

Type of Review Requested (check all that apply)

- Annexation
- Appeal/Amendment
- Comprehensive Plan Map Change
- De-Annexation
- Ordinance Amendment
- Rezone
- Special Use Permit
- Subdivision- Preliminary Plat
- Subdivision- Final Plat
- Subdivision- Short Plat
- Time Extension
- Variance
- Other _____

STAFF USE ONLY:
 File number(s): ZON-19-04
McDougald Rezone
 Project name: _____
 Date filed: 9-5-19 Date complete: _____
 Related files: _____

Subject Property Information

Address: 1023 E. Elgin St - 621 N. 11th Parcel Number(s): R00382000
 Subdivision: Boone's Addition Block: 54 Lot: 13-15 Acreage: 0.0999 Zoning: R-3
 Prior Use of the Property: Residential House
 Proposed Use of the Property: Restaurant with drive-through

Applicant Information:

Applicant Name: Brandon McDougald Phone: 385-212-3180
 Address: 215 South State Street, Suite 400 City: Salt Lake City State: UT Zip: 84111
 Email: brandon.mcdougald@kimley-horn.com Cell: 801-915-7842

Owner Name: Michael Mallard Phone: 916-346-4797
 Address: 2020 L Street, Suite 245 City: Sacramento State: CA Zip: 95811
 Email: mmallard@boosdevelopment.com Cell: 530-219-0050

Agent Name: (e.g., architect, engineer, developer, representative) Brandon McDougald
 Address: 215 South State Street, Suite 400 City: Salt Lake City State: UT Zip: 84111
 Email: brandon.mcdougald@kimley-horn.com Cell: 801-915-7842

Authorization

Print applicant name: Brandon Mcdougald
 Applicant Signature: [Signature] Date: 9/5/2019

RL

Project Name: McDonalds	File #: 2019-04
Applicant/Agent: Brandon McDougald	

Applicant (v)	Description	Staff (v)
X	Completed & signed Hearing Review Master Application	✓
X	Narrative fully describing the proposed use/request	✓
X	Recorded warranty deed for the subject property	✓
	Signed Lease Agreement (if applicable)	
X	Vicinity map, showing the location of the subject property (8 1/2" x 11")	✓
X	Site Plan The following are suggested items that may be shown on the site plan:	✓
X	• Property boundaries of the site	
X	• Existing buildings on the site	
X	• Parking stalls and drive aisles	
X	• Sidewalks or pathways (proposed and existing)	
X	• Fencing (proposed and existing)	
X	Metes and bounds legal description for the site to be rezoned (must be submitted in electronic format).	✓
	Landscape Plan (if applicable)	
X	Neighborhood Meeting sign-in sheet	✓
X	Fee	✓

STAFF USE ONLY:

Date Application Received: 9-5-19

Received by: JW

Proposed Hearing Date: _____

Hearing Body: PZ

AK



September 5, 2019

City of Caldwell, ID
Planning and Development Services
621 Cleveland Blvd
Caldwell, ID 83605

