



BOARD OF COUNTY COMMISSIONERS

STAFF REPORT ADDENDUM
CASE NO. RZ2022-0007

HEARING DATE: May 23, 2023

OWNER: Gregory & Ann Obendorf

APPLICANT/REP: Borton & Lakey Law

PLANNER: Dan Lister, Planning Official

CASE NUMBER: RZ2022-0007



EXECUTIVE SUMMARY:

On February 15, 2023, the Board of County Commissioners heard Case No. RZ2020-0007 (Exhibit 13). After considering staff analysis and testimony, the Board decided to reverse the Planning and Zoning Commission's recommendation denial and to consider approval subject to an amended development agreement subject to another noticed scheduled public hearing.

This report includes the original staff report analysis and exhibits, FCOs that support approval of RZ2022-0007 with revised development agreement conditions (Exhibit 14) requested during the February 15th hearing for the Board's consideration.

Comments received after the February 15, 2023 hearing:

- ITD (Exhibit 5di): Comment updates their previous comment requesting the conceptual site plan not be approved until approved by ITD. The associated development agreement condition has been modified to incorporate ITD's update.
- E-mail from Cheyne Weston (Exhibit 6j): Opposed.

If approved the following actions are required:

- Sign the FCOs,
- Sign the development agreement, and
- Sign the Ordinance amending the Zoning map

EXHIBITS:

1. Draft FCO's w/Attachment A: Development Agreement Conditions (provided on 2/15/2023);
2. Letter of Intent/Site Plan;
3. Neighborhood Meeting;
4. Maps:
 - a. Small Air Photo;
 - b. Vicinity;
 - c. Notification
 - d. Zoning and Classification;
 - e. Subdivision w/ Report
 - f. Cases w/ Report
 - g. Soils and Farmland w/ Report
 - h. Dairy, Feedlots, and Gravel Pits
 - i. TAZ
 - j. Future Land Use
 - k. Future Land Use – Caldwell
 - l. Nitrates and Wells

5. Agency Comments:

- a. City of Caldwell
- b. Boise Project Board of Control
- c. Canyon Highway District No. 4
- d. Idaho Transportation Dept.
 - i. ITD E-mail update received 5/5/23

6. Public Comments:

- a. Julie Harris (opposed)
- b. Andrew Haumesser (opposed)
- c. Tom Blaisdell (opposed)
- d. Jennifer Babbitt (opposed)
- e. Fermenta & Pat Montgomery (opposed)
- f. John Kernkamp (opposed)
- g. 35 letters of support dated 1-9-2023
- h. Letter of support – Alan Mills
- i. 8 letters of support dated 1-9-2023)
- j. E-mail from Cheyne Weston dated 5/4/23

7. Traffic Impact Study by T-O Engineers – March 2022

8. Site Photos

9. P&Z FCOs & Minutes – 8/4/2022

10. Draft FCOs for approval provided to P&Z Revised FCOs w/Attachment A: Development Agreement Conditions

11. Curtis Crystal PowerPoint – Conceptual Design/Conceptual Site Plan

12. Todd Lakey's PowerPoint Presentation

13. BOCC Heating Minutes – 2/15/2023

14. Revised FCOs as requested by the BOCC on 2/15/2023 with Attachment A: Development Agreement Conditions

- a. Draft Development Agreement
- b. Draft Ordinance



Board of County Commissioners - Staff Report Obendorf – RZ2022-0007

Hearing Date: February 15, 2023

Development Services Department (DSD)

Owner/Applicant:

Gregory and Ann Obendorf

Representative:

Curtis Crystal, BRS Architects

Staff: Dan Lister, Planning Official

Tax ID: R32686

Curent Zone: “A” (Agricultural)

2020 Comprehensive Plan:

Future Land Use Designation:
Commercial

Lot Size: 40 acres

Applicable Zoning Land Use

Regulations: §07-06-07

Notification

4/26/2022: Full Political/JEPA
8/30/2022: Affected Agencies
1/29/2023: Newspaper
1/27/2023: 600' radius
2/6/2023: Posting

Exhibits:

1. FCO's w/ Attachment A:
Development Agreement
Conditions;
2. Letter of Intent/Site Plan;
3. Neighborhood Meeting;
4. Maps:
 - a. Small Air Photo;
 - b. Vicinity;
 - c. Notification
 - d. Zoning and Classification;
 - e. Subdivision w/ Report
 - f. Cases w/ Report
 - g. Soils and Farmland w/
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 - d. Idaho Transportation Dept.
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 - a. Julie Harris (opposed)
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(opposed)
 - c. Tom Blaisdell (opposed)
 - d. Jennifer Babbitt (opposed)

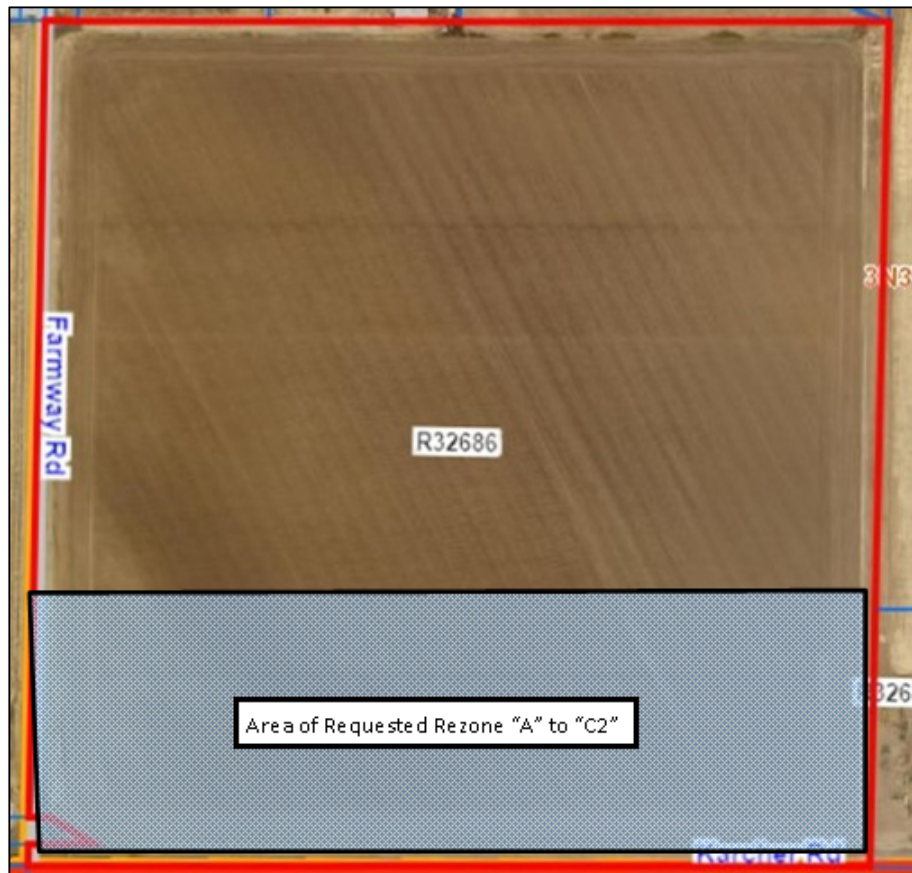
Request

The applicants, Gregory & Ann Obendorf, represented by BRS Architects, are requesting a conditional rezone of a 12.6-acre portion of parcel R32686 from an “A” (Agricultural) zone to a “C-2” (Service Commercial) zone. The request includes a development agreement (Exhibit 1, Attachment A). The 40.4-acre property is located on the northeast corner of Farmway Road and Karcher Road, Caldwell; also referenced as a portion of the SW¼ of Section 09, Township 3N, Range 3W; BM; Canyon County, Idaho.

Pursuant to the applicant's letter of intent (Exhibit 2), the 12.6-acre parcel will be completed in 3 phases: (1) gas station with convenience store at the corner of Farmway Road and Karacher Road within a 3-acre lot; (2) a seasonal farmers market along Farmway Road on approximately 1-acre; and (3) car-wash accessory to the gas station/convenience store (approximately 1.5 acres) and commercial lots along Karacher Road. Phase 3 will not occur until city services are available.

Background

The subject parcel is an original parcel (created prior to September 6, 1979, CCZO §07-02-03). The subject parcel was purchased by Gregory and Anne Obendorf September 17, 2021 (Instrument #2021-065151). A rezone application was received by DSD April of 2022. The application was amended to a conditional rezone June of 2022.



<p>e. Fermenta & Pat Montgomery (opposed)</p> <p>f. John Kernkamp (opposed)</p> <p>g. 35 letters of support dated 1-9-2023</p> <p>h. Letter of support – Alan Mills</p> <p>7. Traffic Impact Study by T-O Engineers</p> <p>8. Site Photos</p> <p>9. P&Z FCOs & Minutes – 8/4/2022</p> <p>10. Draft FCOS for approval provided to P&Z</p>	<p><u>CCZO §07-06-07(6)A – Conditional Rezone Approval – Standards of Evaluation:</u> <i>The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:</i></p> <ol style="list-style-type: none"> <i>1. Is the proposed conditional rezone generally consistent with the comprehensive plan;</i> <i>When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;</i> <i>2. Is the proposed conditional rezone compatible with surrounding land uses?</i> <i>3. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?</i> <i>4. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;</i> <i>5. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?</i> <i>6. Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and</i> <i>7. Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?</i> <p><u>Analysis</u></p> <p>The property is zoned “A” (Agricultural). Pursuant to CCZO Section 07-10-25(1), the purposes of the “A” (Agricultural) zone are to:</p> <ol style="list-style-type: none"> <i>A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations;</i> <i>B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan;</i> <i>C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65;</i> <i>D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and</i> <i>E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan.</i> <p>Pursuant to CCZO Section 07-10-25(6), the purpose of the “C-2” (Service Commercial) zone is to: <i>“Provide areas where activities of a service nature, which are more intensive in character than in other Commercial Zones, may be carried out.”</i></p>
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Surrounding Uses/Compatibility (see photos; Exhibit 8)

Existing Conditions		Primary Zone	Other Zones
NW	R32672104 (1.21 acres), R32672104A (.99 acres), R32671102 (1.54 acres), R32672010 (1.00 acre), R32672100 (2.48 acres), R32671013 (1.19 acres), R3267101100 (1 acre), R326101200 (1 acre), R32671 (71.63 acres)	A	-
N	R32688011 (1.18 acres), R32689 (1 acre), R32688010 (3.45 acres), R326687 (1.94 acres), R32702 (24.75 acres), R28131 (.68 acres), R28130 (.51 acres), R28129004 (.51 acres), R28129003 (.51 acres), R281129001 (.40 acres), R28129 (.40 acres)	A	-
NE	R32684010 (68.42 acres), R32706 (78.35 acres)	A	-
E	R32684 (1.29 acres), R32685 (2.01 acres), R32684011 (3.86 acres), R32684011A (5.17 acres), R26694 (.86 acres), R26707 (.42 acres), R26706 (.42 acres), R26683 (.32 acres), R26693 (.32 acres), R32683 (.47 acres)	A	R-R
SE	R32862010 (3.21 acres), R32862 (65.95 acres), R32909 (.93 acres), R32908011 (.64 acres), R32908 (.74 acres), R3290812 (.77 acres), R32908206 (1 acre), R32908205 (1 acre), R32908204 (.99 acres)	A	-
S	R32900216 (6.4 acres), R32900215 (1.29 acres), R32900201 (1.1 acres), R32900214 (1.28 acres), R32900213 (1.29 acres), R32900212 (1.27 acres), R32900211 (1.27 acres), R32900210 (1.4 acres)	A	C-1
SW	R32917011A (9.73 acres), R32917011 (68.99 acres), R32915 (45.21 acres), R32917 (1.48 acres)	CR-R-1	CR-C-1, CR-C-2, A
W	R32673 (80.40 acres)	A	-
A=Agricultural, CR-R-1=Conditional Rezone Single Family, CR-C-1=Conditional Rezone Neighborhood Commercial, CR-C-2 Conditional Rezone Service Commercial			

Within the immediate vicinity, the majority of the properties are zoned “A” (Agricultural; Exhibit 4d) with an average lot size of 10.37 acres (Exhibit 4e). The property consists of 40 acres of moderately suited soils which are considered prime farmland if irrigated (Exhibit 4g). Aerial views (Exhibit 4a) show an area in transition, several fields are still in agricultural production, but there are subdivisions and commercial uses in the area.

