



## AGENDA

### Middleton Planning and Zoning Commission Meeting

Date: Monday, December 10, 2018 Time: 7:00 p.m. Location: 6 N. Dewey Ave., Middleton ID

1. Call To Order - Pledge of Allegiance
2. Roll Call
3. Information Items:

Administer Oath of Office to recently appointed Commissioner Whitney Springston.

4. Action Items
  - A. Consider approving minutes of the November 12, 2018 Regular Meeting and the November 26, 2018 Special Meeting.
  - B. **Public Hearing.** Consider approving an application for a special use permit from Brad Cook to except from Middleton City Code 5-2-3: side street setback from 20 feet to 17' 3", and rear setback from 20 feet to 3 feet. The subject property is located at 715 Hudson Street, Middleton, Idaho.
  - C. A request from Traditional Capital Partners, LLC to approve a preliminary plat for Blue Meadows Subdivision consisting of 25 residential lots on approximately 80.19 acres of vacant land, Canyon County Parcel No. 33832000, located south of Foothill Road, east of New Castle Court, and north of Lansing Meadows and Lakes at Telaga subdivisions. Middleton, Idaho.
5. Public Comments
6. Commission/Staff Comments
7. Adjourn

Posted by:

  
Dawn M. Dalton, Deputy Clerk

Date: December 7, 2018  
Time: 10:30 a.m.



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

The Planning and Zoning Commission Meeting of November 12, 2018 was called to order by Mayor Darin Taylor at 7:00 p.m.

**Roll Call:** Commissioners Jackie Hutchison, Janet Gregory, Kent Brough and Ray Waltemate were all present.

**4. Action Items**

**A. Elect a commission chair and vice chair to serve the remainder of Chairman Garner's and Vice Chairman Gregory's terms that expire December 31, 2018.**

**Motion:** Motion by Commissioner Gregory to elect Janet Gregory as Chairman of the Planning and Zoning Commission to serve the remainder of Chairman Garner's term that expires on December 31, 2018 was seconded by Commissioner Hutchison and carried unanimously.

**Motion:** Motion by Commissioner Waltemate to elect Ray Waltemate as Vice Chairman of the planning and Zoning Commission to serve the remainder of Vice Chairman Gregory's term that expires on December 31, 2018 was seconded by Commissioner Hutchison and carried unanimously.

**B. Consider approving minutes of the October 8, 2018 Regular Meeting.**

**Motion:** Motion by Commissioner Waltemate to approve the minutes from the October 8, 2018 Regular Meeting was seconded by Commissioner Brough and carried unanimously.

**C. Public Hearing.** Consider approving a request for a special use permit for Middleton Industrial Park LLC to except Middleton Industrial Park Subdivision from Middleton City Code (MCC) 5-4-11.1.B, a requirement to install a pressure irrigation system, and from MCC 5-4-11.2.A, a requirement to install sidewalks. The subject property is located at the southwest corner of Middleton Road and Bass Lane, Middleton, Idaho, commonly referred to as Canyon County parcel number R34075014A0.

Chairman Gregory called the agenda item and declared the public hearing open at 7:10 p.m. City Planning and Zoning Official Randall Falkner gave a brief staff report.

**David Sterling** from T- O Engineers spoke regarding the fact that this is an industrial park and per city code, there is no requirement for landscaping which in turn would mean there is no need for a pressurized irrigation system to be installed. Regarding the requirement to install sidewalks, Mr. Sterling stated that the developer would like to prevent foot traffic going through the center of the complex since it will be industrial with lots of equipment and heavy truck traffic.

**James Gray** asked the Commission where the entrance/exit from the industrial will be, he wanted to know if it will be placed on Middleton Road or Bass Lane? **David Sterling** responded



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that access would be directed onto Bass Lane and that there was a requirement from the city that there be no direct access onto Middleton Road.

Chairman Gregory declared the public comment closed and Commission discussion followed. The public hearing was closed at 7:28 p.m.

**Motion:** Motion by Commissioner Waltemate to approve a request for a special use permit for Middleton Industrial Park LLC to except Middleton Industrial Park Subdivision from Middleton City Code (MCC) 5-4-11.1.B, a requirement to install a pressure irrigation system, and from MCC 5-4-11.2.A, a requirement to install sidewalks. The subject property is located at the southwest corner of Middleton Road and Bass Lane, Middleton, Idaho, commonly referred to as Canyon County parcel number R34075014A0, was seconded by Commissioner Hutchison and carried unanimously.

- D. Public Hearing. Consider recommending city council approve a request by Elizabeth Robles to rezone 0.12 acres from R-3 (Single Family Residential) to M-F (Multiple Family Residential) and to except to property from Middleton City Code 5-4-1 Table 2 front and rear setbacks reducing them from 20 feet to seven feet. The subject property is Canyon County Parcel No. 18104010 commonly referred to as the vacant lot west of 202 S. Middleton Rd., Middleton, Idaho.**

Chairman Gregory called the agenda item and declared the public hearing open at 7:24 p.m. City Planning and Zoning Official Randall Falkner gave a brief staff report.

**Elizabeth Robles** the applicant described the existing lots around her parcel of property and explained that what she and her husband wanted to do was construct a duplex on the lot. One side would be their residence while the other would be rented out for a source of income while providing a family with an affordable housing option in Middleton.

**Bill Auss** asked if the purposed setbacks were approved would that mean that there would be no sidewalk along Idaho in the near or distant future? Mayor Taylor responded that the city's answer is no since there is already no sidewalks on the surrounding areas.

Chairman Gregory declared the public comment closed and Commission discussion followed. The public hearing was closed at 7:43 p.m.

**Motion:** Motion by Commissioner Waltemate to recommend city council approve a request by Elizabeth Robles to rezone 0.12 acres from R-3 (Single Family Residential) to M-F (Multiple Family Residential) and to except to property from Middleton City Code 5-4-1 Table 2 front and rear setbacks reducing them from 20 feet to seven feet. The subject property is Canyon County Parcel No. 18104010 commonly referred to as the vacant lot west of 202 S. Middleton Rd., Middleton, Idaho was seconded by Commissioner Brough and carried unanimously.

- E. Public Hearing. Consider a request by KJRC LLC to except from the Idaho Standards for Public Works and Middleton Supplement the 32 places where the wastewater mainline in Valhalla St. and Nordic Ave. were repaired, cleaned and re-photographed using closed circuit television that exceed tolerances allowed in the standards.**

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Chairman Gregory called the agenda item and declared the public hearing open at 7:44 p.m. City Planning and Zoning Official Randall Falkner gave a brief staff report.

**Joe Roberts** the developer explained that the closed-circuit television feed of the mainline had been performed twice already by two different companies and that a third closed circuit television feed would be completed in a week by the company who performed the first feed. Mr. Roberts went on to explain that the system was put in place eleven years ago and at that time it was built to the city code and standards and the cities engineer had assured the Mayor and Mr. Roberts that the system would still work without fixing all the bellies and bends.

Chairman Gregory declared the public comment portion of the hearing closed. Commissioner discussion followed.

**Motion:** Motion by Commissioner Waltemate to continue the public hearing to a special meeting of the Planning and Zoning Commission to be set for Monday November 26, 2018 at 7:00 p.m. in the public meeting room was seconded by Commissioner Hutchison and carried unanimously.

**Public Comments:** none.

**Commission/Staff Comments:** none.

**Adjourn**

Chairman Gregory declared the meeting of the Planning and Zoning Commission adjourned at 8:20 p.m.

ATTEST:

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**Randall Falkner, Planning and Zoning Official**

Approved: November 12, 2018



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**MIDDLETON PLANNING AND ZONING COMMISSION  
MINUTES NOVEMBER 26, 2018 SPECIAL MEETING**

Commission Chairman Janet Gregory called the Special Planning and Zoning Commission Meeting of November 26, 2018 to order at 7:00 p.m. Chairman Gregory and Commissioners Kent Brough, and Ray Waltemate were present. Commissioner Jackie Hutchison was absent.

**Action Items**

- A. **Public Hearing. Consider a request by KJRC LLC to except from the Idaho Standards for Public Works and Middleton Supplement the 32 places where the wastewater mainline in Valhalla St. and Nordic Ave. were repaired, cleaned and re-photographed using closed circuit television that exceed tolerances allowed in the standards.**

Chairman Gregory called the item. Developer Joe Roberts presented the findings of the third closed circuit television study. Mr. Roberts answered informed the Commission had and that the development went from asking for 32 exceptions down to six and that all pressure tests from the city passed as of November 26, 2018. Mr. Roberts stood for any questions that the Commissioners had.

**Motion:** Motion by Commissioner Waltemate to approve a request from the Idaho Standards for Public Works and Middleton Supplement where the wastewater mainline in Valhalla St. and Nordic Ave were repaired, cleaned and re-photographed using closed circuit television that exceeded tolerances allowed in the standards was seconded by Commissioner Brough and carried unanimously.

**Public, Commission and Staff Comments:** none.

Chairman Gregory declared the meeting adjourned at 8:10 p.m.

ATTEST:

\_\_\_\_\_  
Janet Gregory, Chairman

\_\_\_\_\_  
**Randall Falkner, Planning and Zoning Official**

Approved: December 10, 2018







**CITY OF MIDDLETON**  
**OATH OF OFFICE**

I, Whitney Springston, do solemnly swear (or affirm) that I will support the Constitution of the United States and the State of Idaho, and the Laws and Ordinances of the City of Middleton, and that I will faithfully discharge the duties of Commissioner of the Middleton Planning and Zoning Commission for the City of Middleton, Idaho, according to the best of my ability.

Dated this 10<sup>th</sup> day of December, 2018.

\_\_\_\_\_  
Whitney Springston

ATTEST:

\_\_\_\_\_  
Darin Taylor, Mayor  
City of Middleton



# CITY OF MIDDLETON

## Official Oath of Office

I, Whitney Springston, do solemnly swear (or affirm) that I will support the Constitution of the United States and the State of Idaho, and the Laws and Ordinances of the City of Middleton, and that I will faithfully discharge the duties of Commissioner of the Middleton Planning and Zoning Commission for the City of Middleton, Idaho, according to the best of my ability.

Subscribed and sworn to before me this 10<sup>th</sup> day of December, 2018.



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Mayor Darin Taylor



**B**



## ADMINISTRATIVE REVIEW AND REPORT

### Planning and Zoning Commission

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A request by Brad Cook for a special use permit to except from Middleton City Code 5-2-3: side street setback from 20 feet to 17' 3", and rear setback from 20 feet to three feet (3)'. The subject property is located at 715 Hudson Street, Middleton, Idaho.

**Applicant:** Brad Cook  
715 Hudson Street  
Middleton, ID 83644

1. **APPLICATION:** The application was received and accepted by the City on November 16, 2018.