RE: McDondalds
1023 E. Elgin Street Caldwell, ID
Narrative

Dear Staff,

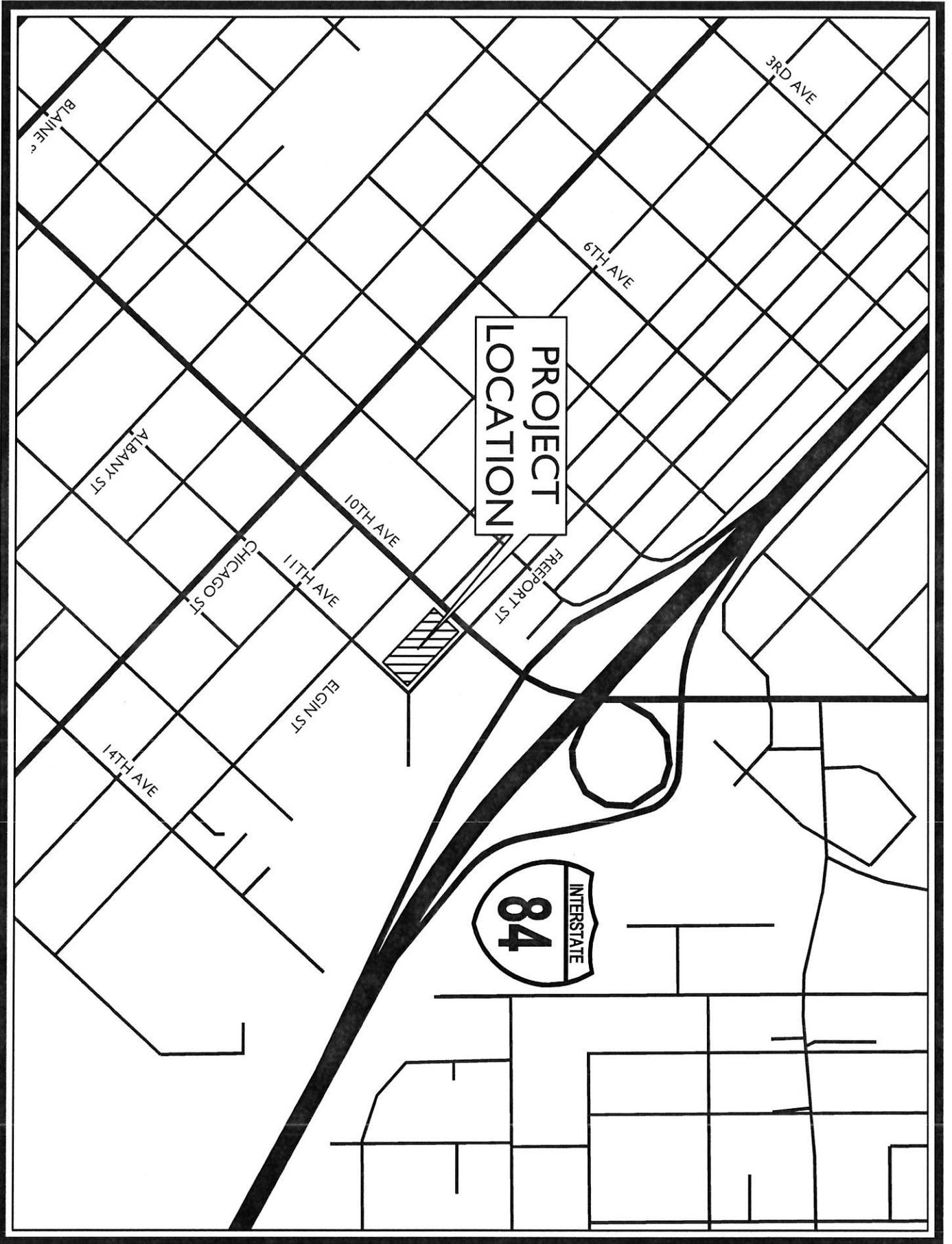
Kimley-Horn & Associates, in behalf of McDondald's and the current landowner, is proposing a rezone of the property located at 1023 E. Elgin Street to allow for a consistent zoning for the entire block. Currently parcel R00382 is zoned residential while the rest of the block is zoned commercial. McDonalds wishes to rezone the property in order to build a new +/-4,600 sf restaurant as shown on the site plan submitted along with this narrative.

Please don't hesitate to contact me if you have any questions. I can be reached at 385-212-3180 and/or brandon.mcdougald@kimley-horn.com.

Sincerely,

A handwritten signature in blue ink, appearing to be 'B. McDougald', with a long horizontal line extending to the right.

Brandon McDougald, PE
Kimley-Horn & Associates, Inc.