There are 28 platted subdivisions in a one-mile radius of the subject property with an average lot size of 1.03 acres. There are two (2) subdivisions that currently in platting within a one-mile radius with an average lot size of 0.30 acres (Exhibit 5e). Directly across Highway 55/Karacher Road, on parcel R32900216 is a mini-storage facility that operates under a conditional use permit, this parcel is zoned “C-1” (Neighborhood Commercial) (Exhibit 4d). To the south west of the subject parcel are several parcels that are zoned “CR-C-2” (Conditional Rezone-Service Commercial) and “CR-C-1” (Conditional Rezone-Neighborhood Commercial) and “C-1 (Neighborhood Commercial).

Recent decisions

- **CR2018-0002 – Karacher Farms (R32915, R32917011, R32917011A, 123 acres):** Approved on appeal to courts in 2019 to CR-C2, CR-C1 and CR-R-1 subject to 21 conditions of approval (DA #20-147). The property has since be sold and plats were recently submitted to DSD (SD2022-0051 & SD2022-0049).
- **RZ2021-0035 – Troost:** The Board denied a zoning map amendment of the 34.96-acre property (R32938010A) from an “A” Zone to “C-2” for a recreational vehicle park.

Future Land Use/Anticipated Growth

The 2020 Canyon County Future Land Use Map designates the subject property as “Commercial” (Exhibit 4j). The commercial designation is also shown on the 2030 Canyon County Future Land Use Map. Since the project was submitted prior to the adoption of the 2030 Comprehensive Plan, the 2020 Comprehensive Plan shall apply. The commercial land use classification is described in the 2020 Canyon County Comprehensive Plan as providing “for a variety of commercial uses that provides goods and services to businesses, travelers and residents of the county.”

The request is located within the Caldwell Area of City Impact and the land use is designated as “Highway Corridor” (Exhibit 4k) the purpose of which is to “identify key areas along a highway corridor that are highly visible and transitional in nature. This category includes land that is suitable for a blend of highway-oriented commercial uses, business parks, limited light industrial, educational, office and high density residential” (Exhibit 5a). The designation only applies to properties annexed into the City of Caldwell.

Services

- **Wells/Septic Systems:** The property is located within the Caldwell Area of City Impact. City services are not available to the subject parcel at this time. Therefore, the gas station with convenience store and seasonal farmer’s market will be required to meet IDWR, DEQ and SWDH commercial development requirements and standards.

The property is just outside of the delineated nitrate priority area (Exhibit 4l). Wells in the immediate area showing low levels of nitrates. DEQ may require a public drinking water system if the gas station with convenience store or seasonal farmer’s market serves 25 or more people for 60 more days a year which would address nitrates issues.

- **Irrigation and Drainage:** The property is located within the Boise Project Board of Control Irrigation District and has a valid water right (Exhibit 5b). Future development will be required to provide irrigation water to all landscaping and retain stormwater on-site.
- **Access/Traffic:** The applicant commissioned a Traffic Impact Study (TIS) by T-O Engineers (Exhibit 7) which was completed in November, 2021 and updated March, 2022. The proposed development is expected to generate a total of 1,770 net-new daily trips. Based upon the analysis contained within the TIS the following recommendations were provided:
 - **Access:** Access to the property shall be located a minimum of 660’ from the intersection of Karcher Road and Farmway Road.
 - **Farmway Road at Driveway A:** Per standards outlined in the *ITD Traffic Manual*, a northbound right-turn lane should be constructed concurrently with Driveway A which will provide full access with no turning restrictions.
 - **State Highway 55 at Driveway B:** Per standards outlined in the *ITD Traffic Manual*, a westbound turn lane should be constructed concurrently with Driveway B which will provide right-in, right-out access only.

Canyon Highway District #4 commented on the request (Exhibit 6c). The comment letter does not oppose the request subject to conditions of approval which include a final traffic study addressing the full buildout, improvements to Farmway frontage per Transportation Impacts and Frontage Improvements section of the TIS, Driveway approach location, connection plan directly across from Drake Lane, and dedication. The letter is included as a condition of the development agreement (Exhibit 1, Attachment A).

Per Exhibit 5d, The Idaho Transportation Department (ITD) requires:

- Approach shall be moved to the east so it is between Sta 758+00 and 759+00.

- Developer shall provide funding for ITD to design and construct a right-turn lane and raised median to be included in ITD Project KN22715 (SH-44 Improvements from Indiana to Pear Lane).
- Developer shall provide dedication right-of-way from access location to easterly property boundary to accommodate the future right-turn lane.

ITD and Canyon Highway District #4 conditions have been applied as conditions of the development agreement (Exhibit 1, Attachment A).

Comprehensive Plan

The 2020 Canyon County Comprehensive Plan designates the future land use of the parcel as “Commercial” (Exhibit 4j). The parcel is located within the Caldwell Area of City Impact and is designated as Highway Corridor on their comprehensive plan (Exhibit 4k). The request is in general compliance with the following goals, policies and implementation actions of the 2020 Canyon County Comprehensive Plan:

- Property Rights Policy No. 1: *“No person shall be deprived of private property without due process of law.”*
- Property Rights Policy No. 8: *“Promote orderly development that benefits the public good and protects the individual with a minimum of conflict.”*
- Population Goal No. 2: *“To encourage economic expansion and population growth throughout the county plus increase economic diversity for continued enhancement of our quality of life to meet citizen needs.”*
- Population Goal No. 3: *“To guide future growth in order to enhance the quality and character of the county while providing and improving the amenities and services available to Canyon County residents.”*
- Economic Development Goal No. 3: *“Create new jobs that are sustainable and lasting.”*
- Economic Development Goal No. 4: *“Provide an economically viable environment that builds and maintains a diverse base of business.”*
- Economic Development Policy No. 6: *“Encourage commercial and residential development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County.”*
- Economic Development Policy No. 12: *“Establish appropriate industrial and commercial zones to further increase business and economic development in various areas of Canyon County.”*
- Land Use Goal No. 1: *“To encourage growth and development in an orderly fashion, minimize adverse impacts on differing land uses, public health, safety, infrastructure and services.”*
- Land Use Goal No. 4: *“To encourage development in those areas of the county which provide the most favorable conditions for future community services.”*
- Land Use Policy No. 1: *“Review all residential, commercial and industrial development proposals to determine the land use compatibility and impact to surrounding areas.”*
- Land Use Implementation Action: *“Encourage commercial areas, zones or uses that are contiguous to existing county or city commercial areas, zones or uses but recognizing additional areas or zones, beyond those already existing, may be desirable and that some mixed uses are compatible.”*
- Land Use Policy No. 3: *“Encourage the establishment of new development to be located within the boundaries of a rural fire protection district.”*

Planning and Zoning Commission

On August 4, 2022, DSD provided draft findings of fact, conclusions of law and order for approval (Exhibit 10). After hearing all testimony, the Planning and Zoning Commission recommended denial of the rezone (Exhibit 9). The Planning and Zoning Commission found the request to be premature and should wait until Karacher Road is improved and city services are available. Until then, the property should remain in agricultural use. Additionally, comments and information from ITD were not provided and is critical for this type of decision. Therefore, the request was found inconsistent with the following goals, policies and implementation actions of the 2020 Canyon County Comprehensive Plan:

- Economic Policy No. 1: “Canyon County should encourage the continued use of agricultural lands, land uses, and recognize the economic benefits they provide to the County.”
- Economic Policy No. 7: “Canyon County should identify areas of the county suitable for commercial, industrial and residential development. New development should be located in close proximity to existing infrastructure and areas where agricultural uses are not diminished.”
- Agricultural Policy #1: “Preserve agricultural lands and zoning classifications.”
- Agricultural Policy #3: “Protect agricultural operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial or industrial development.”
- Natural Resources Policy #3: “Protect agricultural activities from land use conflicts or undue inference created by existing or proposed residential, commercial or industrial development.”

Area of City Impact – Caldwell

Pursuant to Canyon County Code §09-01-21 – Zoning Ordinance Amendment Proposals within the Caldwell Area of City Impact Agreement:

All proposed amendments to the text and/or map of the Canyon County zoning ordinance or subdivision regulations, which may relate to the Caldwell area of city impact, shall be referred by the county to the city of Caldwell in the same manner as provided for in subsection 09-01-17(3) of this article. Any recommendation of the city of Caldwell shall be considered in the same manner as provided for in subsection 09-01-17(3) of this article.

- Canyon County Code §09-01-17(3): *Notice of all proposals to amend the county comprehensive plan, which may pertain to the Caldwell area of city impact but which do not originate from the city of Caldwell, shall be given to the city of Caldwell community development director at least thirty (30) calendar days prior to the first county public hearing at which such proposal is considered by the county, and the city of Caldwell may make a recommendation before or at said public hearing. After the city receives its initial thirty (30) days' notice, any further notice of proposed changes to the proposal will be provided to the city of Caldwell at least seven (7) days prior to the public hearing. If a recommendation is received by the county from the city of Caldwell, the recommendation shall be given consideration by the county, provided it is factually supported. Such recommendation shall not be binding on the county. If no recommendation is received, Canyon County may proceed without the recommendation of the city of Caldwell.*

The property is within the Caldwell Area of City Impact. The city designates the area as “Highway Corridor” (Exhibit 4k).

Pursuant to the code sections stated above, a notice was provided to the City of Caldwell on April 26, 2022. A comment letter was received from the City of Caldwell (Exhibit 5a) identifying the request is consistent with their comprehensive plan subject to the following conditions:

- Development meets applicable regulations within Caldwell’s Landscaping Ordinance;
- Development connect to city services (water and sewer); and

- Development meet Caldwell Fire comments and conditions.

As conditioned by the development agreement (Exhibit 1, Attachment A), the request shall comply with Caldwell's landscaping requirements and Fire District Conditions. The agreement requires the developer to connect to city services prior to Phase 3. The applicant shall work with the City of Caldwell on a pre-annexation/services connection deferral agreement.

Comments

Public Comments

Six (6) letters of opposition were received (Exhibit 6) with the following concerns:

- City services and Karacher Road improvements (Spring 2023) should be completed prior to the requested development. The current conditions of Karacher Road/SH-55 is congested with inadequate highway capacity.
- The request promotes the incremental removal of valuable farm ground.
- The commercial use proposed is not needed in the area. There are five convenience stores within five miles.
- Environmental risks/concerns of groundwater contamination from the gas storage/fuel tanks.
- The proposal does not address noise and exterior lighting impacts.

35 letters of supports (Exhibit 6g) were submitted by Alan Mills stating that the request is similar to other zones in the area, a desirable use, location supported by the comprehensive plan future land use map, located within Caldwell Impact Area, beneficial to travelers on SH-55 and conditions of the development agreement adequately mitigate transportation issues. Alan Mills also provided support via review of the 2020 Canyon County Comprehensive Plan's policies and goals (Exhibit 6h).

Agency Comments

See Exhibit 5 for all comments received from affected agencies.

Decision Options

- The Board of County Commissioners may **approval** of the request and accept draft conditions of the development agreement as presented or as modified;
 - Approval will require amended findings of facts as directed by the Board. The Findings of fact, Conclusions of law, development agreement and ordinance are required to be signed.
- The Board of County Commissioners may **recommend denial** of the request as recommended by the Planning and Zoning Commission (Exhibit 9),
- The Board of County Commissioners may **continue the discussion** and request additional information on specific items.

Recommendation

Staff recommends the Board of County Commissioners open a public hearing and discuss this request.

On August 4, 2022, the Planning and Zoning Commission recommended denial of this request (Exhibit 9). Staff has provided draft Findings of fact, Conclusions of Law and Order based on the Planning and Zoning Commissioner's recommendation for the Board's consideration (Exhibit 1).



