic is constantly brought forth. Talk about new downtown and current downtown. The current downtown could use a facelift. She likes the idea of finding compromise, but Staff is right, if we leave the bypass in, it is still at least 15 years out. It doesn't solve the problem today. The people most adverse to getting rid of the bypass are the people who don't live here. Speaking as the people who live here, compromising the quality of life because of that what we are worried about in Eagle or Meridian when Star wasn't overly worried about how we felt when they started annexing parts out of Canyon County in our Impact Area. So, there are questions there, we have to do what is best for our city.

*Gregory:* Where can this alternate route go? It has been in the planning for 18-20 years. If we start over, we lose our federal funding. Concerned with that.

*Becky Crofts:* ITD funded the S. Cemetery Road extension at 4.5 Million dollars, not associated with this project. ITD has invested funds in the environmental assessment, not city funding. The city has not expended dollars towards the ITD alternate route. It has supported it on its maps, and we have discussed it.

*Caleb Lakey agreed with Becky Crofts Statement*

*Waltemate:* Not in favor of bypass as it sits.

*Springston:* She agrees, but doesn't want to say, all or nothing and remove the opportunity for federal funding.

*Waltemate:* Not opposed to a team working on an alternate, with a timeline. We are willing to see the way it currently sits to the way the land use maps are revised, removing the bypass as it currently is, but we still want a bypass or an alternative to the bypass.

We want to have an option on the alternate route.

*Hutchison:* If we remove the bypass, all subdivisions that we currently or in the future have going in won't know if there is going to be a bypass going in.

*Waltemate:* Two options to approve as it sits, and everything gets removed. Or we will add verbiage is to remove the current alternate route, yet there should be an alternate route.

*Becky Crofts:* Not going to speak for ITD. It is her opinion that if the bypass is removed, the alternate maybe where it exists today.

*Geoffery Wardle:* What has been communicated by ITD and CHD4 is that if you remove it, their only option may be to improve SH44 in its current alignment. The concern is your area of impact and the decisions that are integral as well and independent of the bypass that shouldn't be asked to wait for 18 months.

*Discussion to table for 30 days.*

*Waltemate to Lakey:* In 30 days Caleb Lakey could they look at those alternates, look at the changes to the current and come back with a better plan?

*Lakey:* We could look at how to improve the current alignment.

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*Waltemate:* Either improve the current alignment or look at the alternative that will allow the city to do the greenbelt walk and all of the other things. Could you do it in 30 days?

*Lahey:* We can try. Clarification. When you talk about 18 months that is the environmental document, the current planned alternative route. If you go with the current alignment, that is a reset.

*Springston:* Even if we moved forward with the bypass, we are still looking at a decade?

*Lahey:* Can't give a timeframe. Environmental document needs to be completed. ITD has also established that there is money through the legislation and this project is on the list. With the lack of the environmental document, it is held up. Once that document is completed, design is not happening overnight, best case scenario is 6-8 years.

*Becky Crofts:* What happens with regards to Right of Way acquisition because there are some challenges at the west end and all through. We have lots of things to consider, the E.A., right of way, funding, design, construction. I believe a 10-year window is reasonable and any one of those things could cause delay.

*Waltemate to Becky Crofts:* If we tabled this for 30 days could you come back with the plans for the City to improve the internal roadways?

*Becky Crofts:* Yes.

**Motion:** Motion by Chairman Waltemate to table action item 3 to August 9, 2021 to be presented with the alternative to the existing route and the cities plan to improve the roadway in lieu of the bypass. Motion seconded by Commissioner Hutchison and approved unanimously.

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

**4. Public Hearing: An application by David Buich/ Hartley Lane LLC and James L. Escobar, AIA for preliminary plat and development agreement modification with respect to the Hartley Lanes Townhomes located at 0 Hartley Lane (Tax Parcel No. R1788901). The proposed preliminary plat consists of 58 townhome sites, 4 common lots and 1 commercial lot on 6.06 acres of vacant land.**

City Planner asked that this be removed from the agenda.

*Waltemate:* For the record an application by David Buich/ Hartley Lane LLC and James L. Escobar, AIA for preliminary plat and development agreement modification with respect to the Hartley Lanes Townhomes located at 0 Hartley Lane (Tax Parcel No. R1788901). The proposed preliminary plat consists of 58 townhome sites, 4 common lots and 1 commercial lot on 6.06 acres of vacant land. Is removed from the agenda.

**5. Consider approving Design Review for Eldredge/Middleton Fitness.**

Chairman Waltemate called the item.

City Planner, Roberta Stewart presented the staff report. (See Exhibit 3)

Applicant: Jonathan Eldredge discussed his project.

*Applicant and Commissioners discussed the elements of the building.*

**Motion:** Motion by Commissioner Springston to approve the design review for Eldredge, not Middleton Fitness. Motion seconded by Commissioner Hutchison and approved unanimously.

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**Public/Commission/Staff Comments:**

Commissioner/Staff Comment: None

**Adjourn:** Chairman Waltemate moved to adjourn the July 12, 2021 planning and zoning meeting at 8:28 p.m.

Question by Commissioner Springston, does it behoove the commission to have a special meeting to review at least the material?

Commissioners asked that material from the city, showing what the city plans to improve the roadways and alternate to the bypass, be available prior to the August 9<sup>th</sup> meeting, and that material be emailed to the commissioners to review as soon as possible.

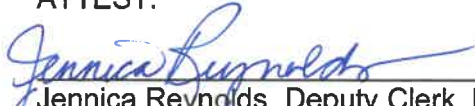
*Roberta Stewart:* We will do our very best to get it to you as soon as possible.

*Mike Graefe:* What intersections will be on the bypass? 3 major intersections on SH44. So what we are doing is moving major traffic problems to the bypass. If there is so much opposition, you might as well fix state street.

Motion seconded by Commissioner Springston.

Meeting adjourned at 8:33 p.m.

ATTEST:

  
Jennica Reynolds, Deputy Clerk, Planning  
Approved: August 9, 2021

  
Ray Waltemate, Chairman







**CITY OF MIDDLETON**  
1103 W. MAIN STREET, MIDDLETON, ID 83644  
208-585-3133, 208-585-9601 FAX  
WWW.MIDDLETONIDAHO.US

MEMORANDUM

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**MEMORANDUM**

**TO:** Middleton Planning and Zoning Commission  
**FROM:** Bruce Bayne, Director of Public Works  
**DATE:** June 25, 2021  
**SUBJECT:** Comprehensive Plan Amendment 2021

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Middleton City Council added capital improvement plans for city parks in 2016 and for city transportation in 2017, and the amended comprehensive plan adopted by Council on December 5, 2018 retained those capital improvement plans. On December 4, 2019 the capital improvement plan was updated to amend the city's transportation and parks information and proposed revised impact fees.

Construction costs for city transportation infrastructure has risen dramatically since 2019. The Impact Fee Advisory Committee considered this dynamic in its 2021 annual review of the city's transportation capital improvement plan. The Committee has given comments to increase the city's impact fees so new development continues to pay for itself.

Idaho Code requires capital improvement plans to be adopted as part of the city's comprehensive plan before the city can collect impact fees.

The city is requesting that the Middleton Planning and Zoning Commission recommend City Council amend the comprehensive plan to include the updated city transportation capital improvement plan. A copy of the capital improvement plan is attached as Exhibit A.

This action will enable City Council to increase the city's transportation impact fee amounts onto associated building permits.



## Working together to plan for the future

July 12, 2021

Honorable Steven Rule  
Mayor, City of Middleton  
1103 West Main Street  
Middleton, ID 83644

**Re: City of Middleton Comprehensive Plan**

Dear Mayor Rule,

It has recently come to the attention of COMPASS staff that the City of Middleton is seeking to update the city's comprehensive plan map to remove the State Highway 44 (SH-44) bypass.

As you know, COMPASS works closely with member agencies to develop the regional long-range transportation plan for Ada and Canyon Counties. This plan identifies the vision for growth and the transportation system to support that growth. The long-range transportation plan also enables transportation agencies to maximize the use of the limited transportation dollars in a comprehensive and coordinated approach. The SH-44 bypass has been included in the region's long-range transportation plans since 2003. The current long-range transportation plan, *Communities in Motion 2040 2.0* (CIM 2040 2.0), identified the SH-44 bypass in Middleton as key to the overall efficiency and safety of this corridor. SH-44, including the Middleton bypass, is currently considered the third highest state system priority in CIM 2040 2.0, after Interstate 84 and US Highway 20/26.

