

PUBLIC MEETING INFORMATION CITY OF CALDWELL

Virtual Participation Option: Register in advance to provide public comments electronically or by telephone. During the registration process, you will be asked what item on the agenda you wish to speak about. Please use the case number as listed within the written notice.

On-line registration must be submitted at least 24 hours in advance of the meeting. [Click on the green “public meetings” button on the center of the page.](#) After registration, you will receive a confirmation email containing information about joining the virtual meeting. **REGISTER HERE:** <https://www.cityofcaldwell.org>

Written comments must be received at least eight (8) days in advance of the meeting to the Planning & Zoning Department at P&Z@cityofcaldwell.org to be included within the staff report. All comments received after the staff report has been transmitted will be included in the case file and provided as late exhibits at the appropriate public hearing.

Live Stream Viewing: If you are not planning to speak, members of the public are encouraged to view the meeting via the live stream option: <https://www.youtube.com/channel/UCci7S1A0UJNK6asXxxugLGA>



HEARING EXAMINER REGULAR MEETING AGENDA Tuesday, January 13, 2026 @ 1:30 pm Caldwell City Council Chambers Room, 205 S. 6th Avenue, Caldwell, Idaho

I. ROLL CALL

II. REVIEW OF PROCEEDINGS

III. CONSENT CALENDAR:

IV. OLD BUSINESS:

1. **ACTION ITEM: Public Hearing Quasi-Judicial: Case Number: SUP25-000017, ZON25-000006:** The applicant, TMOD Homes LLC., on behalf of David Nelson, is requesting rezoning of parcel R3249700000, from C-3 (General Commercial) to R-3 (Urban Residential) as well as a special use permit for Freedom 50 Development. The proposed development is a multi-family residential duplex community with fifty (50) dwelling units (twenty-five buildings), where the current City comprehensive plan future land use map place-type is identified as mixed-use. The 3.9 acre parcel is located on the south side of E. Ustick Rd., approximately 400 feet west of the intersection with Cleveland Blvd. **This case was continued from the December 23rd, 2025 Hearing Examiner Hearing.**

V. NEW BUSINESS

VI. ADJOURNMENT

Public Information/Responsibility: For public hearing cases that are scheduled to be heard by City Hearing Bodies and are not heard on the noticed date: The hearing body is required to provide a “date certain” for when that case will be heard (typically on the next hearing agenda but not always). Additional notices are not required and are **NOT** sent to property owners or posted on the site. Please check the city’s website for agendas and updates or contact staff for the hearing date that the particular case is to be heard.

Next Regular Hearing Examiner Meeting is on Tuesday, January 27th, 2026, in the Caldwell City Council Chambers Room, 205 S. 6th Avenue, Caldwell, Idaho. Any person needing special accommodations to participate in the meeting should contact the City Office at 208-455-3021 prior to the meeting. The agenda packet and minutes can be viewed on the City of Caldwell’s website: www.cityofcaldwell.org. Cualquier persona necesitando comodidades especiales para participar en la reunión debe contactar al las oficinas de la Ciudad o llame a 208-455-3021 antes de la reunión.



CITY OF *Caldwell, Idaho*

January 6, 2026

ERIC PHILLIPS
Mayor

208.455.3011
(f) 208.455.3003

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205 South 6th Ave.
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

MEMORANDUM TO HEARING EXAMINER

RE: SUP25-000017 & ZON25-000006 – Freedom 50 Development

Madam Hearing Examiner,

This memorandum is meant to inform you of the site/landscape plan updates to the subject project following the project's continuance from the December 23rd hearing.

As a reminder of the continuance request, the Applicant was tasked with updating their plans to better comply with the minimum zoning requirements of Caldwell City Code, Chapter 10. The Applicant has submitted a revised site plan, landscape plan, open space exhibit, and building renderings to comply with this request.

Based upon the submitted revisions, Staff finds the project to be in better compliance with all standard noted within the original staff report. Some items are still incorrect but can be corrected through a condition of approval with minimal to no impacts to the site. Therefore, Staff has no concerns with the proposed revisions outside of the conditions of approval that are relevant. Below are the specific changes to each plan and the last section of this memo reflects the conditions of approval that should be stricken, modified, or kept:

Site Plan:

- Updated the perimeter buffers/setbacks to reflect requirements of 10-14
- Added the required property management office and maintenance storage area by converting one of the units into these uses (therefore, a reduction in density to 49 units).
- Removed nine (9) parking spaces in the southwest corner of the project per Staff's recommendation to comply with the multi-family development open space requirements.
- Clarified drive aisle widths to comply with standards.
- Added a third amenity to the project (Pergola with BBQ area) to meet 10-14 requirements.

Landscape Plan:

- Increased the west and south buffers to 15' and included some additional plantings (not fully compliant; condition of approval to be modified accordingly).
- Increased the plantings around the proposed units.
- Modified the street buffer to Ustick to incorporate additional plantings.
- Added the additional open space to the southwest corner of the project.

“The Treasure of the Valley”

Open Space Exhibit:

- Removed nine (9) parking spaces in the southwest corner of the project per Staff's recommendation to comply with the multi-family development open space requirements.
- Added the third amenity, as mentioned and required.

Building Renderings:

- Applicant provided the renderings shown during the public hearing on December 23, 2025 that depict additional finish materials along all front facades and multiple variations of colors throughout the project.
- Additionally, upon further review of the proposed project, Staff finds the nature of the proposed modular structures cannot meet the intent of the multi-family building design standards and should not be reviewed against those standards. Instead, Staff finds the buildings should be reviewed against the Duplex building design standards outlined in 10-05-07-2 of Caldwell City Code.
- When reviewed against the Duplex building design standards, the proposed two-unit modular structures meet or exceed the minimum design standards.

Below are the conditions of approval from the staff report with strikethrough and underline changes reflecting Staff's recommendations following review of the revised submittal documents:

1. Future development of the subject site shall be substantially consistent with the approved plans such as the site plan, landscape plan, open space exhibit, and building elevations/renderings, including any required modifications required through the public hearing process or as outlined below.
2. Prior to Construction Drawing or Building Permit submittal, whichever is applicable, the Applicant shall provide proof of approval for the location and number of trash enclosures for the subject development by the contracted solid-waste service provider for the City of Caldwell.
3. ~~Prior to the City Council hearing, any affected plans shall be revised to include the minimum 15' multi family perimeter buffer along the west, south, and east property lines.~~
4. Prior to the City Council hearing, the Applicant shall revise the landscape plans to reflect compliance with the updated landscape ordinance (April 2025) to depict the ~~correct arterial street buffer width of 25' from the property line~~, the minimum number of trees, shrubs, groundcover, berthing, and any other item specifically called out in 10-02-09 of Caldwell City Code for the 15-foot buffers along the west boundary.
5. ~~Prior to City Council, all relevant plans shall be revised to reflect compliance with the multi-family development standards outlined in 10-14 including, but not limited to, drive aisle widths, exterior lighting, common open space, private open space, number of amenities, and the requirement for developments of 50 or more units to include a property management office and maintenance storage area.~~

6. To ensure compliance with the ~~multi-family development minimum~~ architectural design standards ~~of 10-14-03~~ and any deviations approved by the City Council, the Applicant shall submit for administrative Design Review prior to building permit submittal.
7. ~~Prior to City Council, all relevant plans shall be revised to depict all drive aisle widths to meet the minimum 26' standard as required in CCC 10-14 and as required by the City of Caldwell Engineering Department.~~
8. To comply with Fire code, all structures within this development shall be sprinklered and comply with the City of Caldwell Fire Department memo, dated December 3, 2025.

Respectfully,

Joe Dodson, Principal Planner

A handwritten signature in cursive script that reads "Joseph Dodson".

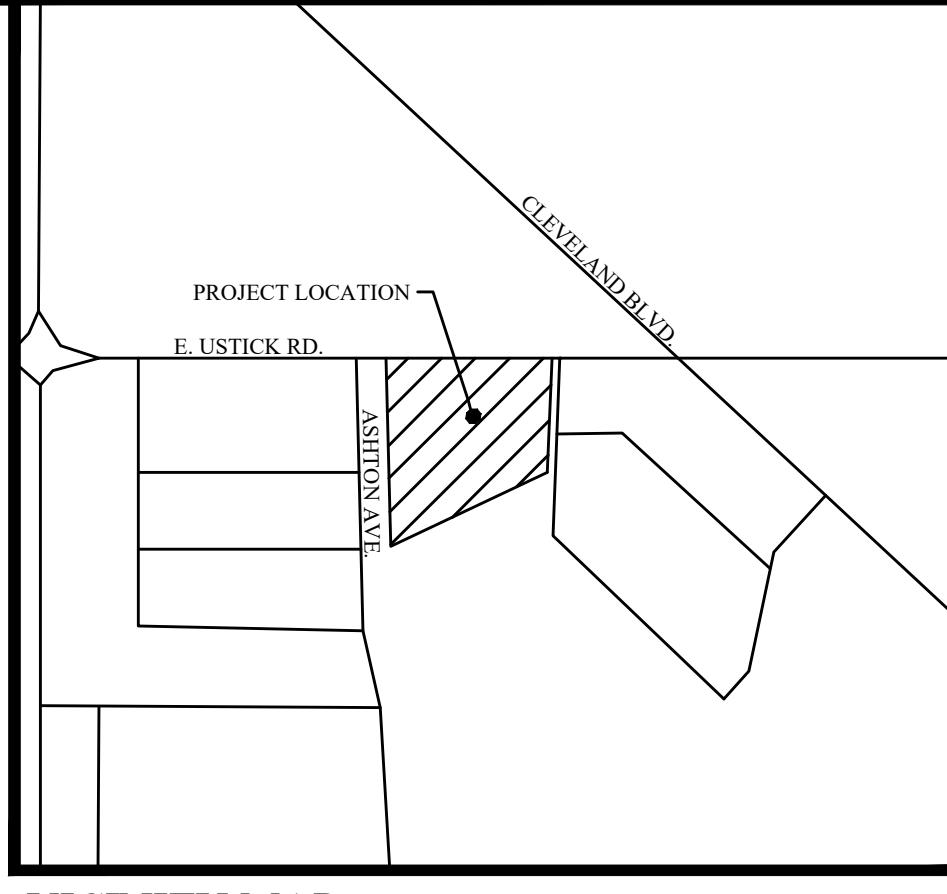
Attachment:

Revised Site Plan

Revised Landscape Plan

Revised Open Space Exhibit

Building Renderings



VICINITY MAP



LEGEND

SITE TABULATIONS

TOTAL ACREAGE

BUILDING DESIGN

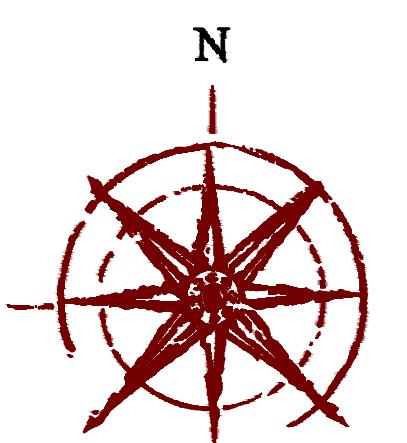
NO. OF DUPLEXES
NO. OF UNITS

PARKING

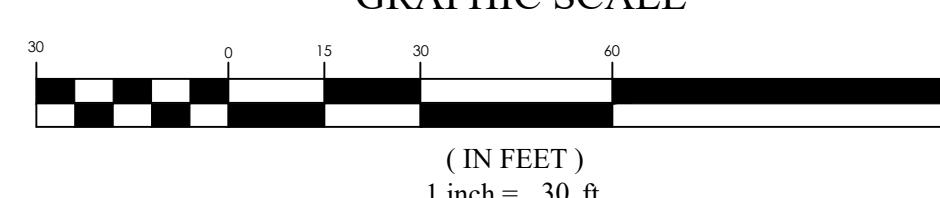
<u>REQUIRED AMOUNT</u>	100 STALLS (2/UNIT)
<u>TOTAL PROVIDED</u>	111 STALLS (2.2/UNIT)
NORMAL PARKING	105 STALLS
ADA PARKING	6 STALLS
OPEN PARKING	75 STALLS
COVERED PARKING	36 STALLS
 BICYCLE PARKING	12 STALLS

LEGEND

	CONCRETE PAVEMENT
	ASPHALT PAVEMENT
	BUILDING
	COVERED PARKING AREA
	LANDSCAPED AREA



GRAPHIC SCALE



**Know what's below.
Call 811 before you dig.**

LIBERTY FREEDOM 50 CALDWELL, ID SITE PLAN

REVISION BLOCK			
#	DATE	DESCRIPTION	
1	---	---	
2	---	---	
3	---	---	
4	---	---	
5	---	---	
6	---	---	

SITE PLAN

Scale: 1"=30'	Drawn: GM
Date: 01/05/26	Job #: 25-5065
Sheet:	

PROPERTY OVERVIEW

TOTAL ACREAGE ±4.0 ACRES
CURRENT ZONING- C-3
SPECIAL USE PERMIT TO ALLOW R-3 (MULTI-FAMILY)

CONCEPT DESIGN

MULTIFAMILY UNITS 50
OPEN SPACE
REQUIRED 0.4 ACRES (10%)
PROVIDED ±1.5 ACRES (37%)

CALDWELL CITY TABULATIONS

REQUIRED LANDSCAPE WITHIN STREET BUFFERS: 10-07-08, (5) A,B
USTICK ROAD- PRINCIPLE ARTERIAL (25' BUFFER)

1. A MINIMUM OF 70% OF THE BUFFER AREA SHALL BE COVERED WITH A TURF-TYPE GRASS.
2. ONE TREE PER THIRTY-FIVE (35) LINEAR FEET OF BUFFER AREA. USTICK ROAD (352 LF / 35) = 10.05 REQUIRED- (11) TREES PROVIDED (11) CLASS (1) ORNAMENTAL TREES UNDER POWER LINES

ONE SHRUB PER SEVEN (7) LINEAR FEET OF BUFFER AREA. USTICK ROAD (352 LF / 7) = 50.28

REQUIRED- (51) SHRUBS PROVIDED (52)

10-07-01 (D) - THE BUFFER WIDTH ASSOCIATED WITH DETACHED SIDEWALKS MAY BE MEASURED FROM THE FRONT OF CURB.

PARKING LOT LANDSCAPING: 10-07-09

1. LINEAR GROUPING OF PARKING SPACES SHALL NOT EXCEED TWELVE (12) IN A ROW, WITHOUT A LANDSCAPE PLANTER ISLAND.
2. ISLANDS SHALL CONTAIN A MINIMUM OF ONE (1) CLASS 1 OR 2 TREE AND SHALL BE COVERED WITH A COMBINATION OF LOW SHRUBS, LAWN, OR GROUNDCOVER.

BUFFERS BETWEEN DIFFERENT LAND USES: 10-07-10

PROJECT SITE TO BE ANNEXED: C-1 MULTI-FAMILY

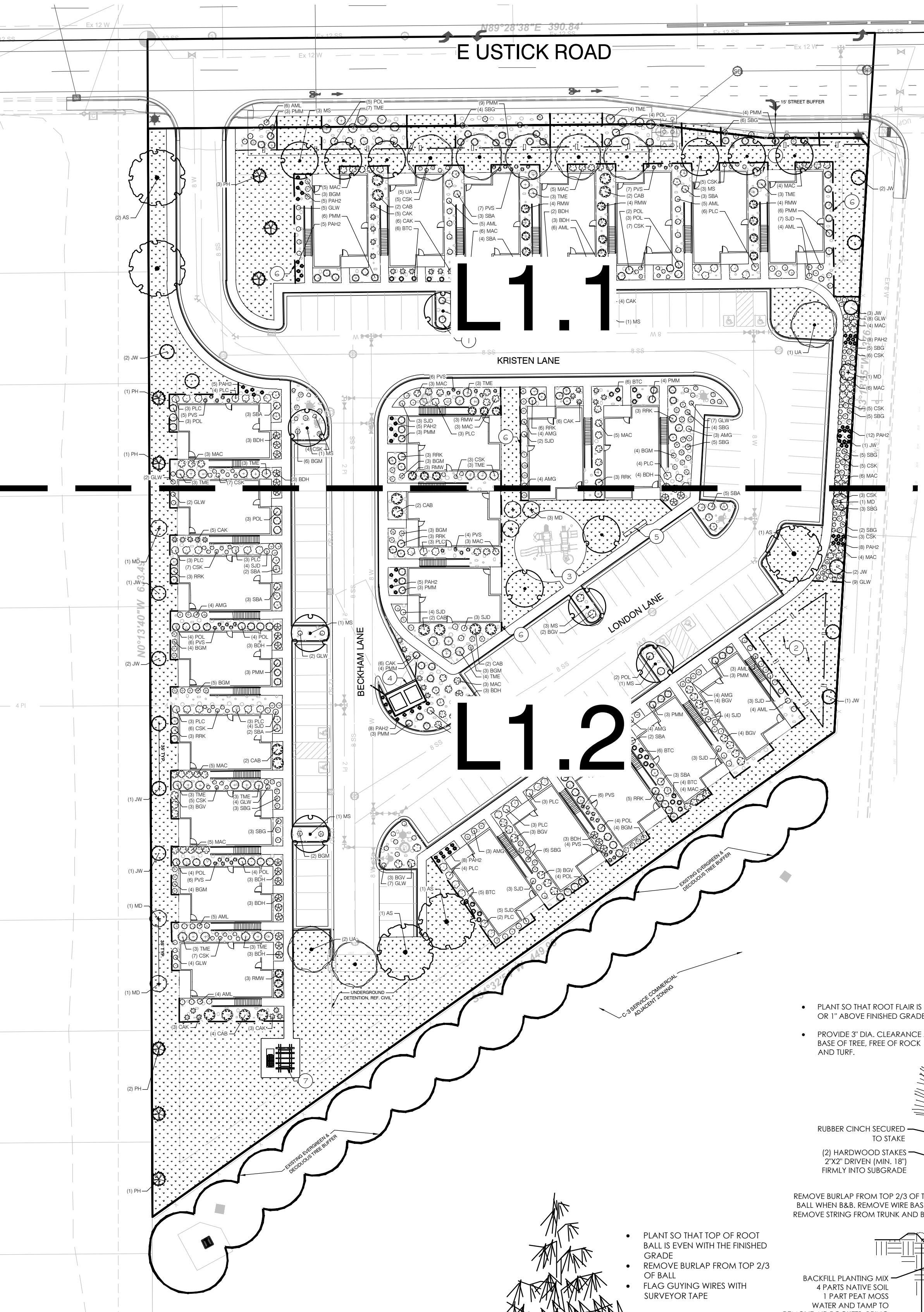
- THE WEST PROPERTY LINE DOES NOT REQUIRE A LANDSCAPE BUFFER. R-1 SINGLE FAMILY RESIDENTIAL ADJACENCY AND MULTI-FAMILY HOUSING ARE BOTH CONSIDERED (CLASS 1)
- EAST SIDE OF THE SITE REQUIRES A BUFFER FROM (C-3 SERVICE COMMERCIAL)
- USTICK ROAD IS A PRIMARY ARTERIAL, AND REQUIRES A (25' WIDE) STREET BUFFER. AN AGREEMENT WAS ARRANGED WITH THE CITY FOR A 15' WIDE LANDSCAPE BUFFER ADJACENT TO THE PROPOSED TURN LANE ON THE NORTHEAST USTICK ROAD FRONTRAGE.
- THE SOUTH SIDE OF THE SITE IS BUFFERED FROM THE WALMART PROPERTY WITH A LARGE EXISTING EVERGREEN & DECIDUOUS TREE ROW.

REQUIRED BUFFER MATERIAL

- MIXTURE OF EVERGREEN AND DECIDUOUS TREE (CLASS 1 & 2) TREES ONLY.
- MIXTURE OF SHRUBS, LAWN, VEGETATIVE AND NON-VEGETATIVE GROUND COVER SO THAT THE ENTIRE BUFFER WIDTH AREA IS COVERED.
- TREES SHALL BE SPACED AT 35' INTERVALS.
- SHRUBS SHALL BE SPACED AT 2' TO 8' INTERVALS DEPENDING UPON INDIVIDUAL PLANT SPACING REQUIREMENTS.

LANDSCAPE NOTES

1. LAWN AREAS WILL BE SODDED WITH KENTUCKY BLUEGRASS BLEND OVER 4 INCHES GOOD GRADE TOPSOIL.
2. TOP DRESS ALL SHRUB BED AREAS AND OTHER AREAS LABELED ROCK MULCH WITH 4" DEEP 2' BOISE RIVER ROCK FROM ROOTS ROCK & BARK YARD IN MIDDLETON, ID OVER DEWMIT PRO-S WEED BARRIER FABRIC. FABRIC SHALL BE INSTALLED AFTER PRE-EMERGENT HAS BEEN APPLIED.
3. INSTALL PLASTIC EDGING FOR MOW STRIPS BETWEEN LAWN AREAS AND PLANTING BEDS.
4. CONTRACTOR TO CONDUCT THEIR OWN QUANTITY TAKE-OFFS IN THE PLAN AND VERIFY ANY DISCREPANCIES WITH THE LANDSCAPE ARCHITECT.
5. CONTRACTOR SHALL VERIFY ALL UTILITIES SHOWN ON THE PLANS AS WELL AS HAVE THE SITE UTILITIES LOCATED ON THE GROUND PRIOR TO THE START OF CONSTRUCTION ACTIVITIES. IN THE EVENT THAT THE CONTRACTOR DISCOVERS AN UNDERGROUND UTILITY THAT IS NOT REPRESENTED WITHIN THE CONSTRUCTION DOCUMENTS OR AS MARKED ON THE SITE, HE SHALL IMMEDIATELY CONTACT THE OWNERS REPRESENTATIVE TO DETERMINE NEXT STEPS PRIOR TO ANY CONSTRUCTION ACTIVITIES WITHIN THE AREA OF THE NEWLY DISCOVERED UNDERGROUND UTILITY.
6. THE CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE THROUGHOUT CONSTRUCTION ACTIVITIES FOR THE PROJECT. ACCUMULATION OF STANDING WATER WILL NOT BE PERMITTED.