2. **NOTICE OF PUBLIC HEARING:**  
Published notice Idaho Press Tribune: November 24, 2018  
Letters to 300' Property Owners: November 19, 2018  
Letters to Agencies: November 19, 2018  
Property Posted: December 4, 2018

3. **APPLICABLE CODES AND STANDARDS:**  
Idaho Code Title 67, Chapter 65  
Middleton City Code (MCC) 1-14-1, 2, 4, and 1-15-7

4. **PLANNING AND ZONING OFFICIAL REVIEW COMMENTS:**  
The applicant is requesting a special use permit in order to have a two car garage that will not meet setback requirements. The request is to have a side street setback of 17'3" (20' required in code) and rear setback of three feet 3' (20' required in code).

The property is located in Middleton Place Subdivision, which has a note on the plat that states "Easements along the interior lot lines are 10 feet wide on each lot except as otherwise noted." There is no other plat note to the contrary.

The applicant personally contacted all of his neighbors within 300 feet of his property. All of the neighbors signed an acknowledgement of notification and indicated that they received notice, had no issues and supported the request. According to the applicant, all of those contacted said they welcomed the improvement to the neighborhood.



**Written Agency Responses to Date:** No agency responses received.

**Written Property Owners Responses to Date:** No property owner responses received.

## **5. CONCLUSION**

The request to except from Middleton City Code 5-2-3 side street setback from 20 feet to 17' 3" and rear setback from 20' to 3' will comply with city code and standards if the request for a special use permit is approved. If the request is approved, then the approval is subject to the existing easement. The stakes affixing the garage to the earth would need to be removed and garage temporarily relocated if a utility needed to work in the easement area.

Reviewed and Reported by Randall Falkner, December 4, 2018

**CITY OF MIDDLETON**

P O Box 487, MIDDLETON, ID 83644

208-585-3133, FAX: 208-585-9601

WWW.MIDDLETON.ID.GOV

Planning Department

**Master Planning and Zoning Application**

Rev: 9/13/2017

Date of acceptance: 11/6/18Accepted by: RJFee paid: \$ 275.00 XBP - 52484501 -GR**Property Owner:**BRAD K. COOK 208-340-6891 bcook11671@aol.com

Name

Phone

Email

715 HUDSON ST Middleton, ID 83644

Address

City, State

Zip

**Representative:**

Name Phone Email

Address City, State Zip

**Application Type:**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Annexation and Zoning                               | <input type="checkbox"/> Rezone              | <input type="checkbox"/> Development Agreement |
| <input type="checkbox"/> Preliminary Plat                                    | <input type="checkbox"/> Final Plat          | <input type="checkbox"/> Vacate Right-of-Way   |
| <input checked="" type="checkbox"/> Conditional Use Permit                   | <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Ordinance Amendment   |
| <input type="checkbox"/> Comprehensive Plan Map or Text Amendment            | <input type="checkbox"/> Design Review       | <input type="checkbox"/> Waiver                |
| <input type="checkbox"/> Amend or Terminate a Recorded Development Agreement |  |  |

**Site Information:**Address: 715 HUDSON STCrossroads: BORUP AVEAssessor's Tax Parcel No(s): R18298000Total Acres: .18 Next to City limits? \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Floodplain Zone: \_\_\_\_\_ Hillside (grades exceeding 10%): \_\_\_\_\_

BRAD K. COOK

Property Owner's Printed Name

Brad K Cook

Property Owner's Signature

11/16/18

Date

RJ

City Official Accepting Application



## CITY OF MIDDLETON

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

Planning Department

## Master Planning and Zoning Application

Rev: 9/13/2017

Date of acceptance: 11/16/18  
Accepted by: RF  
Fee paid: \$ \_\_\_\_\_

### Checklist - A complete Planning and Zoning Application must include the following.

- ☐ **Complete Application** (incomplete applications will not be accepted)
- ☐ **Application Fee** (see Fee Schedule). Note: Any city engineering and attorney expenses throughout the approval process that are related to an application are billed to the applicant in addition to the application fee.
- ☒ **Proof of Ownership:** attach a copy of the recorded deed or purchase agreement.
- ☒ **Property Boundary Description** including reference to adjoining road and waterway names that is signed and stamped by a land surveyor registered in the State of Idaho. If more than one zoning designation is being requested, separate legal descriptions are required for each zoning designation.
- ☒ **Vicinity Map:** attach an 8 1/2" x 11" map showing the subject property in relation to land around it that includes the nearest public roads.
- ☒ **Neighborhood Meeting:** If applicable, attach original sign-up sheet.
- ☒ **Narrative:** attach a brief statement describing the reason for the application and desired outcome, including the following:
  - Existing and proposed zoning and land use(s)
  - How the proposal is harmonious with the city's comprehensive plan
  - Anticipated adverse impacts on neighbors
  - Proposed buffers types and locations, if any
  - Information helpful to decision-makers:
    - If a **Conditional Use Permit application**, see Middleton City Code 5-3-4
    - If a **Variance application**, see Middleton City Code 5-3-5
    - If a **Waiver application**, see Middleton City Code 6-7-1.
- ☐ If applicable, attach proposed **Development Agreement**.
- ☐ If applicable, attach proposed **Preliminary Plat**
- ☐ If applicable, attach proposed **Final Plat**
- ☐ If applicable, attach required "Materials and Information" for **Design Review** (see Middleton City Code 5-5-5)
- ☒ **Mailing Labels:** Adhesive mailing labels containing the names and addresses of property owners within 300 feet of the external boundaries of the subject property (available at Canyon County Assessor's office).

☒ **Complete Application (Staff check this box and initial when complete):** RL





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

Planning Department  
**Conditional Use Permit Checklist**  
Rev: 09/13/2017

Property Owner(s): BRAD K. COOK

Please answer the following questions:

1. Property Size: .18 ACRE
2. Crossroads: BORUP AVE
3. Future Land Use Designation: RESIDENTIAL
4. Surrounding Land Uses: RESIDENTIAL
5. If approved, what is the expected effect on roadways and traffic? NONE

6. Will the proposed use generate a nuisance of light, glare, noise, vibration, smoke, fumes, odor, dust, etc.?

NO

If applicable:

Days and hours of operation: N/A

Number of employees (full-time): N/A (part-time): N/A

Number of employees (living on-site): N/A (living off-site): N/A

Frequency of deliveries: N/A Location of deliveries: N/A

**Commission Evaluation:** A public hearing will be scheduled before the Planning and Zoning Commission, which will review the application, receive verbal and written comments, and make a final decision based on the standards identified in Middleton City Code 5-3-4 and other applicable code sections.

How will the proposed use be harmonious with the goals, objectives, and strategies in the Comprehensive Plan? NEIGHBORHOOD/COMMUNITY BEAUTIFICATION AND IMPROVEMENT

Will the proposed use be served adequately by essential public facilities and services (pathways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools or will the proposed use create excessive additional requirements at public cost for public facilities and services?

NO EFFECT OR IMPACT

Will the proposed use be injurious to others by involving activities, processes, materials, equipment or conditions of operation that will be hazardous, or a nuisance to a person, or to existing or future neighboring uses? Nuisance means excessive traffic, vibration, noise, dust, fumes, glare, or odors or other similar nuisances.

NO EFFECT OR IMPACT



**CITY OF MIDDLETON**  
P O BOX 487 AVENUE, MIDDLETON, ID 83644  
208-585-3133, FAX: 208-585-9601  
WWW.MIDDLETON.ID.GOV

Planning Department  
**Conditional Use Permit Checklist**  
Rev: 09/13/2017

**Conditions of Approval:** When approving a conditional use permit, conditions may be attached to:

- Minimize impact on other development;
- Control sequence and timing;
- Establish duration of the use;
- Assure the development is maintained properly;
- Designate the location and nature of development, including signs;
- Require the provision for on-site or off-site public facilities or services;
- Require more restrictive standards than those generally required in ordinance;
- Specify the period of time for which a permit is issued and conditions which, if not followed, will bring about revocation of the conditional use permit; and
- Require mitigation of effects of the proposed use upon service delivery by any political subdivision of the State of Idaho providing services within the planning area (Middleton's area of city impact).

Dear Planning and Zoning Members,

*Special Use Permit*  
My name is Brad Cook. I reside at 715 Hudson St here in Middleton. I am the one requesting a ~~variance~~ in order to place a two car garage on my property that will be larger than current "standoffs" apparently allow.

The building I am constructing will be an attractive building in blue with white trim, to closely match the blue with white trim siding and all new windows I am having the house done in. I ordered the building to vastly exceed all minimum codes for such a building in terms of the number of anchors used, wind speed resistance, and snow load requirements. This will be a "certified" building. In addition, it will be constructed by the makers of the building, not by me, or a contracted third party.

I contacted all of my neighbors within 300ft of me and well beyond, in person, to explain to them what I wanted to do. I also explained that on the actual sheets I provided them to express either their approval or disapproval on. Those sheets are enclosed. The top one from Kyle and Hannah Hurd, are my immediate neighbors whose property adjoins mine, and who are obviously most affected by this project.

All of my neighbors, to a person, said they WELCOMED the improvement to the neighborhood. I hope I can count on your support in my effort to do my part to make this older part of our city look a little nicer. Barring some sort of last minute emergency, I should be sitting in the audience here, should you have any questions for me.

Thank You for your consideration!

*Brad K. Cook*

Brad K. Cook  
715 Hudson St  
Middleton, ID 83644  
(208) 340-6891





**Pioneer Title Co.**

GOING BEYOND

100-10th Avenue South / Nampa, Idaho  
83651 / (208) 466-6100

REQUEST  
TYPE *WARRANT DEED* *00*

PIONEER-CALDWELL

WILLIAM H. HURST  
CANYON COUNTY RECORDER  
BY *[Signature]*

2010 JUN 3 PM 4 38

RECORDED

2010025477

201004130

**WARRANTY DEED**

For Value Received 2nd Street Properties, LLC, an Idaho limited liability company  
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto  
Brad K Cook, a single person  
, hereinafter referred to as Grantee, whose current address is 1417 Ebers St., San Deigo CA 92107  
the following described premises, to-wit:

**Lot 6, Block 8, MIDDLETON PLACE, Canyon County, Idaho, according to the plat filed in Book 14 of Plats, Page 29, records of said County.**

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, including irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

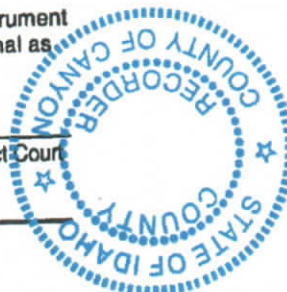
Dated: June 2, 2010

*Carrie Beasley*  
2nd Street Properties, LLC  
Carrie Beasley, Authorized signer

State of Idaho } ss.  
County of Canyon  
I hereby certify that the foregoing instrument  
is a true and correct copy of the original as  
the same appears in this office.  
DATED *11.14.2018*

CHRIS YAMAMOTO, Clerk of the District Court  
and Ex Officio Recorder

By *[Signature]*  
Deputy




State of Idaho

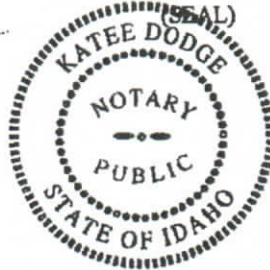
ss.