Not only has this project been included in the long-range transportation plans since 2003, but it had its genesis a few years earlier in a corridor study that began in 1999. The corridor study later became an environmental assessment (EA). Multiple agencies have been working together to support the development, completion, and eventual adoption of the SH-44 EA. For the past eighteen years, decisions about regional land uses and the transportation system have been influenced by/depend on the future bypass.

This spring the Idaho Legislature passed HB362, which Governor Little signed on May 10, 2021, to increase sales tax distribution to the Transportation Expansion and Congestion Mitigation Fund, to allow for large infrastructure projects. This increase allows at least \$80M per year for capacity projects, with the added ability to bond. If the SH-44 EA can be completed and approved, the project could move forward with the newly available funding.

As recent and future growth will bring added traffic to SH-44, the bypass is needed to maintain a state route as an efficient corridor to access jobs, services, and other communities, while ensuring Middleton's downtown is safe for pedestrian access to nearby schools and businesses.

COMPASS has committed almost \$4.7 million dollars in the regional transportation improvement program to construct South Cemetery Road, from Highland Drive to Willow Creek, linking SH-44 and Middleton Road. If the bypass does not come to fruition, there could be unintended consequences, such as drivers choosing to use the Cemetery Road extension to

avoid the impending congestion through the City of Middleton due to growth. The bypass was designed to carry/serve this additional traffic. Local land use and transportation plans were developed based on this understanding of the need for a SH-44 bypass in Middleton. Without this bypass, we anticipate a degradation of other roads and an inability to effectively and safely serve future growth.

As these decisions can have far-reaching impacts, we respectfully request that you delay action on this item to allow all parties to discuss the ramifications of this action on transportation, safety, and businesses, both regionally and locally. COMPASS can facilitate dialogue to review data, discuss the ramifications, and to reach a compromise.

Please contact me if you have questions.

Sincerely,



Matthew J. Stoll  
Executive Director

Cc: Ray Waltemate, Chairman, City of Middleton Planning and Zoning Commission  
Kip Crofts, City of Middleton Planning and Zoning Commissioner  
Jeff Garner, City of Middleton City Council Member  
Janet Gregory, City of Middleton Planning and Zoning Commissioner  
Carrie Huggins, City of Middleton City Council Member  
Jackie Hutchison, City of Middleton Planning and Zoning Commissioner  
Rob Kiser, City of Middleton City Council President  
Tim O'Meara, City of Middleton City Council Member  
Whitney Springston, City of Middleton Planning and Zoning Commissioner  
Roberta Stewart, City of Middleton  
Caleb Lakey, Idaho Transportation Department  
Chris Hopper, Canyon Highway District  
Steve Fultz, Canyon County



# Exhibit B-1

**CANYON HIGHWAY DISTRICT No. 4**

15435 HIGHWAY 44  
CALDWELL, IDAHO 83607

TELEPHONE 208/454-8135  
FAX 208/454-2008

May 14, 2021

Roberta Stewart, Middleton Planning & Zoning Administrator  
1103 West Main Street  
Middleton, ID 83644

**RE: Amendment to 2019 Comprehensive Maps  
Area of Impact Map, Functional Classification Map, Transportation, Schools, and  
Recreation Map**

Mrs. Stewart:

Canyon Highway District No. 4 (CHD4) has received notice of the proposed City of Middleton Comprehensive Plan Amendment (hereafter the "Plan"). Staff has reviewed the application and associated materials and offers the following comments on these matters:

**Area of City Impact Map**

1. Recommend different color for describing the Middleton impact area boundary and Caldwell City Boundary
  - a. Colors of Red and Purple do not contrast.
2. Star City Limits shows north of Foothill Rd on both sides of Purple Sage Road; this area has not been annexed by City of Star to the best of our knowledge.
  - a. Star River Ranch Subdivision No. 1 and No. 2 at the southerly end of Bent Lane has been annexed by Star, map is not correct.
3. Revise Middleton City Limits
  - a. Crescent Lakes Subdivision on Kingsbury Rd is not included.
4. Please add in legend description of black dashes generally encumbered by Goodson, I-84, Can-Ada.
5. Recommend flattening image prior to distributing maps—can remove "draft" titles

**Functional Class Map**

General

1. Recommend aligning colored descriptions to the Canyon County Functional Class Map
  - a. Grey is challenging to see.
  - b. Red = Arterial
  - c. Magenta = Collector
  - d. Black = Local Road
2. Recommend showing roads that continue or are planned to continue outside of proposed impact area/planning area.
  - a. For example Harvey and El Paso extending north of Galloway
3. Recommend transparency or different color depicting boundaries—see Lincoln Road, Purple Sage Road, Edna Lane, KCID—unable to read classifications of aforementioned roads.
4. Local Collector and Minor Collector
  - a. Local and minor collector pavement width same but different pedestrian/bike facilities



- i. Can these be labeled the same color with a pathway plan distinguishing the difference?
5. The current long-range transportation plan for the Canyon County area of the Plan consists primarily of the Functional Classification Map (2012) from the Canyon County Comprehensive Plan. This map generally depicts a one-mile grid of arterial and collector corridors, with half-mile collector corridors where topography and existing development allow. Roadway classifications and future road corridors shown on this map should be included in this or future Plan amendments.
6. The Commercial Corridors shown along Hwy 44 and future bypass may have a significant negative effect on the traffic operations and safety of that principal arterial corridor. CHD4 recommends the following be included in the text description of these Corridors: "Rezoning to this designation should not be allowed unless the applicants can demonstrate the ability to provide and develop marginal access streets, frontage or backage roads, stub streets, cross-access easements, or other mechanisms to restrict direct access to the arterial roadway except at planned public road intersections, or to limit such direct access to right-in-right-out or other restricted ingress/egress as is necessary to promote the safety and capacity of the arterial corridor."

Functional Class Map Details:

1. Recommend City, CHD4, and ITD review intersection spacing and designations at Highway 44—particularly west of current city limits:
  - a. Bypass, Ranch, Canyon, Harvey, Emmett, and River (extension of Channel)
  - b. Review above roads against Canyon County Functional Class Map designations
2. Review surrounding intersection spacing of Bypass at Middleton Road
3. Review Kingsbury designation, recommend consistency with Canyon County functional class map—principal arterial
  - a. Align intersection of Kingsbury with HWY 44
4. Review topography and existing development as may be impractical to extend Meadow Park west of Emmett
  - a. Review Meadow Park alignment on proposed plan and compare to current alignment
5. Bridge crossings of the Boise River are generally spaced 3 miles apart with exception of dense populations see Boise City bridge spacing.
  - a. Kingsbury crossing is approximately 3 miles apart from Middleton and Star Blvd and will serve a greater area.
  - b. Recommend City discuss Duff Lane crossing with Caldwell City as Caldwell City functional class map does not intend to extend Midland (Duff alignment) north.
6. Show north Middleton Road alignment extending south of highway 44 and aligning with South Middleton Road
7. Recommend showing Sawtooth/Cemetery connection
8. Recommend reviewing Hall Avenue from Meadow Park to Foothill—topography is challenging
  - a. Volumes may not require a major collector designation south of Meadow Park
  - b. CHD4 neighborhood transportation plan does not intend to extend this alignment south of Meadow Park Street as a collector
9. Recommend reviewing Willis Road east of Lansing,
  - a. Due to less than desired separation between Meadow Park and Quail Haven along with challenging topography east of Lansing, current plans have Willis connecting into Meadow Park between Duff and Lansing

12. Recommend labeling collector on quarter-section line between Cemetery and Middleton
13. Show Cornell Streets aligning at Kingsbury intersection
14. River Street appears to tie into Channel, label channel road
15. Willis west of Old 30 is not planned to cross I-84—recommend reviewing major collector designation of Willis west of Old 30
16. El Paso collector extension south of Willis Road is not practical due to minimal separation from Old 30 at the Highway 44 intersection
  - a. Timber Hills Subdivision is not extending El Paso south of Willis.
17. Recommend reviewing offset intersection at Emmett Road/Highway 44
18. Concord to major collector designation appears more appropriate beginning at the west leg of the Hartley/Concord intersection
  - a. Shown on map in places as a local collector road
19. Crossing Avenue label is shown but no line showing classification.
  - a. Is the major collector designation east of the label applicable? Existing development did not plan nor build a road at the quarter section line; it appears Crossings Avenue is providing this similar connection at the 1/16<sup>th</sup> line?
20. Show Cemetery extending north of Galloway
21. Recommend continuing major collector road in alignment with former Idaho power maintenance road approach west connecting to major collector road grid system
22. Recommend showing realignment of Lincoln Road per Middleton Rd Corridor Plan 2016
23. Review Lansing Lane designation, major collector is more appropriate
24. Review Duff/Harvard intersection skewed bridge crossing
25. Recommend connecting East 9<sup>th</sup> Street from Ember to Duff
26. Review necessity of Hall alignment south of HWY 44
27. Review Landruff extending east of Kingsbury.
28. Recommend reviewing River Street extending east of Duff
  - a. Existing development will prevent extension
29. Add call out on map east of Can-Ada along Quenzer/Cornell Street alignment Floating Feather.
30. Add call out on map east of Can-Ada New Hope/Beacon Light alignment.
31. Show Galloway Rd extension east of Lansing
32. Review East west quarter-section line road between Douglas and Can Ada
33. Show alignment of Purple Sage Road at Blessinger.

