

**Before the Caldwell Hearing Examiner
City of Caldwell, Idaho
Public Hearing Held September 15 2020**

Subject: Case Nos. CMP 20 03 (Comp Plan Amendments), ZON 20 04 (Rezoning), SUB-20P-04 (Mason Creek Grove Subdivision) [parcel R34304]

The following land use action is the primary feature of this application:

- Comprehensive Plan Amendment amending 2040 Map designation from Low Density Residential to Medium Density Residential and Commercial & Services
- Rezone 30.47 acres more or less from R-1 (Low Density Residential) to R-2 (Medium Density Residential)
- Rezone five (5) acres, more or less, from R-1 (Low Density Residential) to C-2 (Community Commercial)
- Preliminary Plat approval of Mason Creek Grove Subdivision, phased development consisting of 110 residential lots with a gross average lot size of 6374 sq. ft., 18 common lots, and four (4) commercial retail & service lots, on the northeast corner of Middleton and Linden Roads.

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I COURSE OF PROCEEDINGS

- 1.1 The Caldwell Planning and Zoning Department issued a notice of Public Hearing on application ANN-19-15/ZON-19-05/SUB-19P-09 to be held before the Caldwell Hearing Examiner on July 14, 2020. Public notice requirements set forth in Idaho Code, Title 50, Chapter 65, Local Land Use Planning Act, were met. On, or before, June 28, 2020, notice was published in the Idaho Press Tribune, and on, or before, June 26, 2020 notice was mailed to all political subdivisions providing services to the site and to all property owners within 300 feet of the project site; and on, or before, July 2, 2020 notice was posted on the site.
- 1.2 The Hearing Examiner continued this case to the August 18, 2020 meeting to allow for applicant to revise the preliminary plat in accordance with Engineering and PZ staff review comments.

- 1.3 The Hearing Examiner upon request by staff continued this case to September 15, 2020.
- 1.4 Files and exhibits relative to this application are available for review in the Planning and Zoning Department, 621 Cleveland Boulevard, Caldwell and at applicable public hearings.

II GENERAL FACTS

2.1 APPLICANT: Providence Properties, LLC, Patrick Conner, 701 S Allen St. #104, Meridian, ID 83642

2.2 PROPERTY OWNER: Earnest Land, LLC, 3125 Laster Lane, Caldwell, ID 83607

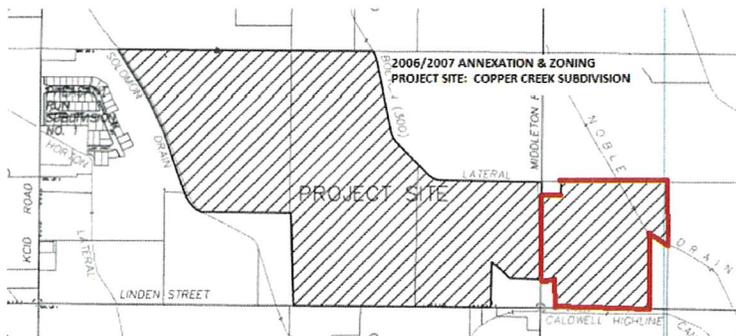
2.3 BACKGROUND:

Annexation: In 2006 (ANN-113-06) 196.46 acres including the subject properties were annexed to the City of Caldwell with zoning designations of R-1 (Low Density Residential) and C-1 (Neighborhood Commercial) subject to a Development Agreement recorded as instrument #200643512 on June 6, 2006. (Exhibit PZ-5)

2006 Preliminary Plat Approval (SUB140P-06): The original plat (Copper Creek Subdivision) submitted at the time of Annexation consisted of 647 single family residential lots on 194.13 acres. One phase of the development, Copper Creek, was completed on the west side of Ward Road and the Final Plat for Copper Creek Subdivision No. 1 was recorded as instrument #2007045767 in July 2007. The preliminary plat expired.

Portions of the original development properties were divided and two schools were constructed including Vision Charter School (SUP-359-13) on approximately 22 acres west of Ward Lane adjacent to and south of Copper Creek Subdivision No. 1 and Skyway Elementary (SUP-17-03) located on the southeast corner of Ward Road and Skyway Street on approximately 18.68 acres. The schools are located on Ward Road and not adjacent to the subject property.

An application by Hayden Homes, Shadow Glen Subdivision, to amend the comprehensive plan and rezone approximately 85 acres of the original development from Low Density to Medium Density Residential was denied by the City Council on June 15, 2020 citing that the development request was not consistent with the 2040 Comprehensive Plan.



The subject property, a part of the original Copper Creek development, is currently identified as Low Density Residential on the 2040 Comprehensive Plan Land Use Map. The original plat layout (Phase 7) for the subject property did not include any Commercial development and it was not planned for interconnectivity to the surrounding Mason Creek Landing development. The northeast corner was planned as open space. At the time of the original preliminary plat design the dimensional standard for the "R-1" zone was 6000 square foot lots. The zoning code changed in 2014 to reflect the desire of the City Council for larger lots in residential zoning districts.

The comprehensive plan does not identify commercial zoning at this intersection. There is a small 1.48 acre parcel that is currently zoned "C1" (Neighborhood Commercial) across Middleton Road from the subject property, zoned in 2006 at time of annexation. To the north, within the mile, at the intersection of Hwy 20/26 and Middleton there is a gas station and a 74 acre parcel that is designated as Highway Corridor which is intended for a mix of commercial uses, business parks, limited light industrial, educational, offices, and high density residential uses. Within a mile to the south at the intersection of Middleton and Ustick, the Comprehensive Plan identifies a large area of commercial and industrial development properties. At the corner of Ustick and Middleton properties are currently zoned "C3" and are under development as commercial/residential mixed-use including storage units, a carwash, gas station(s), daycares, etc. These properties are located in the APO land use limitation zones and are appropriately identified for commercial, non-residential uses.

2.4 CURRENT ZONING & DEMENSIONAL STANDARDS FOR THE ZONES

The subject properties are located within the city limits of Caldwell and **zoned R-1 (Low Density Residential)**.

Caldwell City Zoning Code §10-02-03 Height, Lot Line Setback and Lot Dimension Schedule: Table 2: Minimum/Maximum Bulk Requirements (in feet)

Zoning District	Max Height ¹	Front Yard	Rear Yard	Interior Side Yard	Street Side Yard	Interior Lots Minimum Lot Area ⁷	Corner Lots Minimum Lot Area ⁷	All Lots Minimum Lot Frontage ³
R1 ⁴	25	20	20	6	15	8000	9500	50
R2	35	20	15	6	15	6000	7500	45
C1	45	20	15	0	15	0	0	0
C2	0	0	0	0	0	0	0	0

Note: The C2 zoning district does not have a maximum height requirement and has zero lot line setbacks. The landscape code requires buffers between differing land uses and on street frontages creating setbacks between the commercial and residential properties.

2.5 REQUEST:

Providence Properties, LLC is requesting a comprehensive plan amendment, rezone and approval of a preliminary plat for Mason Creek Grove Subdivision, a proposed mixed-use development, on 35.47 acres (R34304) located on the northeast corner of Middleton and Linden Roads, Caldwell, Idaho.

The applicant is requesting the following amendments to the 2040 Comprehensive Plan Land Use Map adopted on February 3, 2020:

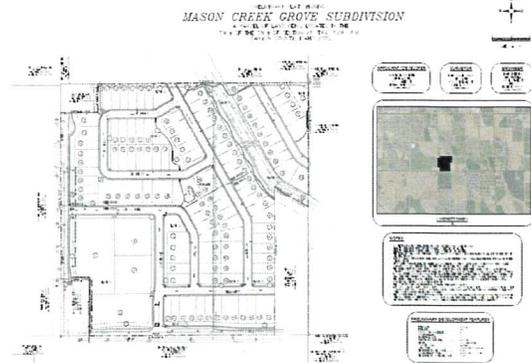
- Change approximately 26 acres from Low Density Residential to Medium Density Residential
- Change approximately 5 acres in the southwest corner from Low Density Residential to Commercial

The applicant is requesting the following zoning amendments to the City of Caldwell Zoning Map:

- Rezone 30.47 acres, more or less, from R-1 (Low Density Residential) to R-2 (Medium Density Residential)

- Rezone approximately 5 acres from R-1 (Low Density Residential) to C-2 (Community Commercial)

If the Comprehensive Plan Map Amendment and Zoning Map Amendment is approved to allow for medium density development, the applicant is requesting approval of a preliminary plat for Mason Creek Grove Subdivision consisting of 110 residential lots, 4 community commercial lots, and 18 common lots with a proposed density of 3.61 units per acre excluding the proposed commercial property.



2.6 **COMPREHENSIVE PLAN DESIGNATION:** The Caldwell 2040 Comprehensive Plan Map designation for the majority of the site, 30.9 acres, is **Low Density Residential** with an approximate 4.57 acres designated as **Medium Density Residential** on the 2040 Land Use Map.



Low Density Residential - This category includes land that is suitable for single-family residential neighborhoods, to include churches, schools, neighborhood parks, comparable public facilities and essential public utilities. The residential density range for a single-family residential subdivision shall not exceed three (3) dwelling units per gross acre. A planned-unit development with mixed uses, such as duplexes, townhouses and compatible non-residential uses, may be permitted at a residential density of not more than six (6) units per gross acre

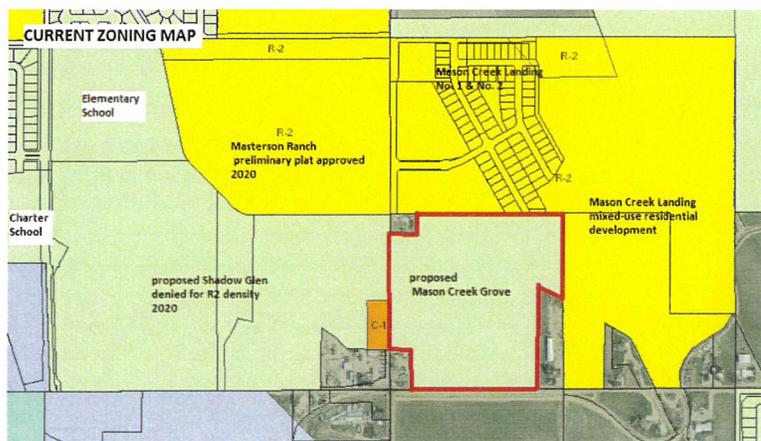
Medium Density Residential - This category includes land that is suitable for infill development or a transitional district to include a mixture of dwelling choices (attached and detached), churches, schools, group day care facilities, public facilities and limited neighborhood commercial uses. The residential density range shall not exceed four (4) dwelling units per gross acre for a single-family residential subdivision and shall not exceed twelve (12) units per gross acre for a mixed use (planned unit development) site.

Also requested: **Commercial and Services:** This category includes land that is suitable for a wide range of retail, service, professional businesses and more intense commercial uses, such as those that require large amounts of land for sales, storage or parking, light production or repair of consumer goods, and which may be less compatible with residential uses due to traffic, noise and other impacts.

2.7 COMPREHENSIVE PLAN COMPONENTS APPLICABLE TO THE REQUEST:

Land Use: The subject property is surrounded by the following uses:

Direction	Zone	Comprehensive Map	Use
Site	R-1	Low Density Residential (30.9 acres) & Medium Density Residential (4.57 acres)	Vacant Agricultural Land
North	R-2	Medium Density Residential	Residential Dev. –Mason Creek Landing (partial Multi-family)
South	County	Medium Density Residential	Vacant Agricultural Land
East	R-2	Medium Density Residential	Residential Dev. –Mason Creek Landing (also partial Multi-family)
West	R-1, C1	Low Density Residential & Business Commercial (1.48 acres)	Vacant Agricultural Land with proposed residential dev. Shadow Glen Subdivision & 1.48 acres of C1 Neighborhood Com.



2.7.1 Transportation/Connectivity: The subject property has frontage onto Middleton Road, a principal arterial roadway, and Linden Street, a minor arterial roadway. The property is subject to the Middleton Road Corridor Plan and the plan has been incorporated into the preliminary plat.

2.7.2 Public Services, Utilities and Facilities: The engineering department, fire marshal, building department, police department, Vallivue School District, Pioneer Irrigation District, Canyon Highway District #4, Idaho Transportation Department, Valley Regional Transit, COMPASS, Idaho Power and Intermountain Gas were all sent a request for comment on July 5, 2020.

2.7.3 Pioneer Irrigation Agency Response (Exhibit PA1):

- The referenced project appears to impact the following Pioneer Irrigation District and Bureau of Reclamation facilities.
- The Noble Drain is a Federal Bureau of Reclamation facility, which has a 110 foot federal right of way, which is 55 feet from center of drain, along both sides. This right of way must be noted on all plans and plats. Please verify all right of ways with the Bureau of Reclamation.
- Pioneer Irrigation District’s 300 (Bolton) Lateral, 200 Lateral and Highline Canal, appear to be impacted by this development. The 300 Lateral is piped in its current location along the frontage of Middleton Road, and has a 30 foot easement, centered on the pipeline. The 200 Lateral is an open lateral, which has a 16 foot easement from top of bank, along both sides of the lateral. The

Highline Canal has a 16 foot easement from top of bank, along both sides of the canal. All Pioneer facility easements must be noted on all plans and plats.

- Per Idaho Code, 42-1209, written permission must be obtained from Pioneer Irrigation District, prior to any modification or encroachment of any Pioneer facility.

2.7.4 City of Caldwell Engineering Department (Exhibit PA2)

From: TJ Frans, Project Manager

Re: SUB0-20P-04 / ZON-20-04 / CMP-20-03, Mason Creek Grove Subdivision

Date: July 7, 2020

Development Plans

1. Development Plans – Prior to commencing construction, 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. Easements for Public Utilities shall be 10 feet wide minimum along all front lot lines. A minimum 10 feet wide easement (or larger if deemed necessary by the City Engineer in order to facilitate future maintenance operations of utilities) may be required along select interior lot lines to facilitate pressure irrigation or other utilities.
2. 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 face of the final plat (visually and in writing). Existing easements shall be shown on all construction drawings.
3. All utilities on and within the boundaries of the subdivision shall be located and/or relocated underground.
4. 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.

5. 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.
6. 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.
7. 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.
8. 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.
9. 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. Middleton Road is classified as a Principal Arterial. The applicant shall dedicate as public right-of-way a minimum forty-eight (48) foot half width right-of-way (from centerline) along the entire Middleton Road alignment (per City Standard R-810 A). This section of Middleton Road is maintained by Canyon Highway District 4 (CHD4) and all right-of-way work, plan review, and approvals for access on Middleton Road must be reviewed and approved by CHD4, in addition to the City of Caldwell.
 - a. All construction of, and access to, Middleton Road shall fully comply with the Middleton Road Corridor Plan.
 - b. Right-of-way shall be dedicated to the City at the time of final platting *or* within 90 days of written request from the City.
2. Linden Road is classified as a Minor Arterial. The applicant shall dedicate as public right-of-way a minimum forty (40) foot half width right-of-way (from centerline) along the entire frontage (per City Standard R-810 B). Right-of-way shall be dedicated to the City at the time of final platting *or* within 90 days of written request from the City.

3. All interior local streets classified as residential shall be dedicated to the City. The applicant shall dedicate as public right-of-way a minimum fifty-three (53) foot full width right-of-way (per City Standard R-810 E).
4. CHD4 and the City have partnered and prepared plans for a dual-lane roundabout at the intersection of Middleton Road and Linden Road. Applicant shall dedicate to the City any right-of-way, and temporary or permanent easements, necessary along Middleton and Linden Roads to facilitate the construction of said roundabout. Applicant shall plan their development in such a manner that will allow for the construction of said roundabout. Applicant shall provide said right-of-way and easements within 90 days of approval of this application.

Street

1. Full frontage half street improvements shall be completed to all classified roads adjacent to the proposed preliminary plat (Middleton & Linden) in accordance with all City of Caldwell standards and specifications. Improvements shall include (but are not limited to) curb, gutter, sidewalk, asphalt, streetlights, joint trench, One spare 2" diameter rigid PVC communication conduit along classified roadways, storm drainage facilities, etc.
2. All construction of, and access to, Middleton Road shall fully comply with the Middleton Road Corridor Plan (including but not limited to right-of-way widths, road section, intersection locations, turn pockets (aka "loons") and access controls). Access points required to be right-in/right-out access per the Corridor Plan shall have median curbing installed to adequately enforce the right-in/right-out movement at the time said access is constructed. Temporary full access is not permitted.
 - a. Any inconsistencies/accesses/alignments/etc. shown on the proposed preliminary plat not in conformance with this Corridor Plan shall not be construed as approved and shall be modified during plan review to fully comply with the Plan.
3. The Middleton Road Corridor Plan identifies left turn pockets ("loons") at approximate ¼ mile intervals between the half-mile intersections, at Linden & Skyway. Applicant shall dedicate necessary right-of-way at this location (plus 5' behind back of sidewalk) and construct said turn pocket as part of this development. Exact location of the turn pocket may be determined during the review of construction drawings but shall more-or-less comply with the location set forth in the corridor plan. The full turn pocket shall be constructed. CHD4 and the City shall agree to the final location of this turn pocket.
4. All requirements placed on the proposed development by Canyon Highway District No. 4 shall be met. In instances where City and CHD4 requirements differ, the more stringent of the two shall apply.
5. Commercial lots located within the C2 zone (southwest corner of the development) shall utilize shared access points.
 - a. Access to proposed ~~Leland Avenue~~ Skycatcher Avenue for lots 1 & 2 shall be near the common property line of these two parcels and shall be aligned, centerline to centerline, with the proposed ~~Husky Street~~ Beechcraft Street.
 - b. Access to proposed Super Cub Street for lots 3 & 4 shall be near the common property line of these two parcels.