County of Ada

On this 3rd day of June, 2010, before me, the undersigned, a Notary Public, in and for said State, personally appeared Carrie Beasley, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Authorized signer of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

  
\_\_\_\_\_  
Notary Public Katee Dodge  
Residing at: Boise, Idaho  
Commission Expires: July 25, 2011





RECORDED  
AT THE REQUEST OF  
MELVIN V. DAVENPORT  
PLAT BOOK 14 PAGE 29  
FEE \$ 5.83

WALTER H. FRY  
4101 W. 10th Ave. #100  
Denver, CO 80202  
G. F. FRY

MIDDLETON  
PLACE

PLAT

OF A PART OF THE NORTHWEST 1/4 OF THE  
NORTHWEST 1/4 AND PART OF THE NORTHEAST 1/4  
OF THE NORTHWEST 1/4 SECTION 8, TOWNSHIP 4  
NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN  
IN CANYON COUNTY, IDAHO.

STATE OF IDAHO } ss  
COUNTY OF CANYON }

I, MELVIN V. DAVENPORT, A PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THE SURVEY OF

MIDDLETON PLACE

IN THE CITY OF MIDDLETON, IDAHO  
I WAS MADE BY ME OR UNDER MY SUPERVISION  
AND I HEREBY CERTIFY THAT THE INFORMATION  
CONTAINED HEREON IS TRUE AND CORRECT.  
THE DEDICATION IS CORRECT  
AND ACCORDING TO THE SURVEY AND THAT THIS  
PLAN COMPLETELY REPRESENTS THE SURVEY  
AS MADE BY ME OR UNDER MY SUPERVISION.  
WITNESS MY HAND AND SEAL THIS 11TH  
DAY OF NOVEMBER, 1975

*Melvin V. Doneyport*  
REGISTERED PROFESSIONAL ENGINEER



STATE OF IDAHO ) ss  
COUNTY OF CANYON )

ACKNOWLEDGED BEFORE ME THIS 11<sup>th</sup> DAY OF  
NOVEMBER, 1975.

Nancy A. Campbell  
NOTARY PUBLIC  
RESIDING AT EMMETT, IDAHO

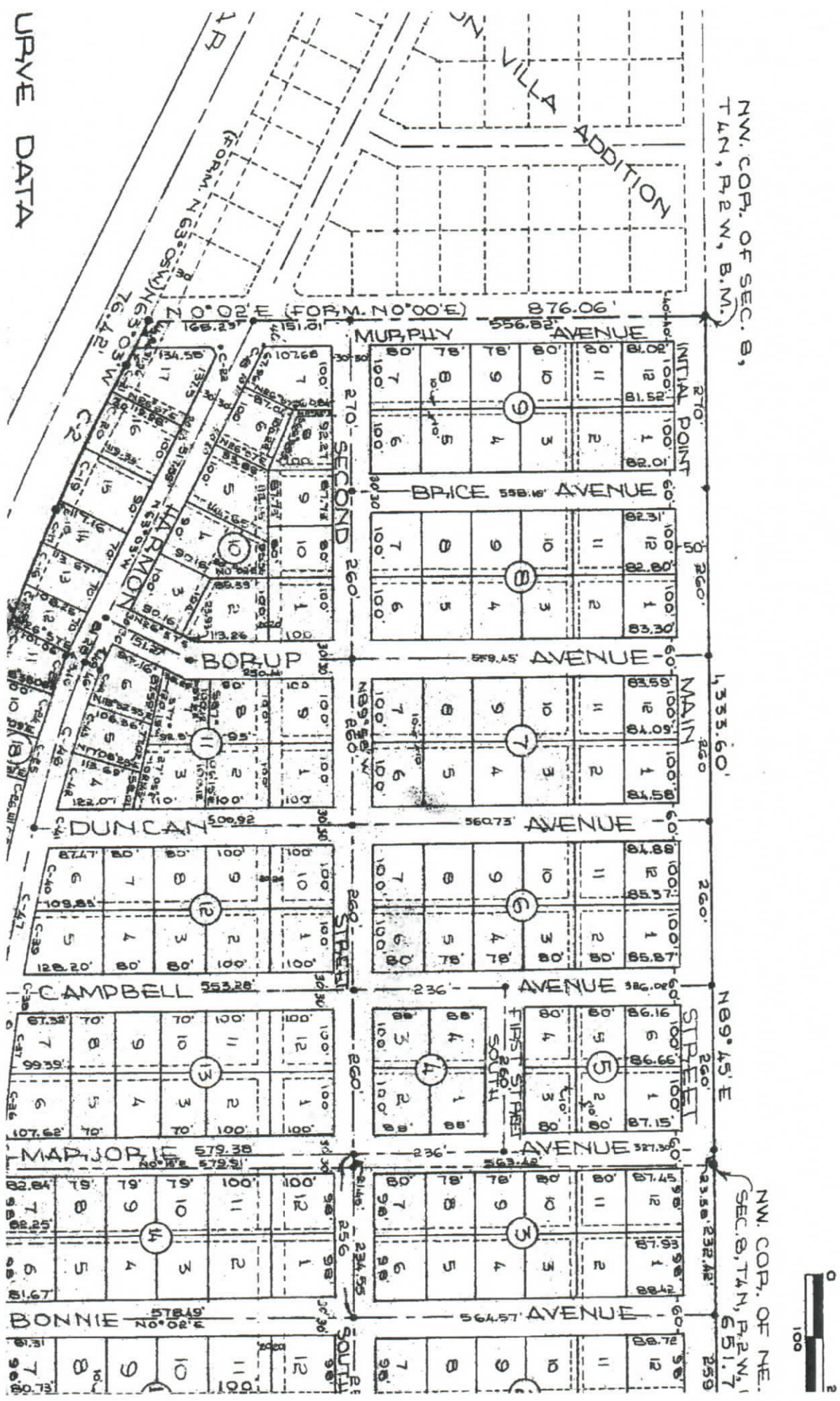
[illegible][illegible]

NOTE: THERE IS A 5 FOOT UTILITY EASEMENT ALONG THE STREET SIDES OF ALL THE LOTS UNLESS OTHERWISE NOTED. EASEMENTS ALONG THE INTERIOR LOT LINES ARE 10 FEET WIDE ON EACH LOT EXCEPT OTHERWISE NOTED.

THERE IS A TAPERED EASEMENT NOTED ALONG THE BACK OF BLOCK 18. THIS EASEMENT ALONG THE BACK OF BLOCK 17 IS 10 FEET AND THERE IS A 200 FOOT EASEMENT ALONG THE BACK OF BLOCK 1 AND 16. EXCEPT FOR LOT 1 OF BLOCK 1 WHICH HAS A 30 FOOT EASEMENT ON THE EAST END.



URVE DATA



NW. COR. OF SEC. 8,  
T.4N, R.2W, B.M.

NW. COR. OF NE.  
SEC. 8, T.4N, R.2W, B.M.



**PIN: 18298000 0**      **TAG: 004-00**      **Current owner: COOK BRAD K**  
**AIN: M57100080060**      **TIF:**      **Ownership type: Sole Ownership**  
**Status: Active**      **County: 14-Canyon**      **Site address: 715 HUDSON ST**  
**Geocode:**      **Case:**      **Description: 08-4N-2W NW MIDDLETON PL (...)**  
**Rev acct: 0000670886**      **Pmt pin:**      **Class: 541 Res Impr on Cat 20**  
**Tax sale:**      **ACH pin:**      **Roll type: Real Property**

Parcel Area	Type	Amount	Unit of Measure
	Recorded	0.1800	Acres
	Type		

Tax Year **2018**

Description	Metes and Bounds:
	08-4N-2W NW MIDDLETON PLACE LOT 6 BLK 8



COMMUNITY PARK SUBDIVISION

3874200

AT OF MCKINLEY MEADOWS  
OWNHOMES SUBDIVISION

**Cornell St**

**Middleton-Rd**

Brice Ave

**Borup Ave**

Hudson St

Duncan Ave

Campbell Ave

44

Harmon Way

T4N R2W 08

## NOTICE

11/14/2018

JLK

 $1'' = 200'$ 

OXOIMPA®



Hello Neighbors! Most all of you know me. I am Brad Cook, living on the corner of our block at 715 Hudson Street and Borup Avenue. I retired from the Navy about 6 years ago and retired to this house. I had a 5 year plan to transform this corner property into something very nice for me, and to improve property values for my neighbors around me. Many of you know what that property looked like before I got here, and how much better it is now. But, my plan has been to go MUCH farther than that. And that is what I am now in the beginning process of.

You have probably noticed I just had the "parking pad" on the back/side of my house widened in the past couple of weeks. That is to place a Blue w/ White Trim double car garage on it. In addition, the entire house is about to be sided in new vinyl siding with all new state of the art windows. The color scheme will also be blue with white trim to closely match the garage. I am also enclosing my "attached" garage and making it into a Master Bedroom/Bathroom in order to bring my elderly Mother in Ontario over to live with me. I am also enclosing the backyard in the white fencing to match my neighbors already existing fencing. We have been working on this together.

When everything is done by late spring at the latest, the entire corner is going to be transformed into something all of you will appreciate much more. And will increase YOUR property values. But the garage I want to place on that pad is bigger than current code in the city allows. So I have to request a variance and take out a special permit to do it. Part of that requires me to ask each of you within 300ft of me to acknowledge that I have told you what I am wanting to do, and provide you the opportunity to either bless my plans for our neighborhood, or express that you have reservations about them. I hope I can count on your support in my effort to make our entire neighborhood, and your property values increase! Thank you so much!  
Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME: Kyle Hurd

ADDRESS: 20 Borup Ave. West, Middleton ID  
83644

I SUPPORT BRADS REQUEST X

I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE: Kyle Hurd

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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME: Duane Ridenour

ADDRESS: 116 Borup Ave.  
Middletown, ID. 83644

I SUPPORT BRADS REQUEST Yes

I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE: Duane Ridenour



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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME:

Brenda Patta & Calvin Patta

ADDRESS:

11 Borup Ave. West

I SUPPORT BRADS REQUEST

X

I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE:

Brenda Patta



Hello Neighbors! Most all of you know me. I am Brad Cook, living on the corner of our block at 715 Hudson Street and Borup Avenue. I retired from the Navy about 6 years ago and retired to this house. I had a 5 year plan to transform this corner property into something very nice for me, and to improve property values for my neighbors around me. Many of you know what that property looked like before I got here, and how much better it is now. But, my plan has been to go MUCH farther than that. And that is what I am now in the beginning process of.