CHD4 appreciates the opportunity to review the proposed amendments, and requests these comments be considered in amending the current comprehensive plan.

Respectfully,



Lenny Riccio, E.I.T  
Assistant District Engineer  
Transportation Planner



Exhibit B-2

CANYON HIGHWAY DISTRICT No. 4

15435 HIGHWAY 44  
CALDWELL, IDAHO 83607

TELEPHONE 208/454-8135  
FAX 208/454-2008



July 8, 2021

Mayor Steve Rule, Middleton City Council. And  
Middleton Planning and Zoning Commission  
1103 West Main Street  
Middleton, ID 83644  
Attention: Roberta Stewart, P&Z

**RE: Middleton Comprehensive Plan- Amendment to 2019 Maps**

Dear Mayor, Members of Council, and Planning and Zoning Commissioners:

Canyon Highway District No. 4 (CHD4) has received the City's June 24<sup>th</sup> notice of the proposed amendment(s) to the 2019 Comprehensive Plan Maps, and provides the following comments:

CHD4 staff received a request for comment on revisions to the City's comprehensive plan maps on April 23, 2021, with a public hearing initially scheduled for May 10<sup>th</sup>. Staff reviewed the transportation and functional classification maps, and provided the city with approximately 50 specific comments on these maps in a letter dated May 14, 2021. The maps included with the April 2021 notice show the "ITD Hwy 44 Conceptual Alternate Route" as a bypass south of the existing city center between Duff Lane and Ballard Lane. CHD4 commented specifically with a recommendation for the City, CHD4, and ITD to review the intersection spacing and functional class designations for those roads intersecting the Bypass. CHD4 staff recommended in separate communications with the City, both by email and in person, a meeting to review and resolve the entirety of CHD4's comments on the proposed comp plan map amendments, as there were a significant number of inconsistencies with maps and/or plans previously adopted by CHD4 and/or Canyon County.

The maps provided with the June 24<sup>th</sup> notice of hearing do not appear to address the comments made by CHD4, and have been further revised to eliminate the "ITD Hwy 44 Conceptual Alternate Route" (hereinafter referred to as the Bypass). It is CHD4's understanding at this time that the Bypass was removed from the map due to disagreement with ITD on public road access to the Bypass. CHD4 staff recognized the significance of this modification, and included this item for discussion on the July 7<sup>th</sup>, 2021 CHD4 Board of Commissioners agenda.

At their July 7<sup>th</sup> regular meeting, the CHD4 Board discussed the City's apparent intent to remove from their planning documents a Bypass around the existing City center, and the proposed approval of a preliminary plat for River Ranch Crossing Subdivision which does not provide for the Bypass south of existing SH 44. The CHD4 Board determined that abandonment of planning for the Bypass, and approval of a development project that would effectively eliminate any opportunity for an alternate SH 44 route south of the city center could have serious consequences for future east-west transportation needs for both the City and the region as a whole.

The current SH 44 alignment through downtown Middleton (generally between Dewey St and Cemetery Rd) is constrained by a relatively narrow right-of-way (55-60 feet) and numerous existing structures. Although it appears possible to develop an undivided four-lane section without significant additional right-of-way acquisition, this alternative would not significantly improve capacity unless most public road access was eliminated through the downtown area.

Widening the current alignment to accommodate a five-lane section (which meets the projected 2045 traffic demand estimated in the 2019 Traffic Analysis and Access Management Report developed for ITD) would appear to require relocation of 3 or 4 existing business structures, reduction or removal of pedestrian facilities, and elimination of private parking areas and building setbacks along the length of the downtown corridor. Further, the existing business and residential access, numerous pedestrian crossings, and current desired 25 mph speed limit restrict the capacity of any lane configuration within the downtown corridor.

The 2019 Traffic Analysis performed for the SH 44 Corridor Study projects the under the No-Build option (no Bypass) that in 2045 delays at the Cemetery Rd and Hawthorne Dr intersections exceed 300 seconds per vehicle (> 5 minutes) at SH 44, more than ten times greater than the existing 2018 conditions. The ITD traffic analysis recommends the SH 44 Alternate Route, and it is also listed as Priority No. 4 on the Communities in Motion 2040 2.0 unfunded priority list. Both the ITD analysis and the CIM 2040 study used traffic demand models that significantly underestimate the existing traffic demands in the Middleton area, and dramatically underestimate the growth currently being experienced within the city area of impact.

Failure to provide for either an alternate SH 44 route outside of the existing downtown corridor, or a plan to develop the recommended five-lane section within the current SH 44 downtown corridor will result in severe negative consequences for future users of the highway system along the SH 44 corridor. The City's proposed map amendments, and the proposed approval of the River Ranch Crossing preliminary plat effectively eliminate the first option. No reasonable alternative for a different bypass or couplet appears to exist on either side of existing SH 44 due to existing development, leaving the downtown corridor as the only feasible alternative.

CHD4 requests the City continue the requests for approval of the Comprehensive Plan Map Amendments, and the River Ranch Crossing Subdivision preliminary plat until a more detailed evaluation of the alternatives available for future improvements to the SH 44 corridor can be made. The CHD4 Board of Commissioners is concerned that actions by the City that remove the potential for the Bypass without a reasonable alternative plan will negatively impact the region's transportation needs in ways that cannot be undone. We respectfully request your consideration in this matter.

Jay Gibbons, the CHD4 Board Chairman and myself plan to attend the July 12<sup>th</sup> Planning & Zoning Commission meeting to discuss these concerns. Please feel free to contact me in the interim with any questions on these comments.



Chris Hopper, P.E.  
District Engineer

CC: CHD4 Board of Directors  
Caleb Lakey, P.E. ITD District III Administrator  
File: Middleton\_2021 Comprehensive Plan Amendment



# Exhibit E



July 7, 2021

Honorable Mayor Steven Rule  
City of Middleton  
1103 W. Main Street  
Middleton, ID 83644



City of Star  
10769 State Street  
PO Box 130  
Star Idaho 83669  
208-286-7247  
208-286-7569 (fax)


Dear Honorable Mayor Steven Rule:

I am writing to oppose the River Ranch Crossing Subdivision. This development is in direct opposition to the environmental document that has been worked on for several years by multiple agencies, including the Cities of Star, Eagle, and the Idaho Transportation Department (ITD), in an effort to improve the mobility of traffic in this region. Taxpayer dollars have been spent to pay for for this planning that includes improvements to Highway 44 between Linder Road and Interstate 84. If this subdivision is approved as presented, it will severely impact mobility along State Highway 44 in our region. Years ago, Star was presented with the opportunity to bypass and preserve its downtown core. It did not take advantage of this opportunity, and the increased traffic on Highway 44 has had a negative impact on our downtown businesses. The same will happen to Middleton if this development is allowed to move forward in the planned location.

The Idaho Transportation Department plans to complete a much-needed expansion of State Highway 44 from Linder Road to Highway 16 in 2023, and between Highway 16 to Star Road in 2024. A bypass of Middleton's downtown core will provide much needed traffic relief. If River Ranch Crossing Subdivision is allowed to move forward without the bypass, these two expansion projects will be delayed to a date uncertain. Any delay in either of these projects will cause additional traffic and stress for the citizens of Middleton, Caldwell, and Star on what is already a congested highway.

I respectfully request that the River Ranch Crossing Subdivision is denied, allowing the expansion of Highway 44 to move forward as planned, thus helping to improve traffic flow in the area and protecting Middleton's downtown core.