6. A northbound right-hand turn lane shall be constructed at the proposed Super Cub Street right-in/right-out access point to Middleton Road. Full turn lane, storage bay, taper, striping, etc. shall be constructed when said access point is constructed.
7. A westbound right-hand turn lane shall be constructed at the proposed ~~Leland~~ Skycatcher Avenue access point to Linden Road. Full turn lane, storage bay, taper, striping, etc. shall be constructed when said access point is constructed.
8. An eastbound left-hand turn lane shall be constructed at the proposed ~~Leland~~ Skycatcher Avenue access point to Linden Road. Full turn lane, storage bay, taper, striping, etc. shall be constructed when said access point is constructed

Outparcels:

19240 Middleton Road (R34306)

1. The City is working on obtaining right-of-way from this property owner. Should the city successfully obtain right-of-way Applicant shall construct full width improvements across the frontage of this parcel. Should the City not obtain the right-of-way Applicant shall construct all improvements possible, as determined by the City & CHD4, within the prescriptive right-of-way (including but not limited to, asphalt paving and driveway modification as necessary).
2. Applicant shall construct an access for this parcel from within the development for said parcel to use as their main point of access once constructed.
3. Applicant shall provide a water service for this outparcel.
4. Applicant shall provide a sewer service stub for this outparcel, in the location of the required interior access point. All necessary easements for said sewer service shall be granted on the final plat.

10760 Linden Road (R34305)

1. The City is working on obtaining right-of-way from this property owner. Should the city successfully obtain right-of-way Applicant shall construct full width improvements across the frontage of this parcel. Should the City not obtain the right-of-way Applicant shall construct all improvements possible, as determined by the City & CHD4, within the prescriptive right-of-way (including but not limited to, asphalt paving and driveway modification as necessary).
2. Applicant shall construct an access for this parcel from within the development for said parcel to use.
3. Applicant shall provide a water service for this outparcel.
4. Applicant shall provide a sewer service stub for this outparcel, in the location of the required interior access point. All necessary easements for said sewer service shall be granted on the final plat.

Traffic Mitigation

The following are the required traffic related mitigation measures for the Mason Creek AND Mason Creek Grove Subdivisions (combined) resulting from the traffic impact study pursuant to

City Code Chapter 10, Article 10. A traffic impact study will be required for this development because of the volume of traffic produced.

1. Provide a cross-access easement allowing use of approaches and cross-access of the site by both onsite and adjacent development. This requirement shall be noted on the final plat.
2. Community Planning Association of Southwest Idaho has computed the average trip length in Canyon County to be 7.3 mi. Traffic impact mitigation should presumably occur at both trip ends so $\frac{1}{2}$ of the trip length should be attributed to each end. It is estimated that trips will encounter a major intersection every half mile along any given path. The capacity of an average fully improved intersection (assumed to be the intersection of a collector and an arterial road) is estimated to be 5,080 vehicles/hour.

The estimated traffic resulting from the proposed density in this subdivision based on the traffic impact study conducted by CR Engineering, Inc. dated June 29, 2020 sets the am peak hour trip generation at 529 vehicles/hour and the pm peak hour trip generation at 679 vehicles/hour for the entire subdivision.

Following the City of Caldwell's mitigation equation $((679\text{veh/hr} * 7.3 \text{ mile/trip} * 0.5 \text{ trip ends} * 2\text{inter/mi}) / (5080\text{veh/hr}))$, the total contribution of this development to traffic mitigation shall be 97.5% of a fully improved intersection. This percentage represents the total capacity utilized from each intersection (once fully improved and possibly signalized) encountered by trips generated over the development's half of the generated trip length.

- a) The owner/developer/applicant shall design and construct roughly 97.5% of the signalization improvements needed for an average intersection, as defined, at one or more nearby (within 3.5 miles of the site) deficient locations to be determined by Engineering staff. The Engineering staff shall have reasonable discretion to determine the sites of construction and what design and construction equals roughly 97.5% of the signalization improvements needed for an average intersection. Engineering staff can provide information about applications with whose mitigation efforts the owner/developer/applicant can combine to achieve even units of 100%.
 - i) The owner/developer/applicant may be allowed, at his option, to contribute monies in lieu of construction to the City of Caldwell Roadway Trust Fund, but the basis for the obligation is for construction. Monetary contributions must be made at a level commensurate with costs to construct the same by the City and as estimated by the City. This alternate provision for payment of money is not a requirement, is for the benefit and convenience of the owner/developer/applicant only and does not constitute an Impact Fee.
 - ii) Improvements needed at and near the intersection of Middleton Rd. and Linden St. may be considered in lieu of some part or all traffic mitigation requirements.
 - iii) The average cost of an intersection is estimated at \$425,000 for procurement of design services, construction, and associated costs by the City, of which 97.5% of that cost is what needs to be covered by this subdivision.

The owner/developer/applicant shall keep the City informed of and comply with any additional requirements CHD4 has pertaining to Middleton Road. CHD4 has the final authority to impose Middleton Rd. requirements and said requirements shall be met independent of requirements of the City. CHD4 standards shall be followed for roadway section depth on Middleton Rd. The stricter of City or CHD4 requirements shall be followed for roadway width and traffic mitigation measures on Middleton Rd

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 phase of development shall have a redundant/secondary supply of domestic water.
3. 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
4. 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.
5. Applicant shall construct a 12" water mainline in Linden Road along the entire project frontage, including across the frontage of outparcel R3430500000, ultimately connecting to the Applicants currently-in-construction subdivision (Mason Creek Landing) which is located at the outparcels east property line.

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 location of sewer 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 install trunk lines specified within the most current version of the Franklin Sewer Study that reside within the limits of this preliminary plat.
3. The Developer will be required (where applicable) to extend all sewer 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.
4. 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.
5. 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.
6. 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 and on the final plat (excluding prescriptive easements). Construction across or re-routing of these facilities is subject to approval by the Pioneer Irrigation District and at their discretion, 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 subdivision storm water system.
3. 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.
4. Applicant may be able to connect to the existing Mason Creek Subdivision pump station if Caldwell Municipal Irrigation District deems it appropriate and the pump station has the capacity to serve this development. Any modifications/upgrades necessary to facilitate connection shall be the responsibility of the Applicant.
 - a) If the existing pump station is used the existing deliver point head gate may need to be upsized to provide adequate water flow to the pressure irrigation pump station. The need to upsize this head gate will be reviewed and determined during plan review. Applicant shall provide City with confirmation that Pioneer Irrigation District will accommodate the increased head gate size if necessary.
 - b) Should the applicant elect to construct their own pump station the station shall be located in a common lot to be owned and maintained by the HOA. CMID shall own and maintain the pump station and granted access to/from/across the common lot.
5. Each lot shall be provided with a pressure irrigation service.
6. All pressure irrigation mainlines shall be located in the public right-of-way, and within a public utility easement of a minimum of 10 feet in width centered over said mainlines as per current City standards.
7. The applicant shall ensure that an adequate continuous irrigation supply flow is available to meet the pressure irrigation system requirements of CMID.
8. 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.
9. Applicant 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.

10. 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 Pioneer Irrigation Facilities 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. The final plat drawing should indicate that storm water detention basins are to be placed in common lots in accordance with the referenced Stormwater policy. A note should be placed on the final plat indicating that all areas designated as common areas are to be operated and maintained by the home owners association.
4. There is to be no discharge of storm water overflow into any irrigation water return/discharge facility/ditch/pipe/etc.

Other Utilities

1. The Developer is responsible to relocate all frontage utilities in accordance with City standards and specifications in conjunction with this development.

Plat

1. Prior to approval of the final plat, subdivision facilities must be completed or an appropriate construction security provided. There may be temporary restrictions to the obtaining of building permits, even with acceptable construction security, depending on fire protection, emergency service requirements, and City approval of the sanitary sewer system. A 50% temporary restriction to obtaining of building permits will be enforced until all facility construction has been completed, inspected and certified by the Applicants engineer including all punch list items.
2. A note shall be placed on the Final Plat indicating that all rights-of-way are to be dedicated to the public.
3. A note shall be added to the final stating that no lot shall have direct access to/from Middleton and Linden Roads.

4. Upon recordation of the plat, the Engineering Department is to be provided with a PDF copy of the recorded final and 3 full paper set.
5. An electronic (dwg.) copy of the Final Plat suitable for mapping and addressing purposes will be required with Final Plat application submittal.

2.75 **Canyon Highway District #4 (CHD4) provided comments attached hereto as Exhibit PA3.**

2.76 **Landscaping & Pathways:** As per Section 10-07-02(2) of City Code, landscaping should be required for this project. City Code requires a 25-foot wide grass landscape buffer along Middleton Road and a 20-foot wide landscape buffer along Linden Street. The applicant should be required to provide at a minimum 1 Class II tree for every 35 feet of linear frontage along Middleton Road and Linden Street, and 1 shrub for every 7 linear feet of frontage along these streets, as well. Additionally, the applicant should be required to landscape the internal pathways, and common areas as required by City Code.

The applicant should be required to install an 8-foot wide asphalt pathway within a common lot adjacent to the Bolton Lateral to provide pedestrian connectivity. The applicant has provided a proposed landscaping plan (see Exhibit A-9 attached hereto). The proposed landscape appears to meet City Code, which does include the noted pathway. *NOTE: The Bolton Lateral is a buried pipeline with a 30 foot easement—the applicant has placed the landscape buffer over the lateral and wholly within the irrigation easement. Staff has sent a request for comment regarding this proposed dual use of the frontage but has not received comment back from Pioneer Irrigation.* A condition should be placed requiring a 25 foot landscape buffer outside of the Bolton Lateral easement unless written confirmation allowing for the planting of trees and shrubs within the easement is provided to the Planning and Zoning office. This affects four (4) residential lots and one commercial lot along the Middleton Road side of the proposed preliminary plat.

III PUBLIC TESTIMONY

3.1 Before the Hearing Examiner, September 15, 2020

Reserved for Hearing Examiner

IV APPLICABLE LEGAL STANDARDS

- 4.1 City of Caldwell Zoning Ordinance No. 1451, as amended
- 4.2 City of Caldwell Comprehensive Plan, as amended
- 4.3 Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

V COMPREHENSIVE PLAN ANALYSIS –Comprehensive Plan Map Amendment-Low Density Residential to Medium Density Residential and Low Density Residential to Commercial

USE OF THE PLAN:

Item no. 1: The 2040 Plan is an integral part of an on-going process of decision-making. The Plan will be consulted and used as a guide in resolving issues affecting the long-term growth of the City related to zoning, subdivisions, capital improvements, and budgeting.

Item no. 6: Changes in the 2040 Plan will meet the following criteria:

- Conformance with the basic purpose and spirit of the Plan.
- Contribution to the common welfare and not simply a furtherance of private individual or group interests,

- Based upon adequate study of the full implication of the change and after compliance with public notice and hearing requirements of State Planning Law.

The Caldwell Hearing Examiner accepts the Comprehensive Plan Components as listed below.

5.1 The request was found to be consistent with the following Comprehensive Plan Components:

GOALS AND POLICIES – Property Rights

Goal 1: Ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of the property.

Policy 1-1: Establish a sound basis for land use and environmental regulations through comprehensive planning and adopted policies and ordinances.

GOALS AND POLICIES – Population

Goal 1: Maintain a high quality of life and livability in the community.

Policy 1-1: Plan for anticipated population and households that the community can support with adequate services and amenities.

GOALS AND POLICIES – Economic Development

Goal 3: Create neighborhoods where citizens can live, work and play.

Policy 3-5: Encourage mixed-use developments.

GOALS AND POLICIES – Land Use

Goal 1: Establish land-use management policies that protect property rights and the environment, maintain a high quality of life, provide adequate land for all types of development, and adequately buffer non-compatible uses.

Policy 1-1: Guide the growth and development of land uses in such a way that the health, safety, and general welfare of residents will be protected.

For the proposed five (5) acres of Commercial:

Policy 1-7: Encourage the location of commercial uses in residential areas that are considerable distance from commercial districts and/or corridors, as a means of reducing vehicle trip generation. *Staff Note: The intersection at Middleton and Linden is and will continue to be a busy intersection with a dual lane round-a-bout and the continued residential development of surrounding properties. The proposed commercial designation if restricted to commercial retail, neighborhood professional offices may provide a means of trip reduction for services.*

5.2 The request was found to be inconsistent with Comprehensive Plan Components as follows:

GOALS AND POLICIES-Land Use

Comprehensive Plan Map: The ability to preserve the community's quality attributes, as well as to positively respond to the challenges of a growing population, will be affected significantly by public decisions related to land use and development.

Staff Notes: *The subject property is currently zoned R-1 (Single Family Residential). The subject*

property is identified as Low Density Residential on the 2040 Comprehensive Plan Map adopted on February 3, 2020.

The original preliminary plat for the Copper Creek development met or exceeded the required density and bulk requirements of 6000 square feet or greater. Only one phase of the development was completed. The plat expired. The bulk requirements for the R1 zone changed in 2008 to require 8000 square foot lots or greater in the R1 zone.

The developer is requesting to apply the Medium Density designation to this project and rezone the property to R-2 zoning district consistent with existing developments in the area, such as Mason Creek Landing No. 1 and No. 2, but not consistent with the Plan.

Policy 1-1: Guide the growth and development of land uses in such a way that the health, safety, and general welfare of residents will be protected.

GOALS AND POLICIES-Housing

GOAL 2: Support enhanced housing standards that will improve the visual appearance of residential neighborhoods.

Policy 2-2: Discourage monotonous housing developments.

Policy 2-3: Encourage innovative and unique site-development proposals that incorporate a mix of housing types and density.

VI FINDINGS OF FACT – COMPREHENSIVE PLAN AMENDMENTS

6.1 **Low Density Residential to Medium Density Residential and Commercial and Services:** The Caldwell Hearing Examiner accepts the facts outlined in the staff report, public testimony and the evidence list. All adopted city ordinances, standards and codes were used in evaluating the application.

VII CONCLUSIONS OF LAW – COMPREHENSIVE PLAN AMENDMENTS

7.1 The Caldwell Hearing Examiner has the authority to hear this case and recommend to the Caldwell City Council that it be approved or denied. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of Idaho Code and City ordinances.

VIII RECOMMENDATION – COMPREHENSIVE PLAN AMENDMENTS

8.1 Based on the Findings of Fact and Conclusions of Law, the Caldwell Hearing Examiner hereby recommends to the Mayor and City Council that Case Number CMP-20-03 a request by Providence Properties, LLC to amend the Comprehensive Plan from Low Density Residential to Medium Density Residential designation for approximately 26 acres of Parcel R34304 and designate five (5) acres in the southwest corner from Low Density Residential to Commercial and Services, is **Recommended for approval/denial.**

IX COMPREHENSIVE PLAN ANALYSIS – REZONE

The Caldwell Hearing Examiner accepts the Comprehensive Plan Components as listed below.

9.1 The request (*if the underlying Comprehensive Plan Amendments are approved*) was found to be consistent with the following Comprehensive Plan Components:

GOALS AND POLICIES – Property Rights

Goal 1: Ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations

on the use of the property.

Policy 1-1: Establish a sound basis for land use and environmental regulations through comprehensive planning and adopted policies and ordinances.

GOALS AND POLICIES – Population

Goal 1: Maintain a high quality of life and livability in the community.

Policy 1-1: Plan for anticipated population and households that the community can support with adequate services and amenities.

GOALS AND POLICIES – Land Use

Goal 1: Establish land-use management policies that protect property rights and the environment, maintain a high quality of life, provide adequate land for all types of development, and adequately buffer non-compatible uses.

Policy 1-1: Guide the growth and development of land uses in such a way that the health, safety, and general welfare of residents will be protected.

For the proposed C-2 zone designation:

Policy 1-7: Encourage the location of commercial uses in residential areas that are considerable distance from commercial districts and/or corridors, as a means of reducing vehicle trip generation.

Staff Note: If approved the hearing body should consider placing a condition to restrict the commercial properties from being developed as High Density Residential to preserve the intent of reducing vehicle trips by placing professional offices and neighborhood commercial retail within the development.

9.2 The request (*if the underlying Comprehensive Plan Amendments are approved*) was not found to be inconsistent with any Comprehensive Plan Components.

X FINDINGS OF FACT - REZONE

10.1 The Caldwell Hearing Examiner accepts the facts outlined in the staff report, public testimony and the evidence list. All adopted city ordinances, standards and codes were used in evaluating the application.