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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME: Jeff Monroe

ADDRESS: 15 Borup Middleton ID 83644

I SUPPORT BRADS REQUEST X

I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE: Jeff Monroe

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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME: Santiago Herrera

ADDRESS: 803 Hudson St

I SUPPORT BRADS REQUEST OK

I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE: Santiago Herrera



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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME:

Dani J Nelson

ADDRESS:

101 Borup Ave

Middleton, Id 83644

I SUPPORT BRADS REQUEST



I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE:

Dani J Nelson

Hello Neighbors! Most all of you know me. I am Brad Cook, living on the corner of our block at 715 Hudson Street and Borup Avenue. I retired from the Navy about 6 years ago and retired to this house. I had a 5 year plan to transform this corner property into something very nice for me, and to improve property values for my neighbors around me. Many of you know what that property looked like before I got here, and how much better it is now. But, my plan has been to go MUCH farther than that. And that is what I am now in the beginning process of.

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Brad


#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME: Jeremy Rogers

ADDRESS: 19 Borup Ave.  
Middleton ID, 83644

I SUPPORT BRADS REQUEST yes

I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE: 



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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME: SCOTT SPENCER

ADDRESS: 108 Borup  
Middletown 83644

I SUPPORT BRADS REQUEST YES - I Support

I HAVE ISSUES WITH BRADS REQUEST NO

SIGNATURE: 

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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME: Ruben Oropeza

ADDRESS: 714 Hudson  
Middleton Id 836414

I SUPPORT BRADS REQUEST yes

I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE: Ruben Oropeza



Hello Neighbors! Most all of you know me. I am Brad Cook, living on the corner of our block at 715 Hudson Street and Borup Avenue. I retired from the Navy about 6 years ago and retired to this house. I had a 5 year plan to transform this corner property into something very nice for me, and to improve property values for my neighbors around me. Many of you know what that property looked like before I got here, and how much better it is now. But, my plan has been to go MUCH farther than that. And that is what I am now in the beginning process of.

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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME: Kelly milburn

ADDRESS: 107 S. Borup Ave Middleton ID

I SUPPORT BRADS REQUEST X

I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE: Kelly R. milburn

Hello Neighbors! Most all of you know me. I am Brad Cook, living on the corner of our block at 715 Hudson Street and Borup Avenue. I retired from the Navy about 6 years ago and retired to this house. I had a 5 year plan to transform this corner property into something very nice for me, and to improve property values for my neighbors around me. Many of you know what that property looked like before I got here, and how much better it is now. But, my plan has been to go MUCH farther than that. And that is what I am now in the beginning process of.

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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME: Melody Smedick

ADDRESS: 102 Borup Ave.

Middleton, ID

I SUPPORT BRADS REQUEST L

I HAVE ISSUES WITH BRADS REQUEST

SIGNATURE: Melody S



Hello Neighbors! Most all of you know me. I am Brad Cook, living on the corner of our block at 715 Hudson Street and Borup Avenue. I retired from the Navy about 6 years ago and retired to this house. I had a 5 year plan to transform this corner property into something very nice for me, and to improve property values for my neighbors around me. Many of you know what that property looked like before I got here, and how much better it is now. But, my plan has been to go MUCH farther than that. And that is what I am now in the beginning process of.

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Brad

#### ACKNOWLEDGEMENT OF NOTIFICATION

NAME:

Bill Cartwright

ADDRESS:

711 Hudson Middleton Rd

I SUPPORT BRADS REQUEST

Yes

I HAVE ISSUES WITH BRADS REQUEST

No

SIGNATURE:

W. H. C.

DXF_TEXT	OwnerName	Address	City	State	ZipCode
R18306	OLDHAM THERESA	8 S BRICE AVE	MIDDLETON	ID	83644
R18303	ZIMMERMAN ILA M TRIUST	PO BOX 89	MIDDLETON	ID	83644
R18294	BELL DIANE L	8 S BORUP AVE	MIDDLETON	ID	83644
R18291	FLINTZER DREW E	7 BORUP AVE	MIDDLETON	ID	83644
R18282	SCHLEER STEPHEN M	14715 WEN JEFF LN	CALDWELL	ID	83607
R18307	RUIZ MARIBEL ALVARADO	12 S BRICE AVE	MIDDLETON	ID	83644
R18302	CHAMPION ANGELA G	11 BRICE AVE W	MIDDLETON	ID	83644
R18295	POOLE BRANDON	12 BORUP AVE W	MIDDLETON	ID	83644
R18290	LATTA CALVIN	11 S BORUP AVE	MIDDLETON	ID	83644-3022
R18283	GUYSE STEVEN F	25803 TRACY ST	MIDDLETON	ID	83644
R18313	FRAZELL JOE	15 N MIDDLETON RD	MIDDLETON	ID	83644
R18308	BAKER TERRY M	16 S BRICE AVE	MIDDLETON	ID	83644
R18301	SMITH ELLEN M	15 S BRICE AVE	MIDDLETON	ID	83644
R18296	RIDENOUR PAM	16 S BORUP AVE	MIDDLETON	ID	83644
R18289	CAMERON PAULA J	7 N GREENLEAF ST	NAMPA	ID	83651
R18284	SAYRE PATRICIA I	5060 OASIS RD	CALDWELL	ID	83607
R18312	KRUGER CONNIE R	19 N MIDDLETON RD	MIDDLETON	ID	83644
R18309	CROSSLEY MIKE AND KATHY TRUST	20 S BRICE AVE	MIDDLETON	ID	83644
R18300	BOND DIANA	19 BRICE AVE W	MIDDLETON	ID	83644
R18297	HURD KYLE D	20 S BORUP AVE	MIDDLETON	ID	83644
R18288	MIDDLETON TRUST	5638 LAKE MURRAY BLVD NO 310	LA MESA	CA	91942
R18285	MADERA SANTIAGO V	20 S DUNCAN AVE	MIDDLETON	ID	83644
R18311	REECE JASON V	21 N MIDDLETON RD	MIDDLETON	ID	83644
R18310	SPARKS AURORA	705 HUDSON ST	MIDDLETON	ID	83644
R18299	UHL FRED L	711 HUDSON ST	MIDDLETON	ID	83644
R18298	COOK BRAD K	715 HUDSON ST	MIDDLETON	ID	83644
R18287	HERRERA SANTIAGO	803 HUDSON ST	MIDDLETON	ID	83644
R18286	SCOTT NEVA J	809 HUDSON ST	MIDDLETON	ID	83644
R18323	ESPINOSA GEORGE B	101 N MIDDLETON RD	MIDDLETON	ID	83644
R18324	SHIELDS KORY D	706 HUDSON ST	MIDDLETON	ID	83644
R18325	CABRERA MARIA R	710 HUDSON ST	MIDDLETON	ID	83644
R18326	OROPEZA RUBEN	PO BOX 586	MIDDLETON	ID	83644
R18317	SMEDICK MELODY	7323 SOUTHERN VISTA CT	STAR	ID	83669



R18335	NIELSON DAVID ERROL	101 S BORUP AVE	MIDDLETON	ID	83644
R18327	ARIZMENDI JUVENAL A	102 S DUNCAN AVE	MIDDLETON	ID	83644
R18322	SAYRE DANIEL	5060 OASIS RD	CALDWELL	ID	83607
R18321	OSWALD JEFFREY C	705 HARMON WAY	MIDDLETON	ID	83644
R18320	WEEKES RANDY J	711 HARMON WAY	MIDDLETON	ID	83644
R18318	SPENCER SCOTT R	108 S BORUP AVE	MIDDLETON	ID	83644
R18334	MILBURN KELLY R	107 S BORUP AVE	MIDDLETON	ID	83644
R18328	FORBES MICHAEL ALAN	108 S DUNDAN AVE	MIDDLETON	ID	83644
R18319	GLOVER R G AND GLOVER JOAN TRUST	10078 W ACHILLEA ST	STAR	ID	83669
R18333	ORTIZ MARIA D	111 S BORUP AVE	MIDDLETON	ID	83644

**CANYON COUNTY LISTING - R18298 300 ft.**

**November 14, 2018**



**PROPERTY LISTING DISCLAIMER**

This information should be used for informational use only and does not constitute a legal document for the description of these properties. Every effort has been made to insure the accuracy of these data & is subject to change without notice; however, the Assessor's Office assumes no liability nor do we imply any particular level of accuracy. The Canyon County Assessor's Office disclaims any responsibility or liability for any direct or indirect damages resulting from the use of these property listings.

HUDSON ST

HOUSE 715 HUDSON ST

BACK PORCH

YARD

PROPERTY LINE

ASPHALT BLACKTOP

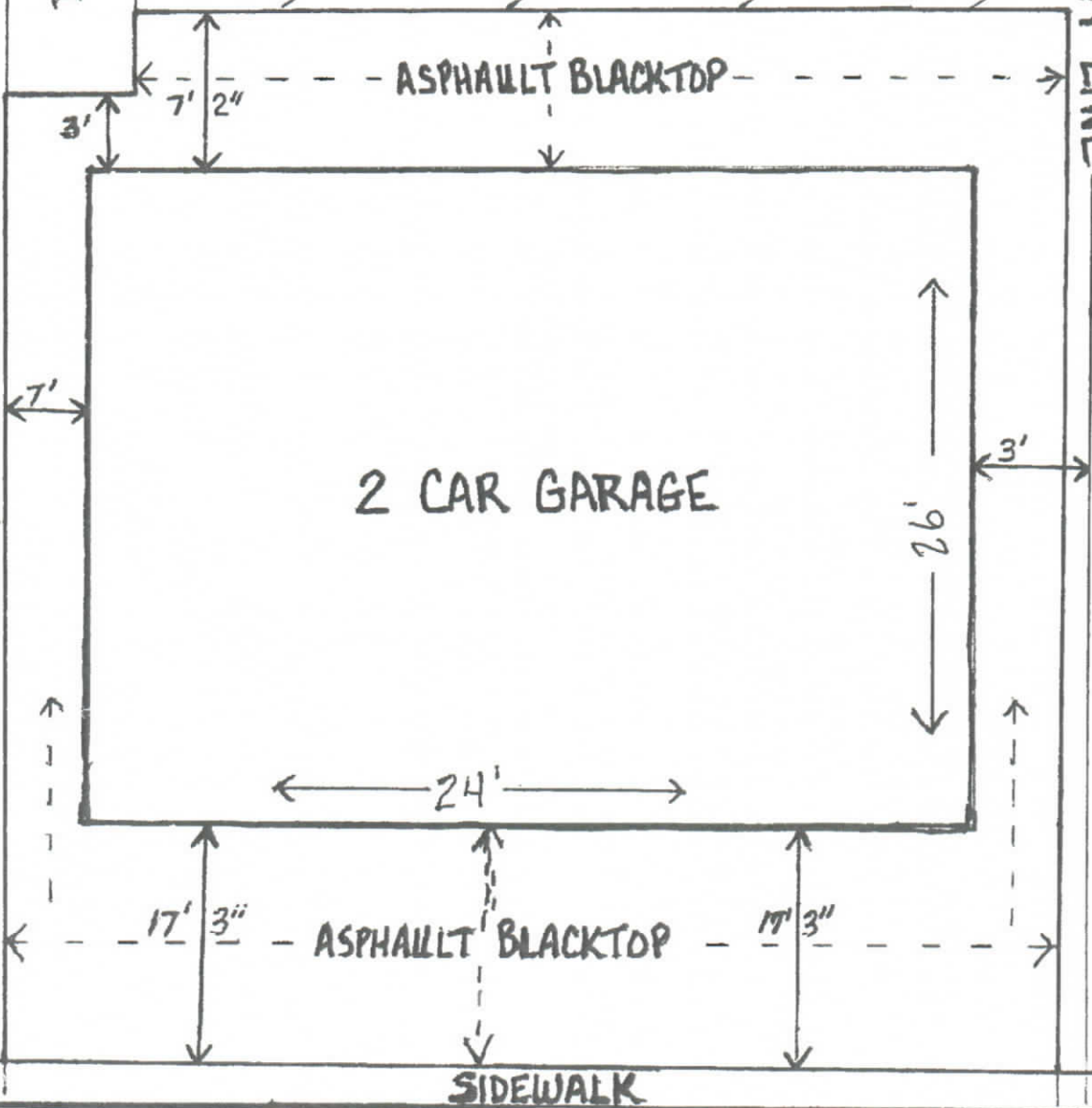
2 CAR GARAGE

YARD

ASPHALT BLACKTOP

SIDEWALK

BORUP AVE





**C**

# **ADMINISTRATIVE REVIEW AND REPORT**

## **Middleton Planning and Zoning Commission**

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### **Blue Meadows Subdivision**