Board of County Commissioners - Staff Report
Obendorf – RZ2022-0007

Development Services Department

Findings of Fact, Conclusions of Law, and Order

Conditional Rezone – RZ2022-0007

Findings of Fact

1. The applicants, Gregory & Ann Obendorf, represented by BRS Architects, are requesting a conditional rezone of a 12.6-acre portion of parcel R32686 from an “A” (Agricultural) zone to a “CR-C-2” (Conditional Rezone - Service Commercial) zone. The request includes a development agreement (Attachment A). The 40.4-acre property is located on the northeast corner of Farmway Road and Karcher Road, Caldwell; also referenced as a portion of the SW¹/₄ of Section 09, Township 3N, Range 3W; BM; Canyon County, Idaho.
2. The subject property is designated as “Commercial” in the Future Land Use plan within the 2020 Canyon County Comprehensive Plan.
3. The subject property is located within the Caldwell Area of City Impact. Caldwell was noticed April 26, 2022 and August 30, 2022.
4. The subject property is located within the Canyon Highway District #4, Caldwell Rural Fire District, Vallivue School District and the Boise Project Board of Control Irrigation District.
5. A neighborhood meeting was conducted on April 5, 2021 in accordance with CCZO Section 07-01-15.
6. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Affected agencies were noticed on August 30, 2022. Newspaper notice was published on January 29, 2023. Property owners within 600’ were notified by mail on January 27, 2023. Full political notice was provided on April 26, 2022. The property was posted on February 6, 2023.
7. The record includes all testimony, the staff report, exhibits, and documents in Case File RZ2022-0007.
 - a. On August 4, 2022, the Planning and Zoning Commission recommended denial of the request.
 - b. The hearing of this case was tabled by the Board of County Commissioners. The hearing on November 2, 2022 was tabled due to a lack of quorum. The hearing on October 28, 2022 was tabled upon request by the applicant. The hearing on January 24, 2023 was tabled to Board scheduling conflict.

Conclusions of Law

For this request, the Board of County Commissioners finds and concludes the following regarding the Standards of Review for a Conditional Rezone (CCZO §07-06-07(6)):

A. Is the proposed conditional rezone generally consistent with the comprehensive plan?

Conclusion: The proposed conditional rezone is not consistent with the comprehensive plan.

Finding: Although the subject parcel is designated at “commercial” in the Future Land use map within the Canyon County Comprehensive Plan, the request is not in general compliance with the following goals, policies and implementation actions of the 2020 Canyon County Comprehensive Plan:

- Economic Policy No. 1: “Canyon County should encourage the continued use of agricultural lands, land uses, and recognize the economic benefits they provide to the County.”
- Economic Policy No. 7: “Canyon County should identify areas of the county suitable for commercial, industrial and residential development. New development

should be located in close proximity to existing infrastructure and areas where agricultural uses are not diminished.”

- Agricultural Policy #1: “*Preserve agricultural lands and zoning classifications.*”
- Agricultural Policy #3: “*Protect agricultural operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial or industrial development.*”
- Natural Resources Policy #3: “*Protect agricultural activities from land use conflicts or undue inference created by existing or proposed residential, commercial or industrial development.*”

B. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?

Conclusion: The proposed zone change is not more appropriate than the current zone.

Finding: The subject parcel is actively farmed and located to the west, east and north east to other large agricultural properties (Exhibit 4a of the staff report). The property consists of 40 acres of moderately-suited soils which is considered prime farmland if irrigated (Exhibit 4g of the staff report). Based on existing conditions, the request is premature and should wait until (1) the improvements/widening of SH-55 is completed; and (2) Caldwell city services are available (Exhibit 9 of the staff report). The City of Caldwell also requests the future commercial development be supported by city services (Exhibit 5a of the staff report).

C. Is the proposed conditional rezone compatible with surrounding land uses?

Conclusion: The proposed use is compatible with the surrounding land uses.

Finding: Directly across Highway 55, on parcel R32900216, is a mini-storage facility that operates under a conditional use permit, this parcel is zoned “C-1” (Neighborhood Commercial). To the south west of the subject parcel are several parcels that are zoned “CR-C-2” (Conditional Rezone-Service Commercial) and “CR-C-1” (Conditional Rezone-Neighborhood Commercial) and “C-1” (Neighborhood Commercial) (Exhibit 4d and 4f of the staff report).

D. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?

Conclusion: As conditioned by the development agreement (Attachment A), the proposed use will not negatively affect the character of the area.

Finding: The Canyon County Comprehensive Plan 2020 Future Land Use Map designates the subject property as commercial (Exhibit 4j of the staff report). The request is located within the Caldwell Area of City Impact and the land use is designated as Highway Corridor the purpose of which is to “identify key areas along a highway corridor that are highly visible and transitional in nature. This category includes land that is suitable for a blend of highway oriented commercial uses, business parks, limited light industrial, educational, office and high density residential” (Exhibit 4k of the staff report).

As conditioned by the development agreement (Attachment A), the rezone only impacts 12.6 acre of a 40-acre parcels, retaining approximately 27 acres in agricultural uses. The agreement restricts the development to the first two phases which requires conditions regarding traffic improvements and reviews and complying with City of Caldwell

requirements. The result allows commercial uses within the designated area incrementally with conditions that address traffic, services and operational concerns.

E. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed conditional rezone?

Conclusion: Adequate sewer, drainage, and storm water retention facilities and utility systems will be provided to accommodate the proposed use at the time of development.

Finding: The following adequate facilities can be provided and demonstrated at the time of development:

- Wells/Septic Systems: The property is located within the Caldwell Area of City Impact. City services are not available to the subject parcel at this time (Exhibit 5a of the staff report). Therefore, the gas station with convenience store and seasonal farmer's market will be required to meet IDWR, DEQ and SWDH requirements.
- Irrigation and Drainage: The property is located within the Boise Project Board of Control Irrigation District and has a valid water right (Exhibit 5b of the staff report). Future development will be required to provide irrigation water to all landscaping and retain stormwater on-site.

F. Does legal access to the subject property for the conditional rezone exist or will it exist at the time of development?

Conclusion: Legal access to the property does exist.

Finding: Legal access will be granted via a single point driveway on Farmway Road and another single point driveway on Highway 55 (Exhibit 5c of the staff report).

G. Does the proposed conditional rezone require road improvements to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?

Conclusion: The rezone of the subject property will require improvements to prevent undue interference with existing or future traffic patterns as proposed.

Finding: The applicant commissioned a Traffic Impact Study (TIS) by TO Engineers which was completed in November, 2021 (Exhibit 7 of the staff report). The proposed development is expected to generate a total of 1,770 net-new daily trips. Based upon the analysis contained within the TIS the following recommendations were provided:

- Access: Access to the property shall be located a minimum of 660' from the intersection of Karcher Road and Farmway Road.
- Farmway Road at Driveway A: Per standards outlined in the *ITD Traffic Manual*, a northbound right-turn lane should be constructed concurrently with Driveway A which will provide full access with no turning restrictions.
- State Highway 55 at Driveway B: Per standards outlined in the *ITD Traffic Manual*, a westbound turn lane should be constructed concurrently with Driveway B which will provide right-in, right-out access only.

Canyon Highway District #4 commented on the request and TIS (Exhibit 5c of the staff report). The comment letter does not oppose the request subject to conditions of approval which include a final traffic study addressing the full buildout, improvements to Farmway

frontage per Transportation Impacts and Frontage Improvements section of the TIS, Driveway approach location, connection plan directly across from Drake Lane, and dedication. All required conditions have been added to the development agreement (Attachment A).

The Idaho Transportation Department (ITD) requires (Exhibit 5d):

- Approach shall be moved to the east so it is between Sta 758+00 and 759+00.
- Developer shall provide funding for ITD to design and construct a right-turn lane and raised median to be included in ITD Project KN22715 (SH-44 Improvements from Indiana to Pear Lane).
- Developer shall provide dedication right-of-way from access location to easterly property boundary to accommodate the future right-turn lane.

ITD comments were not provided to the Planning and Zoning Commission. The Commission found the TIS does not address the cumulative impacts to traffic in the area. The request is premature and impacts would be better addressed after SH-55 widening (Exhibit 9 of the staff report).

H. Will the proposed conditional rezone impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

Conclusion: Essential services will be provided to accommodate the use. No mitigation is proposed at this time.

Finding: The proposed use will not require additional public funding to meet the needs created by the requested use and police, fire, and emergency medical services will be provided to the property. As a condition of the development agreement (Attachment A), City of Caldwell requires the development to comply with applicable Caldwell Fire Department requirements and standards (Exhibit 5a of the staff report).

Conclusions of Law - Area of City Impact

The property is within the Caldwell Area of City Impact. The city designates the area as “Highway Corridor”.

Pursuant to Canyon County Code §09-01-21 – Zoning Ordinance Amendment Proposals within the Caldwell Area of City Impact Agreement, a notice was provided to the City of Caldwell on April 26, 2022 and again on August 30, 2022. A comment letter was received from the City of Caldwell identifying the request is consistent with their comprehensive plan subject to the following:

- Development meets applicable regulations within Caldwell’s Landscaping Ordinance;
- Development connect to city services (water and sewer); and
- Development meet Caldwell Fire comments and conditions.

As conditioned by the development agreement (Attachment A), the request shall comply with Caldwell’s landscaping requirements and Fire District conditions. The agreement requires the developer to connect to city services prior to Phase 3. The applicant shall work with the City of Caldwell on a pre-annexation/services connection deferral agreement.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **deny** Case #RZ2022-0007, a conditional rezone of parcel R32686 from an “A” zone (Agricultural) to an “CR-C-2” zone (Conditional Rezone – Service Commercial).

Pursuant to Idaho Code Section 67-6519, the following actions may be taken to obtain approval:

1. Consider a conditional rezone subject to CCZO Section 07-06-07 upon (1) the widening/improvement of Karacher Road/HWY 55 by ITD (construction beginning Spring 2023); and (2) the connection to Caldwell city sewer and water.

This decision is final. Pursuant to Idaho Code Section 67-6535(b), the applicant or affected person may first seek reconsideration within 14 days prior to seeking judicial review.

DENIED this _____ day of _____, 2023.

	Yes	No	Did Not Vote
_____ Commissioner Leslie Van Beek	_____	_____	_____
_____ Commissioner Brad Holton	_____	_____	_____
_____ Commissioner Zach Brooks	_____	_____	_____