E EVERGREEN PLANTING & GUYING

NOT TO SCALE

811

Know what's below.
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PLANT SCHEDULE

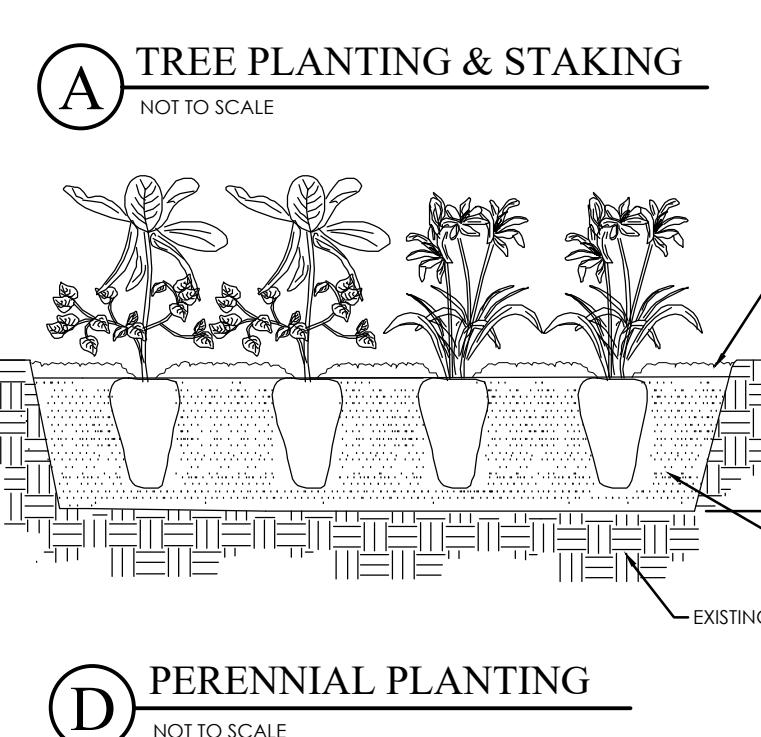
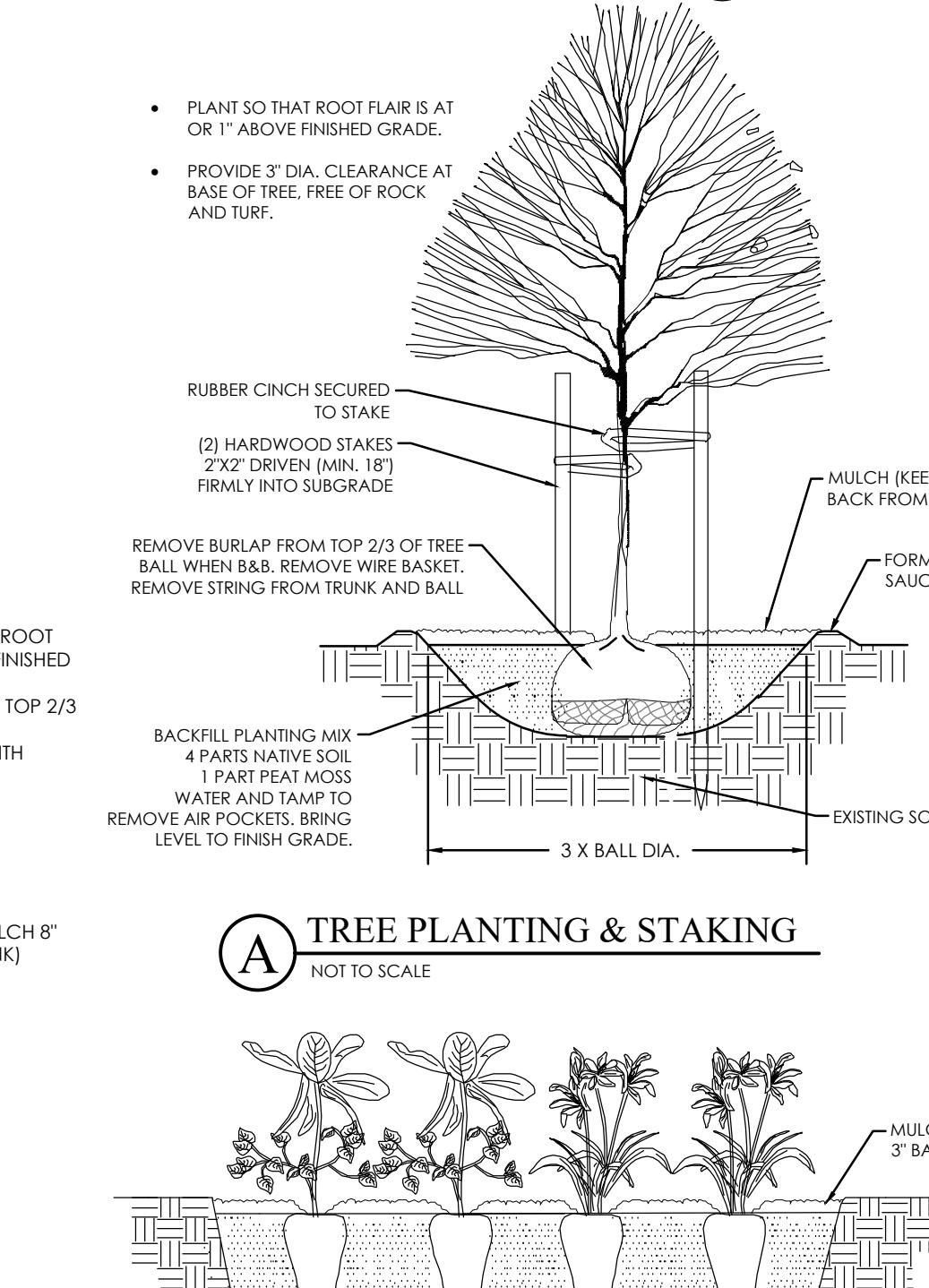
CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY	
TREES					
AS	Acer miyabei 'Morton'	State Street™ Miyabe Maple	2" Cal.	5	
MS	Malus x 'Spring Snow'	Spring Snow Crabapple	2" Cal.	16	
MD	Malus x 'adstringens 'Durle'	Gladiator™ Crabapple	1.5" Cal.	8	
DA	Ulmus x 'Accolade'	Accolade Elm	2" Cal.	8	
EVERGREEN TREES					
JW	Juniperus scopulorum 'Wichita Blue'	Wichita Blue Juniper	6" Ht.	16	
PH	Pinus leucodermis 'Heidereichi'	Bosnian Pine	6" Ht.	8	
SHRUBS					
AML	Aronia melanocarpa 'Low Scape Hedger'	Dwarf Chokeberry	3 gal.	42	
AMG	Aronia melanocarpa 'CONNAMO 12' TM	Ground Hug Black Chokeberry	5 gal.	26	
BTC	Berberis thunbergii 'Concorde'	Concorde Japanese Barberry	3 gal.	27	
BDH	Buddleja davidii 'Buzz Hot Raspberry'	Hot Raspberry Butterfly Bush	3 gal.	36	
BGM	Buxus x 'Green Mountain'	Green Mountain Boxwood	5 gal.	41	
BGV	Buxus x 'Green Velvet'	Green Velvet Boxwood	5 gal.	22	
CAB	Cornus alba 'Ballhalo' TM	Ivory Halo Dogwood	5 gal.	16	
CSK	Cornus sibirica 'Kelsey'	Kelsey's Dwarf Red Twig Dogwood	3 gal.	78	
MAC	Mahonia aquifolium 'Compacta'	Compact Oregon Grape	5 gal.	77	
POL	Physocarpus opulifolius 'Donna May' TM	Little Devil Ninebark	5 gal.	52	
PMM	Pinus mugo 'Mops'	Mugo Pine	5 gal.	59	
PLC	Prunus laurocerasus 'Chestnut Hill'	Chestnut Hill English Laurel	5 gal.	47	
RMW	Rosa Meidiland 'White'	White Meidiland Rose	5 gal.	21	
RRK	Rosa x 'Red Knock Out'	Red Knock Out Rose	5 gal.	29	
SJD	Spiraea japonica 'Double Play Doozie'	Doozie Spirea	3 gal.	45	
SBA	Spiraea x bumalda 'Anthony Waterer'	Anthony Waterer Bumald Spirea	3 gal.	33	
SBG	Spiraea x bumalda 'Goldflame'	Goldflame Spirea	3 gal.	51	
TME	Taxus x media 'Everlow'	Everlow Yew	5 gal.	45	
ORNAMENTAL GRASSES					
CAK	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	1 gal.	38	
PVS	Panicum virgatum 'Shenandoah'	Shenandoah Switch Grass	1 gal.	51	
PAH2	Pennisetum alopecuroides 'Hameln'	Hameln Fountain Grass	1 gal.	69	
PERENNIALS					
GLW	Gaura lindheimeri 'Whirling Butterflies'	Whirling Butterflies Gaura	1 gal.	50	
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY
GROUND COVERS					
PP2	Poa pratensis	Kentucky Bluegrass	sod	38,042 sf	

REFERENCE NOTES SCHEDULE

SYMBOL	CODE	DESCRIPTION	QTY
1		RIVER ROCK	27,586 sf
2		4' Ht. DOG PARK FENCE	
3		PLAYGROUND, TYP. TBD	
4		DUMPSTER ENCLOSURE, TYP.	
5		MAILBOX CLUSTER	
6		STEEL EDGING	
7		PERGOLA AND BBQ	

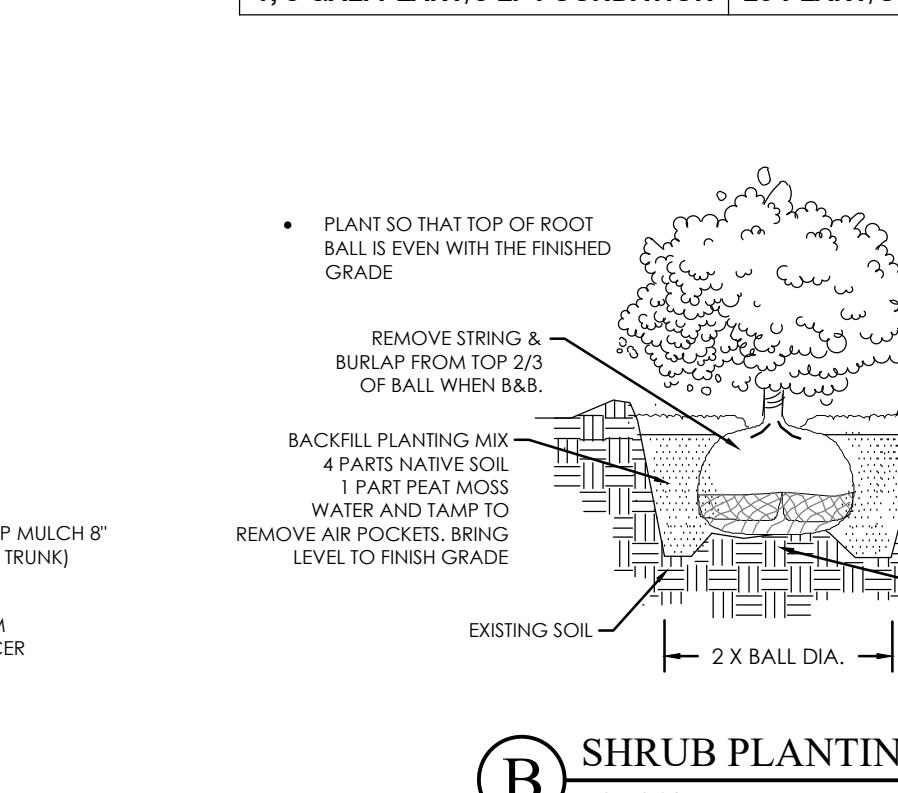
LANDSCAPE TABLE

ITEM	REQUIRED %	PROPOSED
CLASS 1 & 2 TREES	50%/50%	50/50%
EVERGREEN TREES	40%	40%
1, 3 GAL. PLANT/3 LF FOUNDATION	29 PLANT/UNIT	29 PLANT/UNIT



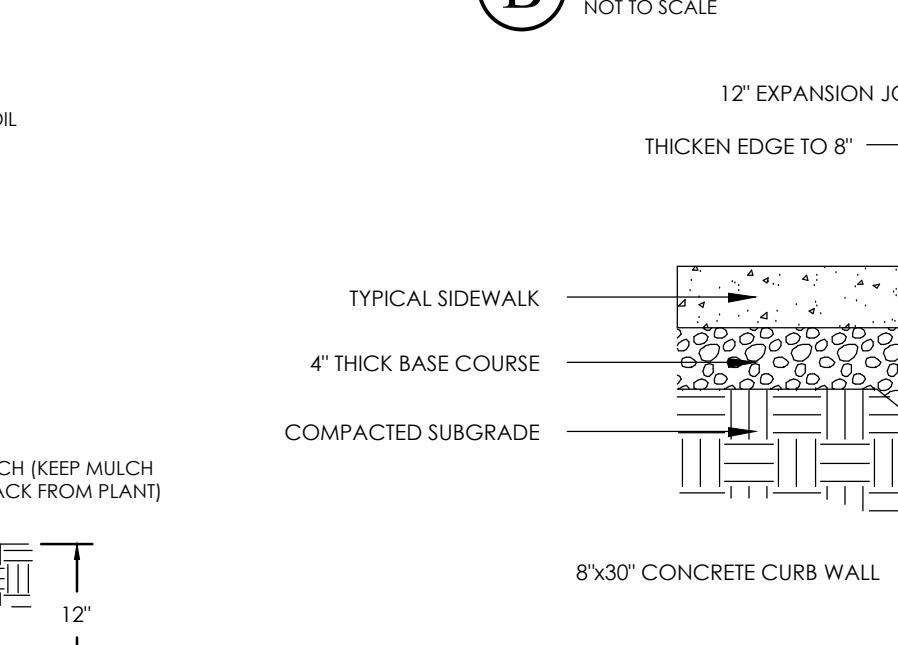
D PERENNIAL PLANTING

NOT TO SCALE



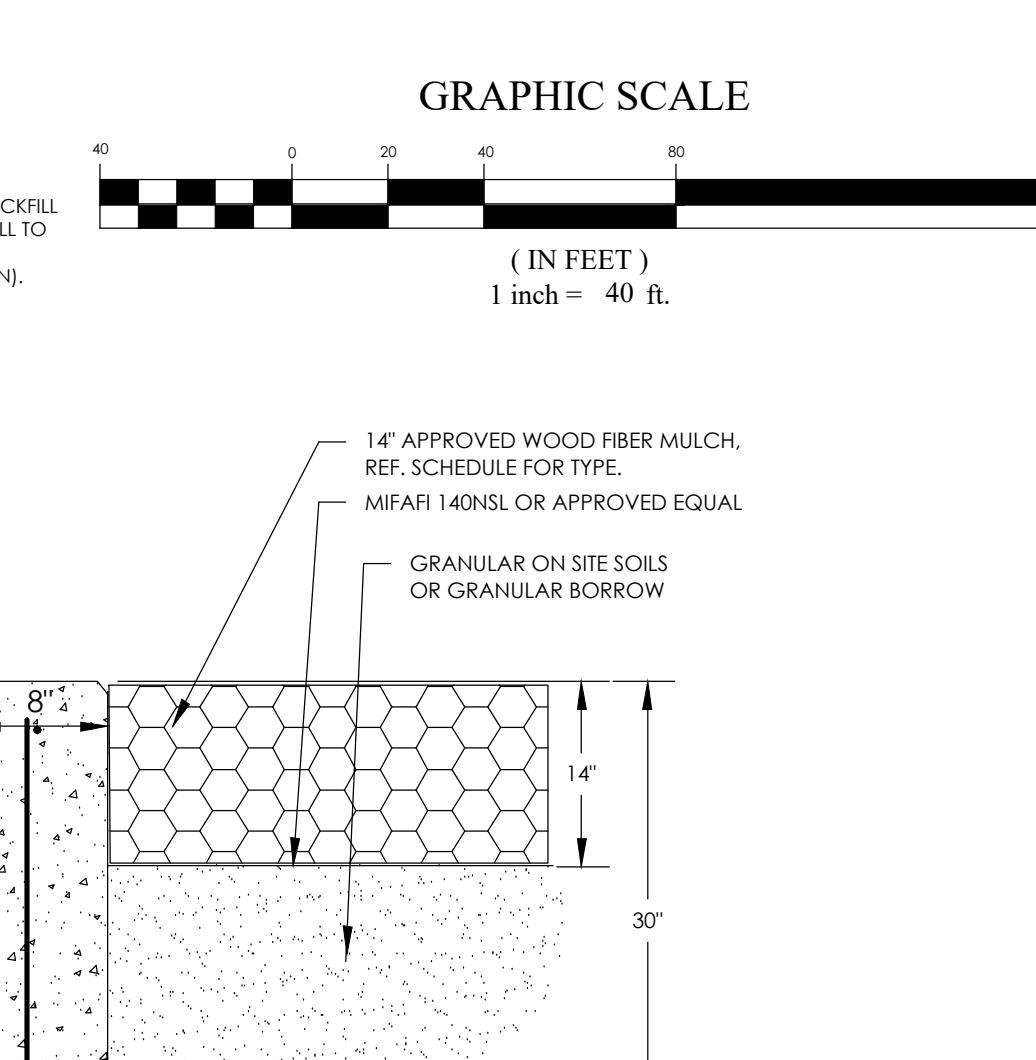
B SHRUB PLANTING

NOT TO SCALE



C 8" PLAYGROUND EDGING

NOT TO SCALE



E EVERGREEN PLANTING & GUYING

NOT TO SCALE

LANDSCAPE PLAN

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V.1.2025.225-5065.dwg

Sheet: 1 of 1

Scale: 1"=40'

Drawn: MH

Date: 01/05/2026

Job #: 25-5065

Sheet: 1 of 1

Revision Block

Date: 1/1/2026

Revision: 1

Code: 1

Reason: 1

Notes: 1

Comments: 1

Initials: 1

Date: 1/1/2026

Signature: 1

Comments: 1

Initials: 1

Date: 1/1/2026

Signature: 1

Comments: 1

Initials: 1

Date: 1/1/2026

Signature: 1

Comments: 1

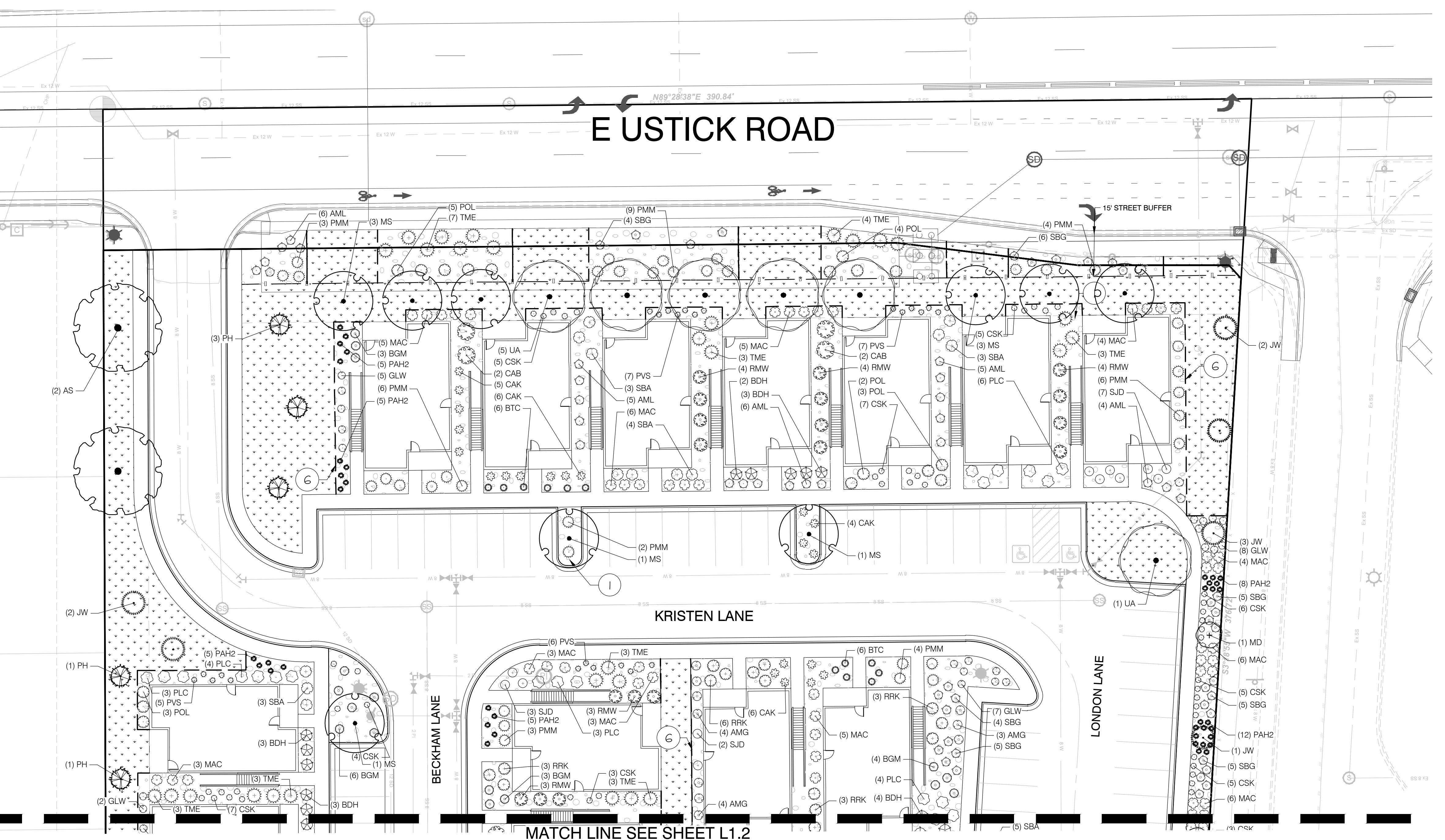
Initials: 1

Date: 1/1/2026

Signature:

FOR
REVIEW
ONLY

FREEDOM 50
CALDWELL, IDAHO
LANDSCAPE PLAN



PLANT SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME
TREES		
AS	Acer miyabei 'Morton'	State Street™ Miyabe Maple
MS	Malus x 'Spring Snow'	Spring Snow Crabapple
MD	Malus x 'adstringens 'Durleo'	Gladiator™ Crabapple
UA	Ulmus x 'Accolade'	Accolade Elm
EVERGREEN TREES		
JW	Juniperus scopulorum 'Wichita Blue'	Wichita Blue Juniper
PH	Pinus leucodermis 'Heidereichii'	Bosman Pine
SHRUBS		
AML	Aronia melanocarpa 'Low Scape Hedger'	Dwarf Chokeberry
AMG	Aronia melanocarpa 'UCONNAMO12™'	Ground Hug Black Chokeberry
BTC	Berberis thunbergii 'Concorde'	Concorde Japanese Barberry
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MAC	Mahonia aquifolium 'Compacta'	Compact Oregon Grape
POL	Physocarpus opulifolius 'Donna May'™	Little Devil Ninebark
PMM	Pinus mugo 'Mops'	Mugo Pine
PLC	Prunus laurocerasus 'Chestnut Hill'	Chestnut Hill English Laurel
RMW	Rosa Meidiland 'White'	White Meidiland Rose
RRK	Rosa x 'Red Knock Out'	Red Knock Out Rose
SJD	Spiraea japonica 'Double Play Doozie'	Doozie Spirea
SBA	Spiraea x bumalda 'Anthony Waterer'	Anthony Waterer Bumalda Spiraea
SBG	Spiraea x bumalda 'Goldflame'	Goldflame Spirea
TME	Taxus x media 'Everlow'	Everlow Yew
ORNAMENTAL GRASSES		
CAK	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass
PVS	Panicum virgatum 'Shenandoah'	Shenandoah Switch Grass
PAH2	Pennisetum alopecuroides 'Hameln'	Hameln Fountain Grass

PERENNIALS

GLW Gaura lindheimeri 'Whirling Butterflies' Whirling Butterflies Gaura

GROUND COVERS

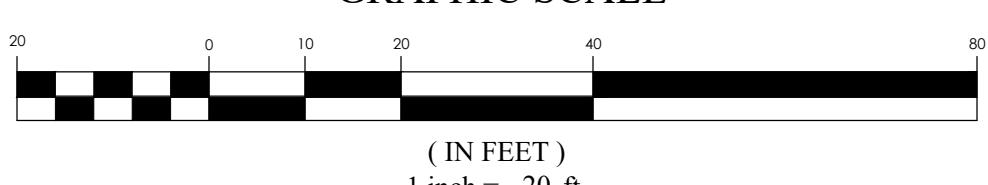
PP2 Poa pratensis Kentucky Bluegrass

REFERENCE NOTES SCHEDULE

SYMBOL	CODE	DESCRIPTION	QTY
1	RIVER ROCK		27,586 sf
2	4' Ht. DOG PARK FENCE		
3	PLAYGROUND, TYP. TBD		
4	DUMPSTER ENCLOSURE, TYP.		
5	MAILBOX CLUSTER		
6	STEEL EDGING		
7	PERGOLA AND BBQ		