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**A request from Traditional Capital Partners, LLC to approve a preliminary plat for Blue Meadows Subdivision consisting of 25 residential lots on approximately 80.19 acres of vacant land, Canyon County Parcel No. 33832000, located south of Foothill Road, east of New Castle Court, and north of Lansing Meadows and Lakes at Telaga subdivisions. Middleton, Idaho.**

**Applicant:** Tradition Capital Partners, LLC  
8454 Brookhaven Pl  
Middleton, ID 83644

**Representative:** Peggy Sterling (Horrocks Engineers)  
2775 W. Navigator Dr. #210  
Meridian, ID 83642

1. **APPLICATION:** The application was received and accepted by the City on December 5, 2018.

2. **NOTICE OF PUBLIC HEARING:**  
Letters to 300' Property Owners: December 7, 2018  
Letters to Agencies: December 7, 2018

3. **APPLICABLE CODES AND STANDARDS:**  
Idaho Code Title 67, Chapter 65  
Middleton City Code (MCC) 1-14-2, 1-15-1, and 5-4-4  
Middleton City Code 6-2-2  
Middleton Comprehensive Plan, Dec. 20, 2017 version

4. **PLANNING AND ZONING OFFICIAL REVIEW COMMENTS:**

The application proposes 25 single-family residential lots in an R-3 (Single-Family Residential) zone. The purpose of the R-3 zone is to accommodate single-family lots. The request includes large lots, ranging in size from 0.78 acres to 9.33 acres with views of protected and designated wetlands, as well as an eight-foot wide pedestrian path (to be conveyed to the city). The project is anticipated to be developed in three phases with the first two phases occupying the southern portion of the site, south of the Middleton Mill Ditch



canal. As a result of the canal transecting the site and the considerable amount of wetlands, the project's roadway network does not feature one continuous street, but consists of access roads off of existing roadways.

There is an existing sewer line that extends from Duff Lane to the southeast corner of the project; however, the city's water line, currently ends at Duff Lane. The city is working with the applicant to extend the water line so it will serve the Blue Meadows subdivision. Lots one acre or less will receive pressure irrigation from the Middleton Irrigation District. Lots over one acre in size will be served by ditch company irrigation water, with the method of delivery still to be determined.

**Written Agency Responses to Date:** No agency responses received.

**Written Property Owners Responses to Date:** No property owner responses received.

#### **City Engineer Review**

Deficiencies noted by the city engineer.

#### **Compliance with Future Land Use Map, Transportation, Schools and Recreation Map and FEMA Map**

The request is compliant with Middleton's Future Land Use Map, which shows the project located in a residential - special area. Residential special –area is "Subject to mandatory public-record disclosure. Cost of development and flood hazard insurance may be higher because land is now, or in the future may be, in flood areas and/or high ground water areas."

#### **Compliance with Comprehensive Plan**

City staff examined the request with policies contained in the Comprehensive Plan and ordinances in the City Code.

#### **Transportation**

The request partly complies with the following policies in the Comprehensive Plan:

- Goal 2: Provide a variety of safe transportation services and facilities throughout the City for vehicles, pedestrians, bicycles and transit.
  - Objective A: Plan and develop a safe system of roads, bike lanes, sidewalks and pathways.
  - Objective B: Reduce vehicle congestion and encourage walking and bicycling.
    - Strategy 3: Establish sidewalks in subdivisions and provide pedestrian crossings at intersections.

The project provides an eight-foot wide pedestrian path from the northwest portion to the southeast portion of the proposed preliminary plat. The request does not show 9<sup>th</sup> Street or a six-foot wide bike path going through the development as required on the Transportation, Schools and Recreation Map. The Transportation, Schools and Recreation Map shows 9<sup>th</sup> Street and a six-foot wide bike path from Canyon Lane to Can-Ada Road. Not having the road or bike path would result in a large gap on this important east-west road. The applicant

is requesting an exception to bike path requirement shown on the Transportation, School and Recreation Map.

### **Land Use**

The request is consistent with the following policies:

- Goal 3: Promote a quality of life based on the health, safety and general welfare of residents with minimal nuisances.
  - Objective A, Strategy 1: Promote quality of life and general welfare by using space and privacy considerations when determining how close residential buildings are to each other.

The request shows large lots ranging from 0.7 to 9.3 acres. There is ample space between neighbors which results in minimal nuisances and improved quality of life.

### **Public Facilities and Services**

The request meets the following policies:

- Goal 4: Establish development that pays through impact fees and/or property taxes, for the public services it receives when infrastructure is installed and thereafter.
  - Objective A: Encourage orderly development of areas that can be easily provided with city utility services.
- Goal 5: Build and maintain public facilities, and provide services that work for the community's needs in the area of city impact.
  - Objective A: Expand water, sewer, and road systems in an orderly manner consistent with population growth in the City.

The request will result in the extension of water from Duff Lane to the subject site, which is consistent with the policies of the Comprehensive Plan.

### **Parks and Recreation**

- Goal 9: Locate and design parks, open spaces, recreational facilities and public facilities that encourage physical activity.
  - Objective A: Improve and expand the recreational opportunities of all citizens.
  - Objective C: Provide children with access to outdoor recreational opportunities.

The request promotes physical activity and outdoor recreational opportunities to all citizens by providing the eight-foot wide pedestrian path throughout the subdivision.

### **Housing**

- Goal 10: Allow dwelling types that match residents' lifestyles.
  - Objective A: Provide a variety of housing types and lot sizes for residents.
  - Objective B: Promote in-fill housing improvements.

The request provides a variety of lot sizes, ranging from just less than an acre (0.78) to 9.3 acres. The diversity in size and quality of the lots and homes allows dwelling types that



match residents' lifestyles. The subdivision provides in-fill housing on vacant land.

### **Population**

- Goal 13: Preserve a high quality of life and livability in Middleton.

The request helps to preserve a high quality of life and livability in Middleton by bringing water services from Duff Lane (1.75 miles to Blue Meadows), providing a pedestrian trail which promotes exercise and good health, providing large lots with ample space between neighbors, and by promoting infill development.

### **Community Design**

- Goal 19: Preserve and enhance the unique small-town character of Middleton.
- Goal 21: Establish interesting gathering places that encourage walkability and promote good health and promote social interaction.

The request preserves and enhances the unique small-town character of Middleton and promotes walkability, good health and social interaction with the addition of large lots and a pedestrian trail, which encourages physical activity and social interactions between neighbors.

## **5. CONCLUSION**

The preliminary plat is currently being updated by the applicant (as of 12/7/18) so the conclusion is not yet complete.

**CITY OF MIDDLETON**

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



Planning Department

**Master Planning and Zoning Application**

Rev: 9/13/2017

Date of acceptance: 12/5/18Accepted by: REFee paid: \$ 2000.00 Per 1.232039 gr**Property Owner:**

Tradition Capital Partners, LLC (208) 863-5164 spencer.tradition@gmail.com

Name	Phone	Email
8454 Brookhaven Pl.	Middleton, ID	83644
Address	City, State	Zip

**Representative:**

Peggy Breski	208.895.2520 ext. 435	peggyb@horrocks.com
Name	Phone	Email

2775 W. Navigator Dr. #210	Meridian, ID	83642
Address	City, State	Zip

**Application Type:**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Annexation and Zoning                               | <input type="checkbox"/> Rezone        | <input type="checkbox"/> Development Agreement |
| <input checked="" type="checkbox"/> Preliminary Plat                         | <input type="checkbox"/> Final Plat    | <input type="checkbox"/> Vacate Right-of-Way   |
| <input type="checkbox"/> Conditional Use Permit                              | <input type="checkbox"/> Variance      | <input type="checkbox"/> Ordinance Amendment   |
| <input type="checkbox"/> Comprehensive Plan Map or Text Amendment            | <input type="checkbox"/> Design Review |  |
| <input type="checkbox"/> Amend or Terminate a Recorded Development Agreement | <input type="checkbox"/> Waiver        |  |

**Site Information:**Address: 8595 Foothills Road, Middleton, ID 83644Crossroads: Off of Foothills Road between Lansing Lane and Kingsbury RoadAssessor's Tax Parcel No(s): 33832000Total Acres: 80.19 Next to City limits? Within City LimitsExisting Zoning: R-3 Proposed Zoning: R-3Floodplain Zone: X Hillside (grades exceeding 10%): N/ASpencer Kofoed

Property Owner's Printed Name

  
Property Owner's Signature12/05/2018

Date

  
City Official Accepting Application





**CITY OF MIDDLETON**

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

**Planning Department**

**Master Planning and Zoning Application**

Rev: 9/13/2017

Date of acceptance: 12/5/18  
Accepted by: [Signature]  
Fee paid: \$ \_\_\_\_\_

**Checklist - A complete Planning and Zoning Application must include the following.**

- ☒ **Complete Application** (Incomplete applications will not be accepted)
- ☒ **Application Fee** (see Fee Schedule). Note: Any city engineering and attorney expenses throughout the approval process that are related to an application are billed to the applicant in addition to the application fee. Dropped off separately on 12/5/18 by Owner/Developer.
- ☒ **Proof of Ownership:** attach a copy of the recorded deed or purchase agreement.
- ☐ **Property Boundary Description** including reference to adjoining road and waterway names that is signed and stamped by a land surveyor registered in the State of Idaho. If more than one zoning designation is being requested, separate legal descriptions are required for each zoning designation. Description is included in Warranty Deed. If a revised Description is required please include in Comments.
- ☒ **Vicinity Map:** attach an 8 1/2" x 11" map showing the subject property in relation to land around it that includes the nearest public roads.
- ☐ **Neighborhood Meeting:** If applicable, attach original sign-up sheet. **Variance OR CUP Application** Neighborhood Meeting will be held December 17, 2018 and sign-up sheet will be submitted immediately after.
- ☒ **Narrative:** attach a brief statement describing the reason for the application and desired outcome, including the following:
  - Existing and proposed zoning and land use(s)
  - How the proposal is harmonious with the city's comprehensive plan
  - Anticipated adverse impacts on neighbors
  - Proposed buffers types and locations, if any
  - Information helpful to decision-makers:
    - If a **Conditional Use Permit** application, see Middleton City Code 5-3-4
    - If a **Variance** application, see Middleton City Code 5-3-5
    - If a **Waiver** application, see Middleton City Code 6-7-1.
- ☐ If applicable, attach proposed **Development Agreement**.
- ☒ If applicable, attach proposed **Preliminary Plat** (2) 24" x 36" sets attached
- ☐ If applicable, attach proposed **Final Plat**
- ☐ If applicable, attach required "Materials and Information" for **Design Review** (see Middleton City Code 5-5-5)
- ☒ **Mailing Labels:** Adhesive mailing labels containing the names and addresses of property owners within 300 feet of the external boundaries of the subject property (available at Canyon County Assessor's office).