Attest: Chris Yamamoto, Clerk

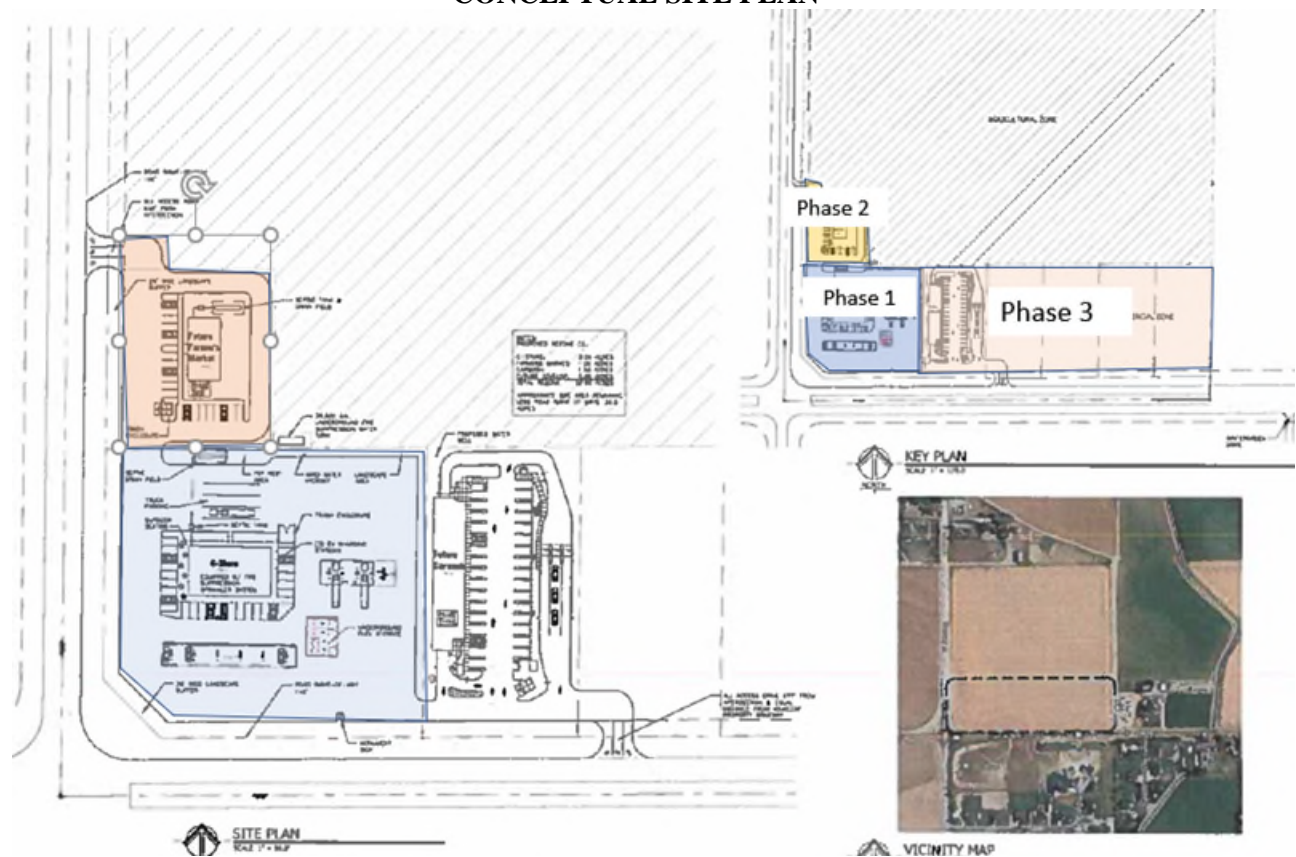
By: _____
Deputy

Date: _____

ATTACHMENT A
DRAFT CONDITIONS OF APPROVAL

1. Development shall only occur within the 12.6 acres shown in the conceptual site plan (Attachment B) on Parcel R32686 zoned "CR-C-2". The remaining acreage shall remain zoned "A" (Agricultural).
2. Prior to commencement of use, development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations and is subject to the following restrictions:
 - a. The development shall be phased in substantial compliance with the conceptual site plan (Attachment B) as follows:
 - i. Phase one shall consist of a fueling station to include 12 passenger vehicle pumps and 4 diesel pumps for commercial vehicles and, a 6,000 sq. foot convenience store with second floor caretaker residence.
 - ii. Phase two shall consist of a 3,000 square foot farmers market/shop and is to include a paved parking lot.
 - iii. Phase three, consisting of a 7,000 square foot carwash and commercial development, shall not occur until such time as Caldwell has extended public utilities to the site.
 - b. The development shall comply with the following City of Caldwell requirements:
 - i. Development shall comply with City Landscaping Ordinance;
 - ii. The development shall comply with applicable Caldwell Fire Department requirements and standards; and
 - iii. A pre-annexation agreement/city services deferral agreement shall be completed by the development and the City of Caldwell.
 - c. A Final Traffic Study is required and is subject to review and acceptance by Canyon Highway District 4, City of Caldwell – Engineering and Idaho Transportation Department. All improvements of the study shall be complied with unless other alternative measures are identified by the above agencies. Development shall comply with the following:
 - i. Requirements and conditions stated in the Canyon Highway District #4 letter dated July 14, 2022 (Exhibit 5c of the staff report).
 - ii. Requirements and conditions stated in the Idaho Transportation Dept. letter dated December 19, 2022 (Exhibit 5d of the staff report).
3. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezones for a land-use shall commence within two (2) years of the approval of the board."

Exhibit 1 - Page 7





Obendorf Commercial Rezone
Letter of Intent

Proposed Use/ Project Description:

The existing property is currently zoned Agricultural as are the properties to the north, east and west. Immediately south is a mini storage facility and a residential subdivision. Canyon County's 2020 Comprehensive Plan, future land use map identifies this site for commercial development, lands to the north, south and east designated as future residential development. The lands west of Farmway Road are intended to remain agricultural at the present time. City of Caldwell's current area of impact boundary being Farmway Road then south approximately a quarter mile and parallel to Karcher Road.

The proposed commercial rezone of 12.6 acres of frontage land on the northside of Karcher Road which extends east a quarter mile from the intersection with Farmway Road. There will be two access points to the development: one from Farmway Road approximately 660 feet north of the Karcher intersection and the second on Karcher Road, 677 feet east of the Farmway intersection. Preliminary feedback from ITD and Canyon County Highway District support these site access locations.

First phase is a fueling station with convenience store on 3 acres at the northeast corner of the Farmway and Karcher roads. There will be two fueling canopies; one with 12 passenger vehicle fueling stations and a second with 4 decseil pumps. The site does not have access to public utilities at this time and will provide its own water well. The convenience store septic system will be an onsite septic tank with drain field. Each individual site will retain storm water drainage in either open swales or underground drain fields.

The convenience store has 6,000 square feet of ground floor sales and general operational space and approximately 1,000 s.f. second floor caretakers' residence. The convenience store will be protected by a fire sprinkler system that includes a water holding tank on site with pressurized lines as determined by the Caldwell Fire Marshall.

The site will have a twenty-foot landscape buffer between the adjacent roadways and internal paved driveways. Site amenities include an outdoor dining area, a pet rest area for travelers, EV charging stations and paved parking for passenger vehicles to semitrucks with trailers. Construction of phase one anticipated to start late fall 2022 and completed in 2023.

A 3,000 square foot farmers' market would be the second phase and be a new home for the existing Lakeview Fruit Market currently at the intersection of Riverside and Karcher Roads. The building would have refrigerated storage, public restrooms, and a produce sales floor. The site will have paved parking

areas, and open space for outdoor seasonal fruit and vegetable sales from local farmers.

Phase three is a 7,000 s.f. carwash adjacent to the fuel station, it is considered an accessory use in a C-2 Commercial zone. It will be a fully automated conveyor car wash tunnel with several detailing stations. The site will have three pay stations and ample stacking area for peak hours. This phase will occur after Caldwell utilities have been extended to the property, anticipated timeline is five plus years.

The remaining 5.6 acres of commercial frontage will also begin development after utility infrastructure has reached the area in next 5 to 10 years. During this time, residential growth along with other key public services will be able to economically sustain additional local businesses in the community.

Proposed Request and why it's being requested:

Our rezone application proposes to rezone 12.6 acres of frontage land on the northside of Karcher Road to C-2 Commercial Service. The frontage extends east a quarter mile from the intersection with Farmway Road.

The new Karcher Road frontage development is intended establish a commercial presence to serve as an economic foundation for future businesses that supports residential growth as the City of Caldwell expands into this area.

The first business will be a fueling station with convenience store on 3 acres at the northeast corner of Farmway and Karcher roads. It will be the anchor business for the remaining commercial development. Second phase is a seasonal farmers market that connects the existing agricultural lands to this development by selling fresh grown produce to residents in the area. At some point in the future after Caldwell public utilities are available, a carwash will be added as an accessory use to the fuel station.

The remaining commercial frontage will begin development after utility infrastructure is established approximately 5 to 10 years in the future. During this time, residential growth will create the need for additional local business opportunities on the site.

Expected Traffic counts and patterns:

The following information is part of a Traffic Impact Study for the gas station with convenience store and farmer's market.

The study focuses on traffic operations for the primary intersection associated with the proposed access points. These are the roadways anticipated to support the majority of approaching and departing project trips. The Idaho Statewide Functional Classification Map maintained by the ITD catalogs the classifications of these roadways.

Under 2021 existing conditions, SH 55 at Farmway Road operates well within acceptable level of service standards, when examining both the intersection overall and each lane group on the intersection approaches. The intersection operates at LOS B during both peak hours, and the worst lane group (NBLTR) operates at LOS C during the PM peak hour only. This analysis indicates that there is ample capacity at the intersection to accommodate additional traffic volume.

The fueling stations development is proposed to provide a gas station with 16 vehicle fueling positions and an ancillary 6,000 square-foot convenience store, in addition to a 3,000 square-foot farmer's market. Site access is proposed via two driveways: one full-access driveway with Farmway Road, located

to the north of SH 55, and one right-in, right-out driveway with SH 55, located to the east of Farmway Road. The proposed right-in, right-out access along SH 55 aligns with ITD's long-term plan for the corridor. Ultimate build-out of the site is anticipated to be completed in 2023.

When accounting the effect of pass-by trips, the proposed development is forecast to generate approximately 1,770 weekday trips, with 98 trips generated during the AM peak hour and 131 trips generated during the PM peak hour according to the ITE Trip Generation Manual. The majority of trips were forecast to/from SH 55 (Karcher Road), with 35- and 40-percent of trips anticipated to/from the east and west, respectively, along SH 55. 20-percent of project trips are forecast to/from the north via Farmway Road, with the remaining 5-percent expected to/from the south via Farmway Road.

Summary Results:

Intersection and street capacity analyses were performed based on review of year 2021 existing and 2023 forecasted, with and without consideration of the fueling stations site, traffic conditions for the AM and PM peak hours. This study concludes that the intersection of SH 55 at Farmway Road is expected to operate well within acceptable ITD and ACCHD level of service standards through the year 2023, with and without traffic from the development. The site access points are also anticipated to operate well within acceptable standards, even without consideration of turn lane warrants.

Traffic volumes under 2023 Future with Project conditions were compared against the turn-lane warrants established in NCHRP Report 457. Right-turn lanes are warranted at both site access points. Left-turn lane warrants were not met at Driveway A, and a left-turn lane is not permitted at Driveway B as it is proposed to provide right-in, right-out access only. Additionally, two approach lanes on the site access points are not warranted.

Recommendations and Conclusion:

This study concludes that the development of the fueling station is not likely to result in a significant degradation of traffic operations at the study intersection through the year 2023. A northbound right-turn lane is warranted along Farmway Road at Driveway A and a westbound right-turn lane is warranted along SH 55 at Driveway B based on 2023 future with project traffic volumes and a posted speed limit of 55 mph on these roadways. These right-turn lanes should be constructed in accordance with the guidelines contained in the Idaho Transportation Department Supplement to the MUTCD. The proposed location of Driveway A should be shifted further to the west as to not encroach upon the existing quarter mile driveway along SH 55, while maintaining adequate spacing between the access point and the SH 55 at Farmway Road intersection.

For detailed traffic impact information refer to the traffic study included in this rezone application submittal.

Phasing of Development:

Phase One: Fueling station and convenience store with a caretaker's residence on 3 acres.

Phase Two: Seasonal farmer's market on 1 acre.

Phase Three: Accessory Use carwash on 1.5 acres. To be developed after city utilities have been extended to the area, estimated timeline 5 to 10 years.

Phase Four: Remaining 5.6 acres of commercial C-2 frontage developed after city utilities are available and as demand new businesses in the community grow over time.

How proposed use may affect neighboring uses:

Once the property is fully developed these small businesses in rural areas thrive when residents shop locally. Consumers shopping at local small businesses are essentially giving money back to their community. A thriving local business will generate high levels of revenue, which means that the business will pay higher taxes, including local property taxes. This revenue is then used to fund local infrastructure projects like parks, bike/walking paths, schools, libraries, police, and fire departments.

The phase one fueling station with a convenience store will start the economic growth by offering goods and services close to residence homes and reducing long trips to a 'big-box store'. Studies show more people visit a convenience store each day than any other brick and mortar retail location. Meaning on average half the population is buying something at a convenience store every day. These customers frequent their favorite location to refuel and refresh with a snack, beverage, and fresh-prepared meal. Studies show in rural areas eight in ten residents frequent these locations for buying grocery items, fuel or their products or services. These stores are often a community gathering spot, proving essential services for the nearby residents.

The average convenience store collects about \$1.3 million in taxes for local, state and federal governments. This includes property taxes, payroll taxes, sales taxes and taxes that are assessed on a variety of products sold at stores. The average taxes collected is about \$17 per square foot per year. Convenience stores create economic stability and growth providing sales, services, and local jobs.

This new commercial development made up of small businesses will contribute to local economics by bringing growth to the community. Initial benefits are goods and services found close to home. Fewer long trips reduce fuel costs, decreased travel time, less vehicle wear and tear, accumulatively allows residents additional time and money for other activities. In the longer term, rural small businesses provide local employment opportunities, generating wages that in turn are spent in these same businesses and attributing to the community's economic growth.