PROJECT
LOCATION



VICINITY MAP

NOT TO SCALE



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NEIGHBORHOOD MEETING FORM

INSTRUCTIONS:

Section 10-03-12: NEIGHBORHOOD MEETINGS:

- (1) Applicants shall conduct a neighborhood meeting prior to the first public hearing for any of the following: special use permit applications; variance applications; annexation applications; planned unit development applications; preliminary plat applications; and, rezone applications.
- (2) The neighborhood meeting shall be conducted after a round table meeting has been held, provided a round table meeting was required, and prior to the first public hearing related to the application. In no instances shall the application be heard at a public hearing until the neighborhood meeting has been held.
- (3) It shall be the sole duty of the applicant to provide written notice of a neighborhood meeting to all property owners or purchasers of record owning property within three hundred feet (300') of the exterior boundary of the subject property; except that in the case of variance applications only, written notice of a neighborhood meeting only needs to be provided to property owners immediately adjacent to the subject property. Notice of a neighborhood meeting shall be in addition to, and not combined with, notices already required by this chapter, and shall include the date, time, location and purpose of the meeting.
- (4) The purpose of the neighborhood meeting shall be to review the proposed project and discuss neighborhood concerns, if any.
- (4) The meeting shall not be on a holiday, a holiday weekend, or the day before a holiday or holiday weekend.
- (5) The meeting shall be held at one of the following locations:
 - A. On the subject property;
 - B. At a nearby available public meeting place including, but not limited to, a fire station, library, school, or community center; or
 - C. An office space with suitable meeting facilities if such facilities are within a one-mile radius of the nearest public meeting place.
- (6) The neighborhood meeting shall be conducted after a round table meeting has been held at the City, provided a round table meeting was required, and prior to acceptance of the application (except as listed in #2 above).
 - Notices of the neighborhood meeting shall be placed in the mail at least ten (10) days prior to the date of the neighborhood meeting.
- (7) The neighborhood meeting form shall be obtained from the Planning and Zoning Department and shall be completed and submitted to the Planning and Zoning Department when complete.

NEIGHBORHOOD MEETING 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 p.m.

End Time of Neighborhood Meeting: 8:00 p.m.

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. See Attachment.
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____

AS

- 20. _____
- 21. _____
- 22. _____
- 23. _____
- 24. _____
- 25. _____

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: McDonalds Restruant with drive-through

Date of Round Table meeting: August 8, 2019

Notice sent to neighbors on: August 15, 2019

Date & time of the neighborhood meeting: September 4, 2019 between 6:00-8:00 p.m.

Location of the neighborhood meeting: Caldwell Public Library, 1010 Dearborn Street

Developer/Applicant:

Name: Brandon McDougald

Address, City, State, Zip: 215 South State Street, Suite 400, Salt Lake City, UT 84111

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 9/5/2019

AS

PN 29954

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WARRANTY DEED

FOR VALUE RECEIVED CHARLES LEO FOSTER and LAURA MARGARET FOSTER, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto LUIS J. NUNEZ and CARMEN NUNEZ, husband and wife

C.N.N.

the Grantees, whose address is 18941 CAN ADA RD, NAMPA, ID 83687

the following described premises, to-wit:

The Southwesterly 58 feet of Lots 13, 14 and 15 in Block 54 BOONE'S ADDITION to Caldwell, Canyon County, Idaho, according to the plat of said Addition filed in Book 2 of Plats, Page 56, in the office of the County Recorder, Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, except for general taxes and assessments for the year 1994 and subsequent years, covenants, conditions, restrictions and easements of record, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: February 18, 1994

Charles Leo Foster
CHARLES LEO FOSTER

Laura Margaret Foster
LAURA MARGARET FOSTER

STATE OF IDAHO
COUNTY OF CANYON
On this 23 day of February, 1994, before me a notary public, personally appeared **CHARLES LEO FOSTER AND LAURA MARGARET FOSTER**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.