☐ **Complete Application** (Staff check this box and initial when complete): \_\_\_\_\_

**To:** City of Middleton  
1103 W. Main St.  
208-585-3133

## Transmittal

**ATTN:** Mayor Darin Taylor and Randall Falkner

**From:** Peggy Breski, Sr. Planner  
208-895-2520, [peggyb@horrocks.com](mailto:peggyb@horrocks.com)

**Date:** December 5, 2018

**Subject:** Blue Meadows Preliminary Plat Application

The following items are: ☐ Requested

☒ Enclosed

☐ Sent Separately

via Courier

No. of Copies	Description
1	Preliminary Application Packet with associated required documents
2	Full size Preliminary Plat plan sets
1	Thumb drive: Electronic PDF copies of all documents
1	Fee check (delivered separately 12/5/18 by Owner/Developer)

These data are submitted:

☐ At your request

☐ For your action

☒ For your approval

☐ For your files

☒ For your review

☐ For your information

**Remarks / Notes:**



8151 W. Rifleman Street  
Boise, ID 83704

May 22, 2018

Traditional Capital Partners, LLC  
8454 Brookhaven Place  
Middleton, ID 83644

*Blue Meadows*

File No. 646335

Property Address: Blue Meadows Subdivision, Foothill Road, Middleton, ID 83644

The closing of your purchase of the above-referenced property has now been completed. Enclosed for your records is the original recorded deed. Your final title policy is being mailed under separate cover.

We appreciate having had the opportunity to be of service to you. If you have any questions, please contact the Escrow Officer named below.

Sincerely,

Sue Rich-Merritt, Escrow Officer  
Ph: (208)373-3612  
Email: [srmerritt@pioneertitleco.com](mailto:srmerritt@pioneertitleco.com)

Enclosures





**Pioneer Title Co.**  
GOING BEYOND

8151 W. Rifleman Street  
Boise, ID 83704

ELECTRONICALLY RECORDED-DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT

File No. 646335 SRM/

## CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Willowbrook Development, Inc.

a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby  
Grant, Bargain, Sell and Convey unto

Traditional Capital Partners, LLC

Grantee, whose address is: 8454 Brookhaven Place Middleton, ID 83644, the following described real  
estate, to-wit:

See Exhibit A attached hereto and made a part hereof.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements,  
subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the  
said premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his  
heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it  
is the owner in fee simple of said premises; that they are free from all encumbrances and that it will  
warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused  
its corporate name to be hereunto subscribed by its officers this May 22, 2018.

Willowbrook Development, Inc.

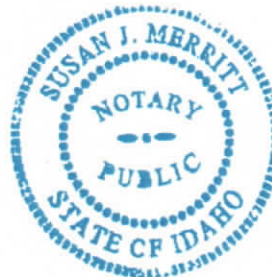
By:   
Richard M. Phillips, President

State of Idaho, County of Ada

This record was acknowledged before me on 5-24-18 by Richard M Phillips, as President of  
Willowbrook Development Inc.

  
Signature of notary public  
Commission Expires:

Residing at Caldwell, ID  
My Commission Expires: 05-05-2023



#### EXHIBIT A

A portion of the South Half of the North Half of Section 3, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the East Quarter corner of Section 3, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

South 89° 26' 41" West 1,320.31 feet along the mid-section line (the basis of bearings) to a 1/16th corner, the POINT OF BEGINNING; thence continuing along the mid-section line,

South 89° 26' 41" West 1,320.31 feet to the center of said section; thence

South 89° 26' 41" West 1,318.76 feet to a 1/16th corner; thence along a 1/16th line,

North 00° 47' 20" East 1,324.68 feet to a 1/16th corner, said point also being on the South right of way of Foothill Road; thence along the 1/16th line,

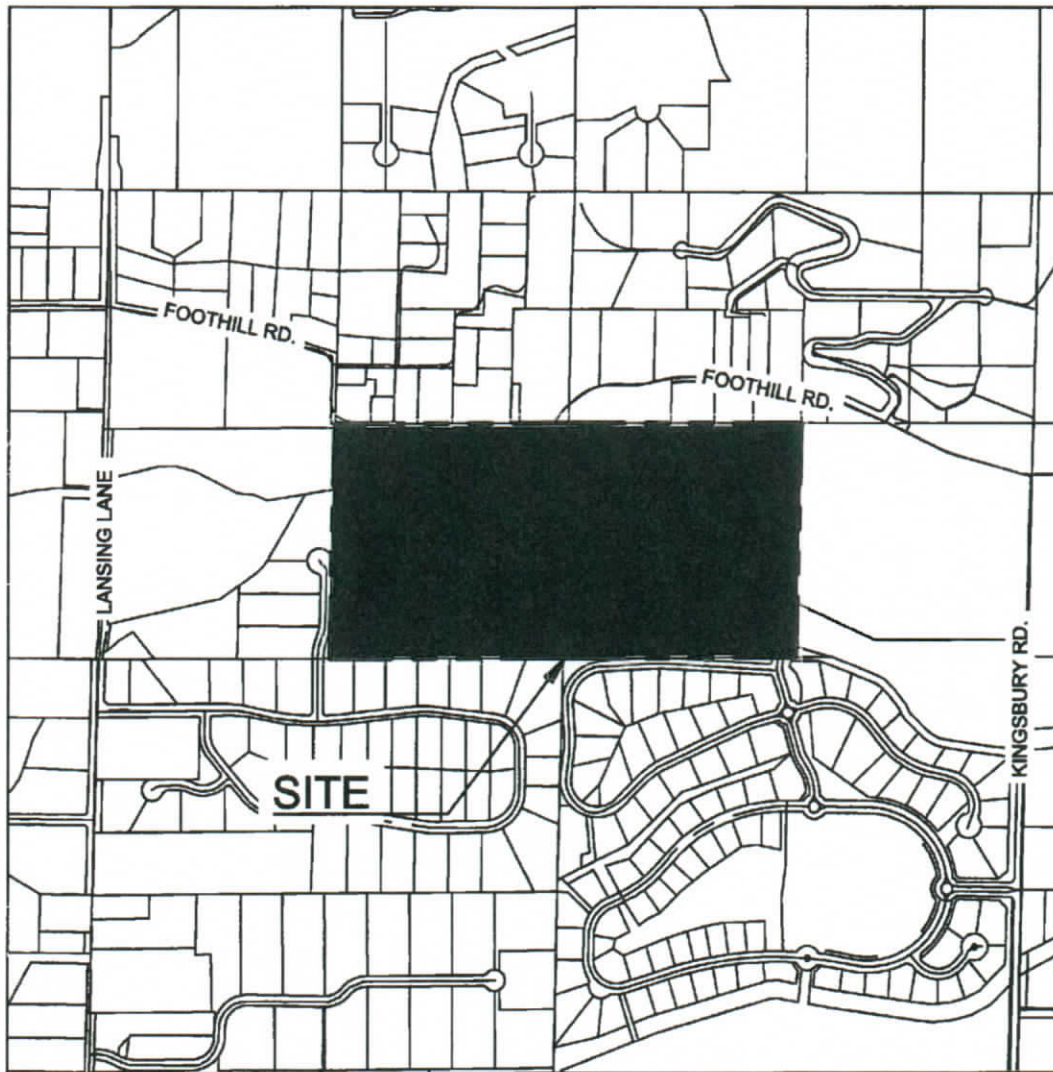
North 89° 27' 05" East 1,319.81 feet to a 1/16th corner; thence continuing along a 1/16th line,

North 89° 38' 09" East 1,320.73 feet to a 1/16th corner; thence along a 1/16th line,

South 00° 51' 25" West 1,320.19 feet to the POINT OF BEGINNING.

# VICINITY MAP

## Blue Meadows Subdivision



VICINITY MAP

1" = 1000'



December 5, 2018

City of Middleton  
Mayor Taylor and Planning & Zoning Department  
1103 W. Main Street  
Middleton, ID 83644

**SUBJECT: Application for Preliminary Plat and Special Use Permit: Blue Meadows Subdivision**

Dear Mr. Mayor and Planning & Zoning Department:

On behalf of our Client, Tradition Capital Partners, LLC. ("Client" or "Owner"), we submit this Application for Preliminary Plat for Blue Meadows Subdivision. The project site ("Site") is generally located south of Foothills Road, east of New Castle Court and north of Lansing Meadows and Lakes at Telaga Subdivisions as shown on **Exhibit 1**. The Site is 80.19 acres and is currently zoned R-3 (Parcel No. 33832000); the Future Land Use Map designates the Site as "Residential – Special Area."

**PROJECT DESCRIPTION:**

Blue Meadows Subdivision ("Project") is situated in an ideal area for further residential development in the City of Middleton, and is planned to include acreage homesites, an 8-ft wide aesthetic gravel walking path which will be conveyed to the City, views of protected and designated wetlands, as well as a waterway - the Middleton Canal - which bisects the Site from west property line to the east property line.

The Project includes only twenty-five (25) single family homesites ranging in size from 0.783 acres to 9.326 acres. The Project is anticipated to be developed in three (3) phases with the first two phases occupying the southern portion of the Site, south of the Canal, which provides connectivity to existing residential development.

**ACCESS**

Due to the fact that the Middleton Canal transects the Site, and due to the fact that the Site contains a considerable amount of protected wetlands, the Project's roadway network does not feature one continuous street with intersections. Instead, the development is thoughtfully designed by creating access roads off of existing roadways.

Phase 1 of the Project will not require the addition of any roadway as the four (4) lots in the southwest corner will be accessed directly from New Castle Court; these accesses have been approved by Canyon Highway District 4 and the City.