Description of future site features:

The development will have a landscaping buffer between roadways and interior paved areas as determined by county and highway districts. Internal landscaping areas will also comply with county standards while enhancing the site esthetic by hiding or masking utilitarian elements from view.

A variety of landscaping techniques will be used to reduce landscape water consumption like drought tolerant plants in conjunction with hardscape decorative pavers and rock features.

The vehicle circulation and parking areas will be asphalt paved in such a way as to retain storm water on site using surface drainage swales and underground drain fields. All catch basins will have filtering devices to prevent petroleum contaminants from entering the soil.

The first phase fueling station with convenience store will start construction late fall 2022 and does not have access to public sewer or water utilities. For water service a water well will be drilled and sewer waste from the convenience store will go into a septic holding tank and underground drain field as approved by Southwest District Health.

The building will be protected by a fire sprinkler suppression system and water holding tank with pressurized lines as required by the Caldwell Fire Marshall.

Site amenities include an outdoor seating area for dining and relaxation, a fenced 'pet rest area' for travelers with dogs and charging stations for electric vehicles.

Describe business operations, no. of employees, hours, deliveries, shipping, Store operations:

Business operation hours will be 6am to 10pm Monday through Thursday, 6am to 11pm Friday, Saturday and 7am to 9pm Sundays there are two work shifts with 4 individuals working per shift. General product deliveries occur in the mornings twice a week. Beverages are delivered in the morning once a week and fuel deliveries are twice a week in the late evenings. After deliveries are received products are unpacked, stored and sales area restocked. Employees always being vigilant of health and safety regulations particularly when handling food products. Setting up displays and straightening up shelves so the store is clean and organized for customers. Providing good customer service to create a solid relationship with the community and becoming a solid fixture of the neighborhood.

The store will stock a range of everyday items such as: coffee, groceries, snack foods, confectionery, soft drinks, ice creams, alcohol & tobacco products, lottery tickets, over-the-counter drugs, toiletries, household products, newspapers, and magazines.

Food preparation for made-to-order include morning menu eggs, sausage, hashbrowns, breakfast burritos & sandwiches. Lunch/diner menu: fried chicken strips, deli sandwiches, hamburgers, fries, salads, and soups.

Describe how proposed use is consistent with the specific zoning or comprehensive plan policies.

The existing property is zoned Agricultural as are most of the surrounding lands with some residential subdivisions to the east and south. West along the southside Karcher Road for approximately a half mile is frontage property zoned commercial (CR-C2).

Canyon County's 2020 Comprehensive Plan, future land use map identifies this property and adjoining lands within a quarter mile north and east as future commercial that would support residential development as the City of Caldwell expands into this area.

Our application proposes to rezone approximately 12.6 acres of frontage property along Karcher Road to C-2 Commercial Service for developing new businesses to serve a growing residential community. The initial businesses proposed are a fueling station with a convenience store, accessory use carwash and seasonal farmers market that are all allowed uses in a C-2 zone. The remainder of the commercial frontage would be developed into similar service-related businesses as demand is driven by residential growth over time.

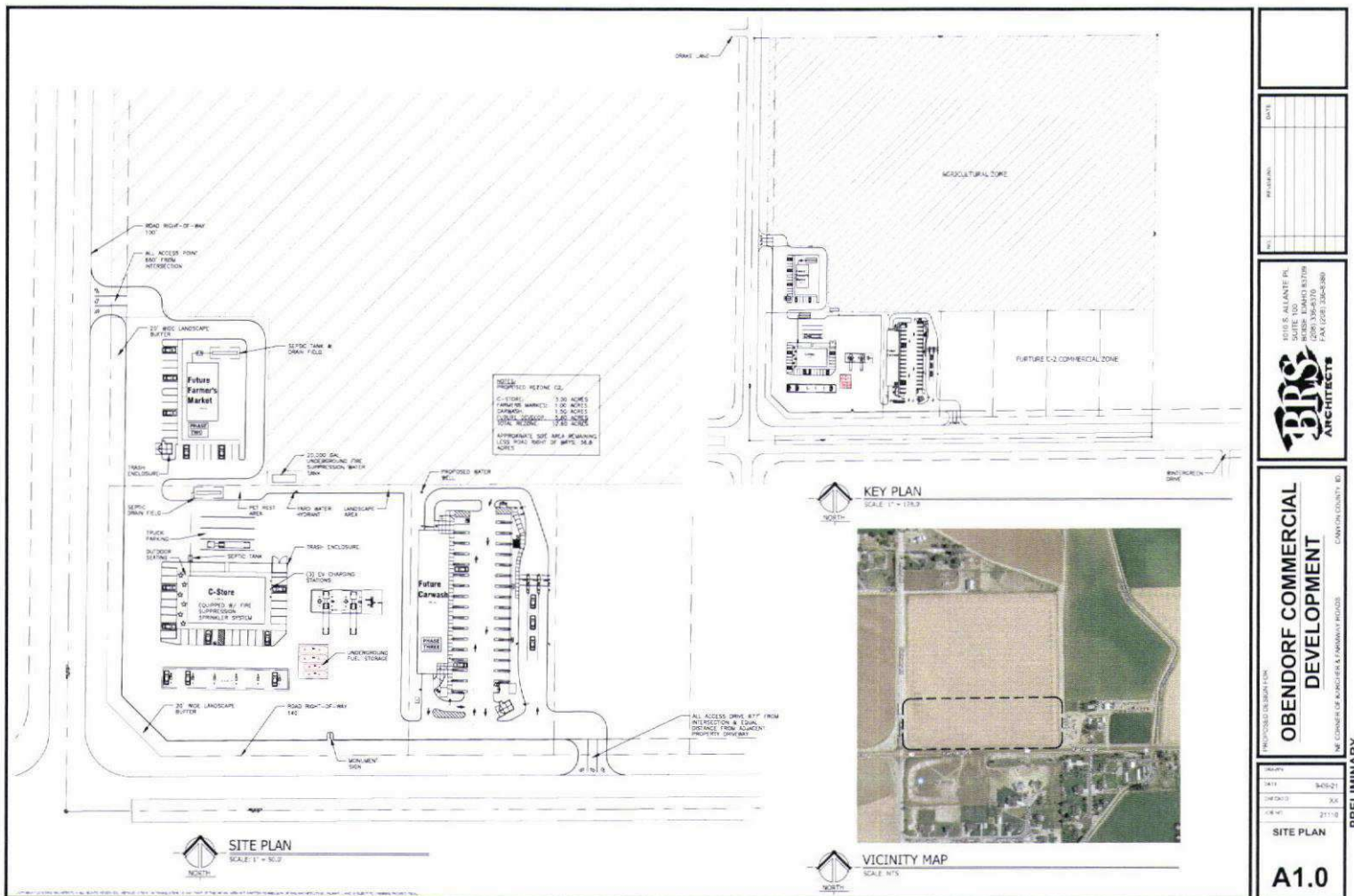
Changing this property zoning designation to commercial is consistent with the county's future development goals for the following reasons:

- The county's comprehensive plan identifies this property for future commercial development.
- Commercial development in rural areas, is encouraged when located along major roadways or transportation infrastructure.
- The county's comprehensive plan supports locating commercial areas near residential customers.
- Design and development of commercial areas that allow opportunities to provide transit between commercial businesses and nearby residential developments.

- Commercial zones increase business and economic development within Canyon County.
- The county's commercial designation for this property is intended for commercial uses with goods and services to businesses, travelers, and residents of the county.
- The county encourages commercial development in a planned and constructive manner to enhance the existing lifestyle and environmental beauty of Canyon County.

In summary, the new commercial development located on the western fringe of Caldwell's area of impact and at the intersection of two major roadways, offers a highly visible site for new businesses coming into the community. The phase one fueling station with convenience store will establish a commercial presence to serve as an economic foundation for future business growth that in turn supports residential expansion.

As a privately owned and operated business, they have a vested interest in the growth of the community by not only providing goods and services to residents and travelers, but also offering employment opportunities to residents, supporting local charities, and contributing to school fundraising events. These future small businesses in the development will be able to create partnerships with public and private community-based organizations creating lasting relationships contributing to the community's economic well-being.



NEIGHBORHOOD MEETING SIGN-UP**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**111 North 11th Avenue, #140, Caldwell, ID 83605www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633
NEIGHBORHOOD MEETING SIGN UP SHEET
CANYON COUNTY ZONING ORDINANCE §07-01-15

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: 19022 KARCHER ROAD	Parcel Number: R32686	
City: CALDWELL	State: ID	ZIP Code: 83605
Notices Mailed Date: MARCH 15 th 2022	Number of Acres: 12.6	Current Zoning: A
Description of the Request:		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: CURTIS CRISTAL		
Company Name: BRS ARCHITECTS		
Current address: 1010 S. ALLANTE PLACE, STE 100		
City: BOISE	State: IDAHO	ZIP Code: 83709
Phone: 208.336.8370	Cell:	Fax:
Email: curtis.brsarchitects.com		

MEETING INFORMATION

DATE OF MEETING: 3-29-22	MEETING LOCATION: NORTH EAST CORNER OF FARMWAY AND KARCHER ROADS
MEETING START TIME: 5:50 pm	MEETING END TIME: 7:05 pm

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Steve & Mary Clark	<i>Steve Clark</i>	15934 Canyon Wood Pl.
2. Jim Thompson	<i>Jim Thompson</i>	12625 Desert Lodge Dr, Nampa
3. Pam LaBelka	<i>Pam LaBelka</i>	15633 Karcher Rd Caldwell
4. <i>Chayne Weston</i>	Chayne Weston	16316 Orchard Ln Caldwell
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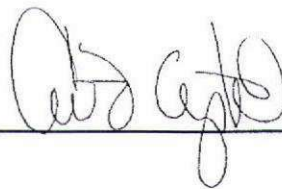
NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print):

Curts Crystal

APPLICANT/REPRESENTATIVE (Signature):



DATE: 3 / 29 / 22

March 15, 2022

Dear Neighbor,

We are in the process of submitting an application for a Zoning Ordinance Map Amendment to Canyon County Development Services (DSD). One of the requirements necessary prior to submitting the application is to hold a "neighborhood meeting" and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15).

This meeting is for informational purposes and to receive feedback from you as we move through the application process. This is **not** a Public Hearing before a governing body of the County. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the Zoning Ordinance Map Amendment is applied.

The Neighborhood Meeting details are as follows:

Date: Tuesday, March 29, 2022

Time: 6:00pm to 7:00pm

Location: 15622 Karcher Road Caldwell ID. 83605, northeast corner of Karcher and Farmway Roads, Canyon County, Idaho

Property description: Agricultural farmland

The project is summarized below:

Site Location: Canyon County parcel: R32686, mailing address: 15622 Karcher Road, Caldwell, ID 83605.

Proposed access: Two proposed access points: Karcher Road access approximately 677' east of the Farmway Road intersection. Farmway access approximately 660' north of the Karcher Road intersection.

Total acreage: 12.6 acres of frontage property to Karcher Road beginning at the intersection of Karcher and Farmway Roads then east approximately a quarter mile.

Proposed lots: Rezoning 12.6 acres of Agricultural land to C-2 Commercial Service for the purpose of developing a fueling station with a convenience store on a 3 acre portion and future commercial development along the frontage on Karcher Road.

We look forward to the neighborhood meeting and encourage you to attend. At that time we will answer any questions you may have.

Please do not call Canyon County Development Services regarding this meeting. This is a PRE-APPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project. If you have any questions prior to the meeting, please contact me at 208-336-8370 or curtis@brsarchitects.com.

Sincerely,
Curtis Crystal
BRS Architects



Neighborhood Meeting for the proposed Obendorf Commercial Rezone

Date: Tuesday, March 29, 2022

Time: 6:00pm – 7:00pm

Location: Meeting will be held on the subject property at the northeast corner of Karcher and Farmway Roads, Canyon County, Idaho.