Thank you for your time and consideration,



Trevor A. Chadwick  
Mayor, City of Star

Exhibit D



**GARRET NANCOLAS**  
Mayor

208.455.3011  
(7) 208.455.3003

**City Hall**  
411 Main Street  
Caldwell, Idaho 83605

**Post Office Box**  
P.O. Box 1179  
Caldwell, Idaho 83606

For a list of the City  
Council members, visit:  
**Website**  
[www.cityofcaldwell.org](http://www.cityofcaldwell.org)

CITY OF  
*Caldwell, Idaho*

July 9, 2021

Roberta Stewart, Planner  
City of Middleton  
Planning and Zoning Department  
1103 W. Main Street  
Middleton, Idaho 83644

Re: City of Middleton Comprehensive Plan Land Use Map Amendment, Area of City Impact (ACI)

Dear Roberta:

Thank you for including the City of Caldwell in your recent correspondence regarding your upcoming Comprehensive Plan Land Use Map Amendment, Area of City Impact (ACI). Based upon the map that you forward me on June 25, 2021, it appears that the ACI boundaries do not encroach within the Caldwell ACI.

With that being said, the City of Caldwell supports your proposed Comprehensive Plan Land Use Map Amendment, Area of City Impact (ACI) and we have no additional comments.

We wish you and the city of Middleton well in your upcoming public hearings and review process.

Sincerely,

M. Jerome Mapp  
City of Caldwell  
Planning and Zoning Director



# Exhibit E



**From:** [spencer.tradition@gmail.com](mailto:spencer.tradition@gmail.com)  
**To:** "Jay Gibbons"; "Alan Mills"  
**Cc:** "Chris Hopper"; "Tim Richard"; "Rick Youngblood"; "Randy Wood"  
**Subject:** RE: 2021 Middleton Comp Plan Map Amendments  
**Date:** Monday, July 12, 2021 3:19:38 PM

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Good afternoon Jay-

Thanks for sending me the letter giving CHD4's perspective on the Middleton bypass. I don't know if you've had a chance to meet with Mayor Rule or the City Administrator to get a full perspective from them, but my perspective on this issue has changed over the last 2 ½ years. I've been in close contact with Tyler Hess as he has helped the Watkins develop their property. We were all initially in favor of the bypass and it was shown in the preliminary plat for over a year until ITD's requirements became too rigid and delayed to allow the City of Middleton to make a downtown that everyone could get behind. The City asked us to remove the bypass and install collector roads. There was much more to the disagreement than just the access referred to in your letter, but I'll let Mayor Rule speak to those items. In the end, I prefer the City of Middleton's plan for this area that doesn't include the bypass. Putting Hwy44/the Bypass/City Collectors all next to each other would make Middleton a drive-by community that people get through only to get stuck on Hwy 44 in Star. I prefer the vision the City has for this area that includes commercial buildings, restaurants, walking paths, bike loops, parks, a plaza, ice-skating rinks, etc. The collectors the City of Middleton are putting in will move traffic and allow Middleton to create the City Center that I think everyone will love.

I'm in favor of a bypass, but I think at this time it needs to go somewhere else based on the City's plan. Hwy 44 will always have a bottle-neck in Star, so maybe 9<sup>th</sup> Street, Purple Sage, Galloway, Goodson, or some other route can be found that wouldn't negatively impact Middleton's vision for it's downtown.

Thanks for your work on the transportation in the community. I'll see you tonight.

Respectfully,  
Spencer Kofoed

**From:** Jay Gibbons <JGibbons@canyonhd4.org>  
**Sent:** Friday, July 9, 2021 8:01 AM  
**To:** 'Alan Mills' <millscorealty@msn.com>; [spencer.tradition@gmail.com](mailto:spencer.tradition@gmail.com)  
**Cc:** Chris Hopper <CHopper@canyonhd4.org>; Tim Richard <TRichard@canyonhd4.org>; Rick Youngblood <RYoungblood@canyonhd4.org>; Randy Wood <RWood@canyonhd4.org>  
**Subject:** FW: 2021 Middleton Comp Plan Map Amendments

Gentlemen;

Not sure if you are aware of these actions being considered by Middleton City regarding elimination of the SH 44 Alt. Route Bypass. We (CHD4) invite anyone concerned about the proposed changes to make comment to the City either in written form prior to the July 12<sup>th</sup> P & Z meeting or in person at

# Exhibit "F"

**Roberta Stewart**

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**From:** Shawn Nickel <Snickel@staridaho.org>  
**Sent:** Monday, July 12, 2021 3:33 PM  
**To:** Roberta Stewart  
**Cc:** Michael Keyes; Trevor Chadwick; Jacob Qualls; Joe@borton-lakey.com  
**Subject:** City of Middleton Proposed  
**Attachments:** Letter to Middleton on Bypass.pdf

Good afternoon Roberta. I apologize in advance for the lateness of this email. In addition to the statement made by Mayor Chadwick in the attached letter addressing the removal of the Middleton by-pass on Hwy 44, the City of Star is also opposed to any proposed amendments to the Middleton Comprehensive Plan and associated Maps that depict changes in areas recognized in the City of Star's Comprehensive Plan Land Use Map. The City of Star is working with Canyon County on its Area of City Impact and would request that the City of Middleton refrain from final adoption of its Plans in these areas until such time that the City of Star and County complete their negotiations.

The City of Star will provide a formal letter at a later date for the future Middleton City Council to consider.

Thank you Roberta for your time. Please provide this email to your Planning and Zoning Commission for tonight's meeting.

Shawn

*Shawn L. Nickel  
Planning Director and Zoning Administrator  
City of Star  
snickel@staridaho.org  
208-908-5455*





Exhibit "G"



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

**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 7129 • Boise, ID 83707-1129  
(208) 334-8000 • [itd.idaho.gov](http://itd.idaho.gov)

July 12, 2021

Mayor Steve Rule  
City of Middleton  
1103 West Main Street  
Middleton, ID 83644

RE: Middleton SH-44 Alternate Route

Dear Mayor Rule:

We are writing to thank the City of Middleton for a long history of planning and partnership on the State Highway 44 Middleton Alternate Route with Idaho Transportation Department (ITD) and COMPASS. This route has regional significance, serving the traveling public of Middleton and several surrounding cities. The alternate route alignment has also been in the City's comprehensive plan since 2006 and on the associated planning maps until it was recently removed. Additionally, the plan for this alternate route south of Middleton has been shown to residents and developers on multiple occasions, for residents and builders during the planning and approval process. ITD has invested time and funds in this ongoing project knowing the region, City and the public supports the alternate route as a needed transportation improvement to reduce congestion, improve safety, and enhance mobility for the growing community through downtown Middleton.

With new transportation funding from the state legislature this fiscal year, the Idaho Transportation Board is ready to invest in critical corridor improvements. SH-44 is one of the candidate corridors. The draft environmental document being prepared is to be completed next year and then roadway design can be initiated. An improved SH-44 on the alternate alignment will provide the major arterial road with added capacity and modern intersections needed for the increasing local and east/west estimated traffic volumes over the next 20 years. A significant change at this time by the City to revise the approved alternate route alignment may delay the environmental process timeline and the planned corridor improvements. If the path of the alternate route is not preserved, there is likely no remaining transportation alternative route to support the added capacity for traffic mobility needed during the next 20 years for Middleton and the surrounding valley.

Caleb Lakey our ITD District 3 Engineer attended your most recent City Council meeting and offered testimony on the importance of the SH-44 Alternate Route. We would like to meet with you and the City Council again soon to confirm our teamwork and to provide an update on the project progress, funding opportunities, and the benefits as a transportation solution for the City and for regional long term SH-44 traffic operations. We will reach out to your office, but please call me at 208-871-8534 anytime or Caleb Lakey at 208-260-1740.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Dan McElhinney'.

Dan McElhinney, P.E.  
Chief Operations Officer

CC: Becky Croft, City of Middleton  
Canyon County, Commissioners  
Caleb Lakey, ITD D3 Engineer  
Matt Stoll, COMPASS  
Tim Richards, Director, Canyon Highway Dist 4

## River Pointe Subdivision

Annexation & Rezone / Preliminary Plat / Development Agreement Modification / Comprehensive Plan Map Amendment



### Project Description:

Subdivision with (a) up to 7 commercial lots, (b) 92 single family homes, (c) 67 "Garden/Patio homes" for 55+ homebuyers, (d) 30 single story townhomes for 55+ homebuyers, and (e) 84 two-story townhomes for 55+ homebuyers on 88.5 acres of vacant land located at 10481 Highway 44 and 0 Duff Lane (Tax Parcel Nos. R33935010A0, R3392 & R3392001).