Blanca C. [Signature]
Notary Public
Residing at GREENLEAF, Idaho
My commission expires: 9-1-95



REQUEST - PIONEER - NAMPA
TYPE Doc FEE 3.00

[Signature]
CANYON RECORDER

91 FEB 29 AM 11 49

RECORDED

9405913

PIONEER TITLE COMPANY
OF CANYON COUNTY

180 10TH AVE SOUTH
NAMPA, IDAHO 83657

120 WEST EMBAL
CROWLEY, ID 83605

INSTRUMENT NO. 2008063341

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 3 day of Dec 2008 by First Party Grantor, Luis J Nunez

whether one or more, whose address is 18941 Can-ada R.d. Nampa Ind.

to Second Party Grantee, Luis Nunez

whether one or more, whose address is 18941 Can-ada R.d. Nampa Ind.

WITNESSETH, That the said first party Luis J Nunez

for valuable consideration, does hereby and forever remise, release, assign and quitclaim unto the said second party, all right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Canyon, State of Ind.

and more fully described as: Boone ADD SW 1/4 58 FT OF Lots 13, 14, 15 B1K 54 22-4N-3WSE

or, [] as set out in the attachment, Exhibit "A", said property being known by the street address of 621 N 11TH AVE Caldwell Id.

SUBJECT to all easements, rights-of-way, protective covenants and mineral reservations of record, if any.

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Dated this 3 day of Dec, 2008.

Signature of First Party Grantor

STATE OF Idaho)
County of Canyon)

RECORDED 2008 DEC 3 PM 3 34 WILLIAM H. HURST CANYON CITY RECORDER BY [Signature] REQUEST Luis Nunez TYPE DEED FEE \$300 2008063341

On this 3rd day of December, 2008, before me, Alice F. Reyes, a Notary Public in and for the State of Idaho, personally appeared Luis Nunez, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same.

WITNESS my hand and official seal.

Alice F. Reyes
Notary Public for Idaho
My commission Expires: 6/18/10



AK



9/5/2019

Parcel R00382 Description

A portion of Lots 13, 14 and 15, in Block 54 of Boone's Addition to Caldwell, according to the official plat thereof, filed in Book 2 of Plats at Page 56, official records of Canyon County, Idaho more particularly described as follows;

Beginning at the south corner of said Lot 13, said point being South $43^{\circ}06'30''$ West 160.00 feet along the centerline and North $46^{\circ}53'30''$ West 40.00 feet from the found $5/8''$ rebar located at the intersection of 11th Avenue and Freeport Street and running;

Thence North $46^{\circ}52'36''$ West 75.03 feet along the southwest line of said Lots 13-15 to the west corner of Lot 15;

Thence North $43^{\circ}06'29''$ East 58.00 feet along the north line of said Lot 15;

Thence South $46^{\circ}52'36''$ East 75.03 feet to the northwesterly right-of-way line of 11th avenue;

Thence South $43^{\circ}06'30''$ West 58.00 feet along said northwesterly right-of-way line of 11th avenue to the point of beginning.

Parcel contains 4,351 sq. ft. or 0.100 acres

Property Owner Acknowledgement

I, Mr. Luis Nunez, 621 N. 11th Avenue
(Name) (Address)

Caldwell, Idaho
(City) (State)

being first duly sworn upon, oath, depose and say:

1. That I am the record owner, or authorized designee of the record owner of property located at

621 N. 11th Avenue Caldwell, ID
(Address)

and I grant my permission to:

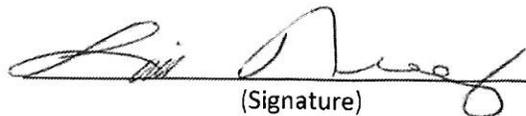
Michael Mallard, Boos Development Group, 2020 L Street, Suite 245
(Name) (Address)

Sacramento, California
(City) (State)

to submit the accompanying application(s) pertaining to that property.

2. I agree to indemnify, defend and hold the City of Caldwell and its employees harmless from any claim or liability resulting from any dispute as to the statement(s) contained herein or as to the ownership of the property which is the subject of the application.
3. I hereby grant permission to City of Caldwell staff to enter the subject property for the purpose of site inspection(s) related to processing said application(s).

Dated this 6 day of September, 2019


(Signature)