ROBERTSON RANDALL J
17534 STIEHL CREEK DR
NAMPA, ID 83687

WESTERN FARMS INC
16909 MARSING RD
CALDWELL ID 83607

SILCO INC
985 CORPORATE LN
NAMPA ID 83651

HOAG JARED M
16327 FARMWAY RD
CALDWELL ID 83607

KAWAGUCHI BRENT
16189 DRAKES LN
CALDWELL, ID 83607

SCHELLER LYNN MARIE
16200 DRAKES LN
CALDWELL, ID 83607

CLARK MARY V
15934 CANYON WOOD PL
CALDWELL, ID 83607

RODRIGUES LARRY J
15838 CANYON LAKE ST
CALDWELL, ID 83607

JAHELKA PAMELA R
15633 KARCHER RD
CALDWELL, ID 83607

JOB KARMA D
15914 WINTERGREEN DR
CALDWELL, ID 83607

ANDERSON JASON W
15892 CANYON WOOD PL
CALDWELL, ID 83607

HIBBENS RAY
15913 CANYON WOOD PL
CALDWELL, ID 83607

BAYNE STEVEN
15964 CANYON LAKE ST
CALDWELL, ID 83607

RRLS LLC
PO BOX 5119
KETCHUM, ID 83340

ALPHA MORTGAGE FUND II TRUSTEE
7971 W MARIGOLD
BOISE, ID 83714

CONELY CANDICE
15929 CANYON WOOD PL
CALDWELL, ID 83607

DOWEN LARRY J
15622 KARCHER RD
CALDWELL, ID 83607

MC KEE VICTORIA B
16308 FARMWAY RD
CALDWELL, ID 83607

DUNDAS MIKE
16100 FARMWAY RD
CALDWELL, ID 83607

GODINA GUSTAVO T
16312 FARMWAY RD
CALDWELL, ID 83607

MC LANE EDWARD J
15920 CANYON WOOD PL
CALDWELL, ID 83607

GUNTER REBEKAH
15880 CANYON LAKE ST
CALDWELL, ID 83607

TOVAR RODOLFO
15922 CANYON LAKE ST
CALDWELL, ID 83607

ANDERSON TERRY
15955 WINTERGREEN DR
CALDWELL, ID 83607

LANE TOBY J
15939 WINTERGREEN DR
CALDWELL, ID 83607

KNEER ERIK
15895 WINTERGREEN DR
CALDWELL, ID 83607

WISEMAN ALLEN
15946 WINTERGREEN DR
CALDWELL, ID 83607

FOWLER PHILLIP
15962 WINTERGREEN DR
CALDWELL, ID 83607

KARCHER FARM LLC
5001 FIFESHIRE PLACE
BOISE, ID 83713

VALLEY WIDE COOPERATIVE INC
2114 N 20TH ST
NAMPA, ID 83687

SVW LLC
2009 S ROOSEVELT
BOISE, ID 83705

CORES ON DAVID E AND JUDY L
REVOCABLE FAMILY TRUST
73837 DAVIS CREEK RD
ENTERPRISE, OR 97828

OBENDORF GREGORY R
23299 FARGO RD
PARMA, ID 83660

DOWEN LARRY J
15622 KARCHER RD
CALDWELL, ID 83607

DANOS FAMILY REVOCABLE TRUST
618 TWIN VIEW RD
JEROME, ID 83338

COOK ALBERT J
15656 KARCHER RD
CALDWELL, ID 83607

DUNDAS MIKE
12634 BROWNSTONE ST
NAMPA, ID 83651

CARPENTER BRYAN KEITH
16338 FARMWAY RD
CALDWELL, ID 83607

DOBSON RAYMOND L
15705 YODER AVE
CALDWELL, ID 83607

IMAGES WERE FLOWN IN THE FALL OF 2020.

Obendorf Small Air Photo 1 Mile

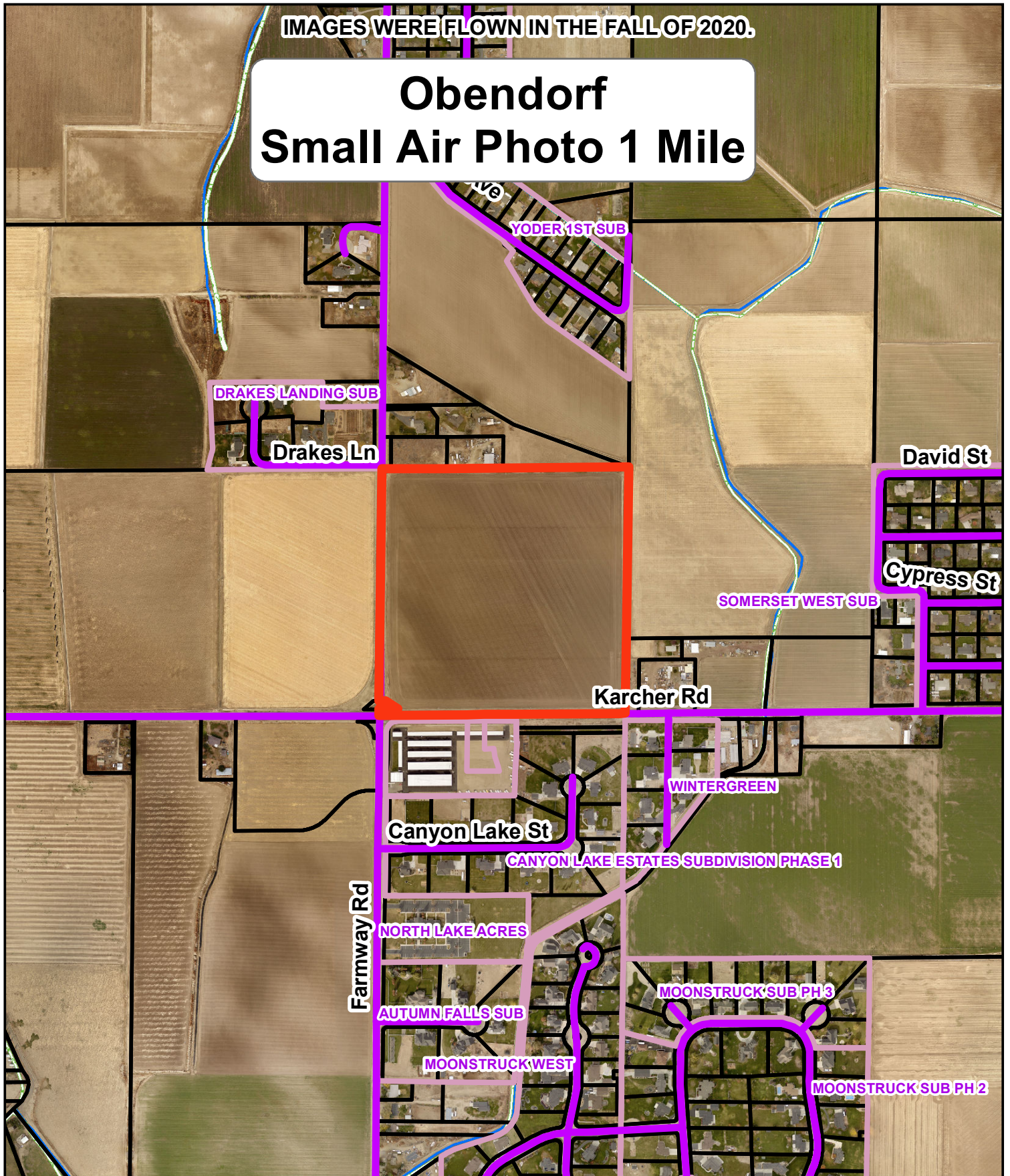
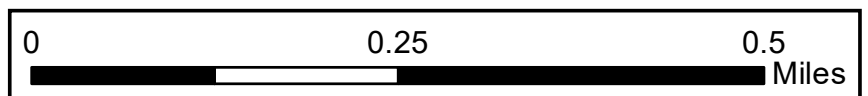
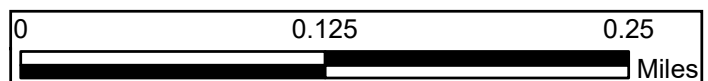
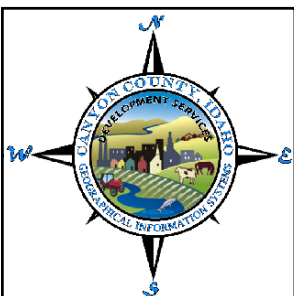
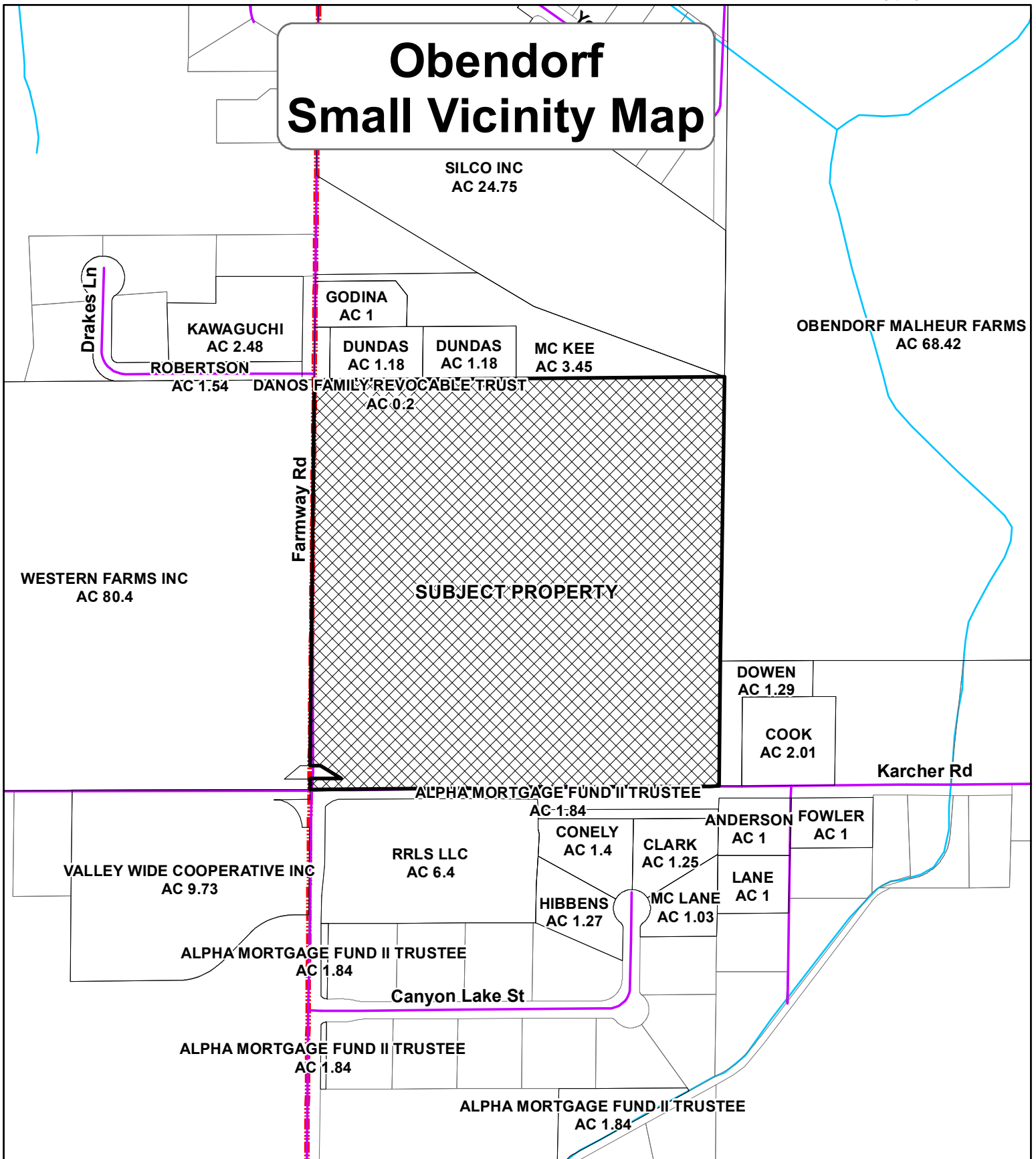
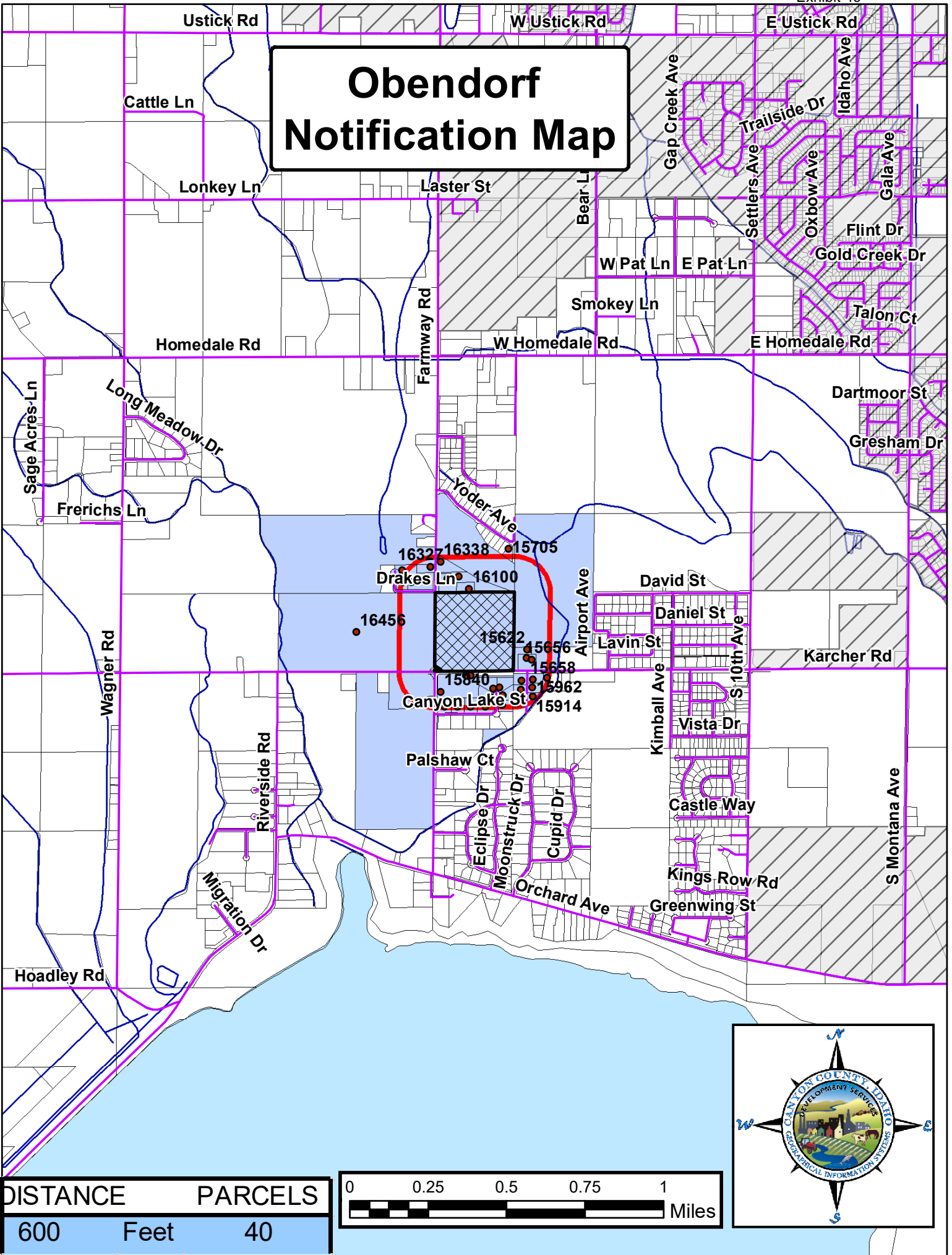