Phase 2 of the Project will include an extension of the existing Fountain Spring Drive which has been stubbed for future roadway expansion. The extension into Blue Meadows will be a cul-de-sac, which will be the subject of a forthcoming request for exception (via a Variance request or via a Special Use Permit

Application as directed by the City's Planning staff). A summary of details can be found in the Section below "EXCEPTIONS".

Phase 3 of the Project will be accessed from Foothills Road at two (2) points as approved by Canyon Highway District 4; these two streets are anticipated to be private roads with possible future dedication. Of the two streets accessed from Foothills Road, the longest (running east to west) is positioned to tie into the possible future improvement project of Foothills Road.

#### **UTILITIES**

The Project will be served by the City of Middleton public utility services. The existing sewer service line extends from Duff Lane to the southeast corner of the Project Site. The City's water line, however, ends at Duff Lane; the City, together with our Client, have plans underway to extend the water line parallel with the sewer line to serve the development.

#### **IRRIGATION**

With the topographic constraints of the site, including the bisecting Middleton Canal and the wetlands, only lots one (1) acre in size or less will be served by pressure irrigation, by the Middleton Irrigation District. Lots over one (1) acre in size will be served by ditch company water, with the method of delivery still to be determined at this time.

#### **COMPREHENSIVE PLAN COMPLIANCE**

The Project has been designed with much thought as to how it will integrate into the City of Middleton, and we believe that the Project is in harmony with the numerous goals stated in the Comprehensive Plan.

- A. Goal 2 seeks to ensure development provides safe facilities for vehicles, pedestrians, bicycles and transit. The Project is consistent with this goal as it provides an 8' wide pedestrian path that is planned to link to a regional path system in the future. City residents will be able to safely use the paths to avoid vehicle traffic. The path will also provide a safe transit for children to reach the proposed school at the Lakes at Telaga Subdivision.
- B. Goal 3 seeks to promote a quality of life based on the health, safety and general welfare of residents with minimal nuisances. In keeping with this, the Project achieves this goal via the pathway that winds through the community, as well as the wide open spaces achieved with the protected wetlands. The pathway encourages residents to walk, exercise, and get outside to interact with their neighbors, without having to drive away from the area for recreation.
- C. Goals 4 and 5 require development within City limits to be orderly and requires an orderly extension of City utility services. The Project fulfills this goal by extending the City's water service line in keeping with the current growth pattern to the east of downtown Middleton. The Project also abuts existing development, avoiding a leap-frogging of development which is critical to orderly growth.
- D. Goal 9 promotes the creation of parks, open space, and recreational facilities that encourage physical activity. The Project meets this goal by providing the 8' pedestrian path which will be conveyed to the City, constructed by the Owner, and maintained by the City. The open space directive of the Comprehensive Plan is met with the already existing wetlands that adds beauty and nature to the Project.



- E. Goal 10 promotes dwelling types that match residents' lifestyles. The Project is located near the eastern edge of the Middleton City limits; therefore, the rural nature of the subdivision and expansive lots make sense in light of the distance from the City's downtown center. The Project further fulfills this goal by providing lots that vary greatly in size and shape - with lot sizes ranging from 0.783 to 9.326. The diversity in size and the quality of the homes in the subdivision will foster the "durability of housing in Middleton" as set forth in Strategy #3.
- F. Goal 13 preserves a high quality of life and livability in Middleton. The Project does this by extending City water and sewer services in keeping with the population growth to the east of downtown. The pathway and open space create a sense of community and promote exercise and activity, all of which create a high quality of life.
- G. Goals 16 and 17 encourage development in areas that are not considered hazardous and development that improves the quality of surface water resources. The Project complies with this goal as it is located outside the area of "Special Flood Hazard". Additionally, the Project will not alter the Middleton Canal, which is a long standing natural waterway. An historical waterway will be preserved as a result.

#### **EXCEPTIONS**

Due to the various constraints of the Site, including topography, designated wetlands and the Middleton Canal, the Owner is requesting exceptions relating to: the 5% open space as required in MCC 5-4-10-10, the bike path/lane requirement, and to the cul-de-sac length per MCC 5-4-10-2.e. and per MCC 5-4-10-3. The exception requests (via Variance or via Special Use Permit Application, as directed by the City's Planning staff) will be submitted after the neighborhood meeting is held, which is scheduled for Monday, December 17, 2018.

##### **5% Open Space**

Owner will be requesting exception of the 5% open space due to the large lot sizes, due to the Middleton Canal waterway, due to the planned 8' wide pedestrian pathway, and due to the proximity to the planned City parks. Given these existing features, and the existing constraints to the Site, the Owner feels that there is ample open space to warrant exception of an additional 5% of planned land use.

##### **Bike Path**

Owner will be requesting exception of the bike path / bike lane requirement due to the nature of the segmented, private and terminated roadways of the subdivision, which were a direct result of the topographic conditions of the Site.

##### **Cul-de-Sac Length**

Owner will be requesting exception for allowance of the length of the cul-de-sac (which is the continuation of Fountain Spring Dr.). There are several factors that justify approval of an exception for this road, which will be addressed in detail in the Variance Application. A summary of the points of the exception Application, for the purpose of the Preliminary Plat:

Topography: The Middleton Canal produces a barrier to creating connectivity to the northern side of the canal. The Middleton Canal has forced access to the parcels via segmented roads rather than a planned, connected roadway.



Neighboring Residents: Without the Fountain Spring cul-de-sac, the Owner will be forced to build a roadway that loops into the Lakes of Telaga Subdivision to intersect with Spring Creek Way, which in and of itself is not a detriment to the Project, however residents of the Lakes of Telaga have voiced their preference and request that the roadway not become a loop. The Owner wants to be sensitive to the neighboring community.

Definition: Lastly, there are currently discussions taking place within the Mayor's office as to whether this (or any) cul-de-sac would meet the definition of a city block, as detailed in Section 5-4-10-3(A), which by definition is 1,100-feet in length (and would therefore remove any need for an exception on this Project's cul-de-sac).

Mitigation / Solution: The Project has integrated "knuckles" in the middle of the roadway to act as a second cul-de-sac which is within the 600' foot maximum requirement. This should effectively eliminate any potential concern that may arise out of the length of the cul-de-sac, allowing for emergency turn-around midway in the street.

Horrocks Engineers and the Owner are excited to propose this quality development to the City of Middleton. We appreciate the City considering the attached Preliminary Plat Application. Should any questions arise regarding this submittal, please contact Peggy Breski at (208) 895-2520. We look forward to working with the City of Middleton to ensure that the Project will be a positive addition to the residents and to the City.

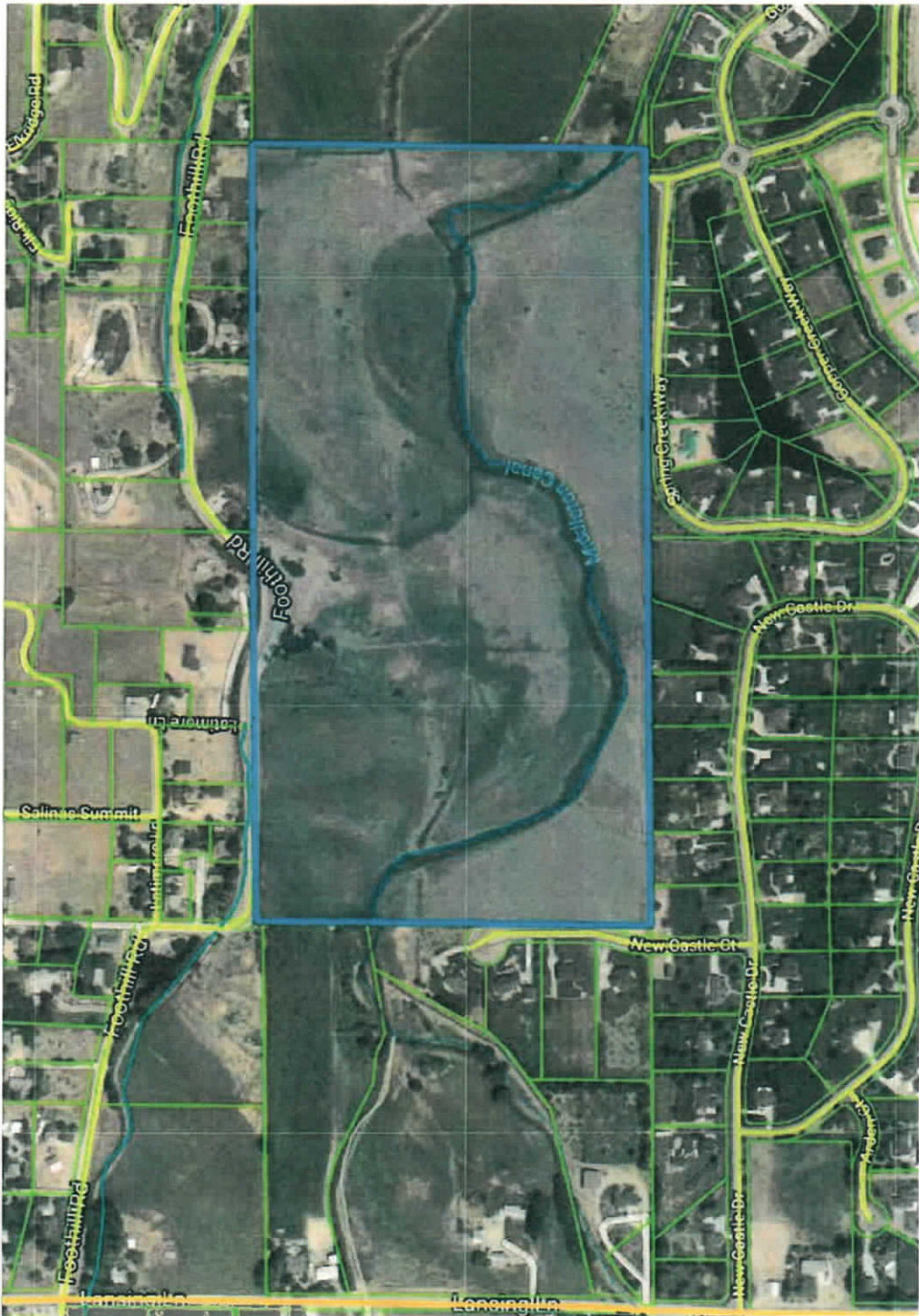
Sincerely,



Peggy Breski, Senior Planner  
Horrocks Engineers

Cc: Spencer Kofoed  
Alan Mills

## EXHIBIT 1









**BLUE MEADOWS SUBDIVISION**

SITUATED IN THE SE 1/4 OF THE NW 1/4 AND THE SW 1/4 OF THE NE 1/4 OF SECTION 3,  
TOWNSHIP 4 NORTH, RANGE 2 WEST, B.M.,  
CANYON COUNTY, IDAHO