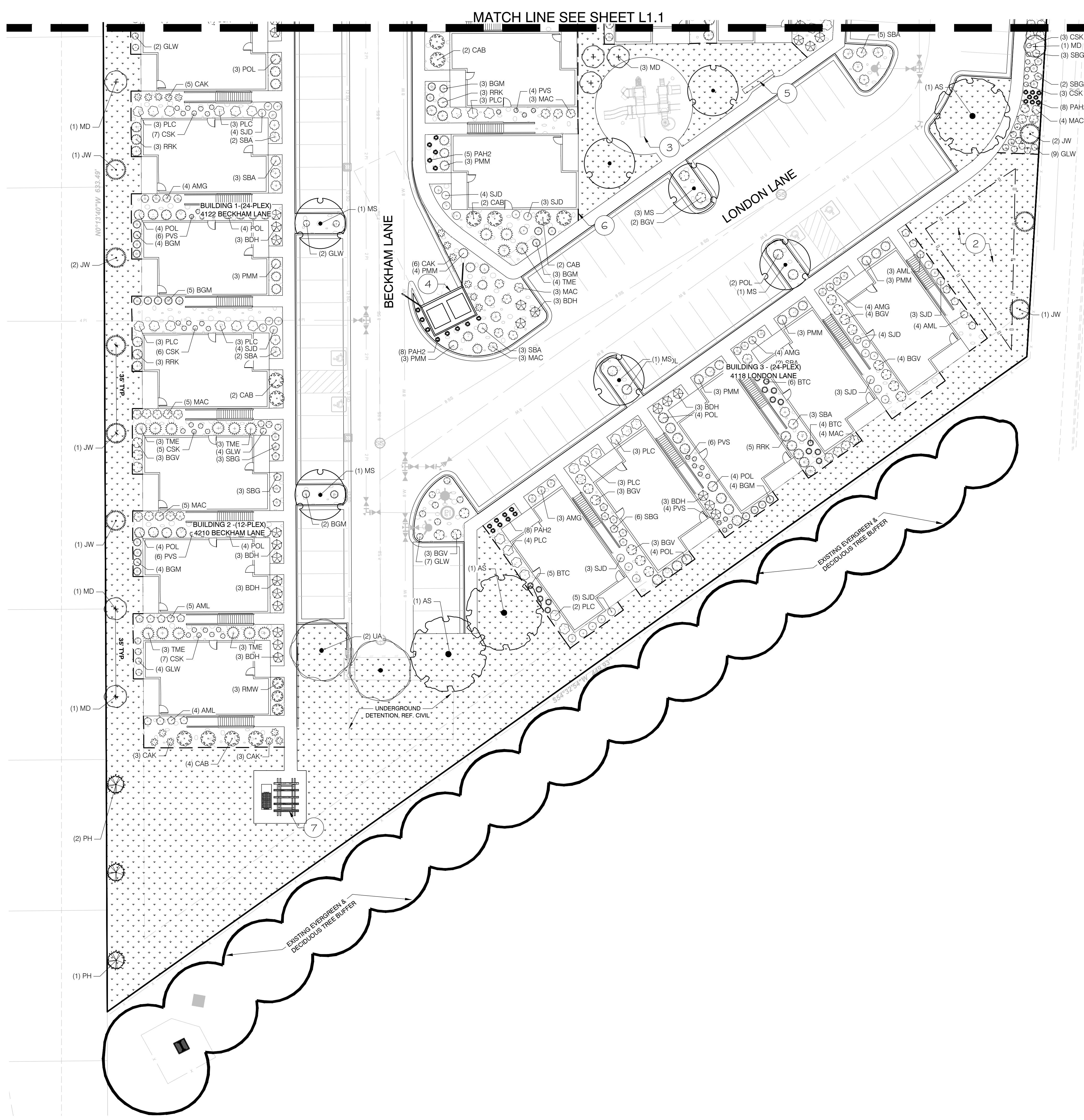


GRAPHIC SCALE



Scale: 1"=20'	Drawn: MH
Date: 01/05/2026	Job #: 25-5065
Sheet: L1.1	

811
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PLANT SCHEDULE

<u>CODE</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>
<u>TREES</u>		
AS	<i>Acer miyabei</i> 'Morton'	State Street™ Miyabe Maple
MS	<i>Malus x</i> 'Spring Snow'	Spring Snow Crabapple
MD	<i>Malus x adstringens</i> 'Durleo'	Gladiator™ Crabapple
UA	<i>Ulmus x</i> `Accolade`	Accolade Elm

EVERGREEN TREES

JW *Juniperus scopulorum* 'Wichita Blue'
PH *Pinus leucodermis* 'Heidreichii'

e Street™ Miyabe Maple
ng Snow Crabapple
iator™ Crabapple
blade Elm

SHRUBS

AML	Aronia melanocarpa `Low Scape Hedger`	Dwarf Chokeberry
AMG	Aronia melanocarpa `UCONNAMO12` TM	Ground Hug Black Chokeberry
BTC	Berberis thunbergii `Concorde`	Concorde Japanese Barberry
BDH	Buddleja davidii `Buzz Hot Raspberry`	Hot Raspberry Butterfly Bush
BGM	Buxus x `Green Mountain`	Green Mountain Boxwood
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SBG	Spiraea x bumalda `Goldflame`	Goldflame Spirea
TME	Taxus x media `Everlow`	Everlow Yew

ORNAMENTAL GRASSES

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PVS	Panicum virgatum 'Shenandoah'	Shenandoah Switch Grass
PAH2	Pennisetum alopecuroides 'Hameln'	Hameln Fountain Grass

PERENNIALS

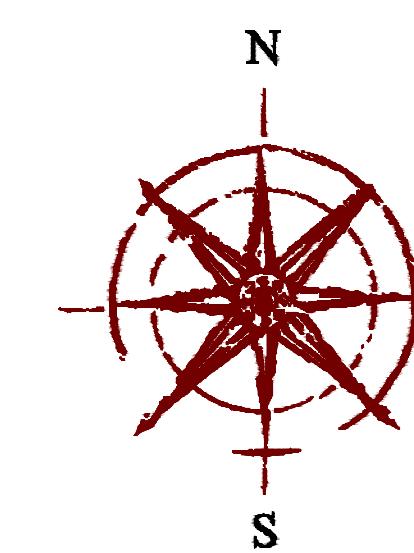
GLW	Gaura lindheimeri 'Whirling Butterflies'	Whirling Butterflies Gaura
COMMON NAME	COMMON NAME	COMMON NAME

SYMBOLS CODE

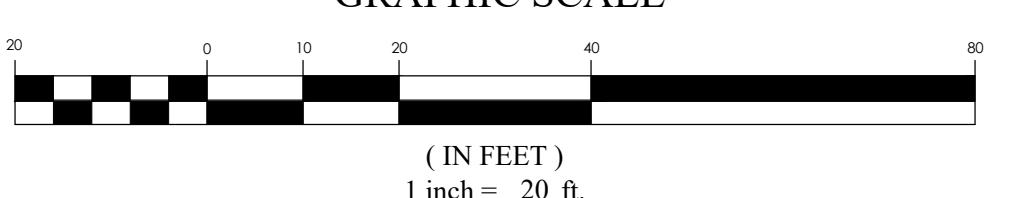
GROUND COVERS		PP2	Poa pratensis	Kentucky Bluegrass

REFERENCE NOTES SCHEDULE

<u>SYMBOL</u>	<u>CODE</u>	<u>DESCRIPTION</u>	<u>QTY</u>
	1	RIVER ROCK	27,586 sf
	2	4' Ht. DOG PARK FENCE	
	3	PLAYGROUND, TYP. TBD	
	4	DUMPSTER ENCLOSURE, TYP.	
	5	MAILBOX CLUSTER	
	6	STEEL EDGING	
	7	PERGOLA AND BBQ	

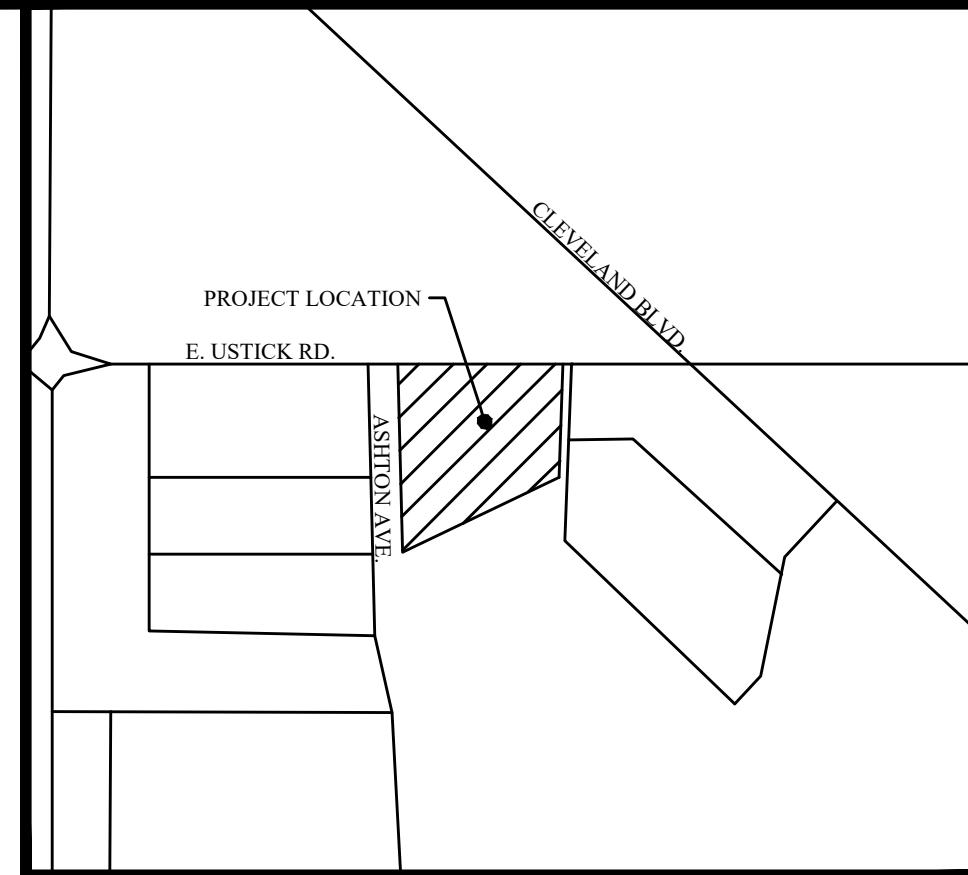


GRAPHIC SCALE



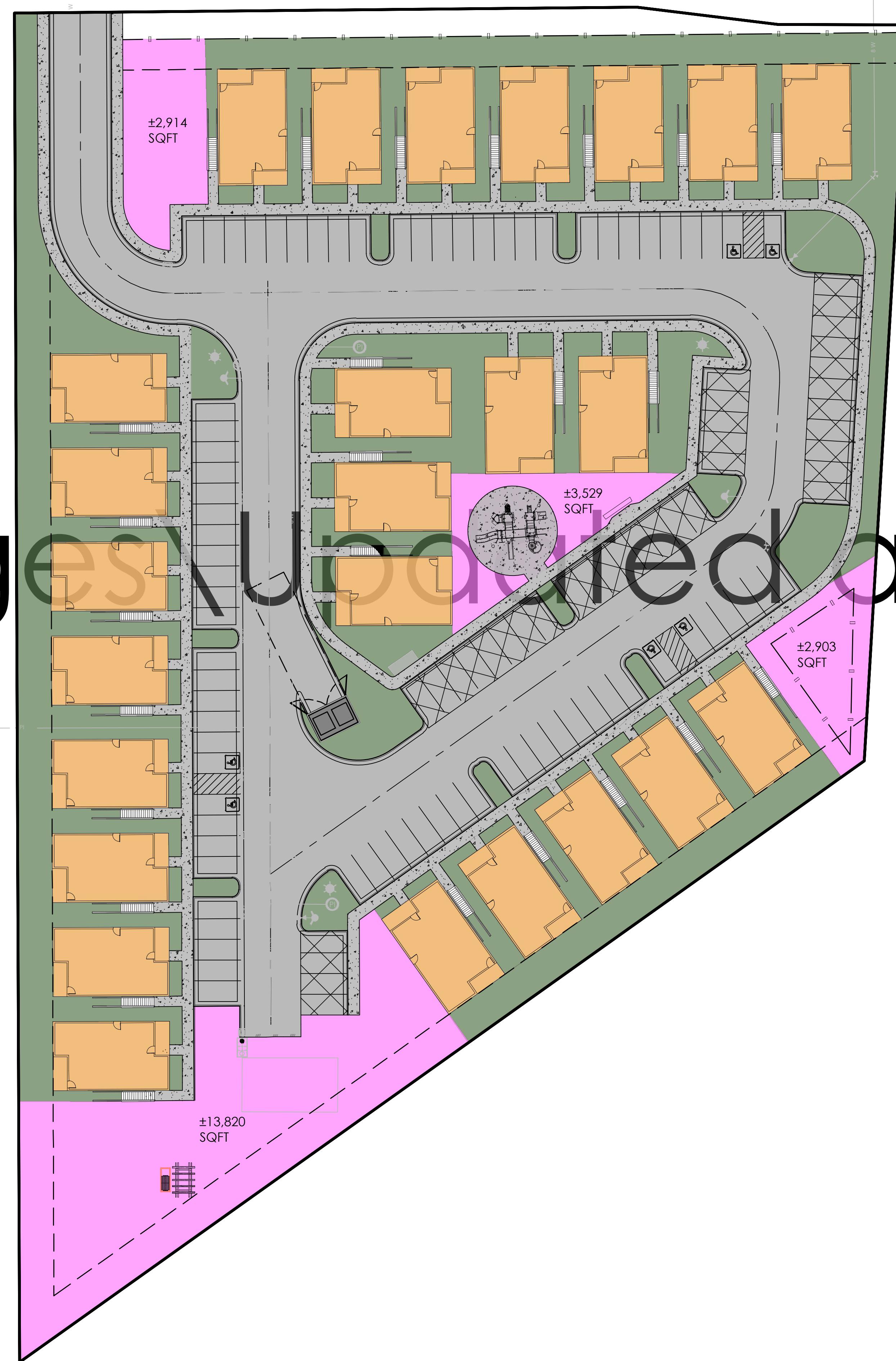
LANDSCAPE PLAN

L1.2



VICINITY MAP
N.T.S.

1ages updated earlier



LEGEND

—	BOUNDARY
—	ROW
—	CENTERLINE
—	LOT LINE
—	EASEMENT
XX SD	XX STORM DRAIN
XX SS	XX SANITARY SEWER
XX W	XX CULINARY WATER
XX PI	XX PRESSURE IRRIGATION
XXXX	CONTOUR MAJOR
XXXX	CONTOUR MINOR
—	EXIST. STORM DRAIN
—	EXIST. SANITARY SEWER
—	EXIST. CULINARY WATER
—	EXIST. FENCE
—	EXIST. CONTOUR MAJOR
—	EXIST. CONTOUR MINOR
—	SIGN
—	STREET LIGHT
—	SD MH. INLET, AND COMBO
—	SEWER MANHOLE
—	SECONDARY METER, WATER METER
—	CULINARY VALVE, TEE & BEND
—	SECONDARY VALVE, TEE & BEND
—	WATER BLOW-OFF
—	FIRE HYDRANT
—	STREET MONUMENT (TO BE SET)
—	EXIST. STREET MONUMENT
—	EXIST. SD INLET & MH
—	EXIST. SEWER MH
—	EXIST. VALVE, TEE, & BEND
—	EXIST. FIRE HYDRANT
○ XXXX.XX	SPOT ELEVATION

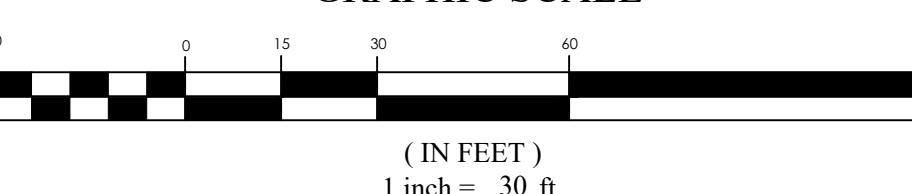
OPEN SPACE TABULATIONS:

TOTAL AREA:
ACRES: ±4
SQFT: 174,240

REQUIRED	0.4 ACRES (10%)
PROVIDED	±1.5 ACRES (38%)
—	LANDSCAPED AREA: 41,912 SQFT (64%)
—	QUALIFYING: 23,166 SQFT (36%)
—	CONCRETE PAVEMENT
—	ASPHALT PAVEMENT
—	BUILDING
—	COVERED PARKING AREA



GRAPHIC SCALE



Scale: 1"=30'
1 inch = 30 ft.

OPEN SPACE EXHIBIT

Scale: 1"=30'
Date: 12/31/25 Job #: 25-5065
Sheet: C2
V:\\2025\\25-5065\\Sheet\\OPEN SPACE EXHIBIT.dwg
811
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FREEDOM 50
CALDWELL, ID
OPEN SPACE EXHIBIT

Aerial Front



Front View



Side by Side



Side View 1



Side View 2







Caldwell Community Development Department
Planning and Zoning Division
STAFF REPORT / RECOMMENDING ORDER
Public Hearing Item | Hearing Examiner | 12/23/2025

Staff Planner: Joe Dodson, AICP

CASE NO(s): SUP25-000017 & ZON25-000006
Project Name: Freedom 50

HEARING BODY RECOMMENDATION

The Hearing Examiner at the 12/23/2025 public hearing recommended Choose an item. of the Special Use Permit and Rezone subject to the conditions listed herein.

***This will be updated following the first hearing to reflect the decision made at that hearing.**

APPLICATION SUMMARY & PROPOSED LAND USE REQUESTS

- Rezone of approximately 3.92 acres from C-3 to R-3 for the purpose of constructing a Multifamily Apartment (Large-Scale) development; and
- Special Use Permit for 50 multifamily dwelling units within 25 buildings on 3.92 acres in the requested R-3 zoning district.



Applicant:	Dennis Jordan, Focus Consulting & Paul Hilbig, TMOD
Property Owner:	David Nelson
Parcel ID Number(s):	R3249700000
School District:	<i>Vallivue School District</i>
Staff Summary of Review:	<p><i>Staff thoroughly reviewed and analyzed the above-listed applications and finds that all applications and development proposals are:</i></p> <p class="list-item-l1"><input type="checkbox"/> COMPLIANT with all applicable city codes, regulations, and policies, if all conditions of approval are met.</p> <p class="list-item-l1"><input checked="" type="checkbox"/> NOT COMPLIANT with all applicable city codes, regulations, and policies.</p>

I. APPLICATION FACTS:

Applicant:	Dennis Jordan, Focus Consulting & Paul Hilbig, TMOD	
Property Owner(s):	David Nelson	
Application Requests and Development Proposals:	Application for a Rezone of Parcel R3249700000 from C-3 (General Commercial) to R-3 (Urban Residential), and an application for a Special Use Permit to allow for a multi-family development in the R-3 (High Density Residential) zone, consisting of 50 units within 25 buildings.	
Application Submission:	The applicants, Dennis Jordan & Paul Hilbig, on behalf of the property owner, David Nelson, submitted an application on 10/13/2025.	
Proposed Site Location:	The subject site is located at 4111 Kristin Ln, near the SWC of the Ustick Rd. and Cleveland Blvd. intersection, approximately 680 feet west of said intersection, described as a portion of 01-3N-3W NW TX 98832 IN NENW LS RDS.	
Parcel Number(s):	R3249700000	
Property Size:	Approximately 3.92, more or less	
Jurisdiction:	The property is currently located in the City of Caldwell	
Applicable Regulations and Guiding Documents:	Applications were thoroughly analyzed and reviewed for compliance with: a. City of Caldwell Zoning Ordinance No. 1451, as amended b. City of Caldwell Subdivision Ordinance, as amended c. City of Caldwell Comprehensive Plan, as amended d. Treasure Valley Tree Selection Guide e. Bicycle and Pedestrian Master Plan f. Caldwell Transportation Master Plan g. Idaho Code	
Public Notifications:	The following noticing was completed in accordance with Caldwell City Code Section 10-03-12:	
	Neighborhood Meeting Held	10/9/2025
	Public Agency Notification Sent (See attached exhibit for list of agencies notified)	10/29/2025
	(500') Radius Notices Mailed - Hearing Examiner Hearing (Min. 15 days prior to hearing)	12/3/2025
	Legal Ad Published - Hearing Examiner Hearing (Min. 15 days prior to hearing)	12/6/2025
	Physical Site Posted - Hearing Examiner Hearing (Min. 10 days prior to hearing)	12/5/2025

Applicant Proof of Posting Received - Hearing Examiner Hearing 12/8/2025

Hearing Examiner Public Hearing 12/23/2025

Political Subdivisions Providing Services:

Fire: Caldwell Fire
Police: Caldwell Police
School Vallivue
District:
Water City of Caldwell (Municipal Water)
Services:
Sewer: City of Caldwell (Municipal Sewer)

Trash: Republic Services

Irrigation Services: City of Caldwell (Pressurized Irrigation)
Irrigation District: Pioneer Irrigation District
District:
Others: Franklin Ditch Co. , Bureau of Reclamation

Political Subdivisions Notification and Comments:

In accordance with Idaho Code, notice was provided to all political subdivisions providing services within the planning jurisdiction, including school districts. Public agency comments were received from the following agencies and are included in their entirety as part of the official record and the exhibits attached hereto.

- a. Vallivue School District – General information provided on overall district enrollment concerns, which schools anticipated children of the subject development would attend, and other approved developments that are also planned to impact the noted schools (Central Canyon Elementary, Summitvue Middle, and Vallivue High).
- b. City of Caldwell Engineering Department – Provided general conditions for approval for Aviary Subdivision only as specific development of other subareas is not known at this time. Specific conditions are provided regarding the Traffic Impact Study and development timing. **See Exhibit 2 of this report for full comments from Engineering.**
- c. City of Caldwell Mapping Department –
- d. City of Caldwell Fire Department – Stated the project can be approved and provided general conditions of approval.

Public Comments Received:

In response to the public notices, no public comments were received by the City at the time of publication of this staff report. Public testimony given at the public hearing will be included in the official minutes of the record.

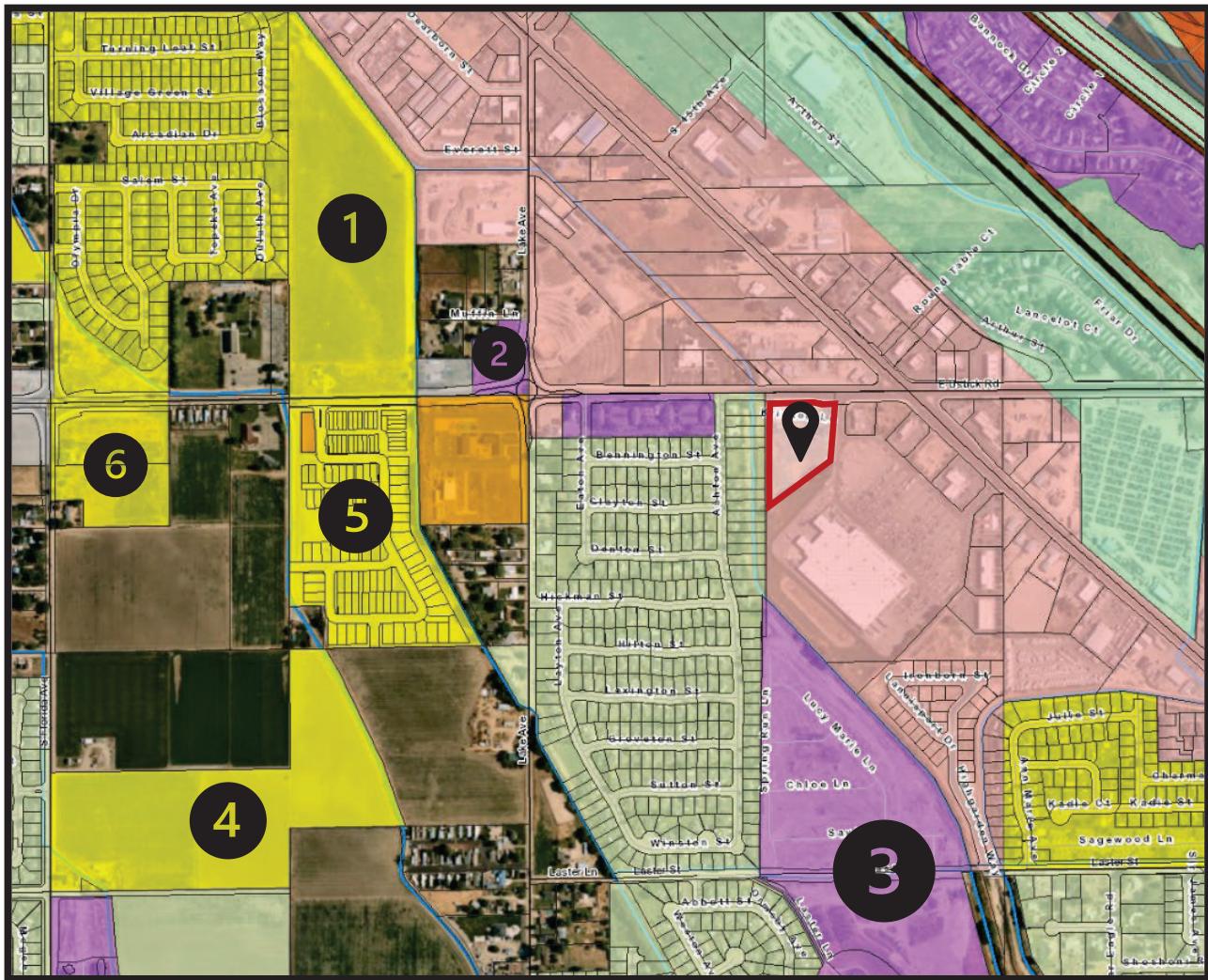
Site / Project Background and History:

The subject site was annexed into the City of Caldwell in 2019 as the “Rush Annexation” and was annexed with the current zoning of C-3 with no development plan. In 2021, a previous landowner and developer received Special Use Permit (SUP) approval for a 96 multi-family unit development named “Latitude 96.” That SUP expired in 2025 and so any future development would need to comply with the current zoning standards.