Exhibit 4a

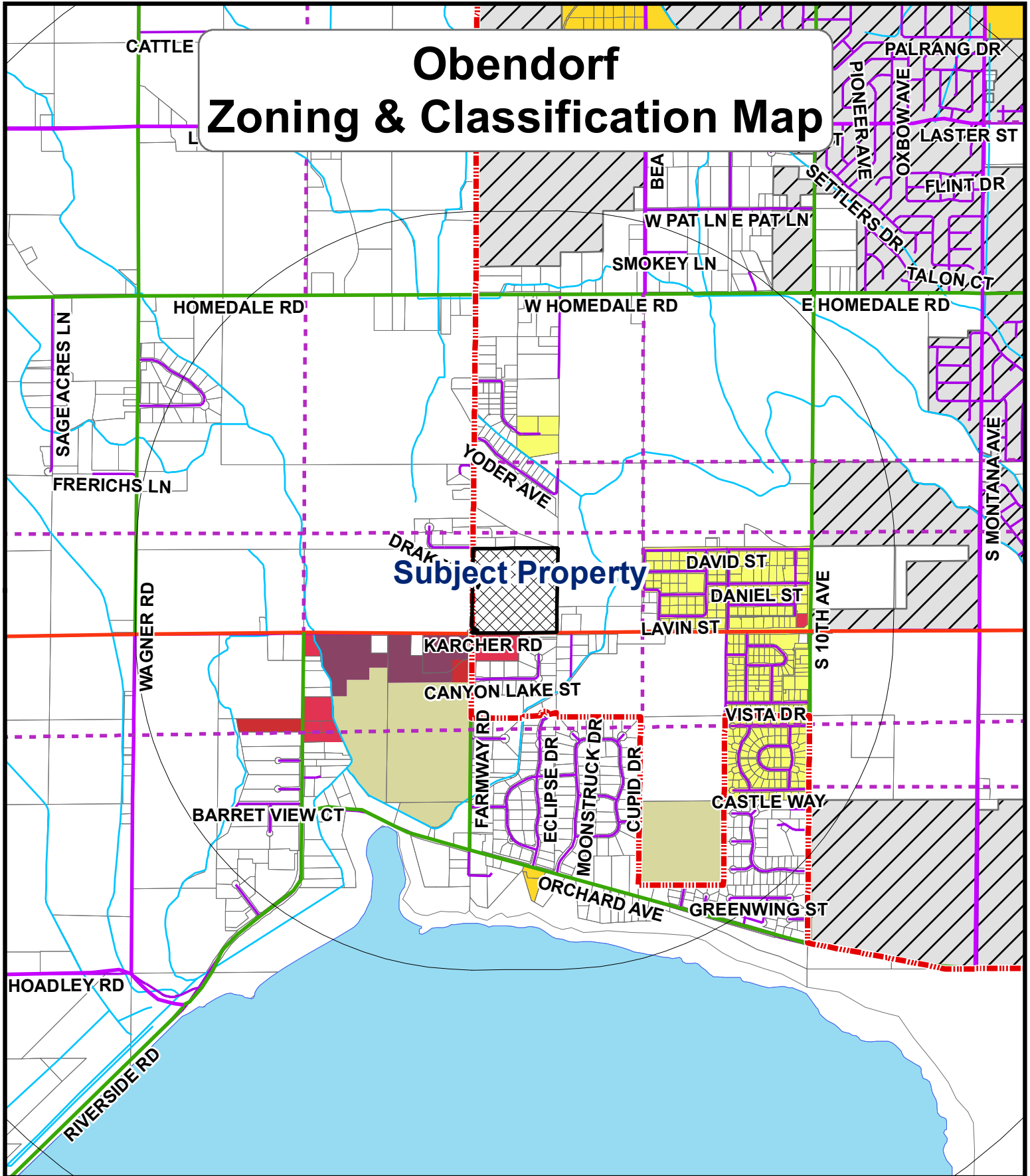


Obendorf Small Vicinity Map

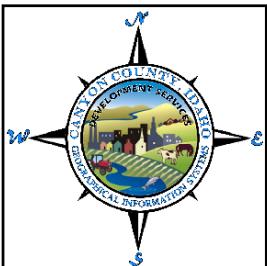




Obendorf Zoning & Classification Map



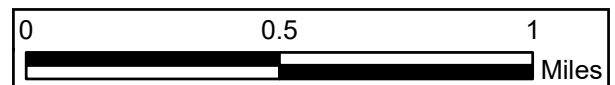
Subject Property

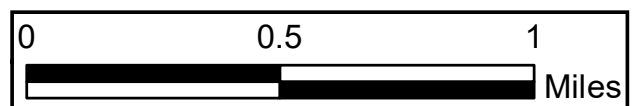
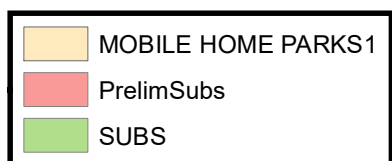
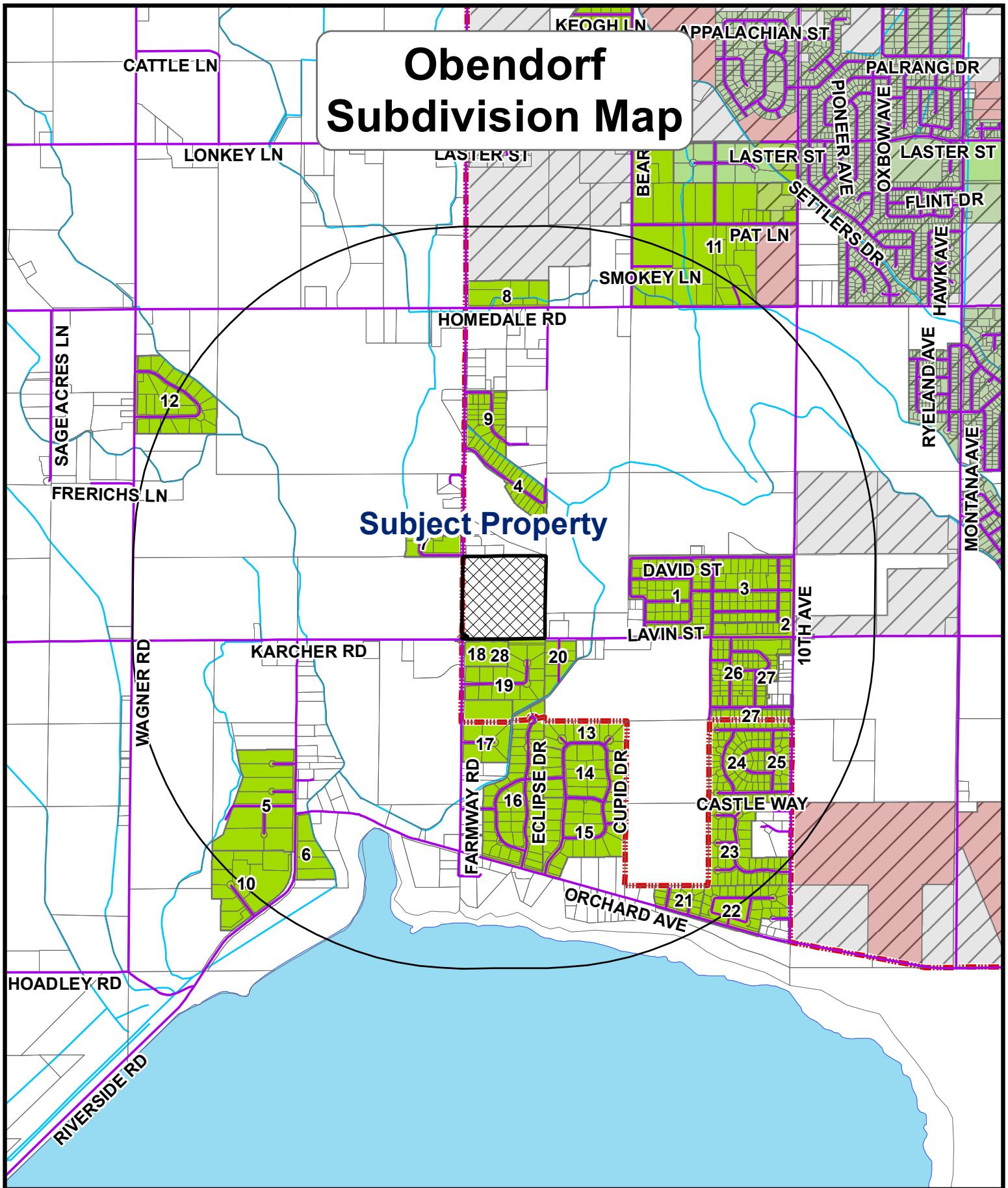