2018

**HORROCKS ENGINEERS**  
2775 W. Newburg Dr., Suite 210  
Meriden, CT 06462  
(203) 655-2525  
www.horrocksb.com

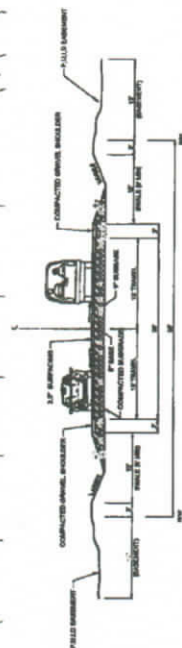
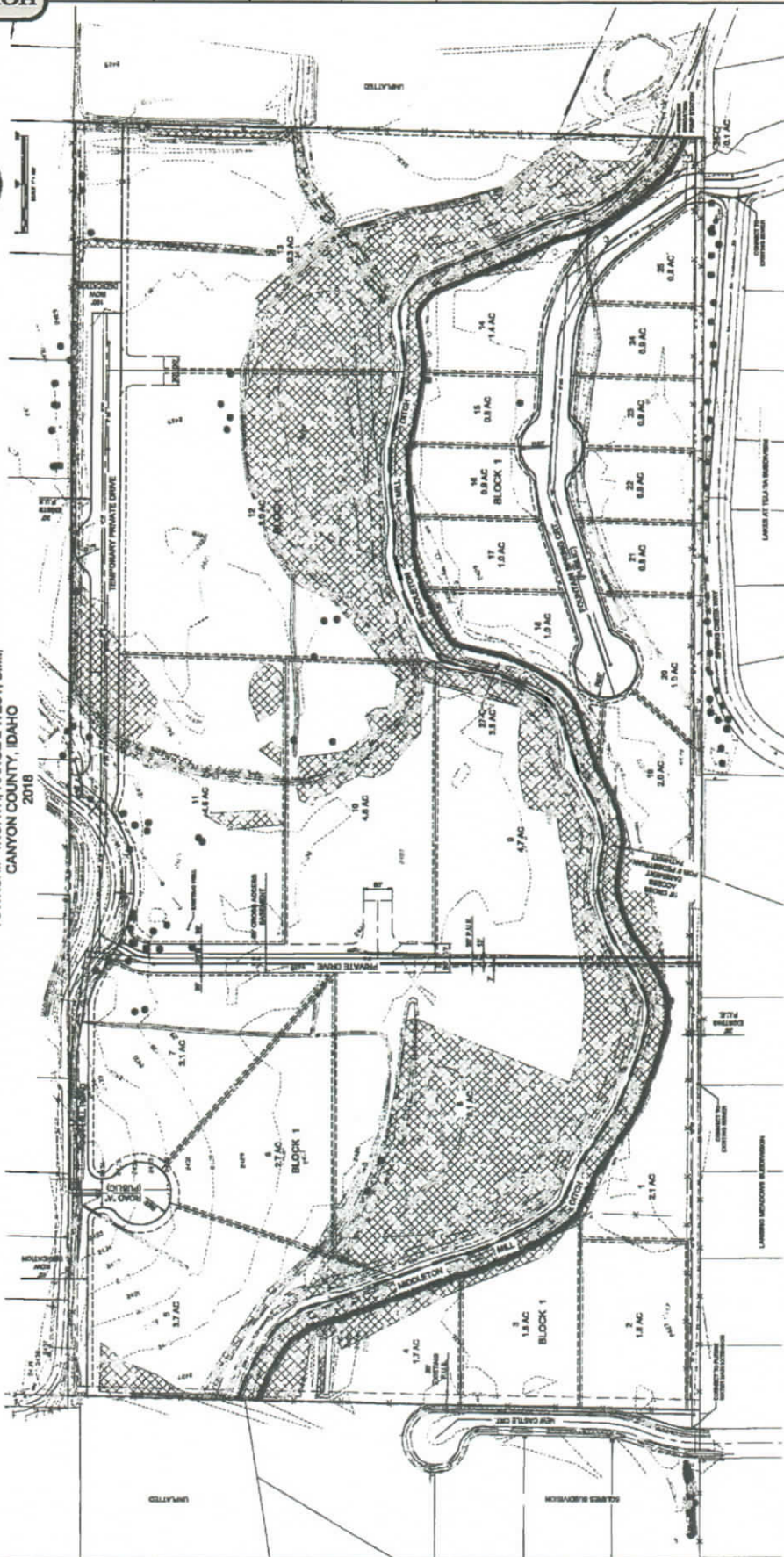
**WARNING**

[illegible]

**BLUE MEADOWS SUBDIVISION**  
MIDDLETON ROAD  
PRELIMINARY PLAN  
NATURAL FEATURES & UTILITIES

**PP1.1**

PAGE 1 OF 2



LOW VOLUME LOCAL ROAD  
SECTION, PER ACHD-191, CANYON  
COUNTY HIGHWAY DISTRICT NO.4

[illegible]

ANDERSON, ANDREW & NICOLE  
8305 ELK RIDGE LN  
MIDDLETON, ID 83644

ATKINSON, FLOYD & RAE NELL  
23847 WESLEY DR  
MIDDLETON, ID 83644

ATWOOD, DOUGLAS  
8986 NEWCASTLE DR  
MIDDLETON, ID 83644

BARFUSS, TERRY & CAROL  
1376 PURDUE ST  
SAN LEANDRO, CA 94579

BARROW, KEVIN & SHAWNA  
8814 FOOTHILL RD  
MIDDLETON, ID 83644

BARTHOLOMEUS, AMIE  
8687 LATIMORE LN  
MIDDLETON, ID 83644

BERGH, SIRI  
23517 NEW CASTLE CT  
MIDDLETON, ID 83644

BETZOLD, FREDRICK & AMY  
8315 ELK RIDGE LN  
MIDDLETON, ID 83644

BISHOP, KEVIN & COLLEEN  
8978 NEW CASTLE DR  
MIDDLETON, ID 83644

BRENMOR REAL ESTATE LLC  
7464 ZENITH LN  
STAR, ID 83669

CARUTHERS FAMILY TRUST  
8974 NEW CASTLE DR  
MIDDLETON, ID 83644

CHRISTENSEN, MARY & FERREN  
8469 SPRING CREEK WAY  
MIDDLETON, ID 83644

COBURN NEVA L TRUST  
3332 N ASTER AVE  
BOISE, ID 83704

COTTAM, KENNETH & SUSAN  
23619 NEW CASTLE CT  
MIDDLETON, ID 83644

CRAWFORD, RONALD & PATRICIA  
PO BOX 830  
STAR, ID 83669

CURLEY, KYLE & LAURA  
8988 NEW CASTLE DR  
MIDDLETON, ID 83644

DILLON, ALEXANDER & HOLLY  
8375 FOOTHILL RD  
MIDDLETON, ID 83644

DILLON, MICHAEL & JENNIFER  
8375 FOOTHILL RD  
MIDDLETON, ID 83644

DOELITZSCH, CHRISTIAN  
8201 FOOTHILL RD  
MIDDLETON, ID 83644

EDWARDS, JORDAN & AMANDA  
8291 FOOTHILL RD  
MIDDLETON, ID 83644

EWALD FAMILY LIVING TRUST  
23499 KINGSBURY RD  
MIDDLETON, ID 83644

FLORA, STEVE & CLAUDIA  
23805 WESLEY DR  
MIDDLETON, ID 83644

GALLOWAY, CHARLES & MIKELL  
8425 SPRING CREEK WAY  
MIDDLETON, ID 83644

GOODMAN, THOMAS & DEBORAH  
8645 LATIMORE LN  
MIDDLETON, ID 83644

GORDON, SCOTT & PATRICIA  
8984 NEW CASTLE DR  
MIDDLETON, ID 83644

GRIFFIN, JAMES & BARBARA  
8381 SPRING CREEK WAY  
MIDDLETON, ID 83644

GRIJALVA, RAY & VALENE  
8812 FOOTHILL RD  
MIDDLETON, ID 83644

HAZEN, GARY & SANDRA  
8244 GOLDSTREAM CT  
MIDDLETON, ID 83644

HOMEOWNERS ASSOCIATION INC  
CHAPPARAL DEVELOPMENT INC  
1550 HEREFORD ST  
EAGLE, ID 83616

JARVI, DOUGLAS & KATHARINA  
8491 SPRING CREEK WAY  
MIDDLETON, ID 83644



JARVIS, SARAH  
8342 COPPER CREEK WAY  
MIDDLETON, ID 83644

JONES, KAREN  
8229 FOOTHILL RD  
MIDDLETON, ID 83644

KESLER, CLARENCE & SAMUEL  
8523 FOOTHILL RD  
MIDDLETON, ID 83644

LAMBRIGHT, RALPH & MICHELLE  
83640 LANSING LN  
MIDDLETON, ID 83644

MARRIOTT, LEI  
8631 LATIMORE LN  
MIDDLETON, ID 83644

MARSTON, DAVID & VICKIE  
8454 FOOTHILL RD  
MIDDLETON, ID 83644

MARTIN JAMES & SHERRY LIVING  
TRUST  
8976 NEW CASTLE DR  
MIDDLETON, ID 83644

MCCLAIN, WENDY & JAMES  
8364 COPPER CREEK WAY  
MIDDLETON, ID 83644

MOORE, CHARLES  
8641 LATIMORE LN  
MIDDLETON, ID 83644

MUHL FAMILY LIVING TRUST  
8982 NEW CASTLE DR  
MIDDLETON, ID 83644

MULLNIX, KURT & NANCY  
8222 GOLDSTREAM CT  
MIDDLETON, ID 83644

MYERS, LARRY FAMILY  
REVOCABLE TRUST  
41010 278TH WAY SE  
ENUMCLAW, WA 98022

NICHOLS, ANDREW & JILL  
8664 FOOTHILL RD  
MIDDLETON, ID 83644

PHILLIPS, RULON & BETH  
8656 FOOTHILL RD  
MIDDLETON, ID 83644

ROCKNE, JASON & TEUKIFAIVAILO  
PO BOX 755  
STAR, ID 83669

ROWELL, JAMES & REBECCA  
8183 GOLDSTREAM CT  
MIDDLETON, ID 83644

SMITH, IRA & FRANCES  
23595 NEW CASTLE CT  
MIDDLETON, ID 83644

SMOTHERMAN, FARRIS & BARBARA  
8447 SPRING CREEK WAY  
MIDDLETON, ID 83644

SQUIRE, GEORGE  
PO BOX 159  
MIDDLETON, ID 83644-0159

TAYLOR, RICHIE  
8325 ELK RIDGE LN  
MIDDLETON, ID 83644

TERRY, BRUCE & MELISSA  
8921 FOOTHILL RD  
MIDDLETON, ID 83644

TRADITION CAPITAL PARTNERS  
LLC  
8454 BROOKHAVEN PL  
MIDDLETON, ID 83644

TRUEX, TAMI & JEVON  
8403 SPRING CREEK WAY  
MIDDLETON, ID 83644

WINKLEMAN, GARY & EARLENE  
REVOCABLE TRUST  
8980 NEW CASTLE DR  
MIDDLETON, ID 83644

WOERTENDYKE, JANET TRUST  
8386 COPPER CREEK WA  
MIDDLETON, ID 83644