XI CONCLUSIONS OF LAW - REZONE

11.1 The Caldwell Hearing Examiner has the authority to hear this case and recommend to the Caldwell City Council that it be approved or denied. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of Idaho Code and City ordinances.

XII RECOMMENDATION - REZONE

12.1 Based on the Findings of Fact and Conclusions of Law, the Caldwell Hearing Examiner hereby recommends to the Mayor and City Council that Case Number ZON-19-05, a request by Providence Properties, LLC to rezone approximately 30.47 acres from R-1 (Low Density Residential) to R-2 (Medium Density Residential) and five (5) acres to be rezoned from R-1 (Low Density Residential) to "C2" (Community Commercial) with a Development Agreement (if required) for parcel R34304, a property located on the northeast corner of Middleton and Linden

Streets in Caldwell, ID, is **RECOMMENDED for approval/denial** with the following conditions of approval (if approved):

- 12.2 Development of the subject property shall be consistent with all requirements, codes, rules, and regulations of the City of Caldwell, unless specifically stated otherwise in the development agreement or in the Order of Decision for a preliminary plat.
- 12.3 The "C2" (Community Commercial) properties shall not be developed as residential multi-family lots. The stated purpose of the lots is for community commercial business development such as dentist office, bank, community retail, restaurants, etc.. (see Exhibit A 15 attached hereto).
- 12.3 A development agreement, as prepared by the planning and zoning department, (if required) shall be approved by City Council in conjunction with the rezone and development plan.

XIII COMPREHENSIVE PLAN ANALYSIS – PRELIMINARY PLAT

The Caldwell Hearing Examiner accepts the Comprehensive Plan Components as listed below.

- 13.1 The request (*if the underlying Comprehensive Plan Amendments are approved*) was found to be consistent with the following Comprehensive Plan Components:

GOALS AND POLICIES – Property Rights

Goal 1: Ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of the property.

Policy 1-1: Establish a sound basis for land use and environmental regulations through comprehensive planning and adopted policies and ordinances.

GOALS AND POLICIES – Land Use

Goal 1: Establish land-use management policies that protect property rights and the environment, maintain a high quality of life, provide adequate land for all types of development, and adequately buffer non-compatible uses.

Policy 1-1: Guide the growth and development of land uses in such a way that the health, safety, and general welfare of residents will be protected.

GOALS AND POLICIES – Public Services, Utilities, & Facilities

Goal 3: Protect the public, health, and general welfare of the citizens of Caldwell.

Policy 3-4: Protect the City's domestic water supply by insuring that new development utilizes pressurized irrigation systems for irrigation, unless the proposed development does not have water rights.

GOALS AND POLICIES – Transportation

Goal 2: Protect public safety and the environment.

Policy 2-2: Ensure that City lots have sufficient frontage and/or accessibility to public streets to mitigate public health and safety concerns.

Goal 3: Create communities with more cohesive, interconnected and walkable neighborhoods.

Policy 3-1: Require public street systems for new residential subdivisions and manufactured home developments to connect with existing local streets or to provide for future interconnections in the City's planned street system.

- 13.2 The request (*if the underlying Comprehensive Plan Amendments are approved*) was not found to be inconsistent with any Comprehensive Plan Components:

XIV FINDINGS OF FACT – PRELIMINARY PLAT

14.1 The Caldwell Hearing Examiner accepts the facts outlined in the staff report, public testimony and the evidence list. All adopted city ordinances, standards and codes were used in evaluating the application.

XV CONCLUSIONS OF LAW – PRELIMINARY PLAT

15.1 The Caldwell Hearing Examiner has the authority to hear this case and recommend to the Caldwell City Council that it be approved or denied. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of Idaho Code and City ordinances.

XVI RECOMMENDATION – PRELIMINARY PLAT

16.1 Based on the Findings of Fact and Conclusions of Law, the Caldwell Hearing Examiner hereby recommends to the Mayor and City Council that Case Number SUB-20P-04 a request by Providence Properties, LLC for Mason Creek Grove Subdivision, a four (4) phase development, containing 110 residential lots, four (4) commercial lots, and 18 common lots on parcel R34304 (35.46 acres). in Caldwell, Idaho is **approved/denied** with the following conditions of approval (*if the underlying Comprehensive Plan Amendments are approved*):

16.2 Comply with all applicable city codes, ordinances, policies, and standards.

16.3 The development, design, and construction of the Mason Creek Grove Subdivision shall be in substantial compliance with the submitted preliminary plat and phasing plan (See Exhibit A16 attached hereto) of Case File SUB-20P-04. Any substantial deviations to the phasing plan or layout, as determined by the Planning & Zoning Director, from said Case File Exhibit, shall require City Council approval, through a public hearing.

16.4 Installation and construction of all items shown on the submitted landscaping plan shall be in substantial compliance with the submitted landscape plan (see Exhibit A-17 attached hereto) of Case File SUB-20P-04 and shall take place applicable to the phase in which each item is located and prior to signature on the final plat applicable to each platted phase.

16.5 The portions of the subject property not under current development shall be kept in conformance with City of Caldwell Code Article 11 or as amended. Developer is encouraged to keep the property in cultivation until development occurs but at a minimum weeds over eight (8) inches in height shall be cut down, removed, or destroyed on an ongoing basis (minimally each quarter) until development occurs.

16.6 The development shall utilize cluster mailboxes for delivery of mail. Individual mailboxes shall not be allowed. A cluster mailbox placement plan shall be submitted to the Planning and Zoning department showing coordination with the United States Postal Services prior to submitting the first final plat.

16.7 Commercial development shall ensure all lighting is downward facing or sufficiently screened to limit intensity or bleed at the property line. Lighting shall be designed and directed away from residential properties (excepting required City Street Lighting.)

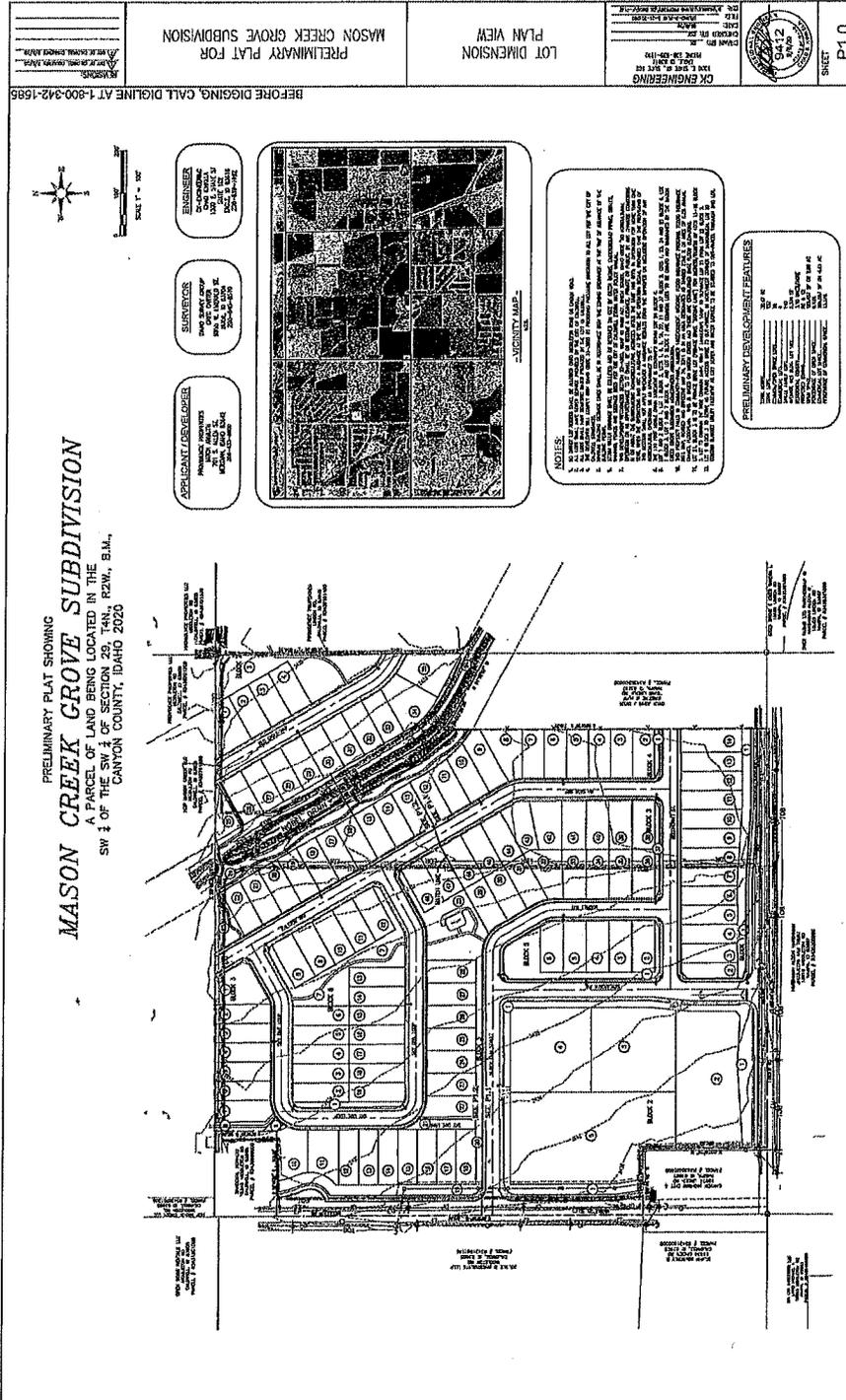
16.8 Comply with the requirements of all applicable agencies, including but not limited to Pioneer Irrigation District (Exhibit PA-1 attached hereto), Bureau of Reclamation, City of Caldwell Engineering Department, City of Caldwell Fire Department, and Canyon Highway District No. 4.

16.9 The development shall utilize cluster mailboxes for delivery of mail. Individual mailboxes shall not be allowed. A cluster mailbox placement plan shall be submitted to the Planning and Zoning

department showing coordination with the United States Postal Services prior to submitting the first final plat.

- 16.10 A note stating that "No direct lot access to Middleton Road or Linden Road is allowed" shall be included on all final plats.
- 16.11 The development shall comply with the requirements of Canyon Highway District #4 as indicated in Exhibit PA-3 and PA-8 attached hereto.
- 16.12 The development shall comply with the requirements of the City of Caldwell Engineering department as indicated in Exhibit PA-5 (attached hereto) or as amended. The City Engineer has the discretion to reduce or eliminate certain requirements stated in Exhibit PA-5 that he finds to not be pertinent to the request.
- 16.13 The developer shall provide access to the out parcel, R34306, in accordance with ordinance requirements for a flag lot (30' width) or at a minimum a common driveway with no less than 24 feet of frontage onto the public street.
- 16.14 All requirements from the Fire Department for access, turnarounds, emergency access, water supply, fire hydrants, etc. shall be met in the development and/or platting of the subject property. 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.
- 16.15 Post and maintain a "Rules and Regulations" sign at the entryways to the residential subdivision until it is fully developed. The signs would be intended for subcontractors performing work and should include: 1) no dogs; 2) no loud music; 3) no alcohol or drugs; 4) no abusive language; 5) dispose of personal trash and site debris; 6) clean up any mud and/or dirt that is deposited from the construction parcel onto streets; 7) installation of a temporary construction fence that would keep debris from being blown off site by the wind; 8) no burning of construction or other debris on the Property.
- 16.16 The commercial lots shall be developed with commercial retail, professional offices, small medical offices, restaurants, community bank, etc. No residential development is proposed or permitted on the commercial lots.
- 16.17 The developer shall work with the local school bus transportation company to provide safe pick-up and drop-off sites with adequate illumination within the development.
- 16.18 The developer shall provide to the Planning and Zoning Department a letter from the irrigation entity with jurisdiction of the Bolton Lateral easement that specifies that a joint use landscape buffer with the required trees and shrubs is allowed within the 30 foot irrigation lateral easement along Middleton Road. This letter shall be provided prior to submission of construction drawings and final plat for Phase 3 of Mason Creek Grove Subdivision.
- 16.19 The "C2" (Community Commercial) properties shall not be developed as residential multi-family lots. The stated purpose of the lots is for community commercial business development such as dentist office, bank, community retail, restaurants, etc.. (see Exhibit A 15 attached hereto).

EXHIBIT A-16
 PRELIMINARY PLAT: MASON CREEK GROVE SUBDIVISION



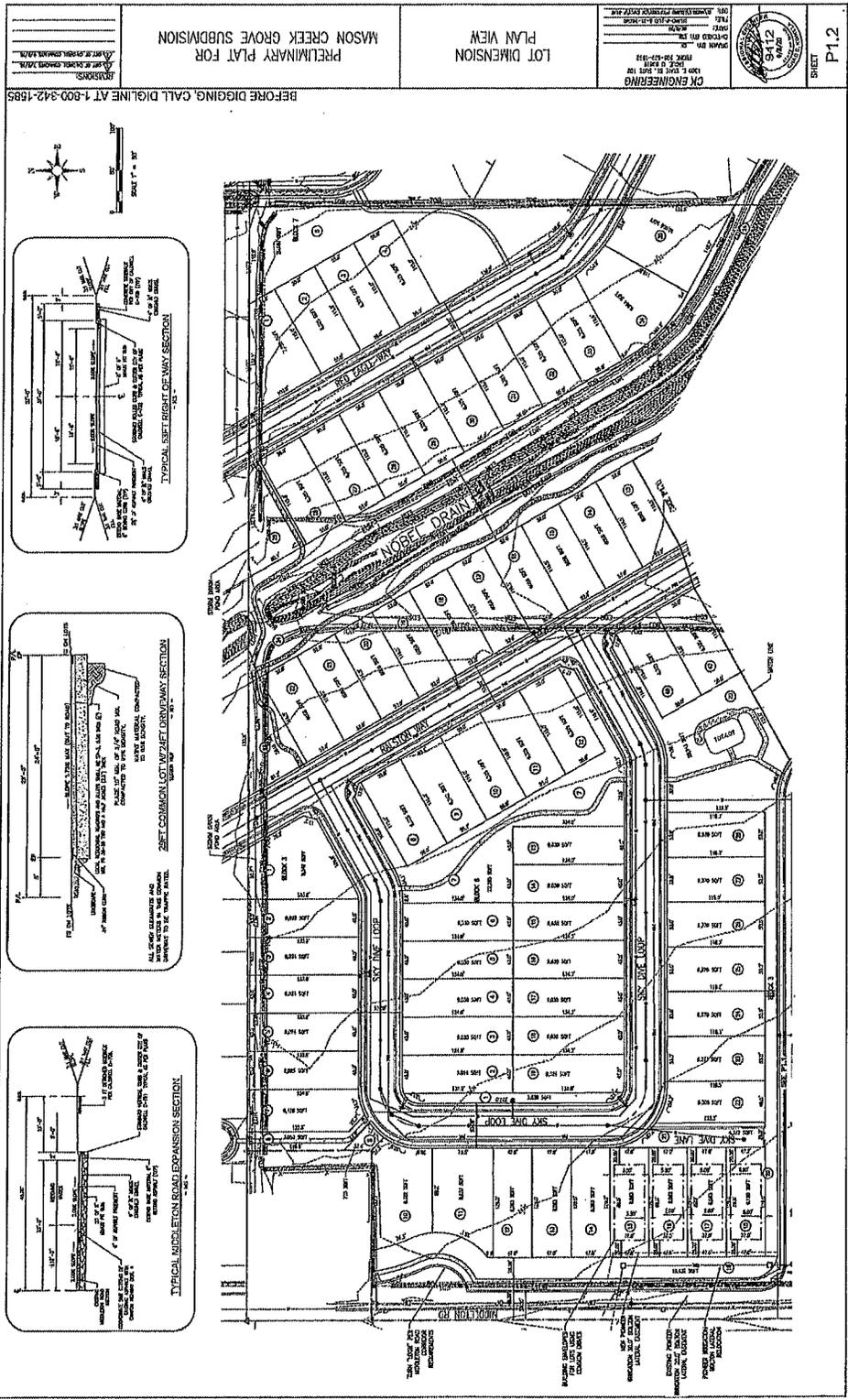
NOTES:

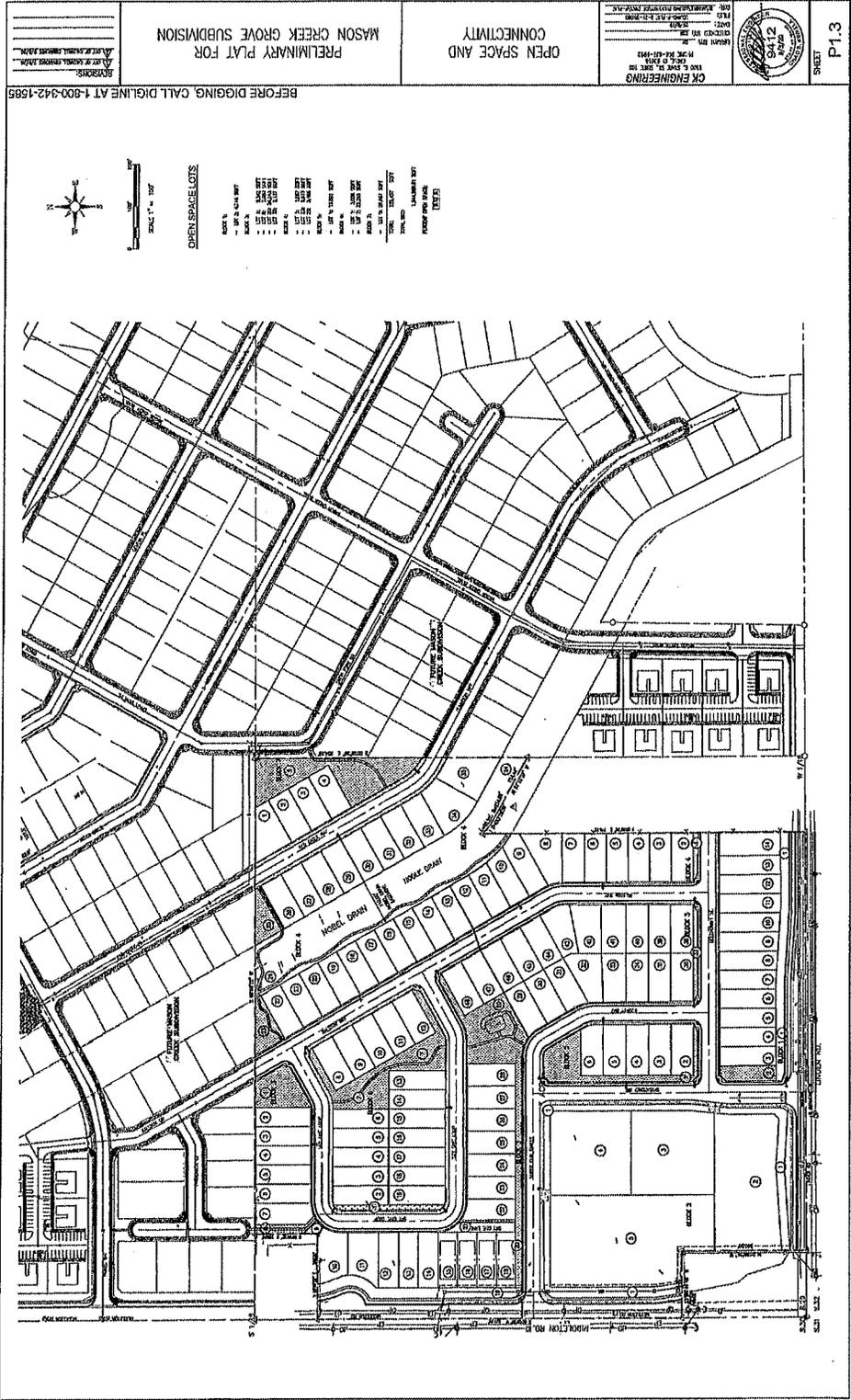
1. NO DIRECT LOT ACCESS SHALL BE ALLOWED ONTO MIDDLETON ROAD OR LINDEN ROAD.
2. ALL LOTS SHALL HAVE SEWER SERVICE PROVIDED BY THE CITY OF CALDWELL.
3. ALL LOTS SHALL HAVE DOMESTIC WATER PROVIDED BY THE CITY OF CALDWELL.
4. THE DEVELOPER WILL COMPLY WITH IDAHO CODE 31-3805 BY PROVIDING PRESSURE IRRIGATION TO ALL LOT PER THE CITY OF CALDWELL STANDARDS.
5. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT.
6. STORM WATER DRAINAGE SHALL BE COLLECTED AND OR RETAINED ON SITE BY CATCH BASINS, UNDERGROUND PIPING, SWALES, DRAINAGE PONDS AND SEEPAGE BEDS PER THE CITY OF CALDWELL STORM WATER POLICY MANUAL.
7. THIS DEVELOPMENT RECOGNIZES SECTION 22-4903, RIGHT TO FARM ACT, WHICH STATES, IDAHO CODE "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE YEAR, WHEN THE OPERATIONS WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN, PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT".
8. THE 110 FOOT NOBLE DRAIN EASEMENT IS CONTAINED WITHIN LOT 24 BLOCK 4, LOT 1 AND 2 BLOCK 1, LOT 1 BLOCK 2, LOTS 1, 8, 9, 19, 22, 21 AND 37 BLOCK 3, LOTS 1, 23, 24 AND 25 BLOCK 4, LOT 1 BLOCK 5, LOT 1 AND 7 BLOCK 6, AND LOT 5 BLOCK 7 ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE MASON CREEK GROVE SUBDIVISION HOMEOWNERS ASSOCIATION.
10. THIS PROPERTY FALLS IN COMMUNITY-PALM NUMBER 16027C0263F, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, REVISED AND EFFECTIVE MAY 24, 2011 IS IN AN AREA DESIGNATED AS SHADED ZONE X OR AREAS OF 0.2% ANNUAL CHANCE FLOODPLAIN. THIS IS BASED ON MASON CREEK AND THERE ARE ESTABLISHED BASE FLOOD ELEVATIONS.
11. LOT 21, BLOCK 3 IS TO BE PRIVATE DRIVE LOT (PRIVATE DRIVE "SKYDIVE LANE") FOR INGRESS/EGRESS OF LOTS 15-18 BLOCK 3. LOT TO CONTAIN 24' WIDE COMMON DRIVE WITH 5' LANDSCAPE STRIP TO SEPARATE LOT 21 FROM LOT 22 BLOCK 3.
12. LOT 9 BLOCK 3 TO SERVE AS FUTURE ACCESS DRIVE TO OUT-PARCEL IN NORTHWEST CORNER OF SUBDIVISION. LOT TO CONTAIN BLANKET UTILITY EASEMENT AS CITY SEWER AND WATER SERVICE TO BE STUBBED TO OUT-PARCEL THROUGH THIS LOT.

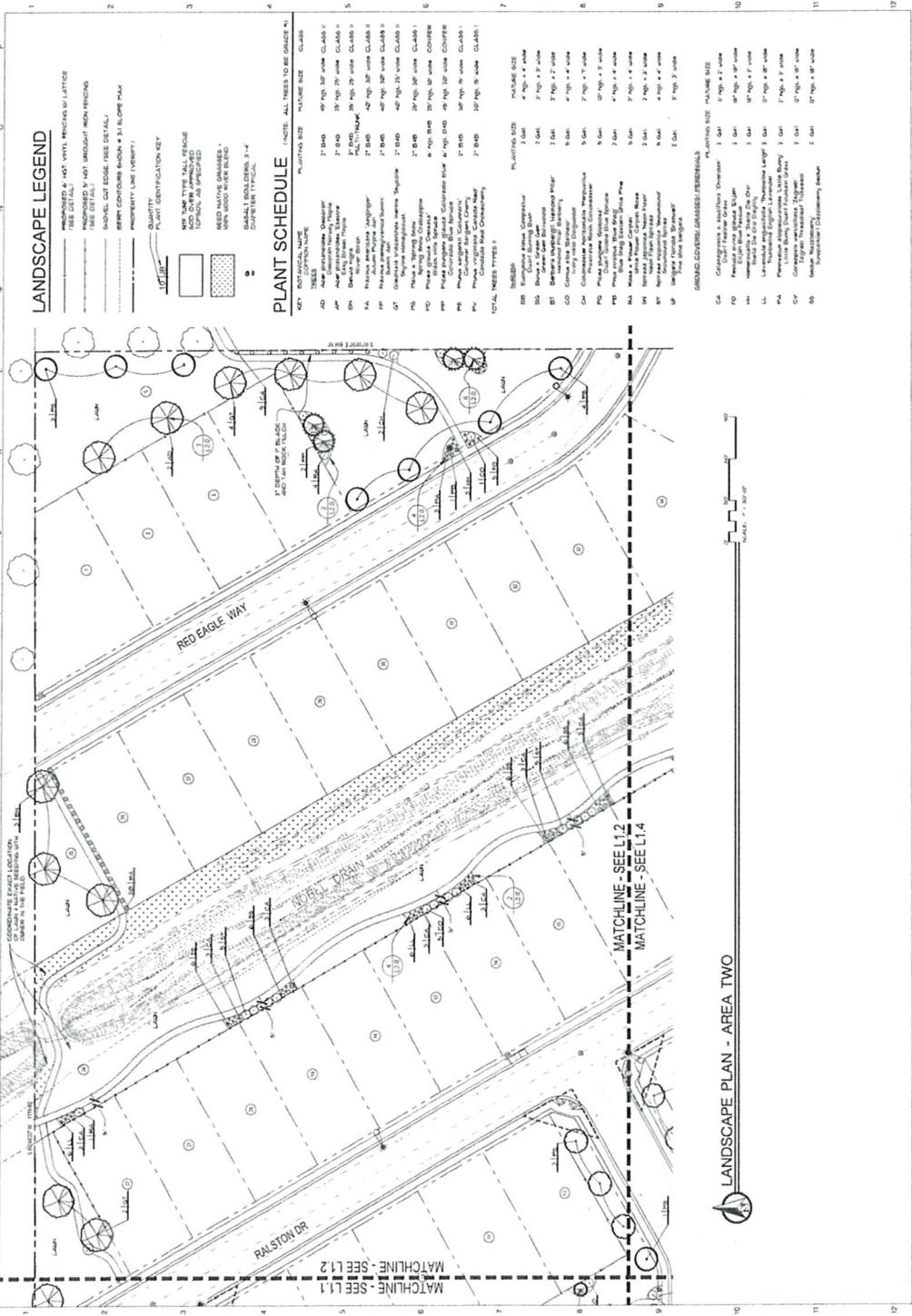
A16 detail Notes

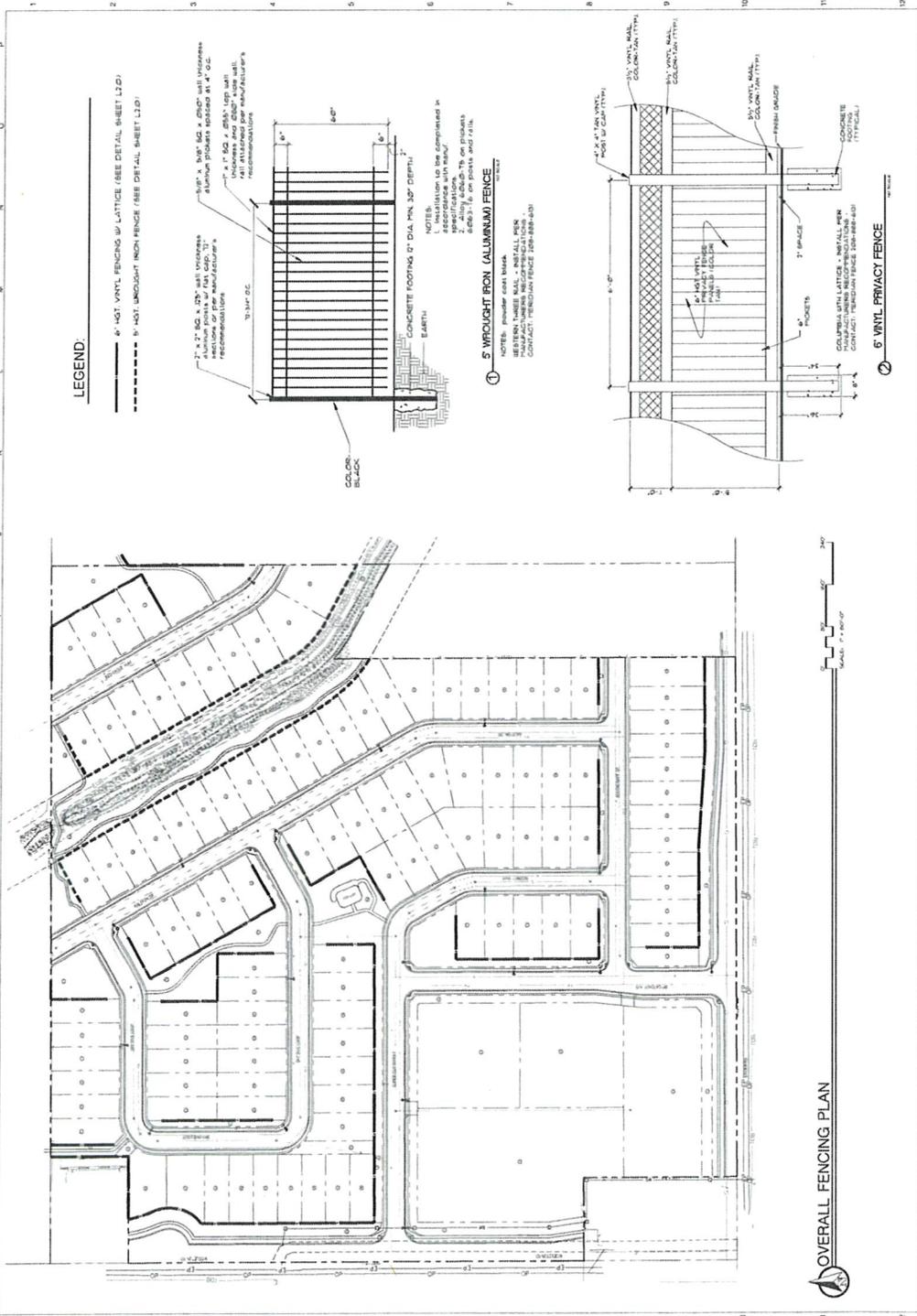
PRELIMINARY DEVELOPMENT FEATURES

TOTAL ACRES.....	35.47 AC
TOTAL LOTS.....	132
COMMON/OPEN SPACE LOTS.....	18
COMMERCIAL LOTS.....	4
SINGLE FAMILY LOTS.....	110
AVERAGE RES BLDG. LOT SIZE.....	6,374 SF
RESIDENTIAL DENSITY.....	3.10 UNITS/ACRE
PROPOSED ZONING.....	R2 & C2
OPEN SPACE.....	125,457 SF OR 2.88 AC
PERCENTAGE OF OPEN SPACE.....	8.12%
COMMERCIAL LOT SPACE.....	206,057 SF OR 4.73 AC
PERCENTAGE OF COMMERCIAL SPACE.....	13.37%









IRRIGATION DESIGN BUILD SPECIFICATIONS

1.0 CONCLUSIONS

1.1 SUMMARY

- Review, test, field, and testing of existing irrigation system components with manufacturer.
- Coordinate field installation with other trades (see and existing) irrigation needs to meet priority.
- Coordinate all irrigation system components with existing utility and water service lines.
- Coordinate all irrigation system components with existing utility and water service lines.
- Coordinate all irrigation system components with existing utility and water service lines.

1.2 QUALITY ASSURANCE

- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.

1.3 QUALITY ASSURANCE

- Work and materials shall be in accordance with the manufacturer's specifications and other applicable codes and standards.
- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.

1.4 SUBSTITUTIONS

- Any substitution must be approved by the Designer prior to the start of work.
- Any substitution must be approved by the Designer prior to the start of work.
- Any substitution must be approved by the Designer prior to the start of work.

1.5 MATERIALS

- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.

1.6 MAINTENANCE

- Verify all materials and equipment are as specified for use (1) over the field of work.
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- Verify all materials and equipment are as specified for use (1) over the field of work.

1.7 SUPPLY

- Verify all materials and equipment are as specified for use (1) over the field of work.
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- Verify all materials and equipment are as specified for use (1) over the field of work.

2.0 GENERAL NOTES

- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.

3.0 MATERIALS

- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.

4.0 INSTALLATION

- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.

5.0 TESTING

- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.

6.0 MAINTENANCE

- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.

7.0 SUPPLY

- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.
- Verify all materials and equipment are as specified for use (1) over the field of work.

2. REDUCED PRESSURE BACKFLOW ASSEMBLY

VERIFY ALL MATERIALS AND EQUIPMENT ARE AS SPECIFIED FOR USE (1) OVER THE FIELD OF WORK.

1. IRRIGATION CONTROLLER

VERIFY ALL MATERIALS AND EQUIPMENT ARE AS SPECIFIED FOR USE (1) OVER THE FIELD OF WORK.

SEE SHEETS L3.1 FOR TYPICAL IRRIGATION INSTALLATION DETAILS

83807

Mason Creek Grove Subdivision
 Caldwell, Idaho
 Linden Rd.