Site Features:	<i>Floodplain:</i>	The property is not within a flood zone.
	<i>Mature Trees:</i>	A few existing trees are located on the subject site.
	<i>Streams / Creeks:</i>	None
	<i>Wildlife Habitat:</i>	None
	<i>Riparian Habitat Area:</i>	None
	<i>Steep Slopes / Hillside:</i>	None
	<i>Canals / Ditches / Drains:</i>	The Elijah Drain is located west of the subject site but is located within individual single-family residential lots. The subject property does not appear to be encumbered by the irrigation easement due to its location.
	<i>Other, Describe:</i>	N/A
Site and Surrounding Zoning Classifications:	<i>Site:</i>	C-3
	<i>North:</i>	C-3
	<i>South:</i>	C-3
	<i>East:</i>	C-3
	<i>West:</i>	R-1
Site and Surrounding Land Uses (existing):	<i>Site:</i>	Vacant
	<i>North:</i>	Commercial/Industrial
	<i>South:</i>	Commercial
	<i>East:</i>	Commercial
	<i>West:</i>	Single-family Residential
Site and Surrounding Comprehensive Plan Land Use Designations:	<i>Site:</i>	Mixed Use Center
	<i>North:</i>	Mixed Use Center
	<i>South:</i>	Mixed Use Center
	<i>East:</i>	Mixed Use Center
	<i>West:</i>	Neighborhood 3

**Approved
Developments
Within 1-Mile
Radius of
Subject Site:**

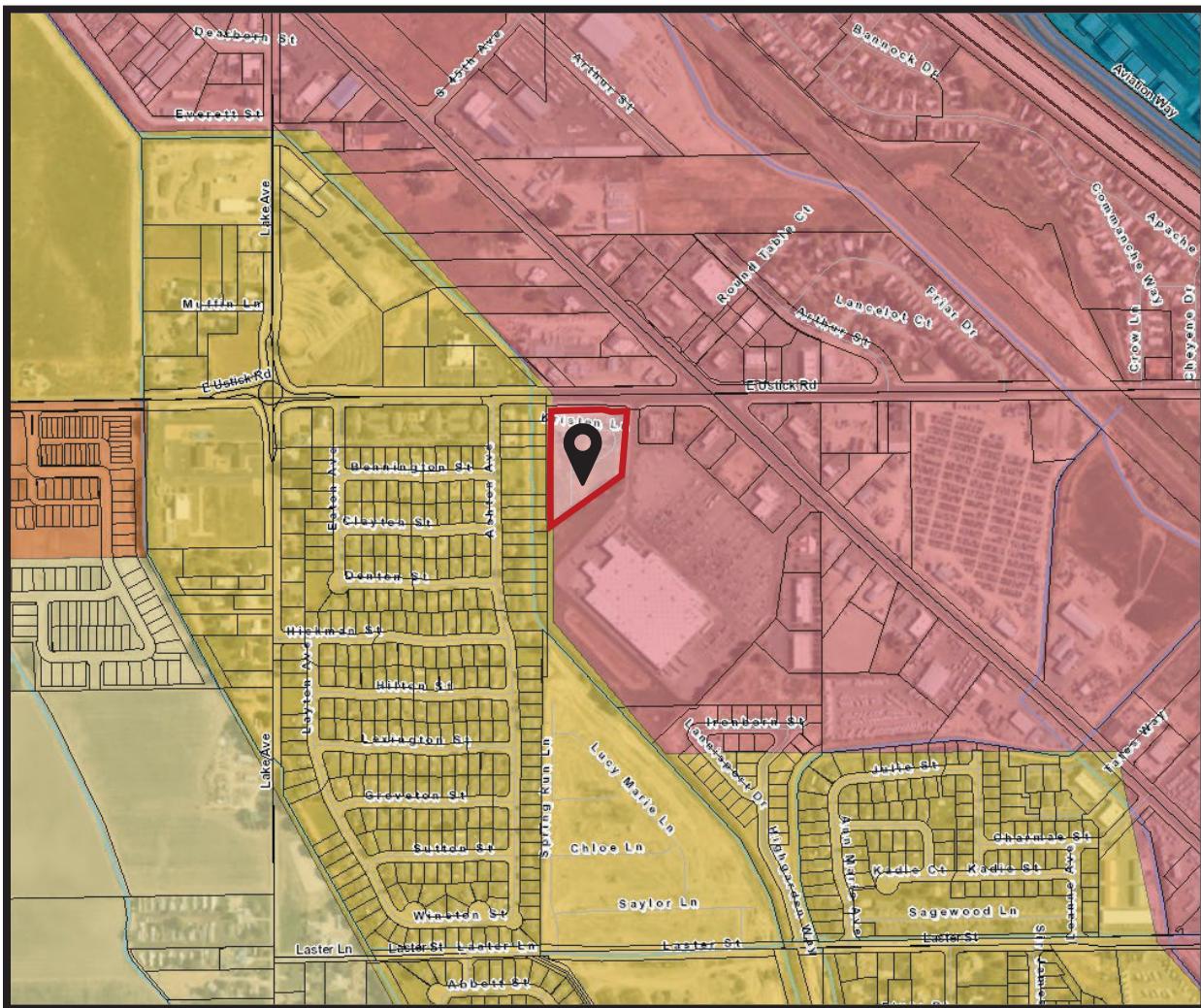
Within a one-mile radius of the subject site, the following entitlements have been approved and are actively being built or have the ability to be built in the future.



Map Exhibit #1 (Above): Approved Developments Surrounding Subject Site

Map Key	Description
1	Homesteads at Wilson Creek – 251 multi-family units (mix of single, two-family, & triplex style units).
2	Ustick & Lake – 35 deed-restricted affordable multi-family units.
3	Spring Run at Alante Homes – 419 multi-family units (153 patio homes & 133 two-family units).
4	Collections Subdivision/PUD – 142 lots (67 single-family lots & 74 single-family attached lots).
5	Solstice Subdivision – 100 single-family lots (detached & attached) and one (1) commercial lot.
6	Copper Pointe – 128 multi-family units (triplexes, four plexes, & 6-plexes) and 4 commercial lots.

II. STAFF REVIEW AND ANALYSIS – COMPREHENSIVE PLAN MAP ANALYSIS



Map Exhibit (Above): City of Caldwell Comprehensive Plan Map



The subject site was annexed into the City of Caldwell in 2019 as the “Rush Annexation” and was annexed with the current zoning of C-3 with no development plan. The subject site has sat vacant since this time of annexation with no development occurring.

The Comprehensive Plan depicts the subject site (**outlined in red**) as Mixed Use Center on the adopted future land use map. Surrounding parcels to the north, east, and south share the Mixed Use Center designation; Neighborhood 3 is depicted to the west.

The applicant is not requesting a comprehensive plan map amendment but is requesting a Rezone to R-3 (Urban Density Residential)—R-3 is listed as a compatible zoning district within the adopted Comprehensive Plan. The existing C-3 zoning of the property is also listed as a compatible zoning district. The nearest High Density Residential zone is approximately 300 feet to the west, also fronting along Ustick Road. Other R-3 zoning and approved and developing multi-family dwellings exist within a ½ mile to the west and south as seen in the zoning map in the next section.

Directly from the adopted Comprehensive Plan: Mixed Use Centers are hubs of intense commercial activities that attract people from all over the City and beyond. They are located on major roads, corridors, and transit lines. Development patterns are denser than surrounding areas and increase in intensity around infrastructure such as transit lines. These areas include denser housing options especially in areas with current or future transit service and where commercial areas transition to less dense residential place types. Mixed Use Centers are located on Caldwell's most heavily trafficked roads and provide a transition from these roadways to less intense areas. Housing is not a primary focus of the Mixed Use Center but can be accommodated in mixed use and medium-high intensity residential projects that create a transition from surrounding neighborhoods. Single use residential projects should occur infrequently.

Health Intersection: The buffering that Mixed-Use Centers provide for outlying primarily residential place-types may have significant protective benefits. Because the major roadways may have higher localized pollutants throughout the day and they are usually considerably louder than outlining local and arterials. Environmental noise has been linked to cognitive impairment in children, sleep disturbance, and even cardiovascular disease. While residential uses are still supporting uses in this place type, there are separations between residential spaces and the road.

For projects within the Mixed Use Center that include residential uses, the gross density range outlined in the Comprehensive Plan is **ten (10) to twenty-five (25) units per gross acre**.

The applicant is proposing a residential density of 12.76 dwelling units per gross acre, at the lower end of the allowed residential density.

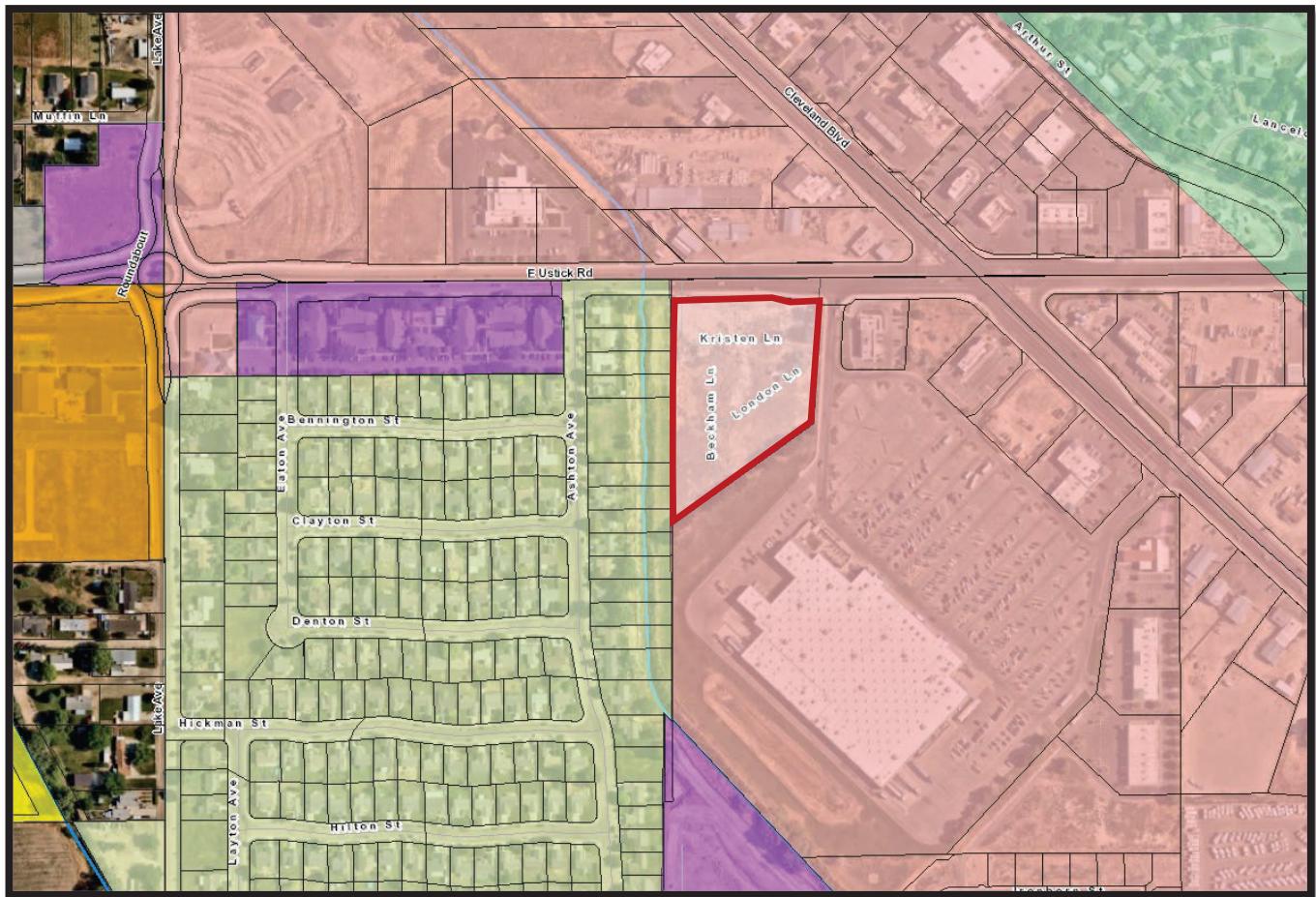
Staff Comment: *The subject site's Mixed Use Center place type anticipates primarily commercial land uses and outlines residential uses as supporting land uses. To help move these goals and visions found in the Mixed Use Center place type, the Caldwell City Code was amended in early 2025 to include standards requiring commercial uses along the collector and arterial road frontage of all projects within this designation—the subject development, as outlined in the Applicant's narrative, is requesting to develop the site without any commercial uses. Specific analysis on these standards and the Applicant's request are in subsequent sections as they are mostly related to the code standards and secondarily to the Comprehensive Plan.*

Because the Comprehensive Plan does not require commercial and the proposed development is compliant with the outlined residential gross density of the Mixed Use Center place type, Staff finds the overall proposed development plan is generally consistent with the goals and policies from the adopted Comprehensive Plan as listed in Table 1 below, based on the known factors at the time of publication of this staff report:

TABLE 1: CONSISTENT COMPREHENSIVE PLAN GOALS AND POLICIES

CHAPTER 3: CONNECTED COMMUNITY	
<u>Policy 1.1</u>	Ensure new development pays for necessary improvements needed to mitigate the development's impact on infrastructure systems and services provided by the city.
<u>Policy 2.2</u>	Create alternative access points when developing property along principal arterial and collector roadways, to minimize direct access driveways wherever possible.
<u>Policy 3.3</u>	Facilitate improvements and intensification of activity along major commercial corridors with mixed-use development oriented toward the corridor.
<u>Policy 3.4</u>	Transition the intensity of land uses away from the activity corridor with multifamily housing, landscaping, and through building design.
<u>Policy 6.1</u>	Require access for emergency vehicles and responders in all new developments.
<u>Policy 6.2</u>	Develop new neighborhoods with proper ingress/egress for emergency vehicles, including secondary routes, adequate street widths, and turning spaces.
<u>Policy 6.3</u>	Ensure that street, parking, and driveway designs are adequately sized to accommodate the turning radius of public safety equipment.
<u>Policy 9.1</u>	Continue a dialogue with the school districts and College of Idaho to consider impacts on school facilities, capacity, and infrastructure when making land use decisions.
CHAPTER 4: VISION FOR VIBRANT GATHERING SPACES	
<u>Policy 1.1:</u>	Support development that provides a range of experiences and activities that are welcoming and inclusive to all demographics, including families, seniors, youth, and individuals with disabilities.
<u>Policy 4.1</u>	Work toward elimination of blight and areas of deterioration with infill development and redevelopment throughout the City.
CHAPTER 5: WHERE RIVERS, PARKS, AND AGRICULTURE MEET	
<u>Policy 1.4</u>	Support public and private parks and recreation systems that offer active and passive recreational opportunities.
<u>Policy 2.1</u>	Use stream-side riparian buffers and setbacks to protect the natural stream and river systems
CHAPTER 6: QUALITY NEIGHBORHOODS TO CALL HOME	
<u>Policy 1.1</u>	Allow a mix of housing types and densities within all neighborhoods, such as duplexes, townhouses, cottage communities, and other types as appropriate
<u>Policy 1.3</u>	Support higher density residential development near downtown, commercial centers, mixed-use areas, and along transit corridors.
<u>Policy 2.1</u>	Discourage monotonous housing developments, both in architectural style and in housing type.
<u>Policy 2.4</u>	Encourage neighborhood-serving services and retail businesses near residential neighborhoods to provide convenient access to daily needs.
<u>Policy 3.1</u>	Focus high-density residential development in areas with adequate services and near commercial centers.
<u>Policy 3.2</u>	Promote infill housing developments to maximize existing infrastructure and slow the loss of open space.

III. STAFF REVIEW AND ANALYSIS – ZONING MAP ANALYSIS



Map Exhibit (Above): City of Caldwell Zoning Map

R-S-1	Semi-Rural Residential-1	C-1	Neighborhood Commercial	I-P	Industrial and Business Park
R-S-2	Semi-Rural Residential-2	C-2	Community Commercial	M-1	General Industrial
R-1	Neighborhood Residential	C-3	General Commercial	M-2	Heavy Industrial
R-2	Community Residential	C-4	Service Commercial	A-0	Airport District
R-3	Urban Residential	C-C	Downtown Central Business	M	Mixed-Use / Regional Comm.
H-0	Healthcare District	C-G	Downtown City Center	TN	Downtown Transition Neighborhood
Public District		C-D	College District		

The proposed Rezone from the C-3 (General Commercial) zone to R-3 (Urban Residential) zone is consistent with the comprehensive plan designation of Mixed Use Center. According to Caldwell City Code, the purpose of the R-3 zone is to “provide areas by zoning procedures in accordance with the comprehensive plan that which allows for multifamily, townhomes, row-housing, mixed-use buildings, and live/work units. Single family may be present in forms such as small lot development, infill, or cottage courts. This zone is situated along or near major streets such as collectors and arterials. It is also generally located near pedestrian connections and commercial services. Supporting or secondary land uses may include medium scale commercial along major roadways or within a mixed-use development. This district may serve as a buffer between R-2 zones and nonresidential or mixed-use zones.”

Staff Comment: *The applicant is proposing a medium-high density multi-family development consisting of 50 total units within 25 buildings (two units per building). Caldwell City Code classifies the proposed use as*

Dwelling - Multifamily Apartments (Large Scale) as it includes more than seven (7) units on a singular parcel. This use requires a Council Level Special Use Permit (SUP) according to the land use schedule for the R-3 zone in 10-05-03(5).

The development's Mixed Use Center future land use designation requires specific zoning code requirements as outlined in 10-05-03(4).C which states: "Residential uses are prohibited along the frontage of all arterial roadways and highways within the Mixed-Use or Community Center place types, as designated on the Future Land Use Map, unless part of a Mixed-Use Small-Scale or Mixed-Use Large-Scale building in compliance with section [10-12-03-25](#)." The proposed Freedom 50 project does not include any nonresidential uses or mixed-use buildings and includes some residential structures along Ustick, an arterial roadway. Therefore, the proposed development is not fully compliant with code requirements.

Within the submitted narrative, the Applicant requests that City Council approve the project without commercial uses along Ustick. The Applicant outlines multiple reasons as to why the proposed development is an equal or better project than what code requires. Specifically, the Applicant states that maintaining commercial uses on this parcel would create land-use inefficiencies and an awkward site layout that diminishes both commercial viability and neighborhood design quality. Furthermore, the Applicant proposes that residential development along the Ustick frontage is more appropriate for the following reasons:

- 1. Oversupply of Nearby Commercial Land: Within roughly a quarter-mile radius—particularly along Cleveland Boulevard—there are over 35 acres of vacant commercial property already available for development. The market does not currently support additional retail or service uses at this location.*
- 2. Improved Transition Between Uses: Retaining commercial zoning would place high-intensity traffic and lighting immediately adjacent to single-family homes to the west. The proposed duplex community creates a smoother, more compatible transition between those residential areas and the adjacent Walmart.*
- 3. Reduced Impacts and Greater Neighborhood Compatibility: Duplex housing produces significantly fewer daily trips and less noise and glare than commercial uses. The development's design and landscaping will further minimize any visual or operational impacts.*
- 4. Better Long-Term Land-Use Fit: The City's Comprehensive Plan emphasizes infill housing, housing diversity, and efficient infrastructure use. This project directly advances those policies, while commercial needs remain adequately served along Cleveland Boulevard and other corridors.*

Although Staff cannot support or deny the noted request, Staff does find the proposed duplex multi-family project to offer a viable transition of intensity of uses, as proposed, from Ustick and existing commercial to the existing single-family residential to the west due to the points outlined above in number 2 and 3.

IV. STAFF REVIEW AND ANALYSIS – DEVELOPMENT PLAN

The project proposes fifty (50) residential units within 25 buildings. A building or parcel containing seven (7) or more dwelling units, including units that are located one over the other is defined as "Dwelling - Multifamily Apartments (Large Scale)". This is an allowed use within the R-3 (Urban Residential) zone with the approval of a Special Use Permit. The applicant has submitted a Special Use Permit consistent with zoning code requirements.

Detailed Breakdown of Phasing and Types of Land Uses:

A detailed breakdown of the phasing and types of land uses for the proposed project are as follows:

Phased Development?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	How Many Phases?	n/a
Residential Type	# of Lots	# of Buildings	# of Dwelling Units
Dwelling – Multifamily Apartments (Large Scale)	1	25	50
Common Lots	0	n/a	n/a

TOTAL	1	25	50
--------------	----------	-----------	-----------

Non-Residential Type	# of Lots	# of Buildings	# of Tenant Spaces
Commercial	n/a	n/a	n/a
Industrial	n/a	n/a	n/a

Dimensional Standards Analysis:

The Caldwell City Code provides bulk zoning standards for regulating the size, height, and setback requirements for buildings and structures within a particular zoning district; along with standards for lot size, spatial arrangements, and massing and scaling.

The following are the required bulk requirements and dimensional standards for the **R-3 zone** in accordance with Caldwell City Code, and the dimensions proposed by the subject development:

Minimum Lot Size	Required	Proposed
Interior Lot Area (sq. ft.)	2,000	3.92 ac.
Corner Lot Area (sq. ft.)	2,500	n/a
Minimum Lot Width / Frontage (ft.)	20'	n/a

Setbacks	Required	Proposed
Front Yard Setback, Garage; Minimum (ft.)	22'	n/a
Front Yard Setback, Living Area; Minimum (ft.)	10'	10'
Interior Side Yard Setback (ft.) (Minimum)	5'	10'
Street Side Yard Setback (ft.) (Minimum)	15'	n/a
Rear Yard Setback (ft.) (Minimum)	10'	10'
Alley (Garage/Parking) Setbacks: Minimum (ft.)	5'	n/a

Scale and Massing	Required	Proposed
Maximum Building Height (ft.) *	45'	~ 25'
Residential Density Range in Gross units /acre	10-25 du/ac	12.76 du/ac

Multi-family Development Setbacks	Required	Proposed
Perimeter setback; Minimum (ft.)	15' / 25' (adjacent to single-family)	10'
Building Separation setback; Minimum (ft.)	10	

* Regardless of the zoning district, if a new mixed-use, multi-family, or non-residential structure is being built immediately adjacent to a single-family residence, the maximum height of the new structure shall be 30' unless allowed to exceed such maximum height by special use permit approval. For the purposes of this requirement, immediately adjacent to shall mean within one hundred fifty (150) feet, as measured from structure to structure.