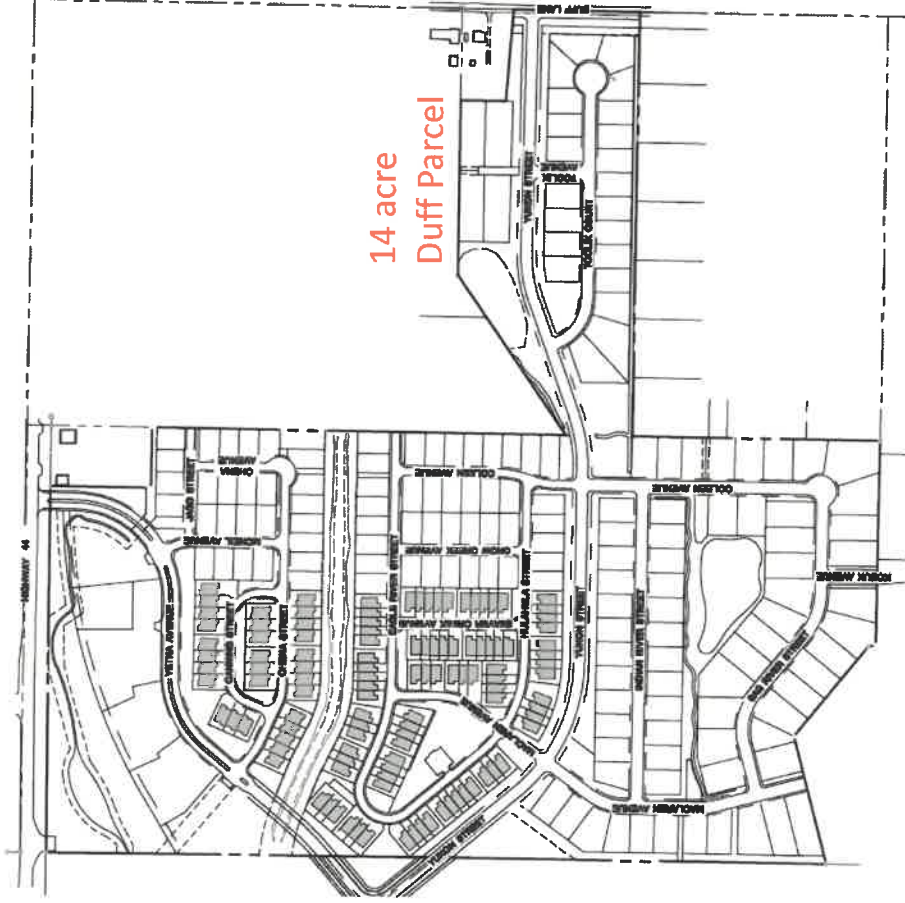
The project will include numerous amenities such as swimming pool facility, five pickleball courts, large playground, community ponds, large greenspace common lots, and lengthy 10' wide pathways that will connect to a large city-wide "River Walk Loop" planned for the City of Middleton.

Applicant is proposing 8 phases to build out the development.

Applicant has submitted four applications to be considered by the Commission: (1) Annexation/Rezone, (2) Preliminary Plat, (3) Development Agreement Modification, and (4) Comprehensive Plan Map Amendment



M-U Zone



### History & Condition of Property:

The Project is comprised of two main components. The first part is made up of two parcels totaling 74 acres that was annexed into the City of Middleton in 2006 over 15 years ago. The property was rezoned M-U ("Mixed Use") at that time. A Development Agreement was also executed in 2006, and it entitled Applicant to more high density housing uses, narrower setbacks, and smaller lots than allowed by the 2006 Code and the current 2021 Code. It appears that earlier Governing Boards intended this project area to include commercial uses along with residential uses that are more intensive than normally found in Middleton subdivisions.

The second component is a 14-acre parcel located off Duff Lane. It is currently in Canyon County and zoned "Agricultural," and it is the subject of the annexation/rezone application before the Commission. Over 5 years ago, the P&Z and City Council designated this 14 acre project site "Transit Station" and "Transit Oriented Development" on the Future Land Use Map. The Comprehensive Plan defines "Transit-Oriented Development" as "high density residential and light commercial uses in close proximity to a high capacity public transportation network system...etc.". Again, it appears that earlier governing bodies intended this area near the intersection of Duff Lane and Hwy 44 to be an intensive project site that would serve numerous needs and uses.







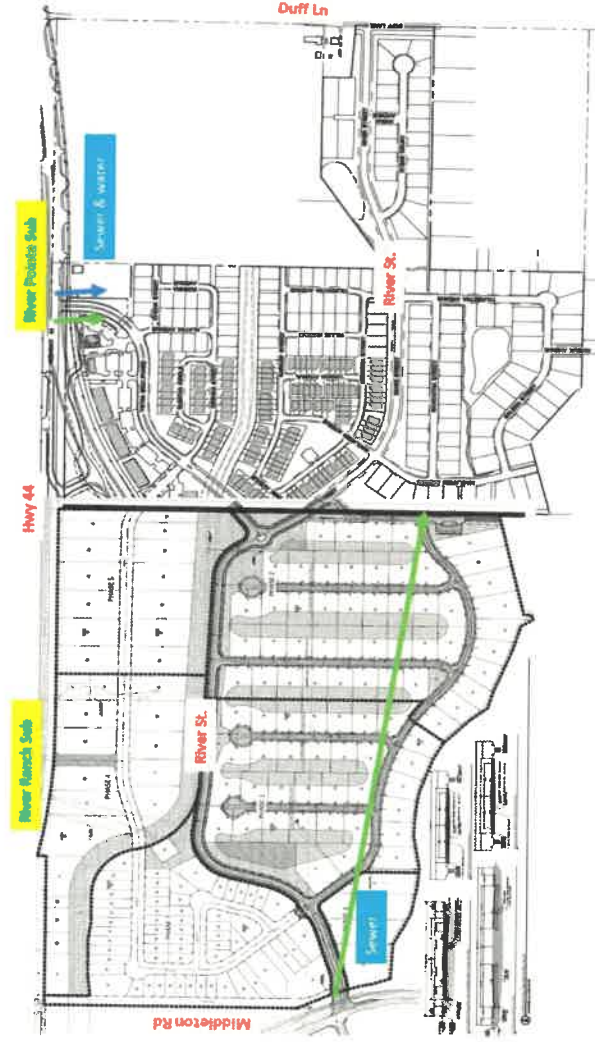
As to the surrounding property, property to the south of the 14 acre Duff parcel is a County Subdivision known as River Bend Place. This newer subdivision began development around 2018/2019. It should be noted that River Pointe's M-U zoning and intensive land uses had already been planned and set in place for about 13 years prior to the development of the newer River Bend subdivision to the south.

Property to the north of River Pointe matches the intensity of River Pointe with Middleton C-2 Commercial Zoning and higher density R-4 Residential. Property generally to the east is County Rural Residential and R-1. Property to the west is County Agricultural.







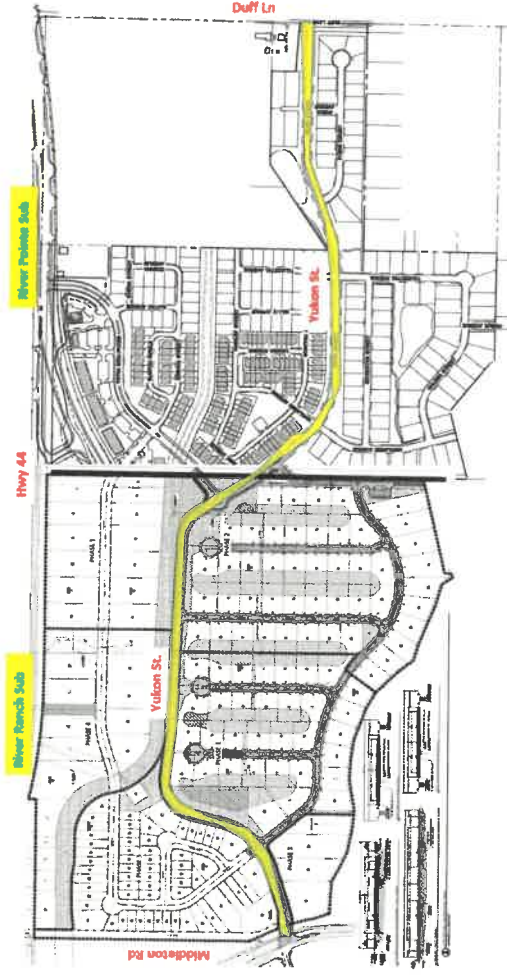


### City Services:

Domestic water and sanitary sewer run along Highway 44 and are accessible by Developer for the project. Sewer service from the west through the new River Ranch Crossing project will also facilitate sewer service for the southern portion of River Pointe.

*Planning Staff finds that City water and sewer services are adequate to serve the proposed project.*





**Traffic, Access & Streets:** Access to the project is through Highway 44 and Duff Lane. When the neighboring River Ranch Crossing project is completed to the west, River Pointe will also have access to Middleton Road via a new east-west collector road called Yukon Street.