DESIGNED BY: JAG
 CHECKED BY: JAG
 PROJECT NUMBER: 20-009
 SHEET: L3.0

EXHIBIT "PA 3"
CANYON HIGHWAY DISTRICT #4 (CHD4)



CANYON HIGHWAY DISTRICT No. 4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607
TELEPHONE 208/454-8135
FAX 208/454-2008

May 22, 2020

City of Caldwell Planning & Zoning Commission
621 Cleveland Blvd
Caldwell, Idaho 83605
Attention: Debbie Root, Senior Planner

**RE: Mason Creek Grove Subdivision
ZON-20-04/CMP-20-03/SUB-20P-04 Rezone and Preliminary Plat
Middleton Rd and Linden Rd Frontage**

Dear Commissioners:

Canyon Highway District No. 4 (CHD4) has reviewed the application for rezone and preliminary plat of Mason Creek Grove Subdivision, located near the northeast corner of Middleton Rd and Linden Rd (SW ¼ Section 29 T4N R2W). CHD4 provides the following comments on the proposed development:

1. By agreement with the City, (Exchange Maintenance Agreement, 2008) CHD4 operates and maintains Middleton Rd between Ustick Rd and Lincoln Rd, and Linden Rd from Middleton Rd to Midland Rd. Under this agreement, CHD4 is responsible for access permitting and utility permitting along the corridor, and is provided opportunity to review and comment on development plans as they may impact the operation and maintenance of the highway.
2. CHD4 and the City has jointly conducted a study for the Middleton Rd corridor between Ustick and the Boise River, the "Middleton Road Corridor Plan" dated October 2016. CHD4 requests that the right-of-way widths, road sections, intersection locations, and access controls described in the plan be required conditions of the development.
3. CHD4, in partnership with the City, has prepared plans for a dual-lane roundabout at the intersection of Middleton Rd and Linden Rd to provide capacity and safety improvements to the existing all-way stop controlled intersection. CHD4 is in the process of acquiring right-of-way for this project, and has prepared legal descriptions for public road right-of-way for Middleton Rd and Linden Rd, and for associated permanent and temporary easements to accommodate the intersection improvements. CHD4 requests that the City require, as a condition of approval of the rezone and preliminary plat, that the developer dedicate this right-of-way and grant the associated easements (City of Caldwell as the beneficiary) within 30 days of rezone or preliminary plat approval to facilitate this project. Copies of the legal descriptions, and maps of the right-of-way needs are attached to this letter for reference. Total right-of-way request is approximately 0.33 acres new right-of-way, 1.1 acres existing prescriptive right-of-way, 0.25 acres permanent irrigation easement, and 0.14 acres temporary construction easement.
4. Development should include dedication of right-of-way for Middleton Rd and Linden Rd, consistent with the Middleton Rd corridor plan and City standards for principal and minor arterials. Frontage improvements along Middleton Rd and Linden Rd should also be consistent

PA3

with the Middleton Rd corridor plan and the applicable City standards. The preliminary plat included with the application does not appear to meet these standards.

5. CHD4 requests that the City include as part of any development agreement for the project a clause requiring dedication of public right-of-way for Middleton Road (and any other public road as desired by the City) upon written request of the City, to facilitate construction of public roadway improvements independent of the timing of the proposed development.
6. The joint CHD4/Caldwell project for the Middleton & Linden roundabout is tentatively scheduled for construction in 2024, due to availability of local funds, and coordination of detour routes related to the I-84 widening project and reconstruction of the Middleton Rd and Ustick Rd overpasses. This intersection currently operates at LOS F for all approaches in peak hours, and additional trips from the proposed development will further increase delay times and degrade safety at the intersection until improvements can be made.
7. The Middleton Rd Corridor Plan identifies left turn pockets (“Loons”) at approximate ¼ mile intervals between the half-mile intersections at Linden and Skyway to accommodate left turn movements from Middleton Rd approaches north of Linden Rd. Additional right-of-way and construction of a left-turn pocket on the Middleton Rd frontage should be required as a condition of approval. The specific location may be determined during preparation of improvement drawings, but appears to lie near the north end of the Middleton Rd frontage for the development. See the Middleton Rd corridor plan the conceptual location.
8. Consideration should be given to requiring additional right-of-way for Linden Rd to accommodate the City’s minor arterial street section north of the existing Caldwell Highline Canal along the south side of Linden Rd, such that future relocation of the canal would not be necessary to fully improve Linden Rd.
9. The proposed Super Cub Street access to Middleton Rd appears to be spaced consistently with the 660-foot minimum separation from Middleton/Linden intersection identified in the Middleton Rd corridor plan. This approach should be restricted to right-in-right-out operation in accordance with that plan.
10. The proposed Leland Avenue approach to Linden Rd appears to meet the minimum 440-foot spacing to the Middleton/Linden intersection under current City access policy. A traffic or engineering study should be conducted to confirm there is adequate space between the Middleton/Linden roundabout and this approach to provide a left-turn lane for eastbound Linden entering the development, and to evaluate the need for auxiliary right-turn lanes for Leland Ave and for Super Cub Street.
11. A note should be added to the plat indicating that no direct lot access to Middleton Rd or Linden Rd is allowed.
12. The City should, through exactions or other fees, determine and require a proportionate share of the costs necessary to improve capacity at local intersections affected by new traffic from the development, including but not limited to Middleton / US 20-26 and Linden / Midland. No other local funding sources for these improvements is currently available to CHD4.

PA3

Page 3 of 3

Canyon Highway District appreciates the opportunity to review this rezone and subdivision proposal, and requests that the Commission consider these comments in their deliberations. Please feel free to contact me with any questions on these comments.

Respectfully,



Chris Hopper, P.E.
Assistant District Engineer

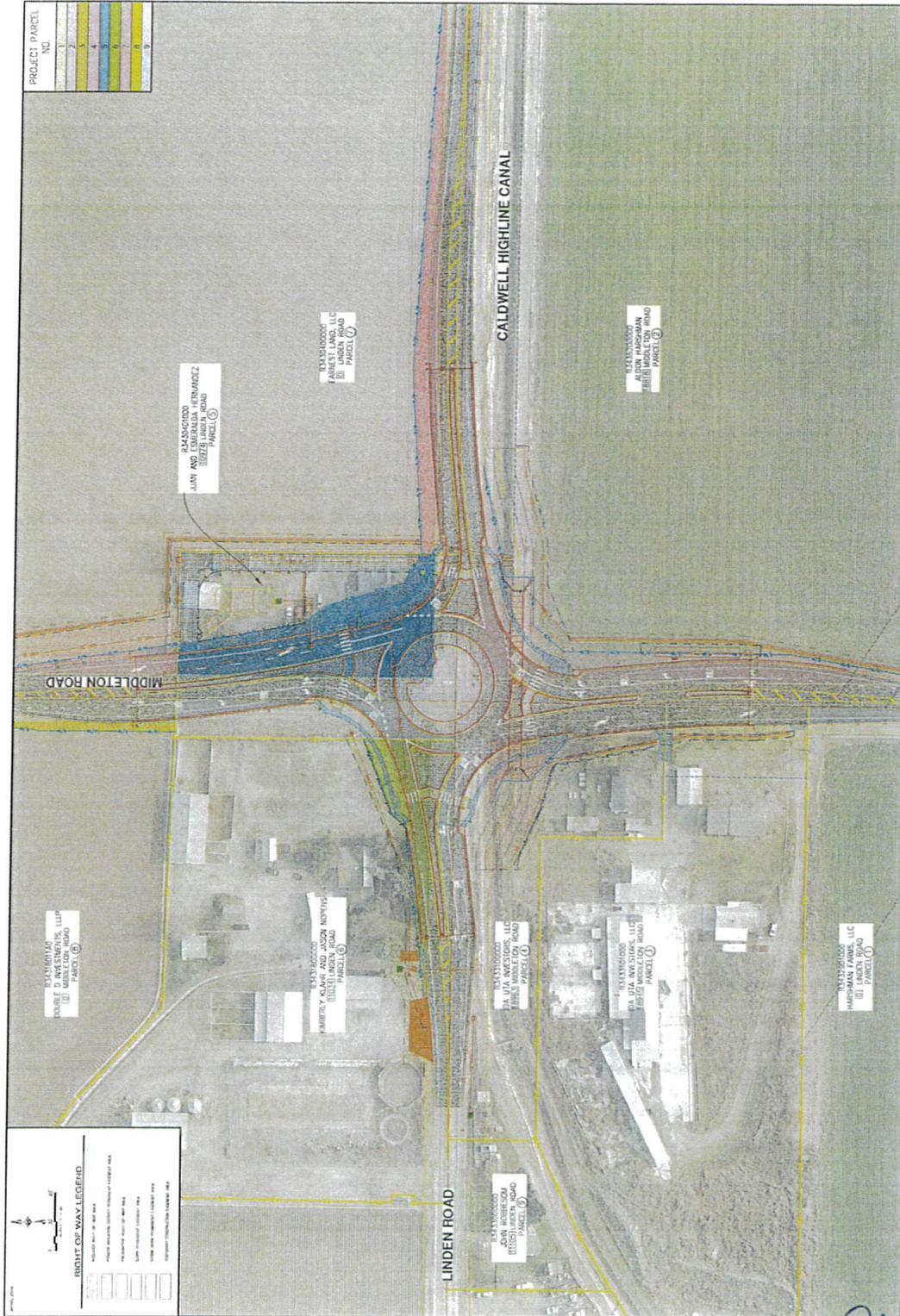
CC: Robb MacDonald, P.E. Caldwell City Engineer
File: Caldwell/Middleton Rd- Mason Creek Grove Subdivision

PA3

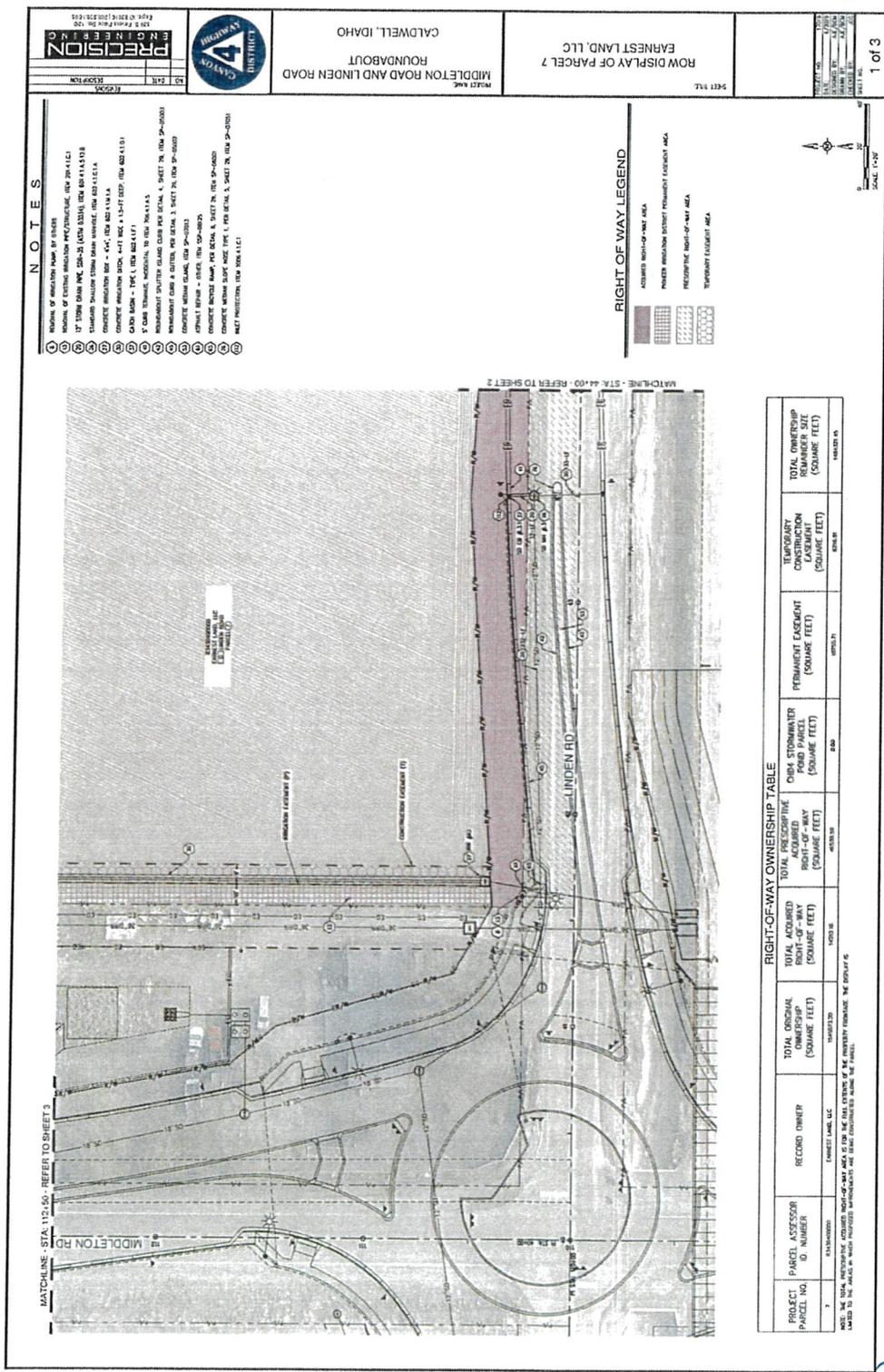


MIDDLETON ROAD & LINDEN ROAD ROUNDABOUT - ROW OVERVIEW DISPLAY
CALDWELL, IDAHO

PRECISION
ENGINEERING



PA3



NOTES

- 1) BOUNDARY OF MIDDLETON ROAD PER 10/15/10
- 2) BOUNDARY OF LINDEN ROAD PER 10/15/10
- 3) 10' SIDE SETBACK PER 10/15/10
- 4) 10' SIDE SETBACK PER 10/15/10
- 5) 10' SIDE SETBACK PER 10/15/10
- 6) 10' SIDE SETBACK PER 10/15/10
- 7) 10' SIDE SETBACK PER 10/15/10
- 8) 10' SIDE SETBACK PER 10/15/10
- 9) 10' SIDE SETBACK PER 10/15/10
- 10) 10' SIDE SETBACK PER 10/15/10
- 11) 10' SIDE SETBACK PER 10/15/10
- 12) 10' SIDE SETBACK PER 10/15/10
- 13) 10' SIDE SETBACK PER 10/15/10
- 14) 10' SIDE SETBACK PER 10/15/10
- 15) 10' SIDE SETBACK PER 10/15/10
- 16) 10' SIDE SETBACK PER 10/15/10
- 17) 10' SIDE SETBACK PER 10/15/10
- 18) 10' SIDE SETBACK PER 10/15/10
- 19) 10' SIDE SETBACK PER 10/15/10
- 20) 10' SIDE SETBACK PER 10/15/10

MIDDLETON ROAD AND LINDEN ROAD
 ROUNDABOUT
 CALDWELL, IDAHO
 EARNEST LAND, LLC
 ROW DISPLAY OF PARCEL 7

RIGHT-OF-WAY LEGEND

- 1. ACCESSED RIGHT-OF-WAY AREA
- 2. PERMANENT RIGHT-OF-WAY AREA
- 3. TEMPORARY EASEMENT AREA

RIGHT-OF-WAY OWNERSHIP TABLE

PROJECT / PARCEL ASSESSOR / PARCEL NO.	RECORD OWNER	TOTAL ORIGINAL OWNERSHIP (SQ. FT.)	TOTAL ACQUIRED RIGHT-OF-WAY (SQ. FT.)	TOTAL PRESCRIPTIVE ACQUIRED RIGHT-OF-WAY (SQ. FT.)	DRIVE/STORMWATER POND PANEL (SQ. FT.)	PERMANENT EASEMENT (SQ. FT.)	TEMPORARY CONSTRUCTION EASEMENT (SQ. FT.)	TOTAL OWNERSHIP (SQ. FT.)
7 / 143300000	EARNEST LAND, LLC	1000000	1000000	1000000	0	0	0	1000000

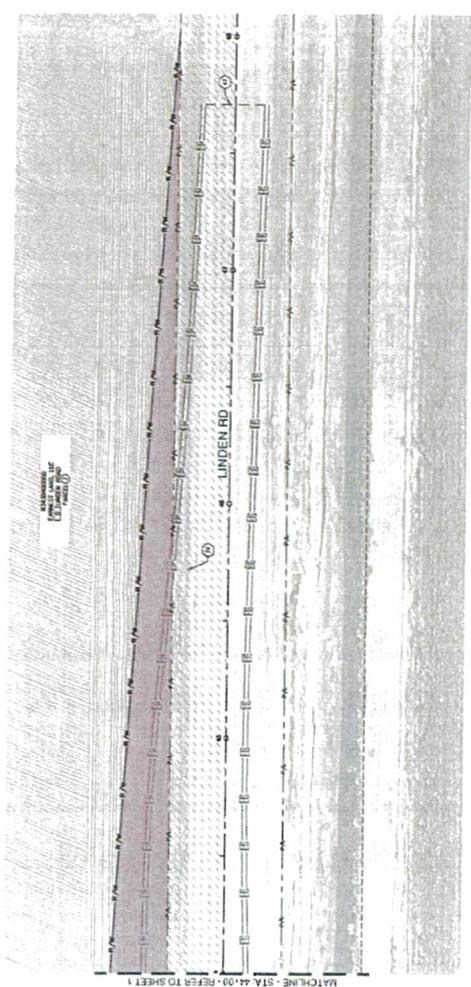
NOTE: THE TOTAL PRESCRIPTIVE ACQUIRED RIGHT-OF-WAY AREA IS FOR THE FULL EXTENT OF THE PROPERTY BOUNDARY. THE DRIVE/STORMWATER POND PANEL IS NOT INCLUDED IN THE TOTAL OWNERSHIP ALONG THE PARCEL.