Multi-Family Development Standards (10-14):

INTERNAL CIRCULATION STANDARDS:	COMPLIANCE:
Drive Aisle Width	Not Compliant
Fire Access	Compliant (with conditions of approval)
ARCHITECTURAL DESIGN STANDARDS:	COMPLIANCE:
Wall Modulation	Compliant – see analysis below
First Floor: Combination of material type, color variation, banding, stringcourse, or modulation	NOT Compliant
Second Floor: shall not extend beyond the front face of first-story facades without additional façade	Compliant

modulation or additional material types and architectural accents	
Minimum of 3 primary materials and 2 primary colors	NOT Compliant
Accent color and/or material	Compliant
Roof pitch variation	Compliant
External Lighting:	Unknown – Conditioned

Staff Comments: The Freedom 50 development is proposed as a multi-family project but is not a traditional stick-built project. The Applicant, TMOD, proposes 25 two-story modular buildings that are expected to expedite construction timelines and improve the affordability side of the project for future residents. Because of the modular nature of the project, each building is generally preconstructed for mass production and jurisdiction specific architectural requirements are often not accounted for—this is partially true for Freedom 50 as some multi-family design standards are met while others are not. Furthermore, if the subject development was proposed as a subdivision of 25 lots, the use would be classified as a two-family duplex subdivision and not multi-family which would require different design standards. However, Staff has reviewed the subject development against its proposed use of multi-family as all units are on one parcel.

The submitted elevations appear to depict compliance with the building design standards except for the number of materials and colors and wall modulation along the longer façade of each building (side elevations vs front/rear elevations). There appears to be a desire to vary the colors of the structures throughout the project but not on each building—each structure is depicted with one primary color, an accent color, and staircases with architectural screening of different materials (metal and/or wood screening). In addition, because of the modular nature of the buildings, there is structural wall modulation on the front and rear side elevations with the patios and entries but not on the side elevations. However, Staff finds the proposed staircases with larger-than-required covers and architectural screening for the second floor helps create a sense of modulation on the sides of the structures despite the structures themselves not including said modulation. Therefore, Staff finds the proposed development to be partially compliant with the multi-family architectural design standards. **City Council should determine if the proposed development meets the intent of the design standards in the context of the project location, project design, and modular nature with the note that Design Review will be required prior to any building permit submittal.**

The proposed development is compliant with the gross density range of the underlying future land use designation of Mixed Use Center and the minimum lot size requirements for the requested R-3 zoning district as it is one singular parcel of approximately 3.92 acres. The proposed development is also consistent with all minimum building setbacks for the R-3 zone. However, the project is NOT consistent with the multi-family perimeter setback requirements nor the drive aisle width requirements of 10-14. According to 10-14, all drive aisles shall be a minimum 26' in width and the Applicant has proposed some areas as 27' wide and some as less than 24'; a condition of approval has been included to revise the plans to reflect the 26' minimum throughout the project prior to the City Council hearing. In addition and according to strict review of the dimensional standards, a 25' buffer is required along the west boundary as the project directly abuts single-family residential property lines. All other perimeters are required to have a minimum 15' setback/buffer where the project proposes a 10' setback/buffer on the south and east boundaries. The north boundary abuts Ustick where a 25' landscape street buffer is required; specific analysis on the proposed street buffer is within the landscape section further down in this report.

Staff finds the 25' buffer requirement along the west boundary to not be applicable as the existing circumstances are abnormal. The west boundary is part of the single-family residential home lots to the west but approximately 100' of these lots contain the Elijah Drain and its easement between the subject property's west boundary and the single-family home fence line. These large irrigation easements are typically within a separate common lot when adjacent to subdivisions but this is not the case here. Therefore, Staff finds the minimum 15' buffer should be required. Staff is recommending a condition of approval that the west, south, and east boundaries are revised to include the required 15' buffer or receive City Council approval to reduce this buffer to 10', as depicted on the submitted plans.

CCC 10-02-05 Off-Street Parking Standards:

The Caldwell City Code has provisions addressing the minimum and maximum number of off-street parking spaces accessory to designated uses, shared parking lots, off-street loading, parking lot lighting, and bicycle parking.

The following provides an overview of the parking, loading, and bicycle parking requirements for the proposed land uses, and the amount proposed by the subject development:

MULTIFAMILY DEVELOPMENT		
Off-Street Parking Spaces	Required	Proposed
Off-Street Parking Spaces (Minimum)	1.0 per Studio unit 1.5 per 1- and 2- bedroom 2 per 3+ bedroom unit	120 Spaces
Guest Parking	Required	Proposed
Off-Street Guest Parking	1 per 10 units	20 +
ADA Accessible Parking Spaces	Required	
ADA Accessible Parking Spaces (Minimum)	Shall meet state and federal requirements	
TOTAL VEHICLE PARKING:		
Bicycle Parking for Multi-family	Required	Proposed
1 Space for every 10 vehicle spaces	12	12

Staff Comments: The project was reviewed for compliance with the multifamily parking requirements as the nature of the development is multi-family and not two-family duplexes. The Applicant's submittal does not include floor plans so specific bedroom counts are unknown. So, Staff analyzed the project based on the most restrictive parking being required by presuming each unit would have a minimum of 3 bedrooms. Based on this assumption, a minimum of 105 spaces would be required, 100 base spaces (2 per units) and 5 guest spaces (1 per 10 units). The Applicant has proposed 120 spaces which exceeds the minimum amount. Additional analysis on a portion of the parking area near the southwest corner of the site is below within the open space analysis.

Public Services, Utilities, and Facilities:

Sewer & Water: All utilities are available or will be available as outlined in the City of Caldwell Engineering staff report memo.

Irrigation: Applicant is required to provide pressurized irrigation throughout the project in accordance with Caldwell City Code. The subject site is located within the Pioneer Irrigation District boundary. Any issues related to access to a pressurized irrigation system will be addressed in the City of Caldwell Engineering staff report memo.

Stormwater: The applicant proposes retaining storm water on site, per City Code.

Schools: The subject site is located within the Vallivue School District. The letter received from the district stated overall district enrollment concerns as one of the only districts still growing in enrollment.

Police: Emergency police services are provided by the City of Caldwell Police. The nearest police station is approximately 3.7 miles away from the furthest point of the development.

Fire: Emergency fire services are provided by the City of Caldwell Fire. The nearest fire station is Station #2 and is approximately 2.2 miles from the development. The approximate response time for this development is 6 minutes.

Staff Comments: Staff finds all utilities are available or will be available as outlined in the engineering staff report/ memo. Utilities are required to be designed and constructed in accordance with the City of Caldwell requirements for municipal facilities. All other public services and facilities are or will be provided to serve the site and any proposed land uses based upon the letters received from partner agencies.

Transportation and Connectivity:

Street Frontage:

The Freedom 50 development has frontage to one classified roadway, Ustick Road along the north boundary. The east boundary is adjacent to a commercial drive aisle for the benefit of the commercial users to the east. Ustick has existing attached sidewalk and the frontage is proposed to be improved with landscaping.

Street Classifications:

Ustick Road – Principal Arterial

Proposed Site Access:

The development is proposing to have a full access point to Ustick Road at the existing curb cut location at the very west boundary of the subject site. Access to individual buildings is proposed via internal drive aisles. No other vehicular access is proposed for the subject development which has necessitated a condition of approval by Caldwell Fire that all units shall be sprinklered to comply with Fire Code.

Traffic Impact Study (TIS):

A TIS was not required for this application due to the number of units proposed, the number of units being significantly lesser than what was previously approved and anticipated, and because Ustick Road has been fully widened adjacent to the subject site.

Safe Routes to Schools:

As required by 10-02-02 (3), residential and multi-family subdivisions and/or developments within the “walk zone” of a school or where no walk zone map exists (within a 1 ½ mile radius of a school) shall provide safe and well-designed routes and crossings for children to bike or walk from their home to school. Such routes shall include:

- The shortest and safest routes.
- Level, ADA accessible sidewalks with minimum cross slope where sidewalks cross driveways. Sidewalk widths shall be determined by the functional classification of the street.
- Curb ramps in accordance with the latest ADA design standards.
- Pathways that connect to schools where needed.
- Crosswalk and/or protected crosswalks, as required by the city.

Staff Comments: *As submitted, the proposed access points appear to be compliant with all city code requirements for transportation, access, and connectivity.*

As discussed in other sections, the subject site is within the Vallivue School District. The specific schools potential students generated by this development would attend are generally not within walking distance of the subject development (Central Canyon Elementary, Summitvue Middle, and Vallivue High). A private religious school is approximately ¼ mile to the west along Ustick and there is existing sidewalk between the subject site and the school at the southwest corner of Lake & Ustick.

Landscaping, Open Space, Pathways, and Amenities:

The Caldwell City Code specifies requirements for landscape street buffers, open space, land use buffers, and private and public pathways.

The following provides an overview of the city code requirements, and the proposal presented by the subject development:

Street Landscape Buffers	Min. Required	Proposed
Ustick – Arterial (386 LF):		
Buffer Width:	25' wide	23'
Sidewalk:	7' attached	7' attached (existing)

Berms:	Yes	No
Class I tree:	One per 25 LF No more than 50% of the trees	8 proposed (more than 50%)
Class II tree:	One per 35 LF	3 proposed (not minimum 50%)
Shrubs:	One per 4 LF $386'/4 = 100$ shrubs	52 shrubs
Groundcover:	20-50% turf grass Min. 50% shrubs, flowers, and other vegetative groundcover (besides turf)	Exceeds 50% maximum
Boulders:	not required	No

Buffers Between Land Uses:	Min. Required	Proposed
Multifamily Perimeter Buffer:	15' / 25'	10'
Tree Requirement:	Mix of Evergreen and Deciduous trees that touch within 5 years of planting and where a minimum of 40% of required trees are evergreen	NOT compliant – minimal trees proposed
Shrub Density:	One per 3 LF = XX shrubs	none
Groundcover:	20-50% turf grass Min. 50% shrubs, flowers, and other vegetative groundcover (besides grass)	Exceeds 50% maximum

Open Space (Multi-Family Development, 10-14):	Min. Required	Proposed
Common Qualifying Open Space:	10% baseline	~ 10% (additional comments below)
Open Space Per Dwelling:	N/A (not over 5 acres)	n/a
Common Grassy Area:	10,000 sf minimum	~ 5,000 sf
Private Open Space:	60 sf per unit	unclear

Parking Lot Landscaping:	Min. Required	Proposed
Parking Islands:	Every 12 spaces	Compliant
Planter Island Width:	8' width for Class I trees 10' width for Class II trees	Compliant
Planter Island Length:	At least equal length to the adjacent parking spaces	Compliant
Class 1 or 2 Trees (min. 2" caliper):	Min. of 1 for a single row Min. 2 for a double row	Compliant
Plantings:	A combination of low shrubs, flowers, native grasses or other vegetative groundcover. If island is less than 6' wide, turf grass is prohibited. If island is greater than 6', turf grass shall never exceed more than 50% of the planter area. Compliance with 10-02-09-8 is required.	Not Compliant – only rock groundcover proposed

Building Façade Landscaping:	Min. Required	Proposed
Planter Width:	3' wide in all areas that will not impede pedestrian access	Yes
Shrubs:	One (1) three (3) gallon shrub per 3 LF of foundation	No (plant schedule does not depict correct minimum 3 gal. size)
Groundcover:	Additional groundcover plants shall cover the remainder of the landscaped area	Yes

Pathways: (Public Pathways):	Required
Irrigation/Drain Pathways:	Yes
Regional Pathway (10' multi-use):	Yes
Wayfinding and Directional Signage:	No
Fencing (Both Sides of Pathway):	No
(Other Pathways):	
Neighborhood Pathways (5'):	Yes
Community Pathways (8'):	No

Staff Comments (Landscaping, Buffers, & Common Open Space):

Based upon review of the submitted landscape plans and open space exhibit, it is clear the proposed development was designed according to the old landscape code. This is reflected in the multiple non-compliant items outlined above and have been conditioned. Overall, most of the items can be conditioned with no impact or minor impact to the development. The items that may have impact to the site and have been conditioned are: the street buffer width along Ustick being 2' less the required 25' on private property (the full width including right-of-way will be larger than 25'); the 10,000 square foot minimum open space area requirement; and, the required multi-family perimeter buffer widths. As discussed in the parking section above, the project has proposed parking in excess of code requirements. Some parking in the southwest corner of the site (no more than 9 spaces) can be removed with no additional changes to the site and open up and increase the adjacent open space area to comply with the 10,000 square foot area requirement in the multi-family development code. If City Council is concerned with losing the excess parking, there are a number of other areas within the project that could have spaces added to recoup a number of these 9 spaces. An example of this recommendation is to the right; the Applicant has been conditioned to comply with the code requirement and the adjacent rendering is just an example of how Staff can see compliance with code requirements:



Multi-family Development Code (10-14) requires minimum perimeter buffer widths of 15 or 25 feet depending on specific circumstances. Staff finds the 15' width to be applicable to the subject project due to existing site conditions and context. The Applicant has depicted a 10' perimeter buffer along the west, south, and east boundaries and is

not compliant with code. Staff has included a condition of approval that these perimeter buffers are increased in width and revised to depict the correct landscaping and groundcover requirements of 10-02-09-6.

Multi-Family Amenities:

Per CCC 10-14-01(5), all multi-family developments shall provide for quality of life, open space, and recreation amenities to meet the particular needs of the residents of their development. The number of amenities required shall depend on the size of the multi-family development as outlined in CCC.

Staff Comments: *The Applicant has proposed three (3) total amenity areas, two (2) different amenities—a child's playground area and two dog park areas. As proposed, the proposed amenities do not comply with minimum code requirements. One of the dog parks should be replaced with a different type of amenity.*

Regional Pathways:

Staff notes the 2040 Bicycle and Pedestrian Master Plan identifies the Elijah Drain as requiring an 8-foot public pathway. However, as part of other developments, no adjacent properties were required to provide a pathway or easement to construct one. Furthermore, the drain to the west is wholly within the individual properties of single-family homes to the west complicating the matter further. Therefore, Staff does not find it prudent to require this Applicant provide a pathway at this time located outside of the irrigation easement that may never provide additional connectivity.

Neighborhood and Community Pathways:

Neighborhood Pathways (5'): The applicant is proposing five-foot (5') wide pathways/sidewalks throughout the project to provide pedestrian connectivity between common open space areas, units, and parking.

Community Pathways (8'): Not applicable.

Fencing and Screening:

Fencing is not required by code outside of being used as screening devices. The Applicant has proposed 4' open vision fencing around the proposed dog park areas for dog security. There is also an existing 6' wood fence along the east and south property lines that appears to be in generally good condition.

One (1) trash enclosure is depicted on the submitted plans, but the type of enclosure and screening material is not clearly defined. All trash enclosures are required to be screened with landscaping/fencing in accordance with the City Code. Staff does have concern with only one trash enclosure being included so a condition of approval has been added that with any future construction drawing submittal, Republic Services approval of the location and number of trash enclosures has been approved. In addition, any ground mechanical units shall be screened with landscaping/fencing in accordance with the City Code.

V. STAFF REVIEW AND ANALYSIS – AREAS OF SPECIAL CONCERN

Staff does not have specific concern beyond the development code compliance issues noted throughout this report. However, Staff does recommend the Hearing Examiner and City Council determine if the proposed development, with all conditions of approval, meets the goals and intentions outlined within the Comprehensive Plan and development code regulations if strict adherence is not met.

HEARING EXAMINER PUBLIC HEARING

A public hearing on the subject application(s) were held before the Hearing Examiner on 12/23/2025, at which time city staff presented a staff report along with an analysis of the application and all pertinent information on the case, followed by the applicant's presentation, and testimony in opposition, neutral, and in favor.

The Hearing Examiner reviewed and considered all records, evidence, testimony, and facts presented when making their recommendation as specified in Section VII below.

VI. AUTHORITY OF LAW

1. The City of Caldwell has provided for the processing of Land Use permits authorized by Chapter 65, Title 67, Idaho Code, pursuant to Chapter 10 Zoning Regulations and Chapter 11 Subdivision Regulations.
2. Adequate notice of the public hearing was provided, pursuant to Section 67-6512, Idaho Code and Chapter 10, Article 3, Section 10-03-12 of Caldwell City Code.
3. The record includes, but is not limited to all files, application documents, public notices, public comments and testimony, staff reports and memos, presented evidence and exhibits, public hearing written minutes and audio, and the signed Findings of Facts, Conclusions of Law and Decision.
**Findings are not required for recommendations that will be forwarded to City Council for final consideration.
4. The Planning and Zoning Commission and Hearing Examiner are authorized to recommend approval, recommend approval with conditions, recommend approval with modifications, or recommend denial of specific land use applications in accordance with Section 10-01-02 (3) of Caldwell City Code. The Choose an item. reviewed and considered all records, evidence, testimony, facts presented, applicable code standards, and the Caldwell Comprehensive Plan when making their recommendation.
5. The Planning and Zoning Commission and Hearing Examiner are authorized to approve, approve with conditions, approve with modifications, or deny special use permits and planned unit development requests, when said planned unit development requests are not part of a preliminary plat, in accordance with Section 10-01-02(3) of Caldwell City Code. The Choose an item. reviewed and considered all records, evidence, testimony, facts presented, applicable code standards, the Caldwell Comprehensive Plan, and approval criteria as specified within Caldwell City Code in making their findings and decision.

VII. RECOMMENDATION DECISION

NOTE: THIS SECTION WILL BE MODIFIED PRIOR TO FINAL SIGNATURE TO REPRESENT THE ACTION OF THE DECIDING BODY

Recommendation for Approval

THEREFORE, the Caldwell Hearing Examiner, hereby **recommends approval** of the request for Rezone of approximately 3.92 acres from C-3 to R-3 and Special Use Permit for the purpose of constructing a Multifamily Apartment (Large-Scale) development of 50 units.

OR

Recommendation for Denial

THEREFORE, the Caldwell Hearing Examiner, hereby **recommends denial** of the request for Rezone of approximately 3.92 acres from C-3 to R-3 and Special Use Permit for the purpose of constructing a Multifamily Apartment (Large-Scale) development of 50 units because....**deciding body must state the reasons for denial**

VIII. CONDITIONS OF APPROVAL:

(This section is only applicable to recommendations for approval)

NOTE: Any conditions removed by the governing body will be shown in strikethrough.
Any conditions added by the governing body will be shown underlined

A. Site Specific Requirements:

1. Future development of the subject site shall be substantially consistent with the approved plans such as the site plan, landscape plan, open space exhibit, and building elevations, including any required modifications required through the public hearing process or as outlined below.
2. Prior to Construction Drawing or Building Permit submittal, whichever is applicable, the Applicant shall provide proof of approval for the location and number of trash enclosures for the subject development by the contracted solid-waste service provider for the City of Caldwell.
3. Prior to the City Council hearing, any affected plans shall be revised to include the minimum 15' multi-family perimeter buffer along the west, south, and east property lines.
4. Prior to the City Council hearing, the Applicant shall revise the landscape plans to reflect compliance with the updated landscape ordinance (April 2025) to depict the correct arterial street buffer width of 25' from the property line, the minimum number of trees, shrubs, groundcover, berthing, and any other item specifically called out in 10-02-09 of Caldwell City Code.
5. Prior to City Council, all relevant plans shall be revised to reflect compliance with the multi-family development standards outlined in 10-14 including, but not limited to, drive aisle widths, exterior lighting, common open space, private open space, number of amenities, and the requirement for developments of 50 or more units to include a property management office and maintenance storage area.
6. To ensure compliance with the multi-family development architectural design standards of 10-14-03 and any deviations approved by the City Council, the Applicant shall submit for administrative Design Review prior to building permit submittal.
7. Prior to City Council, all relevant plans shall be revised to depict all drive aisle widths to meet the minimum 26' standard as required in CCC 10-14 and as required by the City of Caldwell Engineering Department.
8. To comply with Fire code, all structures within this development shall be sprinklered and comply with the City of Caldwell Fire Department memo, dated December 3, 2025.

B. General Requirements:

1. Development of the subject property shall be in conformance with all municipal codes, policies, standards, and regulations of the City of Caldwell, unless specifically stated otherwise in a Development Agreement or in the Order of Decision. **NOTE:** Failure to identify a code violation during the review of the plans DOES NOT give the applicant the right or permission to violate any codes, policies, standards and/or regulations.

2. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.
3. Any nuisances existing on the property (weeds, trash, debris, etc) shall be resolved and in compliance with city codes prior to the approval of any construction drawings and/or issuance of building permits.
4. Any changes to the plans and specifications upon which this approval is based, other than those required by the above conditions, will require submittal of an application for modification and approval of that application prior to commencing any change.
5. All improvements and operations shall comply with applicable local, state and federal requirements and procedures whether specifically addressed in the analysis of this application or not.
6. Fencing: Fencing must comply with Caldwell City Code Section 10-02-07.
7. Approval: This approval is for the application(s) specified herein only. Additional permits, licenses and approvals may be necessary.
8. Solid Waste Disposal: All solid waste receptacles utilized during development and/or construction shall be provided by the same company with which the City of Caldwell has an exclusive contract.
9. Business Licensing: All businesses operating within the corporate limits of the city shall obtain a business permit/license prior to commencing business operations.
10. Traffic Impact Study: Any changes to the proposed land uses utilized to determine trip generation within the original approved Traffic Impact Study will require the resubmission of an updated TIS to the City for approval.

C. Site Design and Development Standards:

1. General: All new construction shall comply with the current bulk and dimensional standards in effect at the time the building permit is filed, excluding any deviations/modifications approved through a planned unit development, special use permit, and/or development agreement.
2. Concept Site Plan: The concept site plan (**Exhibit 1**) represents the Owner's current concept for completion of the Project. As the site layout evolves, the city understands and agrees that certain changes in that concept may occur or be required. If the City determines that any such changes require additional public comment due to potential impacts on surrounding property or the community, a public hearing shall be held on any proposed changes in the Concept Plan and notice shall be provided as may be required by the City. The Owner understands and agrees that any changes or modifications to the site plan must be submitted to the City for review and approval prior to development.
3. Building Elevations: The building elevations (**Exhibit 1**) represent the Owner's current concept for the style of architecture, architectural features, colors, finishes and materials, and surrounding landscaping for the project. As the building design evolves, the city understands and agrees that certain changes in that concept may occur or be required. If the City determines that any such changes require additional public comment due to potential impacts on surrounding property or the community, or that such change is a substantial enough change from the elevations presented to the public, a public hearing shall be held on the proposed changes and notice shall be provided as may be required by the City. The Owner understands and agrees that any changes or modifications to the building elevations must be submitted to the City for review and approval prior to construction of such.
4. Stormwater: Strict adherence to the "Caldwell Stormwater Management Manual", as adopted by the city council as well as any subsequent adopted updates, is required. **NOTE:** Any *modifications necessary to the original approved stormwater design where additional stormwater retention or detention facilities are required, or where the approved retention and detention facilities are required to be expanded, still requires*

adherence to the requirements for minimum open space, landscape buffers, lot sizes and setbacks.

D. Fire Department Conditions of Approval:

1. Comply with all requirements of the City Fire Department as specified in their memo / email dated 12/3/2025 and shown in **Exhibit 2**. In addition, all fire code requirements for the following must be strictly adhered to:
 - a. Access, turnarounds, emergency access, water supply, fire hydrants, etc. shall be met in the development and/or platting of the subject property.
 - b. Final approval of the location and number of fire hydrants within the development shall be determined by the Fire Marshal and take place (by phase) at the time of submittal of applicable construction drawings for each phase.

E. Engineering Department Conditions of Approval:

1. Comply with all requirements of the City Engineering Department as specified in their memo dated 12/15/2025 and shown in **Exhibit 2**.
2. Comply with all requirements of the City Mapping Department as specified in their memo / email dated 12/9/2025 and shown in **Exhibit 2**.