Yukon Street is a collector street that is required by the Comprehensive Plan "Transportation, Schools & Recreation Map", and it is critical to Middleton's long-term transportation planning and circulation. (You can see this east/west collector on the Transportation map shown in the lower left corner of this slide. On the Map, the street is named "River Street". (Canyon County recently asked that the name "River Street" not be used. That is why the street is named "Yukon Street" on the preliminary plat.)

It is important to recognize that Yukon Street has been required by the Comprehensive Plan since 2016, which is a date prior to some of the growth in the surrounding area such as River Bend Place Subdivision.

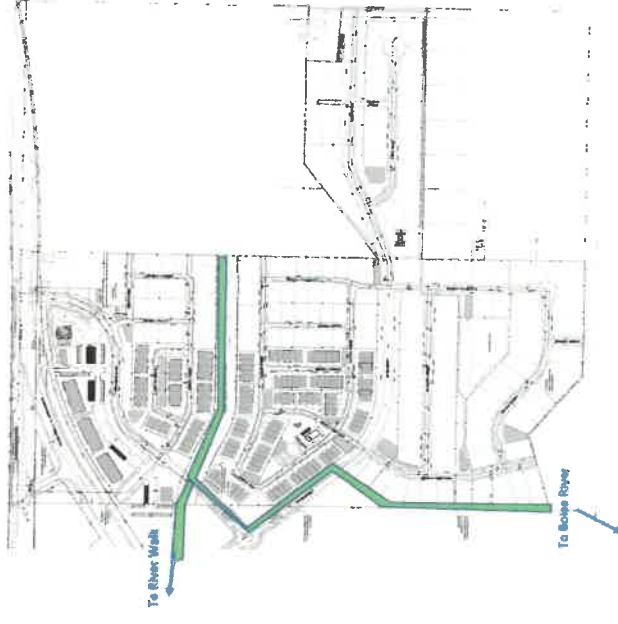
Additionally, CHD4 and ITD have reviewed the Preliminary Plat and have set forth pro-rata share fees and road improvements that should be required. City Engineer is considering the recommendations, and Planning Staff recommends that Developer be required by the Development Agreement and/or conditions of approval to construct all City required street improvements and pay all City required traffic pro-rata fees.

*Planning Staff finds that Applicant's transportation design & access in the preliminary plat is in the best interest of the City of Middleton and in harmony with the Comprehensive Plan.*





**Open Space & Amenities:** Applicant has exceeded the 5% Open Space requirement by providing 14.86 acres (or 16.79%) of open space in the form of a swimming pool facility, five pickle ball courts, large common area park with play facility, community ponds, extensive 10' wide pathways, and open grassy common lots with shade structure. The 10' asphalt pathways from the Applicant's project will be part of the intricate "River Walk Loop" design that will follow the Kennedy lateral across Middleton Road to intersect with two large parks on the west side of Middleton Road. This pathway will create a public recreational "River Walk" loop with multiple plazas and parks that will wind through Middleton City and along the Boise greenbelt. PLAZA / PARKS





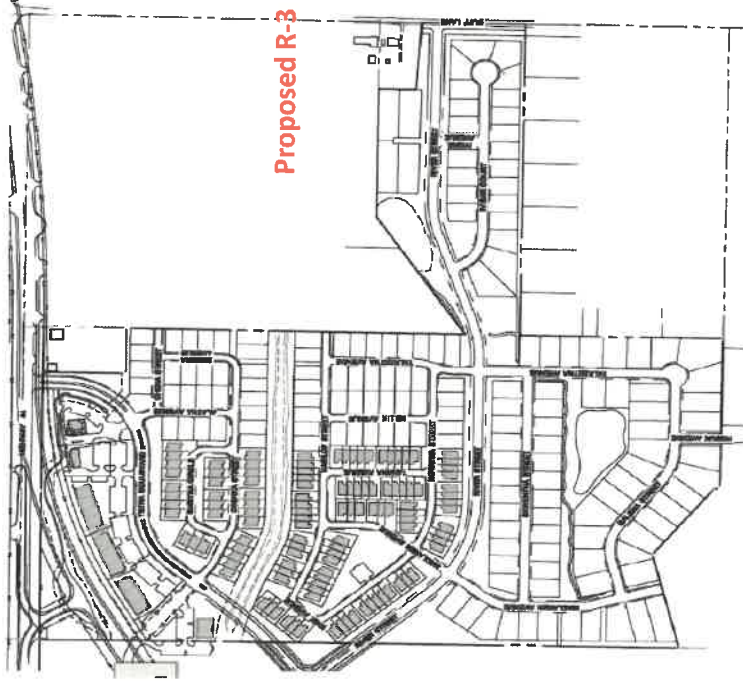
**Annexation/Rezone Application:** Only the 14 acre Duff parcel is the subject of the Annexation & Rezone application. Applicant is requesting a rezone from County "Agricultural" to City of Middleton R-3, which allows 3 single family homes per acre. Applicant's request complies with the following requirements of annexation/rezone: (1) property is contiguous, (2) City sewer and water are available and can be extended to the project site, (3) the property is in the Area of Impact, and (4) annexation/rezone is in the best interest of the City and does not adversely affect the Public's health, safety & welfare. *Therefore, Planning Staff finds that Applicant's request complies with the required criteria.*

**Preliminary Plat Application:** As to the Preliminary Plat application, the 14-acre Duff parcel shows a design that is in compliance with all dimensional standards of R-3 Zoning and the rest of the Middleton City Code. Applicant is not requesting any variances with respect to this portion of the project. The 74 acre M-U portion also complies with the dimensions and standards of the current Code except for those items set forth in the proposed Development Agreement. *Therefore, Planning Staff finds that the preliminary plat (1) is in compliance with the Code and Standards of Middleton, (2) is not materially detrimental to the public health, safety and welfare, and (3) is in harmony with the Comprehensive Plan.*



Remains M-U

Proposed R-3



**Development Agreement Modification Application:** This project was annexed and rezoned in 2006, and a Development Agreement was recorded with that application. The DA is 15 years old, and it contains a lot of outdated style requirements and old circumstances that are no longer of concern. Planning Staff is recommending that these outdated provisions regarding roofing, siding, fencing...etc., be entirely removed and replaced with the following DA provisions that are more relevant to the current conditions as noted below:

1. Duff Parcel is zoned R-3
2. 14 Acre Duff Parcel is to be added to the DA with legal description attached. (Missing from Staff Report)
3. Density for the 74 acre M-U parcel to be in compliance with current M-U zoning of 12 dwelling units per acre.
4. A concept plan generally matching the current preliminary plat shall be attached to the DA and incorporated by reference.
5. In the townhome section, minimum lot size and frontage width shall be in compliance with Middleton City Code 5-5-1, Table 2.
6. Townhomes may have no more than five units per townhome structure. Any structure with more than four units must have fire sprinklers.
7. Parking for Townhomes and Garden/Patio homes must meet the current code standard of 3 spaces per dwelling unit.
8. The 55+ homebuyer requirement for all townhomes and Garden/Patio homes shall be created by deed restriction in compliance with the laws of the State of Idaho.
9. Developer shall not be required to comply with MCC 5-4-10-7 regarding an 8' berm between the commercial lots and residential lots. Instead, Developer shall provide a 20' wide landscaped buffer between the commercial lots and residential lots.
10. Garden homes may have a minimum lot width of 60 feet and minimum lot size of 6,000 s.f. (Please note this 6000 s.f. lot size was already allowed in the old DA for garden homes and also the ordinary single-family homes. Applicant has agreed to bring the ordinary single family homesites up to 8000 s.f., in keeping with the current code rather than the 6000 s.f. size Developer is actually entitled to.
11. Because the Garden Homes are adjacent to the townhome lots and integrated to some degree in the 55+ community, the 36' wide Townhome Road Section may also be constructed through the Garden Home portions of the plat. Parking will not be allowed on the 36' roadway, and parking signs to that effect must be posted.
12. Developer may develop the lots in Phases 1 through 3 above the Kennedy Drain without providing a second access. The 2<sup>nd</sup> access off of Duff Lane must be completed with Phase 4 as part of the Phase 4 final plat. (Deputy Fire Chief Victor Islas has verbally indicated approval of this variance.)
13. Developer will construct all City required road improvements.
14. Developer shall obtain an approach permit from ITD for access on to Highway 44..