PAB

NOTES

1. SEE ALL EXISTING RECORDS RELATIVE TO THIS PROJECT.

2. MAKE ANY CHANGE NECESSARY FOR REFERENCE TO SHEET (ROW 204114).



RIGHT OF WAY LEGEND

- ACTUALLY ACQUIRED RIGHT-OF-WAY AREA
- PERMANENT EASEMENT SUBJECT TO TEMPORARY EASEMENT AREA
- PERMANENT RIGHT-OF-WAY AREA
- TEMPORARY EASEMENT AREA

RIGHT-OF-WAY OWNERSHIP TABLE

PROJECT PARCEL NO.	PARCEL ASSESSOR ID NUMBER	RECORD OWNER	TOTAL ORIGINAL OWNERSHIP (SQUARE FEET)	TOTAL ACQUIRED RIGHT-OF-WAY (SQUARE FEET)	TOTAL PRESCRIPTIONE RIGHT-OF-WAY (SQUARE FEET)	OWNERSHIP (SQUARE FEET)						
7	8414000000	EARNEST LAND, LLC	148,824.00	148,824.00	148,824.00	148,824.00	148,824.00	148,824.00	148,824.00	148,824.00	148,824.00	148,824.00

NOTE: THE TOTAL PRESCRIPTIONE ACQUIRED RIGHT-OF-WAY AREA IS FOR THE FULL EXTENT OF THE PROPERTY THROUGH THE DISPLAY IS
 LIMITED TO THE AREA OF SUCH PRESCRIPTIONE APPROVED BY THE BOARD OF COMMISSIONERS AT THE TIME OF THE DISPLAY.

PA3

RIGHT-OF-WAY REQUIREMENT - PARCEL 7 - EXHIBIT

MIDDLETON ROAD AND LINDEN ROAD ROUNDABOUT
 CANYON HIGHWAY DISTRICT NO. 4
 LOCATED IN THE SW 1/4 OF SECTION 29,
 T4N, R2W, BM, CANYON COUNTY, IDAHO

1/4
 30 29

N0°24'48"E
 1477.76'

MIDDLETON ROAD

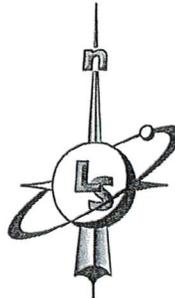
N0°24'48"E 877.74'
 S0°24'48"W 650.18'

N0°24'48"E 213.43 SF
 S0°24'48"W 229.78'

POINT OF BEGINNING
 PARCEL A
 25,626 SF
 N0°24'48"E 300.00'

POINT OF BEGINNING
 PARCEL B
 35,126 SF

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	25.00'	S89°39'20"E
L2	57.37'	N89°41'07"W
L3	156.00'	S89°41'07"E
L4	39.96'	N0°24'48"E
L5	25.00'	S0°24'48"W



7

PARCEL R3430400000

EARNEST LAND, LLC
 O LINDEN ROAD



RIGHT-OF-WAY REQUIREMENT AREA=60,752 SF / 1.394 ACRES
 PRESCRIPTIVE RIGHT-OF-WAY AREA=46,539 SF / 1.068 ACRES
 NEW RIGHT-OF-WAY AREA=14,213 SF / 0.326 ACRES

25' PRESCRIPTIVE
 USE EASEMENT

ST 41°04'E
 33.88'

25' PRESCRIPTIVE
 USE EASEMENT

194.32'
 N86°26'15"E

10,530 SF

25' PRESCRIPTIVE
 USE EASEMENT

S86°07'57"E 453.37'

24,596 SF

S89°41'07"E 337.45'

2639.71'

25' PRESCRIPTIVE
 USE EASEMENT

N89°41'07"W 983.85'

LINDEN ROAD

POINT OF BEGINNING
 BASIS OF BEARING

1/4

0 100 200 400



LandSolutions
 Land Surveying and Consulting

231 E. 5TH ST., STE. A
 MERIDIAN, ID 83642
 (208) 288-2040 (208) 288-2557 fax
 www.landsolutions.biz

JOB NO. 18-05

PAB

Canyon Highway District No. 4
Middleton Road and Linden Road Roundabout
Tax Parcel No. R3430400000

Parcel 7
Right-of-Way Requirement Description

Parcels located in the SW ¼ of Section 29, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

PARCEL A

Commencing at a point marking the southwest corner of the SW ¼ of said Section 29, from which a point marking the southeast corner of said SW ¼ bears S 89°41'07" E a distance of 2639.71 feet;

Thence N 0°24'48" E along the westerly boundary of said SW ¼ a distance of 300.00 feet to the **POINT OF BEGINNING**;

Thence continuing N 0°24'48" E along said boundary a distance of 877.74 feet to a point;

Thence leaving said boundary S 89°39'20" E a distance of 25.00 feet to a point;

Thence S 0°24'48" W along a line being 25.00 feet easterly of and parallel to the westerly boundary of said SW ¼ a distance of 650.18 feet to a point;

Thence S 7°41'04" E a distance of 229.78 feet to a point;

Thence N 89°41'07" W a distance of 57.37 feet to the **POINT OF BEGINNING**.

Said Parcel A contains 25,626 square feet (0.588 acres) of which 21,943 square feet (0.504 acres) is prescriptive right-of-way.

PARCEL B

Commencing at a point marking the southwest corner of the SW ¼ of said Section 29, from which a point marking the southeast corner of said SW ¼ bears S 89°41'07" E a distance of 2639.71 feet;

Thence S 89°41'07" E along the southerly boundary of said SW ¼ a distance of 156.00 feet to the **POINT OF BEGINNING**;

Thence leaving said southerly boundary N 0°24'48" E a distance of 39.96 feet to a point;

Thence N 86°26'15" E a distance of 194.32 feet to a point;

Thence S 86°07'57" E a distance of 453.37 feet to a point;

Thence S 89°41'07" E along a line being 25.00 feet northerly of and parallel to the southerly boundary of said SW ¼ a distance of 337.45 feet to a point;



Middleton and Linden Roundabout
Job No. 18-05
Page 1 of 2

PA3

Thence S 0°24'48" W a distance of 25.00 feet to a point on the southerly boundary of said SW ¼;

Thence N 89°41'07" W along said southerly boundary a distance of 983.85 feet to the **POINT OF BEGINNING.**

Said Parcel B contains 35,126 square feet (0.806 acres) of which 24,596 square feet (0.564 acres) is prescriptive right-of-way.

Total Parcel 7 right-of-way requirement contains 60,752 square feet (1.394 acres) and includes 46,539 square feet (1.068 acres) of prescriptive right-of-way.

Prepared By: Clinton W. Hansen
Land Solutions, PC
April 10, 2019

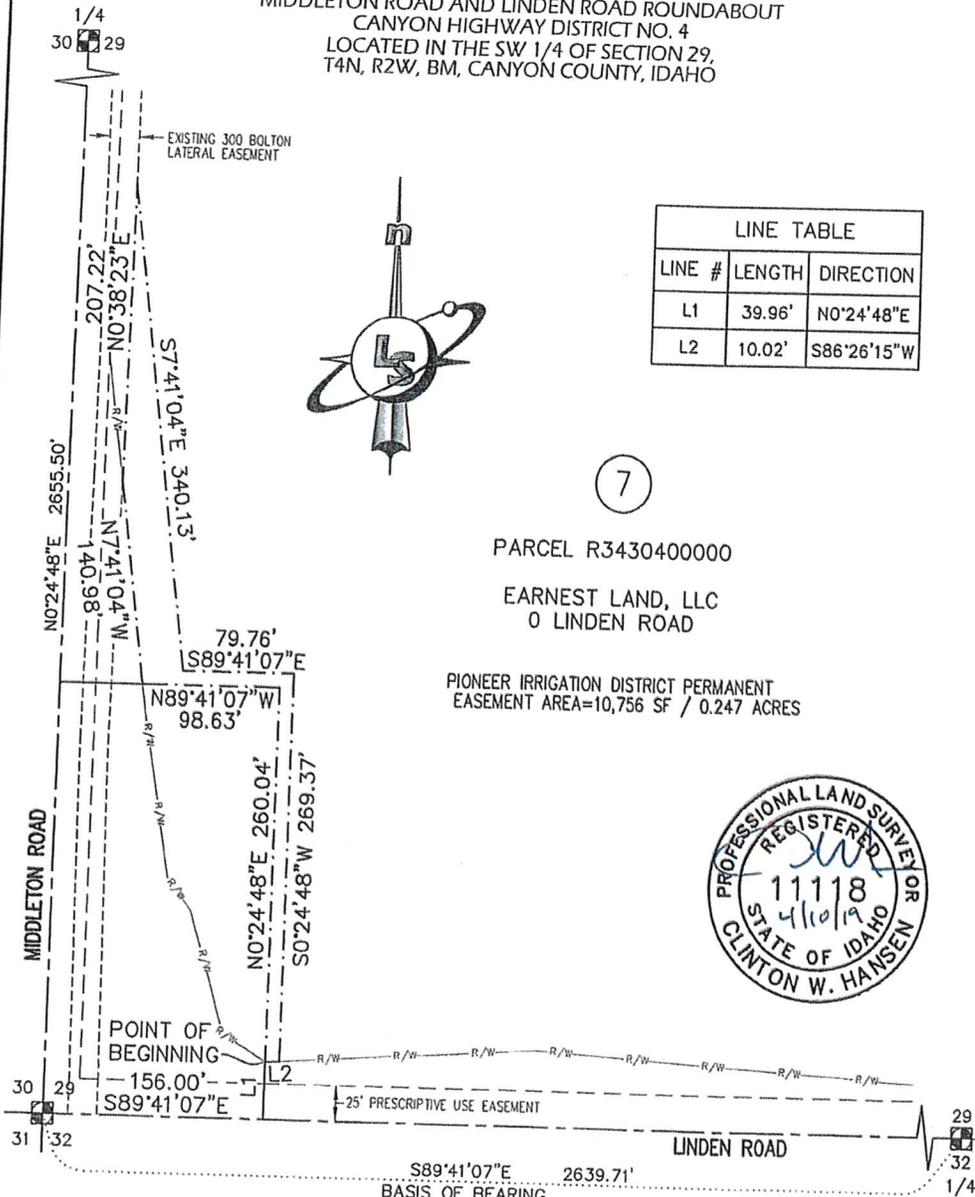


Middleton and Linden Roundabout
Job No. 18-05
Page 2 of 2

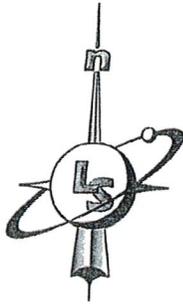
PA3

PIONEER IRRIGATION DISTRICT PERMANENT EASEMENT - PARCEL 7 - EXHIBIT

MIDDLETON ROAD AND LINDEN ROAD ROUNDABOUT
 CANYON HIGHWAY DISTRICT NO. 4
 LOCATED IN THE SW 1/4 OF SECTION 29,
 T4N, R2W, BM, CANYON COUNTY, IDAHO



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	39.96'	N0°24'48"E
L2	10.02'	S86°26'15"W

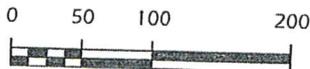


7

PARCEL R3430400000

EARNEST LAND, LLC
 0 LINDEN ROAD

PIONEER IRRIGATION DISTRICT PERMANENT
 EASEMENT AREA=10,756 SF / 0.247 ACRES



LandSolutions
 Land Surveying and Consulting

231 E. 5TH ST., STE A
 MERIDIAN, ID 83642
 (208) 289-2040 (208) 289-2557 fax
 www.landsolutions.biz

JOB NO. 18-05

PA3

Canyon Highway District No. 4
Middleton Road and Linden Road Roundabout
Tax Parcel No. R3430400000

**Parcel 7
Pioneer Irrigation District Permanent Easement Description**

An easement located in the SW ¼ of Section 29, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

Commencing at a point marking the southwest corner of the SW ¼ of said Section 29, from which a point marking the southeast corner of said SW ¼ bears S 89°41'07" E a distance of 2639.71 feet;

Thence S 89°41'07" E along the southerly boundary of said SW ¼ a distance of 156.00 feet to a point;

Thence leaving said southerly boundary N 0°24'48" E a distance of 39.96 feet to the **POINT OF BEGINNING**;

Thence continuing N 0°24'48" E a distance of 260.04 feet to a point;

Thence N 89°41'07" W a distance of 98.63 feet to a point;

Thence N 7°41'04" W a distance of 140.98 feet to a point on the easterly boundary of the existing easement for the 300 (Bolton) Lateral;

Thence N 0°38'23" E along said existing easement boundary a distance of 207.22 feet to a point;

Thence S 7°41'04" E a distance of 340.13 feet to a point;

Thence S 89°41'07" E a distance of 79.76 feet to a point;

Thence S 0°24'48" W a distance of 269.37 feet to a point;

Thence S 86°26'15" W a distance of 10.02 feet to the **POINT OF BEGINNING**.

This easement contains 10,756 square feet (0.247 acres) and is subject to any other easements existing or in use.

Prepared By: Clinton W. Hansen
Land Solutions, PC
April 10, 2019



Middleton and Linden Roundabout
Job No. 18-05
Page 1 of 1

PA3

Exhibit PA-8
CANYON HIGHWAY DISTRICT #4 (CHD4)
Addendum: September 8, 2020



CANYON HIGHWAY DISTRICT No. 4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607
TELEPHONE 208/454-8135
FAX 208/454-2008

September 8, 2020

City of Caldwell Planning & Zoning Commission
621 Cleveland Blvd
Caldwell, Idaho 83605
Attention: Debbie Root, Senior Planner

**RE: Mason Creek Grove Subdivision
ZON-20-04/CMP-20-03/SUB-20P-04 Rezone and Preliminary Plat
Middleton Rd and Linden Rd Frontage**

Dear Commissioners:

Canyon Highway District No. 4 (CHD4) has reviewed the application preliminary plat of Mason Creek Grove Subdivision dated August 13, 2020. The development is located near the northeast corner of Middleton Rd and Linden Rd (SW ¼ Section 29 T4N R2W), and consists of approximately 110 single family residential lots and approximately 5 acres of proposed commercial development. CHD4 provides the following comments on the proposed subdivision:

1. By agreement with the City, (Exchange Maintenance Agreement, 2008) CHD4 operates and maintains Middleton Rd between Ustick Rd and Lincoln Rd, and Linden Rd from Middleton Rd to Midland Rd. Under this agreement, CHD4 is responsible for access permitting and utility permitting along the corridor, and is provided opportunity to review and comment on development plans as they may impact the operation and maintenance of the highway.
2. CHD4 and the City has jointly conducted a study for the Middleton Rd corridor between Ustick and the Boise River, the "Middleton Road Corridor Plan" dated October 2016. CHD4 requests that the right-of-way widths, road sections, intersection locations, and access controls described in the plan be required conditions of the development. These road sections may be different than the standard arterial section (Std Dwg R-810A) used by the city.
3. The Traffic Impact Study prepared for the development by CR Engineering dated 6/29/20 indicates the following:
 - a. A WB right-turn lane for the Middleton/Linden intersection is needed for the 2030 buildout traffic. Additional right-of-way along the Linden and Middleton Rd frontages should be provided to accommodate this need, and do not appear to be shown on the preliminary plat.
 - b. A NB right-turn lane is warranted for the Super Cub St approach to Middleton Rd; additional right-of-way and frontage improvements should be shown to accommodate this auxiliary turn lane.
 - c. An EB left-turn lane is warranted for the ^{Skycatcher} ~~Midland~~ Ave approach to Linden Rd. Additional right-of-way along the Linden Rd frontage should be provided to accommodate this need, and do not appear to be shown on the preliminary plat.

PA 8
1 of 2

4. CHD4, in partnership with the City, has prepared plans for a dual-lane roundabout at the intersection of Middleton Rd and Linden Rd to provide capacity and safety improvements to the existing all-way stop controlled intersection. CHD4 is in the process of acquiring right-of-way for this project, and has prepared legal descriptions for public road right-of-way for Middleton Rd and Linden Rd, and for associated permanent and temporary easements to accommodate the intersection improvements. CHD4 requests that the City require, as a condition of approval of the rezone and preliminary plat, that the developer dedicate this right-of-way and grant the associated easements (City of Caldwell as the beneficiary) within 30 days of rezone or preliminary plat approval to facilitate this project. Copies of the legal descriptions, and maps of the right-of-way needs are attached to this letter for reference. Total right-of-way request is approximately 0.33 acres new right-of-way, 1.1 acres existing prescriptive right-of-way, 0.25 acres permanent irrigation easement, and 0.14 acres temporary construction easement.
5. CHD4 requests that the City include as part of any development agreement for the project a clause requiring dedication of public right-of-way for Middleton Road (and any other public road as desired by the City) upon written request of the City, to facilitate construction of public roadway improvements independent of the timing of the proposed development.
6. The joint CHD4/Caldwell project for the Middleton & Linden roundabout is tentatively scheduled for construction in 2024, due to availability of local funds, and coordination of detour routes related to the I-84 widening project and reconstruction of the Middleton Rd and Ustick Rd overpasses. This intersection currently operates at LOS F for all approaches in peak hours, and additional trips from the proposed development will further increase delay times and degrade safety at the intersection until improvements can be made.
7. Consideration should be given to requiring additional right-of-way for Linden Rd to accommodate the City's minor arterial street section north of the existing Caldwell Highline Canal along the south side of Linden Rd, such that future relocation of the canal would not be necessary to fully improve Linden Rd.
8. The City should, through exactions or other fees, determine and require a proportionate share of the costs necessary to improve capacity at local intersections affected by new traffic from the development, including but not limited to Middleton / US 20-26 and Linden / Midland. No other local funding sources for these improvements is currently available to CHD4.