F. Landscaping Specific Requirements:

1. Compliance: The applicant shall comply with all landscaping requirements based on Caldwell City Code.
2. Landscape Plan: The Landscape Plan (**Exhibit 1**) represents the approved landscape plan. Any changes to the landscape plan must be submitted to the City for review and approval prior to installation.
 - a. If the City determines that any such changes require additional public comment due to potential impacts on surrounding property or the community, or that such change is a substantial enough change from the landscape plan presented to the public, a public hearing shall be held on the proposed changes and notice shall be provided as required by the City.
3. Landscape Maintenance: All landscaping and screening devices shall be maintained in an attractive, live, safe and healthy manner.
 - a. Subdivisions: The homeowner's association is responsible for maintaining all common area landscaping and screening devices within a subdivision, development, and/or the subject property.
4. Parking Lot Landscaping: Linear grouping of parking spaces shall not exceed twelve (12) in a row, without the installation of an interior landscape planter island. All off-street parking lots/parking areas, drive aisles, and other vehicular use areas shall install a perimeter landscape buffer along the property line and/or project boundary. Class 3 trees are prohibited in the interior planter islands and all parking lot landscaping shall comply with 10-02-09-8.
5. Street Landscape Buffers: The street landscape buffers shall comply with CCC 10-02-09-5 and shall contain a mixture of trees, shrubs, lawn, vegetative and nonvegetative ground cover so that the entire buffer area is covered. Plantings shall meet or exceed the minimum plant sizes as follows:

TYPE	MINIMUM (at planting)
Evergreen trees	6-foot height minimum
Ornamental trees	2-inch caliper minimum
Shade trees	2-inch caliper minimum

Shrubs & Perennials	10" height and/or spread minimum, depending on plant species
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G. Special Use Permit Specific Requirements:

1. **Special Use Permit Expiration:** A special use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the city. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground, otherwise the special use permit approval shall become null and void. Except that if the approved special use permit is part of an annexation application, rezone application or preliminary plat application, then the applicable permit/certificate application shall be submitted within two (2) years of the date of signature of the order of decision showing approval of the annexation, rezone, or preliminary plat.
2. **Special Use Permit Conditional Approval:** Conditions of approval for the special use permit can be found within the Findings of Fact, Conclusions of Law and Order, signed by the City Council on [Click or tap to enter a date](#).

The recommendation decision listed above is approved and adopted by the Caldwell Hearing Examiner on this 23rd day of December 2025.

ATTEST:

Choose an item.

Morgan Bessaw, Deputy Director
City of Caldwell



EXHIBITS

Exhibit 1: Application Documents

- Application(s)
- Project Narrative
- Vicinity Map
- Site Plan
- Landscape Plan
- Open Space Exhibit
- Building Elevations
- Building Renderings
- Neighborhood Meeting Letter
- Neighborhood Meeting Mailing List
- Neighborhood Meeting Sign-In Sheet

Exhibit 2: City Department Conditions of Approval and Comments

- City of Caldwell Engineering Department
- City of Caldwell Fire Department
- City of Caldwell Mapping Department

Exhibit 3: Agency Notification and Comments

- Copy of Public Agency Notification Sent
- List of Public Agencies Notified
- Agency Comments Received
 - Vallivue School District

Exhibit 4: Public Comments

- None received prior to public hearing

EXHIBIT 1:
APPLICATION DOCUMENTS



COMMUNITY DEVELOPMENT DEPARTMENT Planning & Zoning Division

Caldwell City Hall: 205 S 6th Avenue | Mail: PO Box 1179 Caldwell, ID 83606 | Phone: 208-455-3024
<https://www.cityofcaldwell.org/Departments/Community-Development/Building-Safety-Division>

Robin Collins, PCED, CBO | Community Development Director & Building Official

Master Land Use Application

This Master Land Use Application and specific land use checklists must be completed, with all required supplemental documents provided, prescreening passed, and fees paid for an application to be considered complete and accepted.

Hearing dates and codes utilized for review are based on the date is “complete and accepted”.

Failure to submit all requested items (in legible form) may delay the processing of your application.

APPLICATION LEGEND:

- * = Public hearing(s) required
- ** = May require public hearing
- *** = City Council consent agenda

All others are considered Administrative Staff Level Reviews

I. Application Requests (check all that apply)

<input type="checkbox"/> Admin Director Determination	<input type="checkbox"/> Lot Split (Administrative)	<input type="checkbox"/> Subdivision (Prelim) Plat*
<input type="checkbox"/> Administrative Development Review ²	<input type="checkbox"/> Lot Split (Simple)	<input type="checkbox"/> Subdivision (Final) Plat***
<input type="checkbox"/> Alternative Method of Compliance	<input type="checkbox"/> Manufactured Home Community*	<input type="checkbox"/> Subdivision (Short) Plat*
<input type="checkbox"/> Annexation w/Zoning*	<input type="checkbox"/> Mobile Food Unit (Individual)	<input type="checkbox"/> Subdivision Plat Modification**
<input type="checkbox"/> Business License (Permit)	<input type="checkbox"/> Mobile Food Unit Park / Court	<input type="checkbox"/> Subdivision Plat (Time Extension)
<input type="checkbox"/> Certificate of Appropriateness*	<input type="checkbox"/> Modification to Conditions of Approval**	<input type="checkbox"/> Subdivision Plat (Renewal)
<input type="checkbox"/> Comprehensive Plan (Map) Amendment*	<input type="checkbox"/> Outdoor Dining Permit	<input type="checkbox"/> Temporary Use Permit
<input type="checkbox"/> Comprehensive Plan (Text) Amendment*	<input type="checkbox"/> Parcel Consolidation	<input type="checkbox"/> Traffic Impact Study Review
<input type="checkbox"/> Deannexation*	<input type="checkbox"/> Performance Bonding	<input type="checkbox"/> Vacation (Easement)*
<input type="checkbox"/> Design Review**	<input type="checkbox"/> Planned Unit Development (New)*	<input type="checkbox"/> Vacation (Plat Note) *
<input type="checkbox"/> Development Agreement (New)*	<input type="checkbox"/> Planned Unit Development (Modification)**	<input type="checkbox"/> Vacation (ROW) *
<input type="checkbox"/> Development Agreement (Modification)**	<input type="checkbox"/> Public Art / Mural	<input type="checkbox"/> Variance*
<input type="checkbox"/> Development Agreement (Termination)*	<input checked="" type="checkbox"/> Rezone* (Zoning Map Amendment)	<input type="checkbox"/> Zoning Ordinance Text Amendment*
<input type="checkbox"/> Home Occupation Permit (New)	<input type="checkbox"/> Signs ¹	
<input type="checkbox"/> Home Occupation Permit (Renewal)	<input checked="" type="checkbox"/> Special Use Permit (New)*	
<input type="checkbox"/> Lot Line / Boundary Line Adjustment	<input type="checkbox"/> Special Use Permit (Modification)**	

Footnotes:

¹Freestanding, post/pole, or monument signs less than 6' in height. All other signs must be submitted through the building department.

²Used when not associated with other land use applications, when revisions to an approved (non-subdivision development) is being proposed, or when the land use schedules indicate the requirement for Administrative Development Review.

II. General Project / Site Information

Project or Development Name: (for business licensing, use business name)	FREEDOM 50
Site Address(s): Upload separate attached sheet if more than six (6) site addresses	4120 E USTICK RD CALDWELL, ID 83605
Suite #s:	
Parcel #s:	R3249700000
Total Acres:	3.9
Prior Use of Property:	C-3 COMMERCIAL
Proposed Use of Property:	R-3 RESIDENTIAL
Current Zoning of Subject Parcel(s): (check all that apply)	<input type="checkbox"/> RS-1 <input type="checkbox"/> C-1 <input type="checkbox"/> M-1 <input type="checkbox"/> D-CC <input type="checkbox"/> A-D <input type="checkbox"/> Property in County <input type="checkbox"/> RS-2 <input type="checkbox"/> C-2 <input type="checkbox"/> M-2 <input type="checkbox"/> C-CB <input type="checkbox"/> C-D <input type="checkbox"/> -1 <input checked="" type="checkbox"/> C-3 <input type="checkbox"/> I-P <input type="checkbox"/> T-N <input type="checkbox"/> H-D <input type="checkbox"/> R-2 <input type="checkbox"/> C-4 <input type="checkbox"/> P-D <input type="checkbox"/> R-3 <input type="checkbox"/> H-C
	List County Designation:

Proposed Zoning of Subject Parcel(s): <i>(check all that apply)</i>	<input type="checkbox"/> No Change	<input type="checkbox"/> C-1	<input type="checkbox"/> M-1	<input type="checkbox"/> D-CC	<input type="checkbox"/> A-D
	<input type="checkbox"/> RS-1	<input type="checkbox"/> C-2	<input type="checkbox"/> M-2	<input type="checkbox"/> C-CB	<input type="checkbox"/> C-D
	<input type="checkbox"/> RS-2	<input type="checkbox"/> C-3	<input type="checkbox"/> I-P	<input type="checkbox"/> T-N	<input type="checkbox"/> H-D
	<input type="checkbox"/> R-1	<input type="checkbox"/> C-4			<input type="checkbox"/> P-D
	<input type="checkbox"/> R-2	<input type="checkbox"/> H-C			
	<input checked="" type="checkbox"/> R-3				

Select the Overlay District for the Subject Parcel(s): <i>(check all that apply)</i>	<input checked="" type="checkbox"/> Not in Overlay Zone	<input type="checkbox"/> ED-1	<input type="checkbox"/> FP-1	<input type="checkbox"/> HD-1	<input type="checkbox"/> SO-1	<input type="checkbox"/> UD-1
				<input type="checkbox"/> HD-2	<input type="checkbox"/> SO-2	<input type="checkbox"/> UD-2
				<input type="checkbox"/> HD-3	<input type="checkbox"/> SO-3	<input type="checkbox"/> UD-3

City of Caldwell Comprehensive Plan Designation of Subject Parcel(s): <i>(check all that apply)</i>	<input type="checkbox"/> Neighborhood 1	<input type="checkbox"/> Downtown
	<input type="checkbox"/> Neighborhood 2	<input checked="" type="checkbox"/> Mixed Use Center
	<input type="checkbox"/> Neighborhood 3	<input type="checkbox"/> Community Center
	<input type="checkbox"/> Urban Neighborhood	<input type="checkbox"/> Special Purpose

Is/Are Subject Parcel(s) located within an “Area Hub” as indicated within the City of Caldwell Comprehensive Plan?

Yes No

III. Applicant Information

Note: If applicant is an LLC, proof of authorized signer will be required from the Secretary of State.

Name: PAUL HILBIG

Company Name: TMOD HOMES, LLC
(if applicable)

Mailing Address: 2667 E GALA STREET SUITE 120
MERIDIAN, IDAHO 83642

Phone: 208-921-2506 **Email:** PAUL@TMOD.COM

Email Address: PAUL @TMOD.COM

Applicants Relationship to Property Owner: Property Owner Authorized Agent/Representative
 Purchaser Petitioner (vacation requests only)

IV. Property Owners' Information *(if different from applicant)*

Name:	DAVID NELSON
Mailing Address:	1123 12TH AVE STE 133 NAMPA, ID 83686
Phone:	<input type="text"/>
Email:	<input type="text"/>

V. Contractor / Developer Information *(fill out, if applicable)*

Name:	SAME AS APPLICANT
Company Name: <i>(if applicable)</i>	<input type="text"/>
Mailing Address:	<input type="text"/> <input type="text"/> <input type="text"/>
Phone:	<input type="text"/>
Email:	<input type="text"/>

VI. Architect Information *(fill out, if applicable)*

Name:	Patrick Alles
Company Name: <i>(if applicable)</i>	Patrick Alles Architecture
Mailing Address:	910 W Main Street, Suite 236 Boise, ID 83702 <input type="text"/>
Phone:	<input type="text"/> 971-373-3265
Email:	<input type="text"/> patrick@allesarchitecture.com

VII. Civil Engineer / Surveyor Information *(fill out, if applicable)*

Name:	DENNIS JORDAN
Company Name: <i>(if applicable)</i>	FOCUS ENGINEERING & SURVEYING
Mailing Address:	1001 N ROSARIO ST SUITE 100 MERIDIAN, ID 83642
Phone:	208-974-0075
Email:	DJORDAN@FOCUS-ES.COM

VIII. Landscape Architect Information *(fill out, if applicable)*

Name:	BRYAN WILSON
Company Name: <i>(if applicable)</i>	FOCUS ENGINEERING & SURVEYING
Mailing Address:	6949 S HIGH TECH DRIVE SUITE 200 MIDVALE, UT 84047
Phone:	801-352-0075
Email:	BWILSON@FOCUS-ES.COM

IX. Applicant Acknowledgement

- By signing this application, I authorize employees/agents of the City to enter onto the property that is the subject of this application during regular business hours. The sole purpose of entry is to make an examination of the property that is necessary to process this application; and
- I certify that I am the owner of this property, the owner's authorized agent/representative, or the petitioner (if for a vacation). If acting as an authorized agent or representative, I further certify that I have full power and authority to file this application and to perform, on behalf of the owner, all acts required to enable the jurisdiction to process and review such an application. I will comply with all provisions of the law and ordinance governing this type of application; and
- I certify that failure to submit all required documents in compliance with the checklist could result in delayed acceptance, processing, and hearing date timelines; and
- I certify that the information furnished by me as part of this application is true and correct to the best of my knowledge.

I certify that I am the:

Property Owner Authorized Agent / Representative Petitioner (Vacations Only)

PAUL HICBIC

Applicant / Applicant's Representative Printed Name

September 30, 2025

Date



Applicant / Applicant's Representative Signature



SPECIAL USE PERMIT CHECKLIST

The following items shall be included in the application submittal. Additional information may be required upon official review of the plans. Please check the box for each item listed below to confirm submission of the item listed.

SECTION 1: Filing Requirements

- All applications, checklists, plans and supporting documents must be submitted through our [Online Permit Center](#).
- All applications, checklists, plans and supporting documents shall follow the naming schematic as provided here.
- Filing fees (**see Section 2 below**)
- PDF Documents formatted in accordance with **Section 5** below.
- All documents shall follow the [naming conventions as shown here](#).

SECTION 2: Filing Fees

Refer to the Planning Department fee list for most current fees.

- Permit fees. Fees will be required to be paid once the application has been submitted and received by the department.

SECTION 3: Submittal Documents

The items listed below are considered a minimum. Additional information may be necessary for clarification during the review process.

- Master Land Use Application.** Copy of a completed and signed master land use application.
- Application Checklist.** Copy of a completed and signed application checklist
- Copy of Deeds or Proof of Ownership.** If the owner is a corporation or LLC, proof of the representative for the LLC or corporation will be required.
- Property Owner Acknowledgement.** Signed [Property Owner Acknowledgement form](#) (if applicable)
- Neighborhood Meeting Information**, including;
 - A copy of the letter sent to all owners, residents and associations within 500' of property
 - A copy of the 500' mailing list
 - A copy of the sign-in sheet, with your signature for certification



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- Legal Descriptions.** Attach a legal description of the property including metes and bounds to the centerline of all adjacent rights of ways. All legal descriptions shall be certified by a land surveyor registered to the State of Idaho.
- Detailed Site Plan, drawn to scale,** showing:
 - Location of all property lines and dimensions
 - All streets and driveways
 - All off-street parking, loading spaces, drive aisles, ramps, and sidewalks
 - All trash enclosure locations
 - All existing and proposed landscaping
 - All existing and proposed buildings and structures with setbacks
 - All utility locations. Specify location of any overhead utility lines on the property
 - Location of all proposed sign with dimensions to property line
- Concept Building Elevations (if new construction or remodel):** Colored building elevations of all four (4) sides of buildings, indicating building heights, colors, materials, windows, doors, architectural features, and landscaping around buildings.
- Landscape Plan:** Landscape plan, drawn to scale (no smaller than 1" = 50') and prepared by a landscape architect, a landscape designer or a qualified nursery person. Landscape plans shall be stamped by a licensed landscape architect and including the following information:
 - Streets, Setbacks and Easements:** Show all streets, setbacks, and easements. Streets shall be identified by name. Dimension and label all right-of-way, setbacks, and easements
 - Sight Visibility Triangles:** Show and label all sign visibility triangles.
 - Storm Water Facilities and Berms:** Show all storm water facilities and berms. Indicate berm heights, slopes and proposed landscaping
 - Off-Street Parking & Bicycle Parking:** A note listing the required number of parking spaces and bicycle parking spaces, the provided number of parking spaces and bicycle parking spaces, and the circulation area required to serve the parking spaces with typical dimensions.
 - Existing Trees and/or Shrubs:** Location of all existing trees and shrubs, and the approximate size and type of any existing trees and shrubs. Indicate by note which trees and/or shrubs will remain, if any.
 - Existing and Proposed Structures:** Location of all existing and proposed structures and a note of whether the existing structures will remain
 - Pathways:** Location, width, and type of pathways, along with identification of all required pathway materials and landscaping callouts for micro pathways, major pathways, public pathways, regional pathways, and Indian Creek Corridor pathways (if applicable).



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- Open Space Exhibit:** Separate open space exhibit clearly delineated using colored shading, so it is readily identifiable. The open space exhibit shall contain a table identifying:
 - The percentage and acreage of each individual areas of open space and if the open space is being calculated as qualified open space
 - The total percentage and acreage of code required open space and qualifying open space in relationship to the gross area of the project
 - The total percentage and acreage of proposed open space and qualifying open space in relationship to the gross area of the project
- Public Amenities:** Location, size, and types of new structures for recreational use (i.e., gazebos, water features, picnic areas, shuffleboard, etc.)
- School Bus Stops:** Location of school bus stop areas within a common lot or common easement
- Public Transit Stops:** Location of any public transit
- Street Landscape Buffers:** Location and width of all street landscape buffers. Include the location of all sod, trees, shrubs, plantings, and other materials proposed.
- Landscape Buffers Between Land Uses:** Location and width of all landscape buffers between different land uses. Include the location of all sod, trees, shrubs, plantings, and other materials proposed.
- Parking Lot Landscaping:** Location and size of all landscape islands within parking lots, Include the location of all landscaping materials proposed
- Trash Enclosures:** Location of all trash enclosures, to include details about screening and landscaping
- Fencing:** Location, height, color, and materials for all existing or proposed fencing
- Other Landscape Amenities:** Provide location, size, type and description of all other landscape improvements such as berms, decorative rock, boulders, etc.
- Landscape Schedule:** Provide a table listing all of the locations, descriptions, types and numbers of landscaping products to be installed.
- Traffic Impact Study:** A traffic impact study will be required if the proposed development generates one hundred (100) or more peak hour vehicle trips; more than thirty thousand (30,000) square feet of commercial use; or more than fifty thousand (50,000) square feet of industrial use.

Note: The city may require an impact study, even if the aforementioned criteria are not exceeded to resolve unique circumstances. The city may also waive the requirement if, in the city's opinion, there are no traffic issues to resolve.



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SECTION 4: Project Specific Details

Fill in all the information below that is applicable to the project being proposed.

LAND USE AND ZONING INFORMATION			
	Zoning Designation	Comp Plan Designation	Land Use
(Subject Property)	SERVICE COMMERCIAL	MIXED USE CENTER	MIXED USE CENTER
North of Site	SERVICE COMMERCIAL	MIXED USE CENTER	MIXED USE CENTER
South of Site	SERVICE COMMERCIAL	MIXED USE CENTER	MIXED USE CENTER
East of Site	SERVICE COMMERCIAL	MIXED USE CENTER	MIXED USE CENTER
West of Site	LOW DENSITY RESIDENTIAL	NEIGHBORHOOD 3	RESIDENTIAL

PARKING, LOADING AND PEDESTRIAN AMENITIES		
Description	Min. Required	Proposed
Electric vehicle parking spaces	5	6
Off-street parking spaces	105	120
Commercial loading spaces	N/A	N/A
Industrial loading spaces	N/A	N/A
Bicycle parking spaces:	10	10
Describe any public transportation facilities that will be provided.	N/A	
Describe any public amenities that are being proposed:	PLAYGROUND AND DOG PARK	



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LANDSCAPING AND PATHWAYS

Landscaping: <i>Please check all locations where landscaping will be provided</i>	<input type="checkbox"/> Parking lot <input checked="" type="checkbox"/> Common areas <input type="checkbox"/> Street landscape buffers <input type="checkbox"/> Between different land uses <input type="checkbox"/> Adjacent to Pathways <input checked="" type="checkbox"/> Around building exterior Other _____
Public or Regional Pathways <i>Describe location, width, landscaping, and any proposed fencing:</i>	N/A

STREET LANDSCAPE BUFFERS

Location (Enter Street Name)	Min. Width Required	Proposed Width	% of Sod Proposed	# of Trees Proposed	Min. Tree Spacing (in feet)	# of Shrubs Proposed	Min. Shrub Spacing (in feet)

BUFFERS BETWEEN LAND USES

Location (If not required, put N/A)	Min. Width Required	Proposed Width	% of Sod Proposed	# of Trees Proposed	Min. Tree Spacing (in feet)	# of Shrubs Proposed	Min. Shrub Spacing (in feet)
North Property Line							
South Property Line							
East Property Line							
West Property Line							



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PUBLIC SIDEWALKS				
Location (Street Name)	Min. Width Required	Proposed Width	Type of Sidewalk	Existing or Proposed
USTICK RD	8'	N/A	<input type="checkbox"/> Meandering <input checked="" type="checkbox"/> Attached <input type="checkbox"/> Detached	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed
			<input type="checkbox"/> Meandering <input type="checkbox"/> Attached <input type="checkbox"/> Detached	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed
			<input type="checkbox"/> Meandering <input type="checkbox"/> Attached <input type="checkbox"/> Detached	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed
			<input type="checkbox"/> Meandering <input type="checkbox"/> Attached <input type="checkbox"/> Detached	<input type="checkbox"/> Existing <input type="checkbox"/> Proposed

UTILITIES, INFRASTRUCTURE, AND PUBLIC SERVICES INFORMATION						
Type of Site Access:	<input checked="" type="checkbox"/>	Street Frontage ACCESS OFF OF USTICK				
	<input type="checkbox"/>	Easement	Instrument #			
Street(s) Providing Access:	USTICK RD					
Will Secondary Access for Fire be Provided:	<input type="checkbox"/> Yes <input type="checkbox"/> No					
Internal Roads:	<input type="checkbox"/>	Public				
	<input type="checkbox"/>	Private				
	<input type="checkbox"/>	Internal Circulation				
	<input type="checkbox"/>	Road User's Maintenance Agreement Inst#				
School Districts Serving this Location:	<input type="checkbox"/>	Caldwell School District				
	<input type="checkbox"/>	Vallivue School District				



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UTILITIES, INFRASTRUCTURE, AND PUBLIC SERVICES INFORMATION		
Domestic Water:	<input type="checkbox"/>	Individual Domestic Well – How Many?
	<input type="checkbox"/>	Centralized Public Water System
	<input type="checkbox"/>	City Municipal Water System
	<input type="checkbox"/>	N/A
	Nearest Water Line Connection:	
Sewer (Wastewater):	<input type="checkbox"/>	Individual Septic
	<input type="checkbox"/>	City Municipal Sewer
	<input type="checkbox"/>	N/A
	Nearest Sewer Line Connection:	
	Irrigation:	<input type="checkbox"/>
<input type="checkbox"/>		Irrigation Well
<input type="checkbox"/>		Pressurized
<input type="checkbox"/>		Gravity
<input type="checkbox"/>		N/A
Nearest Irrigation Connection: WEST OF SITE IN ASHTON MEADOWS VIA PID		
Irrigation District:		
Stormwater:	<input type="checkbox"/>	Swales
	<input type="checkbox"/>	Ponds
	<input type="checkbox"/>	Borrow Ditches
	<input type="checkbox"/>	Other, Explain: SEEPAGE BED
	Stormwater Management:	Does the site disturb one or more acres of land? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Fire Suppression Water Supply Source:	MUNICIPAL WATER	
Sources of Surface Water on or Nearby Properties (i.e., creeks, ditches, canals, lake, etc.):	ELIJAH DRAIN WEST OF PROPERTY	



SECTION 5: PDF Formatting Requirements

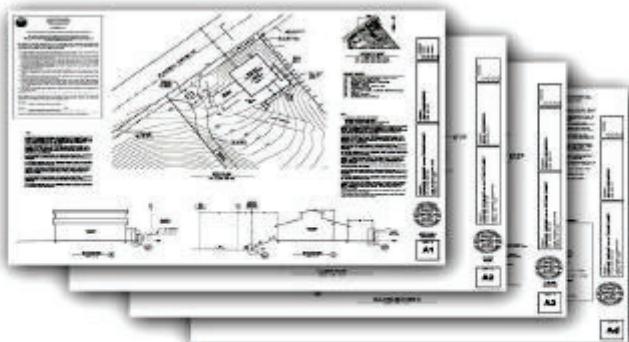
Portable Document Format (PDF) is the industry standard for electronic plans. The City of Caldwell only accepts PDF files for plan review. PDF files must be properly formatted as described below. Please read the instructions carefully. Improperly formatted plans can delay the plan review process for your project.