**Development Agreement Application con't:**

14. Developer to complete a Traffic Study and shall pay all City required traffic pro-rata or proportionate share fees.
15. Developer will be allowed a minimum centerline radius of 90'.
16. Developer shall provide an east/west collector connecting to Duff Lane. Parking shall not be allowed on this collector, and signs to that effect must be posted. No driveway access shall be allowed on the collector. (Please note that Developer has met this provision by designing "Yukon Street" as shown on the proposed preliminary plat.)
17. Developer shall dedicate a 50' right of way on the western perimeter to be able to complete Yetna Avenue and Yukon Street in the event the River Ranch project to the west is not ultimately developed. Alternatively, Developer may enter into an agreement with the Developer of River Ranch Crossing to complete the off-site portions of Yetna Avenue and Yukon Street in the event the River Ranch project does not develop.
18. If the River Ranch project to the west is not developed, Developer will design and construct a sewer lift station to allow sewer service to the southern portion of the project.
19. Developer shall provide a swimming pool facility, five pickleball courts and park facilities as generally shown on the concept plan.
20. All 10' pathways and sidewalk sections needed to connect the 10' pathways along the Kennedy Drain to the Boise River greenbelt trail and River Walk Loop shall be encumbered with a public access easement.
21. All sidewalks along Yukon Street must have a public access easement noted on the final plat to ensure public pedestrian access to Duff Lane and Duff Pond.
22. Developer must execute and record a cross-access easement for all commercial lots and all residential lots abutting a private lane to ensure access to the public and to avoid any land-locked parcels.



**Development Agreement Modification con't:**

As a final matter, special attention should be given to setbacks in the proposed DA. The 2006 DA allowed Developer some narrower setbacks and smaller lots sizes than required by the stricter standards in the code for R-3 zoning. For example, in the DA, single family homesites had a minimum lot size of 6000 s.f., and rear yard setback of 15 feet. Current code is 8000 s.f. lots with 20 foot rear setbacks. The DA also allowed small single family homesites with 0' side yard setbacks and front yard setback of 20 feet. Current R-3 zoning requires 10' side yard setback and 25' front yard setback.

In the spirit of cooperation, Applicant has worked with Planning Staff to put together a compromised plan for setbacks. This compromise brings some of the setbacks and lot dimensions up to the stricter standards for current R-3 zoning while allowing Developer the more narrower dimensions previously entitled in the DA and in M-U zoning. Both sides have compromised to find that middle ground between the DA's loose entitlements and the stricter standards of the current code.

The proposed setbacks are as follows:

Home Type	Interior Side Setback	Side Street Setback	Front Yard Setback	Rear Yard Setback
Townhomes	12' exterior and 0' for common wall	20'	20'	15'
Garden Homes	5'	20'	20'	15'
Traditional Homes	10'	20'	25'	20'

Planning Staff finds that the Development Agreement Modification application is in compliance with City Code, which requires that the DA be in the form required by the City & Idaho State Code sec. 67-6511A and undergoes a public hearing with proper notice.





**Cambridge, MA**

**2007 City Boundary**

**EXPLANATION**

Area	Color	Description
Residential	Blue	Residential (Single-Family)
Commercial	Yellow	Commercial (General)
Industrial	Orange	Industrial (General)
Public	Green	Public (General)
Institutional	Pink	Institutional (General)
Water	Light Blue	Water (General)
City Boundary	Black Line	City Boundary
Neighborhood Boundary	Thin Black Line	Neighborhood Boundary
Water Boundary	Thick Black Line	Water Boundary

**Cambridge, MA**

**2007 City Boundary**

**EXPLANATION**

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**As to be shown on the next slide, Planning Staff finds that the change to "Residential" from "Transit-Oriented Development" on the Future Land Use Map is still in "harmony" with the Middleton Comprehensive Plan.**

### **Comprehensive Plan Findings**

Among other findings already listed above, before the Commission can recommend approval of Applicant's four applications, the Commission must find that the applications are in harmony with the Middleton Comprehensive Plan and with the *Goals, Objectives, and Strategies* set forth in the Plan.

*Planning Staff finds that the project and four applications are in harmony with the plan as follows:*

1. First and foremost, the Project completes the east/west collector street shown on the Transportation, Schools & Recreation Map. Applicant's design of Yukon Street completes a critical piece of Middleton's long term transportation planning goals.
2. As shown in more detail in the Staff Report, which, by the way, will be made part of the FCO, Applicant's project and applications comply with Goals 3, 4, 6, 7, 8, 10, and 16. TO BE APPENDED TO FCO



**Comments Received from Surrounding Landowners:** There have been numerous written comments submitted with respect to the proposed project. All comments have been appended to the back of the Staff Report and will be made a part of the record and Final Order. The general comments involve the following:

- a. Project will increase traffic
- b. Project is too dense and intensive for a "rural area."
- c. Developer should pay fair share of impacts on community
- d. Developer's gravel pit is a nuisance.

\*Additional comments have been received since the Staff Report was uploaded for public review. (Add to record as Exhibit "A")

**Comments from Agencies:** As already shown above, comments from CHD4 and ITD have been received. Staff is still waiting for written comments from Middleton Rural Fire District.

**Comments from City Engineer, Planning Staff & Floodplain Administrator:** Comments from City Engineer, Planning Staff, and Floodplain Administrator were appended to the Staff Report and have been made a part of the Record.

**Applicant Information:** Application was received and accepted on September 15, 2020. The Applicant is Breckon Land Design for Drake Investments LLC, Robert Brian Burnett, Deep River Investments & Deep Waters LLC / 6661 N. Glenwood, Garden City, ID 88714 / 208.376.5153 / mwall@breckonld.com.

**Applicable Codes and Standards:**

Idaho State Statute Title 67, Chapter 65

Idaho Standards for Public Works Construction and Middleton Supplement thereto

Middleton City Code 1-14, 1-15, 1-16, 5-1, 5-2, 5-3, and 5-4.



**Notices & Neighborhood Meeting:**

Newspaper Notification	<b>Dates:</b> 05/23/2021
Radius notification mailed to Adjacent landowners within 300'	05/19/2021
Circulation to Agencies	05/19/2021
Sign Posting property	05/19 & 20/2021
Neighborhood Meeting	08/18/2020, 3/8/2021 & 4/12/2021

You'll see that Applicant completed 3 Neighborhood Meetings. That is abnormal and more than is usually required. Applicant's first Neighborhood Meeting was sufficient for this public hearing, but Planning Staff, nevertheless, requested Applicant to conduct a 2<sup>nd</sup> Neighborhood Meeting because of the passage of time since the initial meeting and because Staff had received numerous telephone calls from nearby residents about the project. A third meeting occurred about one month later because a neighboring landowner raised a claim that the mailing list was incomplete for the 2<sup>nd</sup> Meeting. So, in an over abundance of caution, Planning Staff requested Applicant to complete a 3<sup>rd</sup> neighborhood meeting to ensure there were no irregularities or controversy remaining at the time of this Public Hearing.





### **Conclusions and Recommended Conditions of Approval:**

The Planning & Zoning Commission is tasked with considering four separate applications for Annexation/Rezone, Preliminary Plat, Development Agreement Modification, and Comprehensive Plan Map Amendment.

Many of the typical conditions of approval will be covered by the provisions of the Development Agreement and do not need to be reiterated below as "conditions of approval." If the Commission is inclined to recommend to City Council approval of the four applications, Planning Staff recommends that the Commission's recommendation be subject to the following conditions of approval not addressed by the DA:

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 Planning Staff review comments are to be completed and approved.
4. All requirements of the Middleton Rural Fire District are to be completed and approved.
5. All Floodplain Administrator review comments are to be completed and approved.
6. Revise Notes 8 and 9 on the preliminary plat to state that the M-U Parcel is subject to setbacks and dimensions set forth in the DA, but the R-3 portion of the preliminary plat will be subject to dimensions and standards set forth in the Middleton City Code at the time of building permit issuance.
7. Developer shall comply with all terms of the proposed Development Agreement as summarized in the Staff Report for the public hearing date of June 7, 2021 except .... (if the Commission is not inclined to recommend portions of the DA for approval, those discrete portions can be removed from the DA via a motion calling out the specific provision in issue.)