Please feel free to contact me with any questions on these comments.

Respectfully,



Chris Hopper, P.E.
Assistant District Engineer

CC: Robb MacDonald, P.E. Caldwell City Engineer
File: Caldwell/Middleton Rd- Mason Creek Grove Subdivision

PA 8
2 of 2

EXHIBIT PA-1
Pioneer Irrigation District

Debbie Root

From: Mark Zirschky <mark@pioneerirrigation.com>
Sent: Monday, May 11, 2020 1:52 PM
To: P&Z
Cc: Kirk Meyers; Lupe
Subject: FW: ZON-20-04 SUB-20P-04 Mason Creek Grove Rezone and Prelim Plat - Public Agency Memo
Attachments: ZON-20-04 CMP-20-03 SUB-20P-04 Mason Creek Grove - Public Agency Memo.pdf

Greetings,

The above referenced project appears to impact the following Pioneer Irrigation District and Bureau of Reclamation facilities.

The Noble Drain is a Federal Bureau of Reclamation facility, which has a 110 foot federal right of way, which is 55 feet from center of drain, along both sides. This right of way must be noted on all plans and plats. Please verify all right of ways with the Bureau of Reclamation.

Pioneer Irrigation District's 300 (Bolton) Lateral, 200 Lateral and Highline Canal, appear to be impacted by this development. The 300 Lateral is piped in its current location along the frontage of Middleton Road, and has a 30 foot easement, centered on the pipeline. The 200 Lateral is an open lateral, which has a 16 foot easement from top of bank, along both sides of the lateral. The Highline Canal has a 16 foot easement from top of bank, along both sides of the canal. All Pioneer facility easements must be noted on all plans and plats.

Per Idaho Code, 42-1209, written permission must be obtained from Pioneer Irrigation District, prior to any modification or encroachment of any Pioneer facility.

Should you have any questions or comments, please do not hesitate to contact me.

Regards,

Mark Zirschky - Superintendent

Pioneer Irrigation District

208-459-3617

208-250-8481

www.pioneerirrigation.com

From: Lori Colligan

Sent: Thursday, May 7, 2020 12:45 PM

To: Robb MacDonald ; Andy Cater ; Chris Bryant ; Dave Wright ; nfrench@caldwellschools.org; Mark Zirschky ; Amber O'Neal ; Carl Miller ; trichard@canyonhd4.org; chopper@canyonhd4.org; Sarah Arjona ; shunt@valleyregionaltransit.org; easements@idahopower.com; mishelle.singleton@intgas.com

Subject: FW: ZON-20-04 SUB-20P-04 Mason Creek Grove Rezone and Prelim Plat - Public Agency Memo

Hello,

Please see the attached public agency memo.

Please direct all responses or questions to P&Z@cityofcaldwell.org

Thank you,

Lori

EXHIBIT PA-5
CITY OF CALDWELL ENGINEERING MEMORANDUM

Memorandum

To: Debble Root, Senior Planner
From: TJ Frans, Project Manager
Re: SUB0-20P-04 / ZON-20-04 / CMP-20-03, Mason Creek Grove Subdivision
Date: July 7, 2020

The Engineering Department provides the following comments on a request by Providence Properties, LLC for a comprehensive plan amendment, rezone and preliminary plat for Mason Creek Grove Subdivision, a proposed mixed-use development, on 35.47 acres located on the northeast corner of Middleton and Linden Roads, Caldwell, Idaho. The subject property, parcel R34304, is currently zoned "R-1" (low density residential). The City of Caldwell 2040 Comprehensive Plan designates the property as low density residential (25.9 acres more or less) with the approximate 4.57 acre corner lying northeast of the Noble Drain designated as medium density residential. The applicant is requesting that the southwest corner, approximately 5 acres, be designated Commercial and rezoned to "C-2" (community commercial) with the balance of the property to be designated Medium Density Residential and rezoned from "R-1" to "R-2" (medium density). Concurrently the applicant is requesting approval of a preliminary plat to include 114 single family lots with an average residential lot size of 6,544sf and four commercial lots.

Development Plans

1. Development Plans – Prior to commencing construction, 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.

PA5

General

1. Easements for Public Utilities shall be 10 feet wide minimum along all front lot lines. A minimum 10 feet wide easement (or larger if deemed necessary by the City Engineer in order to facilitate future maintenance operations of utilities) may be required along select interior lot lines to facilitate pressure irrigation or other utilities.
2. 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 face of the final plat (visually and in writing). Existing easements shall be shown on all construction drawings.
3. All utilities on and within the boundaries of the subdivision shall be located and/or relocated underground.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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 developer's 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.
9. 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. Middleton Road is classified as a Principal Arterial. The applicant shall dedicate as public right-of-way a minimum forty-eight (48) foot half width right-of-way (from centerline) along the entire Middleton Road alignment (per City Standard R-810 A). This section of Middleton Road is maintained by Canyon Highway District 4 (CHD4) and all right-of-way work, plan review, and approvals for access on Middleton Road must be reviewed and approved by CHD4, in addition to the City of Caldwell.
 - a. All construction of, and access to, Middleton Road shall fully comply with the Middleton Road Corridor Plan.
 - b. Right-of-way shall be dedicated to the City at the time of final platting or within 90 days of written request from the City.
2. Linden Road is classified as a Minor Arterial. The applicant shall dedicate as public right-of-way a minimum forty (40) foot half width right-of-way (from centerline) along the entire frontage (per City Standard R-810 B). Right-of-way shall be dedicated to the City at the time of final platting or within 90 days of written request from the City.
3. All interior local streets classified as residential shall be dedicated to the City. The applicant shall dedicate as public right-of-way a minimum fifty-three (53) foot full width right-of-way (per City Standard R-810 E).
4. CHD4 and the City have partnered and prepared plans for a dual-lane roundabout at the intersection of Middleton Road and Linden Road. Applicant shall dedicate to the City any right-of-way, and temporary or permanent easements, necessary along Middleton and Linden Roads to facilitate the construction of said roundabout. Applicant shall plan their development in such a manner that will allow for the construction of said roundabout. Applicant shall provide said right-of-way and easements within 90 days of approval of this application.

Street

1. Full frontage half street improvements shall be completed to all classified roads adjacent to the proposed preliminary plat (Middleton & Linden) in accordance with all City of Caldwell standards and specifications. Improvements shall include (but are not limited to) curb, gutter, sidewalk, asphalt, streetlights, joint trench, One spare 2" diameter rigid PVC communication conduit along classified roadways, storm drainage facilities, etc.
2. All construction of, and access to, Middleton Road shall fully comply with the Middleton Road Corridor Plan (including but not limited to right-of-way widths, road section, intersection locations, turn pockets (aka "loons") and access controls). Access points required to be right-in/right-out access per the Corridor Plan shall have median curbing installed to adequately enforce the right-in/right-out movement at the time said access is constructed. Temporary full access is not permitted.
 - a. Any inconsistencies/accesses/alignments/etc. shown on the proposed preliminary plat not in conformance with this Corridor Plan shall not be construed as approved and shall be modified during plan review to fully comply with the Plan.

3. The Middleton Road Corridor Plan identifies left turn pockets ("loons") at approximate ¼ mile intervals between the half-mile intersections, at Linden & Skyway. Applicant shall dedicate necessary right-of-way at this location (plus 5' behind back of sidewalk) and construct said turn pocket as part of this development. Exact location of the turn pocket may be determined during the review of construction drawings but shall more-or-less comply with the location set forth in the corridor plan. The full turn pocket shall be constructed. CHD4 and the City shall agree to the final location of this turn pocket.
4. All requirements placed on the proposed development by Canyon Highway District No. 4 shall be met. In instances where City and CHD4 requirements differ, the more stringent of the two shall apply.
5. Commercial lots located within the C2 zone (southwest corner of the development) shall utilize shared access points.
 - a. Access to proposed ~~Leland~~ ^{SkyCatcher} Avenue for lots 1 & 2 shall be near the common property line of these two parcels and shall be aligned, centerline to centerline, with the proposed ~~Husky Street~~ ^{Beechcraft Street}.
 - b. Access to proposed Super Cub Street for lots 3 & 4 shall be near the common property line of these two parcels.
6. A northbound right-hand turn lane shall be constructed at the proposed Super Cub Street right-in/right-out access point to Middleton Road. Full turn lane, storage bay, taper, striping, etc. shall be constructed when said access point is constructed.
7. A westbound right-hand turn lane shall be constructed at the proposed ~~Leland~~ ^{skycatcher} Avenue access point to Linden Road. Full turn lane, storage bay, taper, striping, etc. shall be constructed when said access point is constructed.
8. An eastbound left-hand turn lane shall be constructed at the proposed ~~Leland~~ ^{SkyCatcher} Avenue access point to Linden Road. Full turn lane, storage bay, taper, striping, etc. shall be constructed when said access point is constructed.

Outparcels:

19240 Middleton Road (R34306)

1. The City is working on obtaining right-of-way from this property owner. Should the city successfully obtain right-of-way Applicant shall construct full width improvements across the frontage of this parcel. Should the City not obtain the right-of-way Applicant shall construct all improvements possible, as determined by the City & CHD4, within the prescriptive right-of-way (including but not limited to, asphalt paving and driveway modification as necessary).
2. Applicant shall construct an access for this parcel from within the development for said parcel to use as their main point of access once constructed.
3. Applicant shall provide a water service for this outparcel.
4. Applicant shall provide a sewer service stub for this outparcel, in the location of the required interior access point. All necessary easements for said sewer service shall be granted on the final plat.

10760 Linden Road (R34305)

1. The City is working on obtaining right-of-way from this property owner. Should the city successfully obtain right-of-way Applicant shall construct full width improvements across the frontage of this parcel. Should the City not obtain the right-of-way Applicant shall construct all improvements possible, as determined by the City & CHD4, within the prescriptive right-of-way (including but not limited to, asphalt paving and driveway modification as necessary).
2. Applicant shall construct an access for this parcel from within the development for said parcel to use.
3. Applicant shall provide a water service for this outparcel.
4. Applicant shall provide a sewer service stub for this outparcel, in the location of the required interior access point. All necessary easements for said sewer service shall be granted on the final plat.

Traffic Mitigation

The following are the required traffic related mitigation measures for the Mason Creek AND Mason Creek Grove Subdivisions (combined) resulting from the traffic impact study pursuant to City Code Chapter 10, Article 10. A traffic impact study will be required for this development because of the volume of traffic produced.

1. Provide a cross-access easement allowing use of approaches and cross-access of the site by both onsite and adjacent development. This requirement shall be noted on the final plat.
2. Community Planning Association of Southwest Idaho has computed the average trip length in Canyon County to be 7.3 mi. Traffic impact mitigation should presumably occur at both trip ends so ½ of the trip length should be attributed to each end. It is estimated that trips will encounter a major intersection every half mile along any given path. The capacity of an average fully improved intersection (assumed to be the intersection of a collector and an arterial road) is estimated to be 5,080 vehicles/hour.

The estimated traffic resulting from the proposed density in this subdivision based on the traffic impact study conducted by CR Engineering, Inc. dated June 29, 2020 sets the am peak hour trip generation at 529 vehicles/hour and the pm peak hour trip generation at 679 vehicles/hour for the entire subdivision.

Following the City of Caldwell's mitigation equation $((679\text{veh/hr} * 7.3 \text{ mile/trip} * 0.5 \text{ trip ends} * 2\text{inter/mi}) / (5080\text{veh/hr}))$, the total contribution of this development to traffic mitigation shall be 97.5% of a fully improved intersection. This percentage represents the total capacity utilized from each intersection (once fully improved and possibly signalized) encountered by trips generated over the development's half of the generated trip length.

- a) The owner/developer/applicant shall design and construct roughly 97.5% of the signalization improvements needed for an average intersection, as defined, at one or more nearby (within 3.5 miles of the site) deficient locations to be determined by Engineering staff. The Engineering staff shall have reasonable discretion to determine the sites of construction and what design and construction equals roughly 97.5% of the

signalization improvements needed for an average intersection. Engineering staff can provide information about applications with whose mitigation efforts the owner/developer/applicant can combine to achieve even units of 100%.

- i) The owner/developer/applicant may be allowed, at his option, to contribute monies in lieu of construction to the City of Caldwell Roadway Trust Fund, but the basis for the obligation is for construction. Monetary contributions must be made at a level commensurate with costs to construct the same by the City and as estimated by the City. This alternate provision for payment of money is not a requirement, is for the benefit and convenience of the owner/developer/applicant only and does not constitute an Impact Fee.
- ii) Improvements needed at and near the intersection of Middleton Rd. and Linden St. may be considered in lieu of some part or all traffic mitigation requirements.
- iii) The average cost of an intersection is estimated at \$425,000 for procurement of design services, construction, and associated costs by the City, of which 97.5% of that cost is what needs to be covered by this subdivision.

The owner/developer/applicant shall keep the City informed of and comply with any additional requirements CHD4 has pertaining to Middleton Road. CHD4 has the final authority to impose Middleton Rd. requirements and said requirements shall be met independent of requirements of the City. CHD4 standards shall be followed for roadway section depth on Middleton Rd. The stricter of City or CHD4 requirements shall be followed for roadway width and traffic mitigation measures on Middleton Rd

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 phase of development shall have a redundant/secondary supply of domestic water.
3. 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
4. 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.
5. Applicant shall construct a 12" water mainline in Linden Road along the entire project frontage, including across the frontage of outparcel R3430500000, ultimately connecting to the Applicants currently-in-construction subdivision (Mason Creek Landing) which is located at the outparcels east property line.

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 location of sewer 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 install trunk lines specified within the most current version of the Franklin Sewer Study that reside within the limits of this preliminary plat.
3. The Developer will be required (where applicable) to extend all sewer 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.
4. 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.
5. 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.
6. 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 and on the final plat (excluding prescriptive easements). Construction across or re-routing of these facilities is subject to approval by the Pioneer Irrigation District and at their discretion, 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 subdivision 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. Applicant may be able to connect to the existing Mason Creek Subdivision pump station if Caldwell Municipal Irrigation District deems it appropriate and the pump station has the capacity to serve this development. Any modifications/upgrades necessary to facilitate connection shall be the responsibility of the Applicant.
 - a) If the existing pump station is used the existing deliver point head gate may need to be upsized to provide adequate water flow to the pressure irrigation pump station. The need to upsize this head gate will be reviewed and determined during plan review.

Applicant shall provide City with confirmation that Pioneer Irrigation District will accommodate the increased head gate size if necessary.

- b) Should the applicant elect to construct their own pump station the station shall be located in a common lot to be owned and maintained by the HOA. CMID shall own and maintain the pump station and granted access to/from/across the common lot.
4. Each lot shall be provided with a pressure irrigation service.
5. All pressure irrigation mainlines shall be located in the public right-of-way, and within a public utility easement of a minimum of 10 feet in width centered over said mainlines as per current City standards.
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. Applicant 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 Pioneer Irrigation Facilities 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. The final plat drawing should indicate that storm water detention basins are to be placed in common lots in accordance with the referenced Stormwater policy. A note should be placed on the final plat indicating that all areas designated as common areas are to be operated and maintained by the home owners association.

4. There is to be no discharge of storm water overflow into any irrigation water return/discharge facility/ditch/pipe/etc.

Other Utilities

1. The Developer is responsible to relocate all frontage utilities in accordance with City standards and specifications in conjunction with this development.

Plat

1. Prior to approval of the final plat, subdivision facilities must be completed or an appropriate construction security provided. There may be temporary restrictions to the obtaining of building permits, even with acceptable construction security, depending on fire protection, emergency service requirements, and City approval of the sanitary sewer system. A 50% temporary restriction to obtaining of building permits will be enforced until all facility construction has been completed, inspected and certified by the Applicants engineer including all punch list items.
2. A note shall be placed on the Final Plat indicating that all rights-of-way are to be dedicated to the public.
3. A note shall be added to the final stating that no lot shall have direct access to/from Middleton and Linden Roads.
4. Upon recordation of the plat, the Engineering Department is to be provided with a PDF copy of the recorded final and 3 full paper set.
5. An electronic (dwg.) copy of the Final Plat suitable for mapping and addressing purposes will be required with Final Plat application submittal.

EXHIBIT A 15
PROPOSED COMMERCIAL LOT USAGE

Debbie Root

From: Patrick Connor <pconnor@hubblehomes.com>
Sent: Tuesday, September 8, 2020 10:48 AM
To: Debbie Root
Subject: RE: Commercial properties

Debbie – The intended user of the commercial property would be an out-patient health clinic, dentist office, small medical office, professional office space, daycare facility, retail shop, restaurant or a community bank. We do not project it to be residential multi-family.