Layers: No multiple layers. Layers must be merged or flattened.

Format: Vector-based files are preferred given the ability to scale these files.

Resolution: Min. of 300 pixels per inch (PPI)

Grouping: Multiple sheet PDF (single file with multiple sheets)



Labeling: Each sheet of the plans must be labeled with the project name, contractor, and address of the subject site.



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SECTION 6: Applicant Acknowledgement

- I acknowledge that all items on the checklist are included in the submittal package and that all documents have been named accordingly and submitted as single-sided, high-resolution pdf documents; and
- I acknowledge that I, the applicant, or my representative is responsible to attend all public hearings; and
- I acknowledge that applications are not deemed complete until the application has been submitted, all fees have been paid, and the application has been deemed accepted after completion of the prescreening process. This could impact neighborhood meeting deadlines and scheduling of public hearing dates.
- I acknowledge that I have read, understand, and am in compliance with all standards, terms, and requirements listed in Caldwell City Code; and
- I certify I am the:
 - Property Owner as the Applicant Property Owner's Agent / Representative

Applicant / Applicant's Representative Printed Name

Date

Applicant / Applicant's Representative Signature

IX. Applicant Acknowledgement

- By signing this application, I authorize employees/agents of the City to enter onto the property that is the subject of this application during regular business hours. The sole purpose of entry is to make an examination of the property that is necessary to process this application; and
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- I certify that the information furnished by me as part of this application is true and correct to the best of my knowledge.

I certify that I am the:

Property Owner Authorized Agent / Representative Petitioner (Vacations Only)

PAUL HICBIC

Applicant / Applicant's Representative Printed Name

September 30, 2025

Date



Applicant / Applicant's Representative Signature

Freedom Fifty Duplex Community

Planning and Zoning Department
City of Caldwell

*Rezone from C-3 to R-3
and Special Use Permit for Duplex Use*

Address: 4120 E Ustick Road, Caldwell, Idaho
Parcel No.: R3249700000

Overview of the Proposed Rezone and Future Development Plan

The applicant requests approval of a Rezone from C-3 to R-3 and a Special Use Permit to allow development of a 25-building duplex community (50 total dwelling units) on approximately 4.35 acres located at 4120 E Ustick Road, Caldwell, Idaho (Parcel R3249700000).

This property was previously approved by the Caldwell City Council in 2022 for the “Latitude 96” project, a three-story, 96-unit apartment complex under the existing C-3 zoning. Due to changing economic conditions that project did not move forward. The applicant now proposes Freedom Fifty -- a significantly lower-density, less-intensive residential community that maintains the same spirit of providing attainable housing while better aligning with current market realities and community context.

The proposed Freedom Fifty Duplex Community will feature 25 two-story duplex buildings, each containing two bedrooms and two bathrooms with a size of 1,250 square feet. Each building, therefore, will contain 2,500 square feet. Homes will be constructed using TMOD’s factory-built, metal-framed modular system, which allows for precise quality control, faster delivery, and lower costs than traditional site-built methods. [TMOD is a next-generation building company based in Caldwell that combines advanced manufacturing and modular design to deliver high-quality, energy-efficient, and attainable housing more quickly and affordably than traditional construction methods.]

The proposed development will provide 120 total parking stalls, including 114 standard spaces and 6 ADA-accessible stalls. Of these, 40 stalls will be covered parking, enhancing both resident comfort and visual appeal. Parking exceeds the minimum requirements for duplex development within the R-3 zone, providing an average of 2.4 stalls per dwelling unit. The project maintains a low overall intensity with a density of 11.5 dwelling units per acre, which is well within the intended range for the R-3 district.

Common open space features include a playground, dog park, landscaped common areas, covered parking structures, and EV charging stations, creating a functional and attractive community environment for residents.

Site Context and Compatibility

The property is surrounded by a mix of commercial, industrial, and residential uses:

- East and South: Adjacent to the Walmart Supercenter, a major regional commercial use.
- West: Single-family homes, separated from the project by a canal, providing approximately 160 feet of separation between the nearest residence and the site.
- North: Fronts Ustick Road, an arterial street recently widened by the City, which included construction of a curb cut that will serve as the project's primary access. Across Ustick are industrial and warehouse-type buildings.

Given this mix of surrounding uses, Freedom Fifty offers an ideal transitional use between high-activity commercial areas and lower-intensity residential neighborhoods. Its scale, setbacks, and landscaping provide a visual and functional buffer that supports orderly development consistent with the Comprehensive Plan.

Justification for Residential Use Along Arterial Frontage

Maintaining commercial zoning on this parcel would create land-use inefficiencies and an awkward site layout that diminishes both commercial viability and neighborhood design quality. Residential development at this frontage is more appropriate for the following reasons:

1. Oversupply of Nearby Commercial Land: Within roughly a quarter-mile radius—particularly along Cleveland Boulevard—there are over 35 acres of vacant commercial property already available for development. The market does not currently support additional retail or service uses at this location.
2. Improved Transition Between Uses: Retaining commercial zoning would place high-intensity traffic and lighting immediately adjacent to single-family homes to the west. The proposed duplex community creates a smoother, more compatible transition between those residential areas and the adjacent Walmart.
3. Reduced Impacts and Greater Neighborhood Compatibility: Duplex housing produces significantly fewer daily trips and less noise and glare than commercial uses. The development's design and landscaping will further minimize any visual or operational impacts.
4. Better Long-Term Land-Use Fit: The City's Comprehensive Plan emphasizes infill housing, housing diversity, and efficient infrastructure use. This project directly advances those policies, while commercial needs remain adequately served along Cleveland Boulevard and other corridors.

In short, commercial zoning would impose a use pattern that no longer reflects market demand or neighborhood character, whereas residential development provides a balanced, context-sensitive solution for this site.

Consistency with the Caldwell Comprehensive Plan

Although no Comprehensive Plan Map amendment is requested, the proposal is fully consistent with the City's adopted goals and policies:

- Goal 1 – Managed and Orderly Growth: Encourages infill and redevelopment of under-utilized

parcels inside City limits.

- Goal 2 – Housing Variety and Affordability: Expands attainable housing options through efficient modular construction, serving residents priced out of traditional new builds.
- Goal 3 – Compact, Efficient Land Use: Promotes walkable, connected design using existing infrastructure and arterials.
- Goal 4 – Compatible Land Uses: Provides an appropriate buffer between Walmart and nearby single-family neighborhoods.
- Goal 6 – Sustainable Infrastructure: Leverages existing City water, sewer, and stormwater systems without extending services.

Consistency with the Purpose of the R-3 District

Under Caldwell City Code 10-02-06-03, the R-3 High Density Residential Zone is intended to: “Provide areas for high-density residential neighborhoods characterized by multiple-family dwellings, two-family dwellings, and other compatible uses with adequate access to community services and facilities.”

Freedom Fifty aligns with this purpose by:

- Providing two-family dwellings through a Special Use Permit consistent with R-3 standards.
- Maintaining high-quality architecture, amenities, and open space consistent with modern neighborhood design.
- Delivering energy-efficient, factory-built homes that reduce costs and environmental impact.

Intensity of Development and Mitigation of Potential Impacts

The project represents a significant reduction in intensity compared to the previously approved 96-unit apartment complex. The proposed 50 duplex units will generate roughly half the traffic volume and visual scale.

Mitigation Measures:

- Traffic: Access through the existing City-installed curb cut on Ustick Road ensures safe ingress/egress; internal circulation will meet Fire and Engineering standards.
- Visual Character: Architectural variation, fencing, and landscaping will ensure an attractive and cohesive appearance.
- Noise and Lighting: All lighting will be shielded and directed downward.
- Stormwater: On-site detention and retention will meet or exceed City requirements.
- Compatibility: The 160-foot canal buffer to the west and landscaping along all edges ensure privacy and visual separation.

Adequate Public Facilities and Services

Adequate public facilities exist and will be provided to serve all uses allowed under the proposed R-3 zoning.

- Water and Sewer: City utilities are available adjacent to the site; service laterals will be extended per City standards.
- Streets: The site fronts Ustick Road with an existing curb cut installed by the City.
- Storm Drainage: On-site stormwater facilities will comply with City standards.
- Irrigation: The development will connect to a pressurized irrigation system.

- Emergency Services: Within Caldwell Fire and Police service areas.

No off-site infrastructure extensions or public investments are required.

Conclusion

The Freedom Fifty Duplex Community represents a thoughtful evolution of an approved residential concept—transforming a 96-unit apartment project into a 50-unit duplex neighborhood that better meets today's market needs while improving compatibility with surrounding land uses.

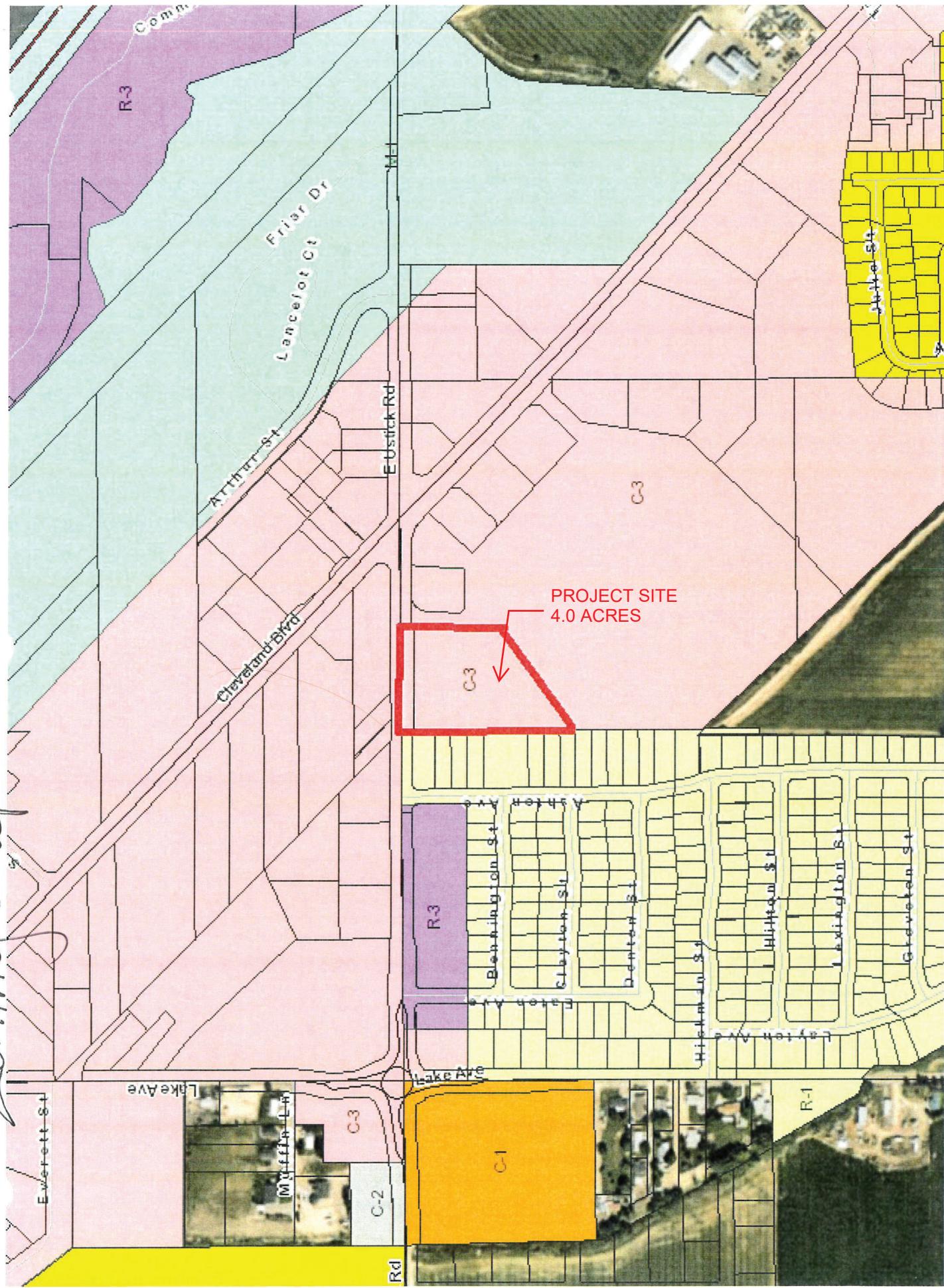
Through TMOD's modular construction technology, the project will deliver efficient, energy-conscious, attainable housing that strengthens Caldwell's housing inventory and supports the City's long-term Comprehensive Plan objectives. The proposal is consistent with the intent of the R-3 zoning district, provides a logical transition between commercial and residential uses, and contributes to the creation of a vibrant, balanced community along the Ustick Road corridor.

Respectfully submitted,

Paul Hilbig

Applicant – Freedom Fifty Duplex Community
4120 E Ustick Road | Caldwell, Idaho | Parcel R3249700000

Zoning Map





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REASON FOR RECALL		DISCUSSION		OPEN SPACE EXHIBIT	
ITEM	DATE	ITEM	DATE	ITEM	DATE
6	-----	6	-----	6	-----
5	-----	5	-----	5	-----
4	-----	4	-----	4	-----
3	-----	3	-----	3	-----
2	-----	2	-----	2	-----
1	-----	1	-----	1	-----

LEGEND



OPEN SPACE TABULATIONS:

100% REQUIRED OPEN SPACE.

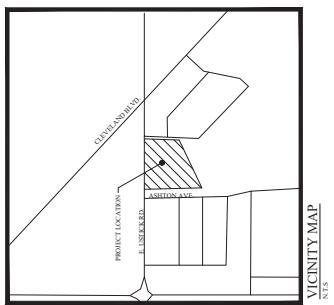
PROVIDED OPEN SPACE	LANDSCAPED AREA: 36,863.6 SQFT QUALIFYING: 19,687.87 SQFT (11%)	CONCRETE PAVEMENT	ASPHALT PAVEMENT	BUILDING	COVERED PARKING AREA
17,424 SQFT					

A compass rose with a north arrow pointing upwards. The rose has eight points and is labeled with 'N' at the top.

A graphic scale consisting of a vertical line with tick marks. The scale is labeled "GRAPHIC SCALE" at the top and "(IN FEET)" at the bottom. The tick marks are labeled from 0 to 40 in increments of 5: 0, 5, 10, 15, 20, 25, 30, 35, 40.



Know what's below.
Call 811.







NOTICE OF NEIGHBORHOOD MEETING

9/24/2025

Paul Hilbig
2667 E Gala St. Suite 120
Meridian, ID 83642

RE: Rezone and Special Use Permit for a proposed multi-family use subdivision at 4120 E. USTICK Rd.

To whom it may concern,

You are invited to a neighborhood meeting to discuss a project we are proposing near your property. The purpose of the meeting is to discuss the project, answer any questions, and listen to your feedback and suggestions.

Meeting Date: Thursday, October 9th

Meeting Time: 6:00-7:15pm

Meeting Location: 4120 E. Ustick Rd, Caldwell, Idaho

Project Summary: This project consists of a request for a rezone to R-3 (urban residential) utilizing a Special Use Permit to allow for a multi-family development and a request for the allowance of residential along the frontage of an arterial instead of commercial. This project is a multi-family subdivision including twenty-five (25) multi-family buildings across the 4 acres. Each building will consist of two (2) stacked duplexes therefore totaling the project to fifty (50) stacked duplexes.

If you would like to contact us ahead of the meeting, please feel free to reach out to us at (208) 921-2506 or by email at paul@tmod.com.

We look forward to hearing from you.

Thank you,

Paul Hilbig
TMod Homes, LLC

CANYON COUNTY LISTING -R32497-000 500 feet**October 13, 2025**

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.



PIN	Owner Name	In Care Of JEREMY ENDICOTT=	Address	City, State, Zip
32479011 0	ALH BOILASTER NORTH LLC		145 W 200 N STE 100	PROVO, UT, 84601
32504204 0	ASHTON HILLS NEIGHBORHOOD		PO BOX 1090	MERIDIAN, ID, 83680
32504011 0	ASHTON PLACE LLC		200 E CLEAR CREEK DR	MERIDIAN, ID, 83646
32504210 0	ATKINSON PATSY A		4317 ASHTON AVE	CALDWELL, ID, 83607
32504203 0	BERNIS TRUST		4119 ASHTON AVE	CALDWELL, ID, 83607
32504221 0	BUSTAMANTE MARTIN		3924 BENNINGTON ST	CALDWELL, ID, 83605
32479010 0	CANYON COUNTY	COUNTY COMMISSIONERS OFFICE =	1115 ALBANY ST	CALDWELL, ID, 83605
32504216 0	CARPENTER CATHY J		3923 BENNINGTON ST	CALDWELL, ID, 83605
32504212 0	CERDA DIANA		4401 ASHTON AVE	CALDWELL, ID, 83607
32504217 0	CHANAY MARTIN G		3919 BENNINGTON ST	CALDWELL, ID, 83607
32504228 0	CRAIN TERRY		4001 CLAYTON ST	CALDWELL, ID, 83607
32504238 0	DALE MARK		3919 DENTON ST	CALDWELL, ID, 83607
32504213 0	DURAN MARIA JESUS LARA		4411 ASHTON AVE	CALDWELL, ID, 83607
32504200 0	FARRELL JEANETTE R		815 S 25TH ST	NAMPA, ID, 83686
32498000 0	FEAST PROPERTIES LLC		41760 IVY ST STE 201	MURRIETA, CA, 92562
32504207 0	FENSTERMAKER ROMAN LUIS		4223 ASHTON AVE	CALDWELL, ID, 83607
32504240 0	GODINA RICARDO		11831 VIRGINIA PKWY	CALDWELL, ID, 83605
32504211 0	GRABIEC KATARZYNA A		4323 ASHTON AVE	CALDWELL, ID, 83607
32504247 0	HARM JULEE C		4002 DENTON ST	CALDWELL, ID, 83605
32504227 0	HARRELSON HOLLY ANN		PO BOX 191315	BOISE, ID, 83719
32504222 0	HEALY DIANA		3920 BENNINGTON ST	CALDWELL, ID, 83607
32504220 0	HENDRICKSON BECKY JO		4002 BENNINGTON ST	CALDWELL, ID, 83607
32504232 0	HERNANDEZ MARIA A LUNA		3924 CLAYTON ST	CALDWELL, ID, 83607
32504201 0	HERRERA ANA		2229 YORK AVE	NAMPA, ID, 83686
32504202 0	HOUT LAWERENCE KEITH		4115 ASHTON AVE	CALDWELL, ID, 83607
32504206 0	HUITRON MARIO		4217 ASHTON AVE	CALDWELL, ID, 83607
32504239 0	HUIZAR JESUS S MADERA		3923 DENTON ST	CALDWELL, ID, 83607
35864102 0	IDAHO CENTRAL CREDIT UNION		PO BOX 2469	POCATELLO, ID, 83206-2469
35864105 0	JHFREDDY LLC		9317 S FREEMAN DR	MEDICAL LAKE, WA, 99022
32504205 0	KELSO PAUL		4211 ASHTON AVE	CALDWELL, ID, 83607
35889000 0	KHS INVESTMENTS LLC @@		4920 E CLEVELAND BLVD	CALDWELL, ID, 83605
32501000 0	MARCO POLO INC		55 S FLOWER ST DEPT TRE 924-77	LOS ANGELES, CA, 90071
32504265 0	MARTINEZ RUBEN		4009 HICKMAN ST	CALDWELL, ID, 83607

CITY NATIONAL BANK

MAVERIK INC	185 S STATE ST STE 800
MC KENNA KELLY	3920 CLAYTON ST
MEDINA ELIZABETH	4309 ASHTON AVE
MENICA NILA JO	4009 CLAYTON ST
MORRIS VIRGINIA DARLENE	4002 S CLAYTON ST
MURILLO MARIA R	4301 ASHTON AVE
NELSON DAVID	1123 12TH AVE RD STE 13
NUNEZ JOSE	4010 DENTON ST
RICE STEVE A	PO BOX 374
RICE STEVE A	PO BOX 374
RIVERA SARAH M	4009 DENTON ST
RKT PROPERTIES LLC	11105 AINSWICK DR
RKT PROPERTIES LLC	11105 AINSWICK DR
RKT PROPERTIES LLC	11105 AINSWICK DR
ROBERTSON RANDALL AND DAWN TRUST	13247 LEWIS RANCH RD
ROBINSON KEITH AND CARA TRUST	2011 TERRACE DR
ROSSETTI AND KELLY INVESTMENTS LLC	4020 TYLER ST #525
SANDERS JASON R	4419 ASHTON AVE
SNODGRASS TANNER	3919 CLAYTON ST
SPUD SR INC	PO BOX 5099
SUMMIT AUCTIONS LLC	4920 E CLEVELAND BLVD
TORRES TINISHA L	4124 ASHTON AVE
ULTRERAS NEREIDA	4010 CLAYTON ST
WAL-MART REAL ESTATE BUS TRUST	PO BOX 8050 MS 0555
ATTN PROPERTY TAX DEPT	PO BOX 8050
TESORO REFINING AND MARKETING =	3919 E USTICK RD
325042140	3919 E USTICK RD
325042300	3919 E USTICK RD
325010100	3919 E USTICK RD
324970100	4001 BENNINGTON ST
358650100	4423 ASHTON AVE
358650110	
358650120	
325042150	
325042500	

SALT LAKE CITY, UT, 84111-1549
CALDWELL, ID, 833607
CALDWELL, ID, 83607
CALDWELL, ID, 83605
CALDWELL, ID, 833607
CALDWELL, ID, 83607
NAMPA, ID, 83686
CALDWELL, ID, 833607
MIDDLETON, ID, 83644
MIDDLETON, ID, 83644
CALDWELL, ID, 833607
BAKERSFIELD, CA, 93311
BAKERSFIELD, CA, 93311
BAKERSFIELD, CA, 93311
CALDWELL, ID, 833607
CALDWELL, ID, 833605
RIVERSIDE, CA, 92503
CALDWELL, ID, 833607
CALDWELL, ID, 833607
BOISE, ID, 83705
CALDWELL, ID, 833605
CALDWELL, ID, 833607
CALDWELL, ID, 833607
BENTONVILLE, AR, 72712-8050
BENTONVILLE, AR, 72716-0555
CALDWELL, ID, 833605
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CALDWELL, ID, 833607
CALDWELL, ID, 833607

NEIGHBORHOOD MEETING SIGN-IN FORM
City of Caldwell Planning and Zoning Department
621 E. Cleveland Blvd., Caldwell, ID 83605
Phone: (208) 455-3021

Start Time of Neighborhood Meeting: 6:00 PM
End Time of Neighborhood Meeting: 7:15 PM

Those in attendance please print your name and address.

If no one attended, Applicant please write across this form "No one attended".

PRINTED NAME

ADDRESS, CITY, STATE, ZIP

1. _____
2. **NO ONE ATTENDED** _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____

NEIGHBORHOOD MEETING CERTIFICATION:

Applicants shall conduct a neighborhood meeting for the following: special use permit applications; variance applications; annexation applications; planned unit development applications; preliminary plat applications that will be submitted in conjunction with an annexation, rezone or planned unit development application; and, rezone applications as per City of Caldwell Zoning Ordinance Section 10-03-12.

Description of the proposed project:

25 for rent, stacked duplexes

Date of Round Table meeting: June 26, 2025

Notice sent to neighbors on: Sept. 24, 2025

Date & time of the neighborhood meeting: Oct. 9, 2025

Location of the neighborhood meeting:

At the site

Developer/Applicant:

Name: PAUL HILBIG

Address, City, State, Zip: 2667 E GALA CT #120, MERIDIAN, ID 83642

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with City of Caldwell Zoning Ordinance Section 10-03-12.