Prepared by Middleton City Planner, Robert Stewart

Dated: 6/7/2021



## Design Review – Jonathon Eldredge/Commercial Building/Wellstone Business Park

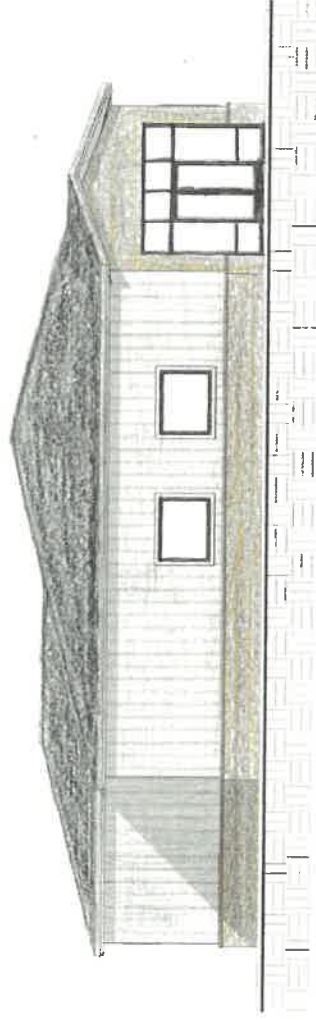


### Project Description:

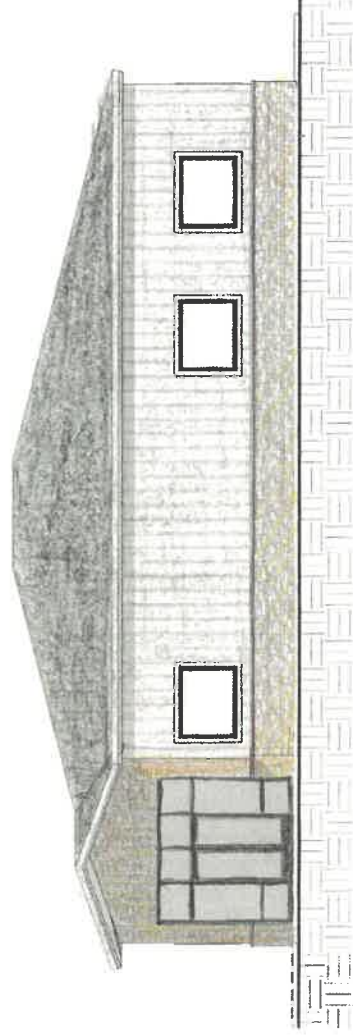
Commercial building in the Wellstone Business Subdivision (1074 W. Main Street (lot 3, block 1)

The property is zoned C-1, Neighborhood Commercial. The new proposed building complies with all dimensional standards of the C-1 zone. Parking and access are already established through a cross-access subdivision agreement.

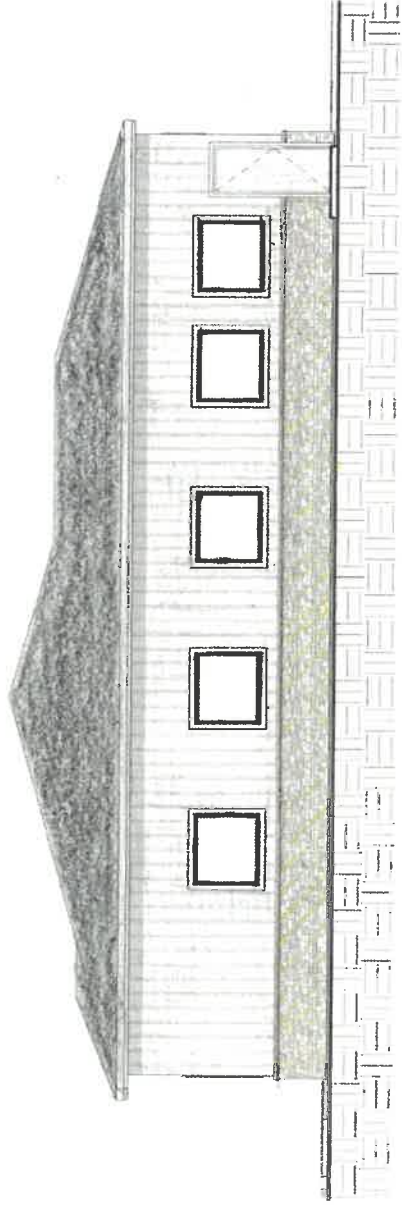
**Architectural Character:** MCC 1-15-8-2, requires the project material and colors to be in harmony with the townscape and surrounding neighborhood. Each building must also contain four or more of the following design elements: gable roof, stucco, brick/rock, accenting, metal siding, timberwork, or public art feature.



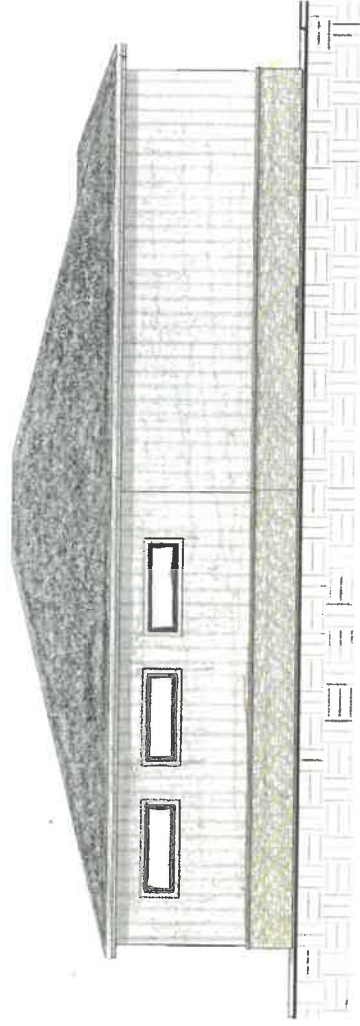
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION  
1/8" = 1'-0"



### **Conclusions and Recommended Conditions of Approval:**

If Applicant's Design Review meets the requirements of MCC 1-15-8-2, then the Design Review Committee should approve the application. If approved, Planning Staff does not recommend any conditions of approval.

Prepared by Middleton City Planner, Robert Stewart

Dated: July 8, 2021



## 2) Comprehensive Plan Text Amendment - CIP/Transportation

July 12, 2021 - Planning & Zoning Public Hearing

Please check

Name	Address	Phone or Email	Please check			
			In Favor	Neutral	Opposed	Testify
<del>Scottie Jensen</del>	54th Middleton	535-3414				
<del>Karin Hummer</del>	379 Birch Ave., Middleton	KARIN H1223@gmail.com				
<del>Michael Keyes</del>	<del>338 S Long Bay Way</del>	<del>Stefan Keyes@stefankeyes.com</del>				X
<del>Angie Winkler</del>	700 NE 2nd St	mnwinkler@compassion.org				
<del>Rick D. Youngblood</del>	12612 Smith Ave. Nampa, ID 83651	RickyYoungblood@CanyonHdt.org				
<del>Charles &amp; Karen Anderson</del>	1284 St. James Ct Middleton	208-250-6262	X			
<del>Tyler Hess</del>	Hwy 44, Unincorporated	208-409-0867				
<del>Wall Stoll</del>	700 NE 2nd St	middlecompassion.org				X
<del>Liz Bolts</del>	Middleton Fire	bolts@middletonfire.org				



## 2) Comprehensive Plan Text Amendment - CIP/Transportation

July 12, 2021 - Planning & Zoning Public Hearing

Please check

Name	Address	Phone or Email	Please check			
			In Favor	Neutral	Opposed	Testify
<del>Spencer Kopetz</del>	8454 Brookhaven P. Mill	208 863 5164	✓			✓
<del>ADAM MILLS</del>	22886 Bumblebee Ln. MIDP.	208-880-0525	✓			✓
<del>RYAN RUSSELL</del>	449 W. Bacall Dr., Meridian ID	208-941-1831				
<del>JIM PAYNE</del>	Middleton	208-941-1831				
<del>ED KAUSER</del>	8629 Legacy Ct "	804 337 4619	✓			
<del>CHRIS HOPPEN (CUBOY)</del>	15735 Hwy 44	208-454-8135	✓			✓
<del>DARIN TARKER</del>	1834					
<del>MIKE GORAEFF</del>	1889 Rye Way	508-599-6297				







July 12, 2021 - Planning & Zoning Public Hearing

Please check

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### 3) Comprehensive Plan Maps Amendment

July 12, 2021 - Planning & Zoning Public Hearing

Please check

Name	Address	Phone or Email	Please check			
			In Favor	Neutral	Opposed	Testify
X Mc H Still	700 NE 2nd St, Meridian	mshill@compassible.org			X	
X Michael Keyes	338 S. Long Bay Way, Star	mkeyes@staridaho.org			X	
X DARIN TAYLOR	1434 New York, MD	899-9556			X	
X Carlos Lakey ITP	8150 W. Camden (ITP)	334-8300			X	
X Joni Rule	13243 Ballard Ln	208-860-1584				
X Andy Rule	13243 Ballard Ln	208-860-9256				
X Greg Timinsky	10790 Sunflower Vista	208-941-8898			X	
X MIKE GRIFFE	1889 RIDGE WAY	208-557-6427				
X CHRIS HOPPER (CASH)	15435 Hwy 44	208-454-8135				X



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