Patrick



Patrick Connor
Director of Planning and Design
e pconnor@hubblehomes.com
o (208) 433-8800
p (214) 564-2812

From: Debbie Root <droot@cityofcaldwell.org>
Sent: Sunday, September 6, 2020 4:50 PM
To: Patrick Connor <pconnor@hubblehomes.com>
Subject: Commercial properties

Patrick,

Commercial lots on the corner: What is the intended use of those lots? Are you projecting it to be residential multi-family?

Deb Root, MBA, PCED
Senior Planner
City of Caldwell Planning and Zoning
208-455-4662
droot@cityofcaldwell.org

Total Control Panel

[Login](#)

To: droot@cityofcaldwell.org [Remove](#) this sender from my allow list
From: pconnor@hubblehomes.com

You received this message because the sender is on your allow list.



September 10, 2020

Debbie Root
City of Caldwell
Planning and Zoning Department
621 Cleveland Blvd
Caldwell, ID 83605

**RE: Mason Creek Grove Subdivision – Caldwell, ID
Re-Zone, Comprehensive Plan Map Change and Preliminary Plat Narrative**

Dear Ms. Root,

On behalf of Providence Properties, LLC, I am pleased to submit the attached applications and required supplements for re-zoning, change to the comprehensive plan map and preliminary plat applications for the Mason Creek Grove Subdivision.

Site Information:

The subject property of 35.47 acres located at the northeast corner of Linden Road and Middleton Road is within Caldwell City Limits and currently zoned R-1, low density residential. The property is bounded to the north and east by the platted Mason Creek Landing subdivision and to the south and west by agricultural and residential uses. The property immediately adjacent to the north and west of the property is zoned R-2, medium density residential. The property on the west side of Middleton Rd is zoned R-1 and C-1. The property to the south of Linden is outside of Caldwell City Limits.



The site is generally flat and drains to the northeast, signified by the Noble Drain that diagonally divides the NW corner of the property. The site is engineered and designed to fit into the platted Mason Creek Landing subdivision surrounding the property to the north and east. The SW corner acre parcel outside of the property boundary is owned by the Canyon County Highway District No. 4 and will be used as drainage property for the planned roundabout at the intersection.

According to the Caldwell January 2020 Comprehensive Plan, most of the property is Low-Density Residential with about a quarter called for Medium-Density Residential (further discussed below). The property surrounding 3 of 4 sides of the property is called for Medium-Density Residential.

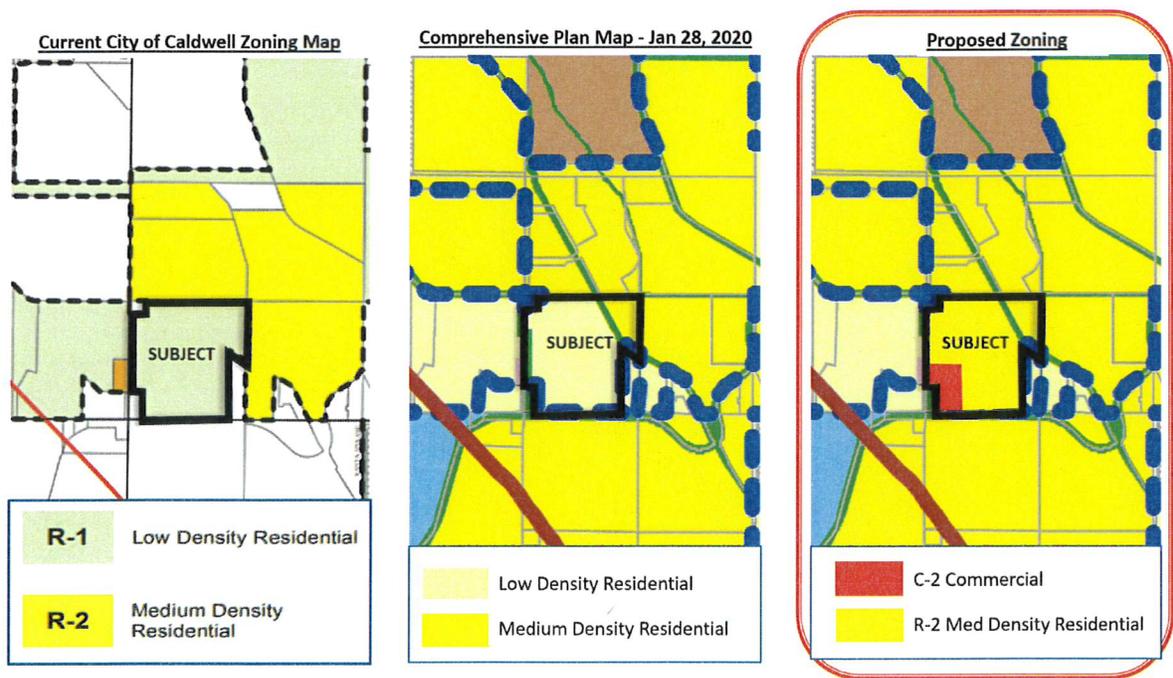
In conversations with City Staff to provide community-use commercial property for this growing region and an effort to provide uniformity of residential land use based on surrounding properties, we propose a majority (approx. 30 acres) of the property to be re-zoned R-2 Medium-Density Residential. In addition, we are requesting about 5 acres of C-2 Community-Commercial property at the corner of Linden Rd and Middleton Rd. Further detail is discussed below. We also request the comprehensive plan map be changed to reflect these medium density residential and commercial land uses.

Re-Zoning

As mentioned, the current zoning designation is R-1 (Low-Density Residential). We are proposing to re-zone the property to R-2 (Medium-Density Residential) and C-2 (Community Commercial) so it will be in line with the same density as neighboring properties (particularly the larger Mason Creek Landing, zoned R-2) and provide a commercial land use for the intersection of Linden Rd. and Middleton Rd.

The R-2 district will be comprised of approximately 30 acres, with 110 single family lots included in the preliminary plat. The C-2 district will be comprised of approximately 5 acres and geared for community commercial use (dentist office, bank, community retail, restaurant, etc).

Below is an exhibit that shows the zoning designations per the current zoning ordinance, the Future Land Use Map and the proposed zoning for the subject parcel. As made apparent by the diagrams, the change of the subject property to R-2 (medium-density residential) would make the parcel consistent within the same parcel and with adjacent neighboring parcels. The zoning to C-2 on the corner of Middleton and Linden will allow for a community use for this intersection of two major roads.



Current Zoning Designation

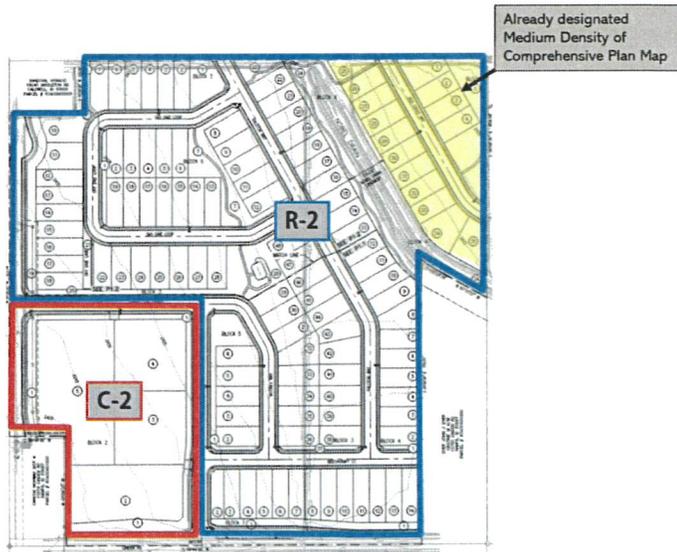
The current zoning designation of the subject property is R-1 (low density residential). Currently the property is bordered to the east and north by the approved Mason Creek Subdivision, zoned R-2 (medium density residential). Across Middleton Rd to the west the property is zoned R-1 with a portion zoned commercial along Middleton Rd. The property to the south is outside of Caldwell city limits.

Comprehensive Plan

The comprehensive plan's Future Land Use Map, shows a majority of the property as maintaining the low-density residential, but the north east corner designated as medium-density residential. Nearly all of the property surrounding the parcel was designated as Medium Density Residential.

Proposed Re-Zoning and Change to Comprehensive Plan Map

It is our stance that the appropriate zoning of this parcel is R-2 medium-density residential with the SW corner of commercial in order to better match and complement to the surrounding designations. This property is designed to be integrated into the Mason Creek Landing subdivision so our intent is to provide consistency between the two plats. Given the northeast corner is already designated medium-density residential on the FLUM, the remaining residential property should be of the same zoning.



In conversations with City staff, the proposed community commercial use would be appropriate for this location in the community at the corner of Middleton Rd and Linden Rd. In order to accommodate for future commercial needs of the growing population, this commercial use can focus on the needs of the families in the area. The plan includes 4 pad sites.

In addition, it is required by the City of Caldwell to change the Comprehensive Plan Map to match the re-zoning request described above. We are requesting that the proposed R-2 Zone will be designated as Medium Density Residential and that the proposed C-2 Zone be designated Commercial on the Comprehensive Plan Map.

Preliminary Plat

As mentioned, the subject request includes a preliminary plat for 35.47 acres comprising the Mason Creek Grove subdivision. We are proposing 110 buildable single-family lots, 4 commercial lots and 18 common lots.

Residential

Within the single-family residential areas, lot sizes range between 6,027 square feet and 10,938 square feet, in alignment with the R-2 zoning district requested (6,000 square foot minimum). The average lot size for a single-family lot is 6,374 square feet. About half of the lots are 45' wide and the other half are 55' wide. These lot sizes are similar in size and depth to that of the Mason Creek subdivision to the north and west of the property. The plan will reflect the assigned R-2 front, side and rear setbacks per city code.

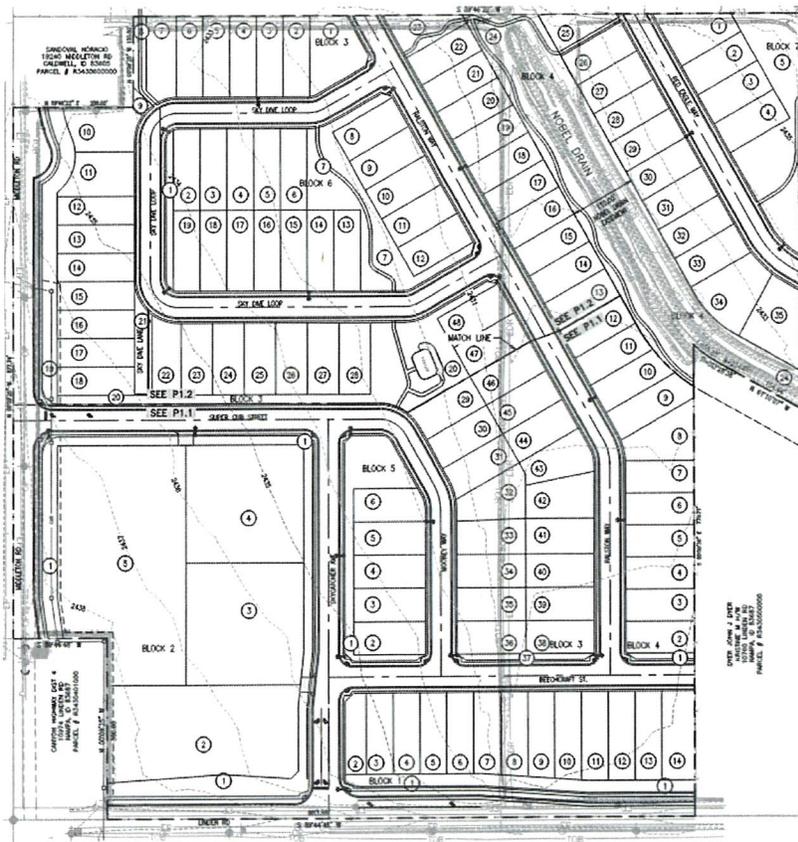
We intend on offering the same housing product that we are offering in Adams Ridge, which is being very well received by buyers and families looking to establish a home in the community. We will offer out 30' wide and 40' wide product series. All of our homes are Energy Star Certified and HERS rated.

Commercial

The approximately 5 acres of proposed C-2 (Community Commercial) is divided into four lots, three about 1 acre in size and one about 2 acres. Conversations with city staff led to the inclusion of community commercial property in this preliminary plat. The commercial property is located at the southwest corner, allowing access to Middleton Rd and Linden Rd at the appropriate offsets from the planned round-about intersection.

The intended user of the commercial property would be an out-patient health clinic, dentist office, small medical office, professional office space, daycare facility, retail shop, restaurant or a community bank. Given the lack of commercial land in the area and the expected rapid growth of north Caldwell, we believe that providing community commercial opportunities will provide necessary and convenient services for Caldwell residents.

Access and Connectivity



The subject parcel has access to Middleton Rd, a principal arterial roadway and Linden Rd, a minor arterial roadway. Given the planned round-about at the intersection of Linden Rd and Middleton Rd, the access to the commercial parcels will be offset from the center point of the intersection at 527 feet along Linden Rd and 660 along Middleton Rd. Both of these access points exceed the minimum distance from the intersection. The access into Mason Creek Grove from Linden will be a full access while the Middleton Rd. access will be right-in / right-out.

Utilities including water, sewer and pressurized irrigation will all connect to and through the Mason Creek Landing subdivision to the north.

Pedestrian Connectivity

Within the community, there will be four sidewalk connection points to the neighboring property of Mason Creek Landing, two stub roads aligned to the north and two stubs to the east. In addition, there are also two pedestrian access points to Mason Creek Landing aligned with planned pedestrian pathways.

-  Pedestrian pathways through greenspace
-  Open Space
-  Open Space in drainage easement



Landscaping, Open Space and Amenities

The total amount of open space is 2.88 acres or 8.12%. In accordance with City Code, landscape buffers are included along Linden Rd and Middleton Rd. In addition, there are small pocket parks, a tot lot and landscape pedestrian pathways within the community. These pathways through the blocks will allow for pedestrian access throughout the neighborhood outside of the typical sidewalks along the roadways. Along the Noble Drain that cuts through the NE portion of the property, there will be a pedestrian pathway that will run along the west side of the canal. This pathway will be fully landscaped and connect to the path located in Mason Creek Landing to the north. Mason Creek Grove will be integrated into the HOA of Mason Creek and have access to all playgrounds and parks with the adjacent community. It is important to note that City code does not allow drainage easements to be counted as open space. The area along the Noble Drain, landscaped and with a pathway is useable recreation space that is not included in the overall open space calculation.

Included in this application is an exhibit of the landscape plan for the overall community.

Phasing Plan

The project is planned to be a phased development, spread out over four construction phases. Given the current location of water and sewer connection points, development will start from the northeast, progress south and then to the western side. The commercial property in the southwest corner will be the final phase of development. The proposed phasing plan is shown.

Conclusion

We believe the proposed rezoning, change to comprehensive plan map and preliminary plat will appropriately fit into the neighboring area. The re-zone application will correctly zone the residential similar to that of the adjacent subdivision and provide a necessary commercial use for future residents. The preliminary plat will assimilate with the existing Mason Creek Landing preliminary plat through the street and pedestrian pathway network as well as providing a more complete and comprehensive community plan.

We appreciate the time you and other staff have spent with us in order to submit this application. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,
Providence Properties, LLC



Patrick Connor
Director of Planning and Design

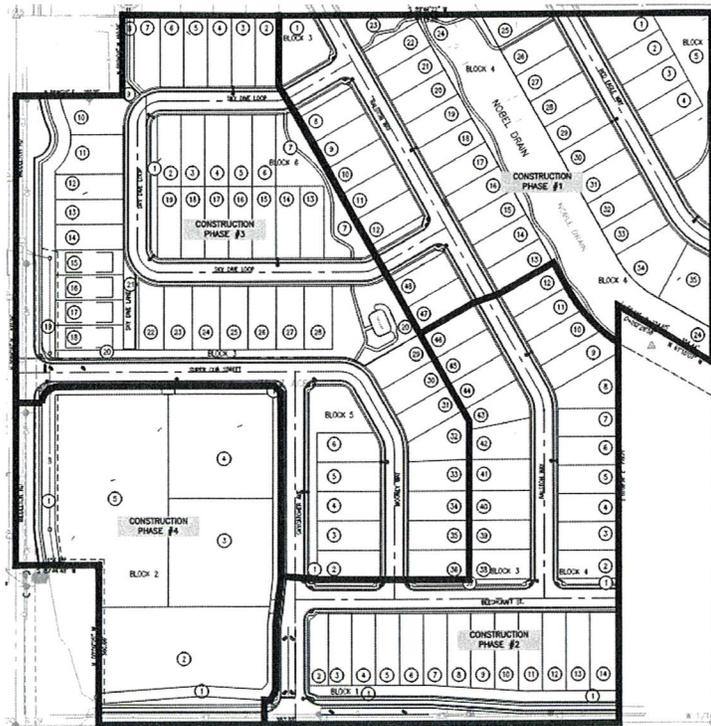


Exhibit 1: Mason Creek Grove and Mason Creek Landing Preliminary Plats