DEVELOPER/APPLICANT SIGNATURE



DATE OCTOBER 10, 2025

EXHIBIT 2:

CITY DEPARTMENT COMMENTS AND CONDITIONS OF APPROVAL

Memorandum

To: Joe Dodson, Principle Planner

From: Steven Pendleton, Land Development Manager
Hallie Hart, City Engineer

Re: SUP25-000017, ZON25-000006 (Freedom 50)

Date: December 15, 2025

The Engineering Department provides the following comments on a request by The applicant, TMOD Homes LLC., on behalf of David Nelson, is requesting rezoning of parcel R3249700000, from C-3 (General Commercial) to R-3 (Urban Residential) as well as a special use permit for Freedom 50 Development. The proposed development is a residential duplex community with fifty (50) dwelling units (twenty-five buildings), where the current City comprehensive plan future land use map place-type is identified as mixed-use. The 3.9 acre parcel is located on the south side of E. Ustick Rd., approximately 400 feet west of the intersection with Cleveland Blvd.

Development Plans

1. Development Plans – Prior to commencing construction and applying for building permits, plans must be prepared by the developer's engineer and approved by the City Engineering Department which shall include the following items:
 - a. Street section and alignment (including curb and gutter);
 - b. Sidewalk (sidewalk width based on street classification);
 - c. Sanitary sewer (per City and DEQ requirements);
 - d. Potable water (per City and DEQ requirements);
 - e. Stormwater facilities (per City requirements/storm water manual);
 - f. Street lighting (per City standards);
 - g. Street signage (per City and MUTCD requirements);
 - h. Vertical Datum based on NAVD 88 Datum.

General

1. Applicant shall follow the requirements and processes of the subdivision ordinance for the development of this project. For the purposes of this project, all conditions outlined in the subdivision ordinance pertaining to receiving the City Engineers signature on, or the recordation of, a final plat shall be applied to the submission of building permits.
2. Easements for public utilities shall be as listed below. Easements will be required to be larger if deemed necessary by the City Engineer in order to facilitate future maintenance operations of utilities.
 - a. 10 feet wide minimum.
 - b. Domestic water only, 15 feet wide minimum
 - c. Sanitary sewer only, 20 feet wide minimum
 - d. Sewer and water combined, 30 feet wide minimum
 - i. *Note: future permanent structures will not be permitted to be constructed within any easement granted to the City of Caldwell. Applicant shall ensure that civil design and easements provided to the City accommodate current and future construction needs of permanent structures such as covered parking structures, future buildings, etc.*
3. Appropriate easements for emergency access, transmission lines and/or other utilities shall be clearly indicated, with recorded instrument numbers provided for said easements, on the construction drawings.
4. All utilities on and within the boundaries of the subdivision shall be located and/or relocated underground.
5. All street, sewer, water, fire protection, and street light facilities must be dedicated to the City. Some conveyance facilities for stormwater drainage may be eligible for dedication to the City.
6. Construction of facilities to be dedicated and/or within public right-of-way shall be performed by an appropriately licensed public works contractor and shall be inspected by and constructed to City of Caldwell specifications.
7. Prior to commencement of construction in any dedicated right-of-way, or construction of any improvement intended for dedication to the City or connected to a City facility, the City Engineering staff is to be notified. This preferably will take place in a pre-construction conference scheduled by the engineer of record in which all appropriate personnel and utilities are present. Appropriate City personnel are to be notified in advance of all testing (including compaction, pressure and coliform, etc.) and given opportunity to be present during conduct of the testing. The engineer of record or his designated representative is to witness all tests (not covered by City inspectors) and a log of inspection visits and testing results is to be kept by the engineer of record or his representative.
8. The developer is to employ a responsible design professional, preferably the engineer of record, to oversee and inspect construction, to perform and/or observe all requisite testing of completed facilities, and to certify that improvements have been constructed according to approved plans and in compliance with applicable City, State, and Federal standards.

9. The engineer of record shall be held responsible to ensure that subdivision improvements are in substantial compliance with said engineer's design. Following the construction of the subdivision improvements, the developers engineer shall provide the City of Caldwell Engineering Department with electronic (.dwg) format record drawings spatially referenced to the Idaho State Plane Coordinate System-West Zone, North America Datum (NAD) 83. Vertical control shall be referenced to the North America Datum (NAVD) 88 for future reference and to establish that the engineer of record has caused construction to occur in substantial compliance with the design of said engineer of record.
10. Any note, item or drawing element on the plats, construction drawings, engineering drawings and/or design drawings related to the property inconsistent with City Codes, Policies and/or Ordinances shall not be construed as approved unless specifically addressed and granted by City Council.

Rights-of-Way

1. Ustick Road is classified as a Principal Arterial. The applicant shall dedicate as public right-of-way a minimum forty (48) foot half width right-of-way (from centerline) along the entire Ustick Road alignment (per City Standard R-810A).
 - a. The City of Caldwell currently has construction drawings established and approved for a Ustick Road Widening project along the subject property frontage. Applicant shall dedicate to the City any right-of-way & easements necessary to accommodate the proposed improvements. Applicant shall dedicate said right-of-way & easements within 30 days of a written request from the City of Caldwell.
2. All interior private drive isles shall have a minimum width of 26' and meet Caldwell Fire Department requirements, whichever is greater.

Street

1. Full frontage half street improvements shall be completed to all classified roads adjacent to the proposed project (including Ustick Road) in accordance with all City of Caldwell standards and specifications and the approved set of Ustick Road Widening construction drawings (titled *Ustick Rd and Cleveland Blvd Intersection*). Improvements shall include (but are not limited to) curb, gutter, sidewalk, asphalt, right-hand turn lane on Ustick at the Walmart entrance, streetlights, joint trench, spare communication conduit along classified roadways, storm drainage facilities, etc.
2. Access to the proposed project shall fully comply with the Access Management section of the Middleton/Ustick Road Corridor Study previously adopted by City Council.
3. Emergency access shall meet all Caldwell Fire Department requirements.
4. All private driveways/drive isles shall fully comply with City of Caldwell standards and be approved by the Caldwell Fire Marshall.
5. Not lot/building shall have direct access to/from Ustick Road.

6. Applicant shall coordinate with the United States Postal System to determine a cluster mailbox unit location. Said location shall be interior to the site and shall be located in a manner that will not impact, or cause queueing onto, Ustick Road. Said location shall be approved by the Engineering Department during construction drawing plan review and prior to plan approval.
7. Applicants proposed Ustick Road access will initially be granted as a full access. In the future, as deemed necessary and appropriate by the City of Caldwell, said access point will be limited to a right-in/right-out.

Traffic Impact Fees

City of Caldwell has adopted the “Caldwell Area Capital Improvements Plan & Impact Fee Program”. The applicant will be required to pay traffic impact fees per table 7 of the Impact Fee Schedule to be assessed to the building permit/s when applied for.

Water

1. All on site water mains will need to be looped into existing mains for fire flow and water quality purposes. Internal main sizing and construction plan approval, will be dependent upon the availability of fire flow.
2. Each buildable lot shall be supplied with potable water. If buildings are constructed to include individual units that could feasibly or will be sold separately, each unit shall be serviced separately
3. The location of water service, including sizing of mains, providing of easements, frontage construction, and offsite construction are to be decided during review of improvement plans. This development will be required to comply with the Water Master Study.

Sanitary Sewer

1. It shall be the responsibility of the applicant's engineer to verify that connection to existing sewer mainlines will not exceed the functional capacity of said mainlines. Provision for connectivity by future developments shall be met in accordance with current City standards.
2. The Developer will be required (where applicable) to extend all sewer and water mainlines to the center of adjacent roadways for connectivity by future developments. Locations of said extensions will be decided during the review of the improvement plans.
3. Each buildable lot shall be provided with individual sewer service. If buildings are constructed to include individual units that could feasibly or will be sold separately, each unit shall be serviced separately.
4. Any easements for sewer lines not in the right-of-way should be at a width sufficient to construct same and not less than 20 feet in width. Easements for adjacent sewer and water lines not in the right-of-way shall be at a width sufficient to construct the same and shall be no less than 30 feet in width.

5. A 20' wide all-weather surfaces may be required to be constructed over mainlines that fall outside the public right-of-way. All weather surfaces shall be constructed sufficiently to support heavy equipment necessary to construct and maintain sewer under all seasonal weather conditions.

Irrigation

1. Existing easements and/or right-of-ways for any irrigation facility shall be determined and clearly indicated on the construction plans. Construction across or re-routing of these facilities is subject to approval by the Pioneer Irrigation District and at their discretion or their assigns.
2. The Developer shall maintain any existing upstream drainage rights and downstream irrigation rights across the property. During the design phase of this project, the developer or his engineer is to contact the appropriate irrigation district to help ascertain these rights. Appropriate facilities shall be provided by the developer to convey irrigation and drainage water across the property to take care of these offsite needs. There is to be no discharge of gravity/pressure irrigation return water into the projects storm water system.
2. The development is to include a non-potable water pressure irrigation system. The design of this pressure irrigation system is to be reviewed and approved by the Caldwell Municipal Irrigation District prior to construction plan approval. It shall be required that the system will be operated and maintained by the Caldwell Municipal Irrigation District.
3. Each lot, or building area, shall be provided with a pressure irrigation service in compliance with Caldwell Municipal Irrigation District standards.
4. All pressure irrigation mainlines shall be located in the public right-of-way or within a public utility easement, with a minimum width of 10 feet, centered over said mainlines as per current City standards.
5. Applicant shall place the pump station in an area that is easily accessible with a recorded perpetual easement sufficient for convenient access and maintenance of said pump station. The lot shall be owned and maintained by the home owners association.
6. The applicant shall ensure that an adequate continuous irrigation supply flow is available to meet the pressure irrigation system requirements of CMID.
7. The applicant shall transfer a proportionate share of any existing water right(s), except those held in trust by an irrigation district, to the City of Caldwell for both irrigation and domestic water supply for the subject development. If this should occur, The City shall assist in registering the transfer.
8. The proposed development may utilize the existing pressure irrigation pump station with approvals from Caldwell Municipal Irrigation District. Any upgrades to the pump station necessary to supply the proposed development with pressurized irrigation water is the responsibility of the Applicant. Should Applicant connect to this pump station they shall supply the City of Caldwell with a water model of the whole pressurized irrigation system showing that the system design meets all Caldwell Municipal Irrigation District standards.

9. All plans and construction drawings submitted to the City of Caldwell for review and approval for any out-of-season irrigation work to be performed within or across facilities located within (or owned by) irrigation districts other than CMID shall be submitted to the Caldwell Engineering Department no later than August 15th. Submittal of plans after this date may result in Applicant not receiving plan approval in time to complete out-of-season work.

Storm Drain

1. As noted previously, provision is to be made for the disposal of stormwater drainage in accordance with the City Stormwater Management Manual and any updates adopted subsequent to this application. It is to be noted that retention designs will be denied in most instances. A copy of this policy is available upon request. The engineer of record is to provide calculations, which indicate that the assumptions in his stormwater drainage plan comply with the requirements of the stormwater manual. In this case, if a storm water system is existing, the burden of proof is on the developer to verify the capacity is sufficient for the proposed development.
2. The applicant shall identify and retain all historical drainage discharge points from the property for the purpose of draining on-site storm water detention facilities.
3. Storm water detention basins are required to remain on-site and are to be operated and maintained by the Applicant/business owners association/etc.
4. There is to be no discharge of storm water overflow into any irrigation water return/discharge facility/ditch/pipe/etc.

Building Permits

1. Prior to submission of building permits, public utilities and infrastructure must be completed or an appropriate construction security provided. A 20% temporary restriction in the issuance of building permits will be enforced until all utility construction has been completed, inspected, tested, approved by the City and certified by the Applicants engineer; including completion all punch list items.
2. Applicant shall submit an electronic (dwg.) copy of the project site plan suitable for mapping and addressing purposes no later than 30 days prior to submission of the first building permit.



Date 12/03/2025

Caldwell City – Planning and Zoning

Re: Case Number: SUP25-000017, Freedom 50 Development, R3249700

Dear, Planning & Zoning

The Caldwell City Fire Department District has reviewed the provided documentation and we are unable to approve this project until the below corrections have been revised and resubmitted." Please note that unless stated otherwise, this memo represents the requirements of the 2018 International Fire Code (IFC) as adopted by the Idaho State Fire Marshal's Office.

Caldwell Fire Department Details

Nearest Fire Station:

Station 12, 724 E Ustick Rd. Caldwell,

Distance: 2.2

Estimated response time: 6 minutes

Distance from Station	Service Expectation	Staffing & Apparatus	Typical Response Time Goal
0–1 mile	Immediate—high-priority	First-due company (engine)	≤4min travel, ≤5min total
1–2 miles	Very rapid—high-priority	First-due company, backup	≤4min travel, ≤5min total
2–3 miles	Rapid—standard coverage	First-due w/ backup	≤6min travel, ≤9min total (full alarm)
3–4 miles	Slower—moderate	Closest available, limited	6–8min travel
4–5 miles	Extended	Closest company, delayed	>8min travel, variable

Properties located 3–4 miles from a fire station are at the limit of effective coverage and may experience service delays.

Developments beyond 5 miles are generally not recognized by ISO as having fire protection, and response to these areas will be significantly delayed.



Corrections:

- Roadway serving a fire hydrant shall be a minimum of 26-feet in width. (IFC D103.1)
 - **Corrected**
- EV charging units shall be a minimum of 100' from structures.
 - **Corrected, EV charging units have been removed**
- SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
 - Exceptions: 1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
 - **Corrected, All buildings will be fully equipped with fire suppression systems**

Conditions:

1. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).
2. Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)
3. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)



4. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)
5. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
6. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 80,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1)
7. Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)
8. For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8)
9. A phasing plan shall be included in documentation to city at time of submittal in accordance with infrastructure 2018 IFC.
10. Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except where approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection where construction of new roadways allows passage by vehicles in accordance with (IFC Section 505.2).
11. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.



12. An Automatic Fire Detection System and Fire Alarm System may be required based on the occupancy type and evaluation of hazards with the structure. 901.4.4

Electrical Energy Storage Systems (ESS) (2024 IFC Chapter 12)

13. Remote outdoor installations. For the purpose of Table 1207.8, remote outdoor installations include ESS located more than **100 feet** (30 480 mm) from buildings, lot lines, public ways, stored combustible materials, hazardous materials, high-piled stock and other exposure hazards. (Material based on NFPA 855 2023 Ed.) (2024 IFC 1207.8.1)

14. Means of egress separation. ESS located outdoors and in open parking garages shall be separated from any means of egress as required by the fire code official to ensure safe egress under fire conditions, but in no case less than **10 feet** (3048 mm). Exception: The fire code official is authorized to approve a reduced separation distance if large-scale fire testing complying with Section 1207.1.7 is provided that shows that a fire involving the ESS will not adversely impact occupant egress. (Material based on NFPA 855 2023 Ed.) (2024 IFC 1207.5.8)

15. Vehicle impact protection. Where ESS are subject to impact by a motor vehicle, including forklifts, vehicle impact protection shall be provided in accordance with Section 312. (2024 IFC 1207.4.5)

16. Smoking. Smoking shall be prohibited within 10 feet (3048 mm) of mobile ESS. Signs shall be posted in accordance with Section 310. (2024 IFC 1207.10.7.7)

17. Approved signs shall be provided on or adjacent to all entry doors for ESS rooms or areas and on enclosures of ESS cabinets and walk-in units located outdoors, on rooftops or in open parking garages. Signs designed to meet both the requirements of this section and NFPA 70 shall be permitted. The signage shall include the following or equivalent: (2024 IFC 1207.4.8)



1. "ENERGY STORAGE SYSTEM," "BATTERY STORAGE SYSTEM," "CAPACITOR ENERGY STORAGE SYSTEM" or the equivalent.
2. The identification of the electrochemical ESS technology present.
3. "ENERGIZED ELECTRICAL CIRCUITS."
4. Where water-reactive electrochemical ESS are present, the signage shall include "APPLY NO WATER."
5. Current contact information, including phone number, for personnel authorized to service the equipment and for fire mitigation personnel required by Section 1207.1.8.1.

18. Clearance to exposures. ESS located outdoors shall be separated by a minimum of **10 feet** (3048 mm) from the following exposures: (2024 IFC 1207.8.3)

1. Lot lines.
2. Public ways.
3. Buildings.
4. Stored combustible materials.
5. Hazardous materials.
6. High-piled stock.
7. Other exposure hazards.

Exceptions: (Material based on NFPA 855 2023 Ed.)

1. Clearances are permitted to be reduced to 3 feet (914 mm) where a 1-hour free-standing fire barrier suitable for exterior use and extending 5 feet (1524 mm) above and 5 feet (1524 mm) beyond the physical boundary of the ESS installation is provided to protect the exposure.
2. Clearances to buildings are permitted to be reduced to 3 feet (914 mm) where noncombustible exterior walls with no openings or combustible overhangs are provided on the wall adjacent to the ESS and the fire-resistance rating of the exterior wall is a minimum of 2 hours.



3. Clearances to buildings are permitted to be reduced to 3 feet (914 mm) where a weatherproof enclosure constructed of noncombustible materials is provided over the ESS, and it has been demonstrated that a fire within the enclosure will not ignite combustible materials outside the enclosure based on large-scale fire testing complying with Section 1207.1.7.

General Requirement:

Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

Specific building construction requirements of the International Building Code, International Fire Code and City of Caldwell Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.

Regards,

Alan Perry
Deputy Chief
Fire Marshal
Caldwell Rural Fire Protection District
Aperry@cityofcaldwell.org

Memorandum

To: Joe Dodson, Principal Planner
Caldwell P & Z Department

From: Trevor Farris, GIS Technician
Dave Marston, Mapping Superintendent

Re: SUP25-000017 & ZON25-000006- Freedom 50

Date: December 9, 2025.

The Mapping Department provides the following comments on a request by TMOD Homes LLC., on behalf of David Nelson, is requesting rezoning of parcel R3249700000, from C-3 (General Commercial) to R-3 (Urban Residential) as well as a special use permit for Freedom 50 Development. The proposed development is a residential duplex community with fifty (50) dwelling units (twenty-five buildings), where the current City comprehensive plan future land use map place-type is identified as mixed-use. The 3.9 acre parcel is located on the south side of E. Ustick Rd., approximately 400 feet west of the intersection with Cleveland Blvd.

Address Number

1. Please contact the Mapping Department prior to permitting for re-addressing.

Street Names

1. Existing street names, approved.

Subdivision / Development Name

1. Approved.

EXHIBIT 3:
**COPY OF AGENCY NOTIFICATION LETTER SENT, LIST OF AGENCIES
NOTIFIED, AND AGENCY COMMENTS**

OUTSIDE AGENCY WRITTEN TESTIMONY

Outside Agency Response Deadlines:

11/26/2025



CITY OF CALDWELL PLANNING AND ZONING DEPARTMENT

205 S 6th Avenue, Caldwell, ID 83605 | Office: 208-455-3021

<https://www.cityofcaldwell.org/departments/planning-and-zoning>

PUBLIC AGENCY NOTIFICATION – RESPONSE REQUESTED

Transmittal Date: 10/29/2025

1ST HEARING DATE:	12/23/2025	HEARING BODY:	Hearing Examiner
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2ND HEARING DATE:	1/20/2026	HEARING BODY:	City Council
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Application Case No(s):	SUP25-000017, ZON25-000006
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Project Name:	Freedom 50
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Site Address:	4111 Kristen Ln (Also addressed as 4120 E. Ustick Rd.)
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Site Parcel ID:	R3249700000
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Site Location:	South side of E. Ustick Rd., approximately 400 feet west of the intersection with Cleveland Blvd.
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Applicant:	Paul Hilbig of TMOD Homes, LLC 2667 E. Gala Street Suite 120, Meridiam, ID 83642 208-921-2506, paul@tmod.com
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Property Owner:	David Nelson 1123 12 th Ave. Ste. 133, Nampa, ID 83686
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Agent Name:	Same as applicant
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You are hereby notified, pursuant to the Local Land Use Planning Act, Idaho Code 67-6509, that the City of Caldwell has accepted the following application(s).

You are invited to provide written testimony by the date specified below to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

REQUEST SUMMARY: The applicant, TMOD Homes LLC., on behalf of David Nelson, is requesting rezoning of parcel R3249700000, from C-3 (General Commercial) to R-3 (Urban Residential) as well as a special use permit for Freedom 50 Development. The proposed development is a residential duplex community with fifty (50) dwelling units (twenty-five buildings), where the current City comprehensive plan future land use map place-type is identified as mixed-use. The 3.9 acre parcel is located on the south side of E. Ustick Rd., approximately 400 feet west of the intersection with Cleveland Blvd.



APPLICATION PACKET: The complete application packet can be found on the City of Caldwell website under "Planning and Zoning Department/Current Case Files" or by [clicking here](#).

OUTSIDE AGENCY COMMENTS: Your agency's comments are an important part of our decision-making process. When submitting comments, please reference Case No. listed above in responses and/or correspondence regarding this case. Comments received by the deadline date will be added to the Staff Report and to the hearing body's packet. Comments may be submitted by mail or email as follows:

Mail: Caldwell Planning and Zoning Department, P.O. Box 1179, Caldwell, ID 83605
Email: Joe Dodson, Principle Planner at jdodson@cityofcaldwell.org.

Please Note: We will assume that your agency has no objections or concerns if we do not receive written testimony or comments within the requested timeframe.

PUBLIC AGENCY NOTIFICATION LIST

The following political subdivisions, including schools, were notified of the application requests. A link to the full application packet was provided to each agency.

City of Caldwell Engineering Department
City of Caldwell Engineering Inspections
City of Caldwell Fire Chief
City of Caldwell Fire Marshall
City of Caldwell Building Department
City of Caldwell Police Chief
City of Caldwell Lieutenant Wright
City of Caldwell Mapping Department
City of Caldwell Code Compliance Division
City of Caldwell Economic Development
City of Caldwell Airport
City of Caldwell Water Department
Vallivue School District #139
Caldwell School District #132
Pioneer Irrigation District
Riverside Irrigation District
Canyon Hill Irrigation
Franklin Ditch Co.
Nampa-Meridian Irrigation Dist.
Black Canyon Irrigation District
Golden Gate Irrigation
Caldwell Lateral Irrigation
Wilder Irrigation District
Compass Idaho
Hilty, Bower, Haws & Seable

Caldwell Transportation
Brown Bus Company
Canyon Highway District #4
Nampa Highway District #1
Idaho Transportation Department
Valley Regional Transit
Canyon County Development Services
Canyon County Plat Room
City of Nampa Planning and Zoning
Boise Project Board of Control
Southwest District Health
Idaho Power
Intermountain Gas
DTG Maps (only for final plats)
Boise River Flood Control Dist. #10
Bureau of Land Management
Bureau of Reclamation - Snake River Area Office
Corps of Engineers
Idaho Fish and Game
Department of Water Resources
College of Idaho
Department of Lands
USPS Caldwell
Union Pacific Railroad



Lisa Boyd, Superintendent

5207 S. Montana Avenue
Caldwell, ID 83607
Phone (208) 454-0445
Fax (208) 454-0293

November 10, 2025

Re: Freedom 50 SUP25-000017, ZON25-000006

Dear Hearing Examiner and City Council,

If approved, the Freedom 50 development of 50 dwelling units would send students to Central Canyon, Summitvue Middle School, and Vallivue High School.

In addition to the Freedom 50 development, the following developments will also contribute to enrollment growth at the above schools:

- **Karcher Commons:** 336 multi-family units and 196 townhome style apartments
- **Emery Sky:** 169 Single Family Detached and 96 Multi-family Units
- **Chestnut Heights:** 50 Single Family Detached Units
- **Cedars 3-7:** 100 Single Family Detached Units
- **Lavender Crossing:** 288 Multi-family Units
- **Highgarden Estates:** 60 Multi-family Units

The district is thankful that the opening of the new Falcon Ridge Elementary has alleviated the growth at Central Canyon, however, the district is concerned that the continued approval of developments in the new Central Canyon attendance boundaries will put Central Canyon overcapacity in the upcoming school years.

Sincerely,

Joseph Palmer
Assistant Superintendent

EXHIBIT 4:
PUBLIC COMMENTS

None Received