ZONING

RR	R2	CR-C2	C
CR-RR	C1	M1	AG
R1	CR-C1	CR-M1	
CR-R1	C2	M2	

Exhibit 4d





SUBDIVISION & LOT REPORT				
NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
28	750.48	726	1.03	
NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
2	122.79	387	0.32	
NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
40	10.37	1.29	0.20	80.40
NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM

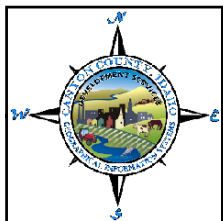
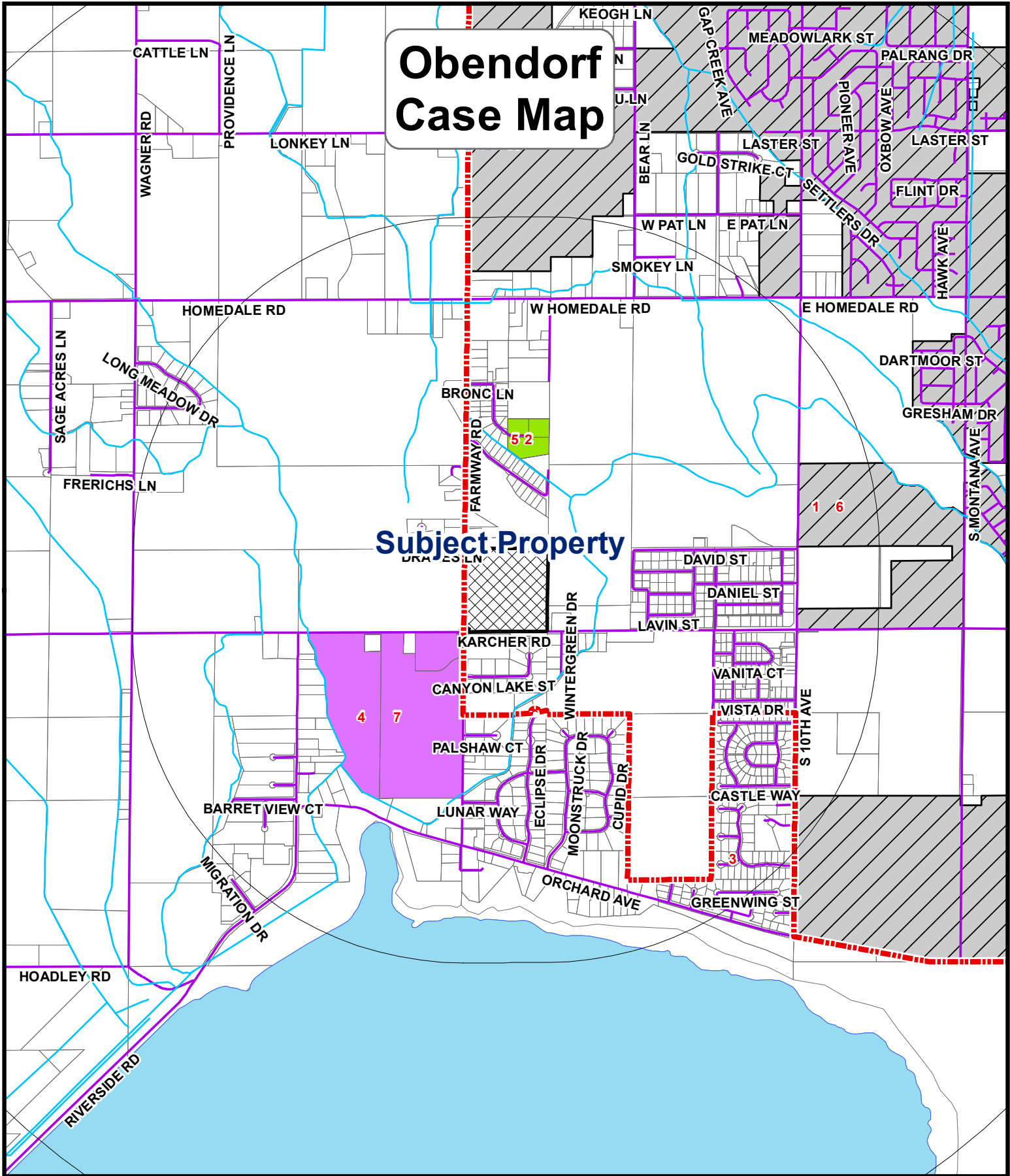
PLATTED SUBDIVISIONS							
SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
SOMERSET WEST SUB	1	3N3W09	36.89	57	0.65	COUNTY (Canyon)	1974
STECHEER SUB	2	3N3W09	10.07	14	0.72	COUNTY (Canyon)	1959
STECHEER SUB-AMENDED	3	3N3W09	30.27	49	0.62	COUNTY (Canyon)	1968
YODER 1ST SUB	4	3N3W09	14.77	23	0.64	COUNTY (Canyon)	1963
BARRETT HILLS ESTATES	5	3N3W17	37.89	8	4.74	COUNTY (Canyon)	1990
BARRETT HILLS ESTATES #2	6	3N3W17	10.27	4	2.57	COUNTY (Canyon)	1989
DRAKES LANDING SUB	7	3N3W08	9.00	6	1.50	COUNTY (Canyon)	2004
DUNN'S PLAT	8	3N3W09	13.39	8	1.67	COUNTY (Canyon)	1976
MAVERICK SUB	9	3N3W09	12.30	25	0.49	COUNTY (Canyon)	1973
MIGRATION POINTE	10	3N3W17	27.56	11	2.51	COUNTY (Canyon)	2001
ORCHARD HEIGHTS	11	3N3W04	211.22	78	2.71	CALDWELL (CITY)	1909
IM CARRIES NORTHSTAR SUBDIVISION	12	3N3W08	30.80	29	1.06	COUNTY (Canyon)	2009
MOONSTRUCK SUB PH 3	13	3N3W16	11.98	11	1.09	COUNTY (Canyon)	2003
MOONSTRUCK SUB PH 2	14	3N3W16	25.75	27	0.95	CANYON (Canyon)	2002
MOONSTRUCK SUB PH 1	15	3N3W16	31.17	27	1.15	COUNTY (Canyon)	2002
MOONSTRUCK WEST	16	3N3W16	44.44	56	0.79	COUNTY (Canyon)	2004
AUTUMN FALLS SUB	17	3N3W16	11.49	5	2.30	COUNTY (Canyon)	2005
NORTH LAKE ACRES	18	3N3W16	13.79	3	4.60	COUNTY (Canyon)	2004
YON LAKE ESTATES SUBDIVISION PHA	19	3N3W16	22.94	19	1.21	COUNTY (Canyon)	2008
WINTERGREEN	20	3N3W16	7.26	7	1.04	CANYON (Canyon)	2000
LAKEVIEW ESTATES 1ST SUB	21	3N3W16	7.85	14	0.56	COUNTY (Canyon)	1964
OVERLAKE EAST	22	3N3W16	20.67	23	0.90	COUNTY (Canyon)	1999
DUBLIN LAKESIDE ESTATES	23	3N3W16	27.85	40	0.70	COUNTY (Canyon)	1993
EL RANCHO HEIGHTS	24	3N3W16	34.06	79	0.43	COUNTY (Canyon)	1976
EL RANCHO HEIGHTS #2	25	3N3W16	5.64	11	0.51	CANYON (Canyon)	1990
VANAL HEIGHTS SUB	26	3N3W16	28.60	70	0.41	COUNTY (Canyon)	1960
VANAL HEIGHTS RE-SUB	27	3N3W16	6.08	21	0.29	COUNTY (Canyon)	1973
YON LAKE ESTATES SUBDIVISION PHA	28	3N3W16	6.46	1	6.46	COUNTY (Canyon)	2018

SUBDIVISIONS IN PLATTING						
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE			
Selah Estates Subdivision	18.74	61	0.31			
Passero Ridge Subdivision	104.05	326	0.32			

MOBILE HOME & RV PARKS						
SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...	

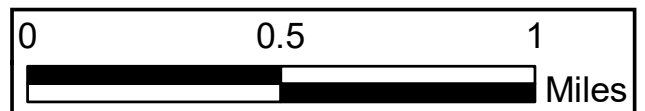
Obendorf Case Map

Subject Property



YEAR

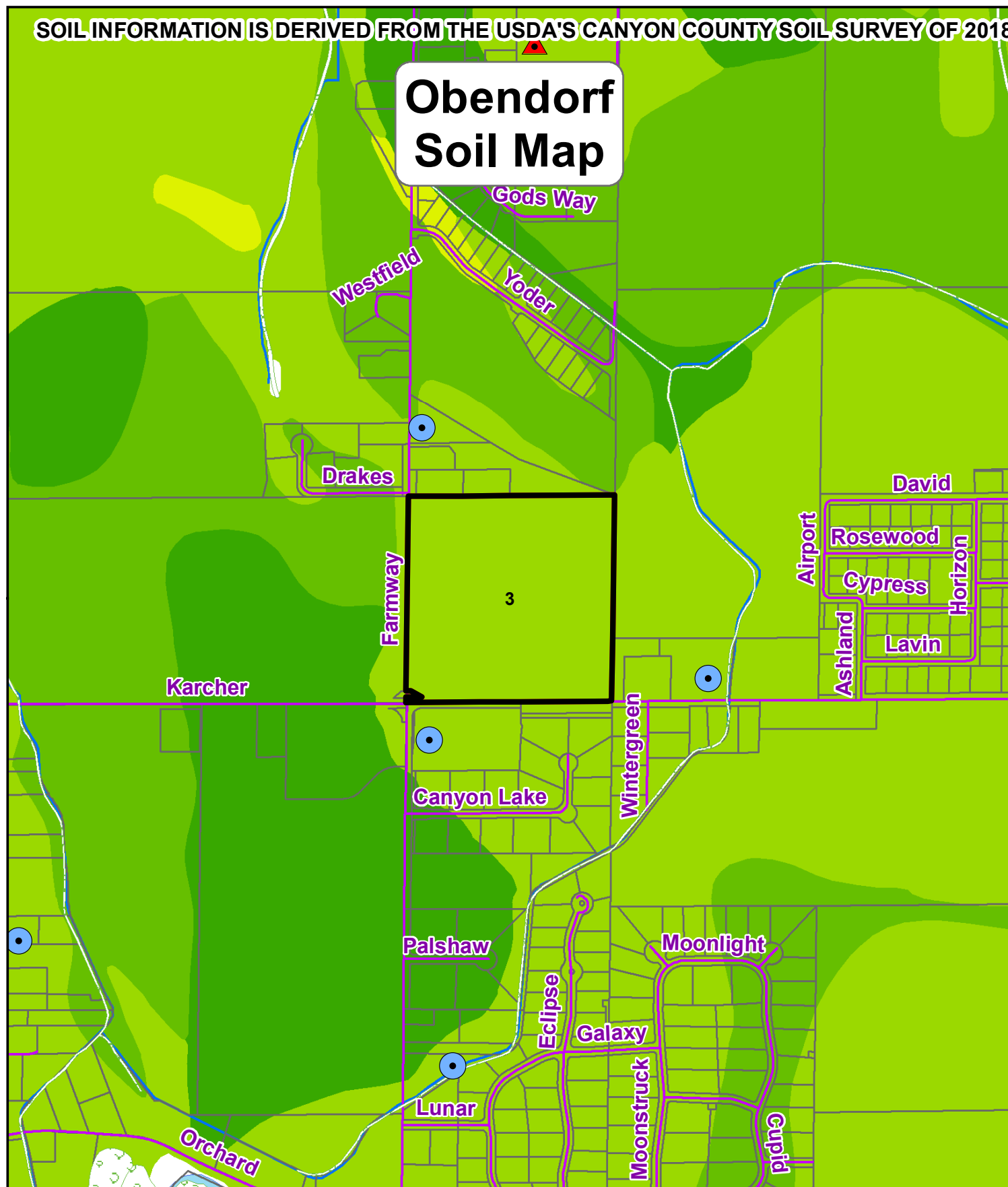
2018	2021
2019	2022
2020	



CASE SUMMARY				
ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	PH2018-16	Wireless Communications Facility	Vallivue School District	APPROVED
2	PH2018-5	Rezone AG to RR	Rodriguez Joe	WITHDRAWN
3	PH2018-21	Variance	BABEL DAVID	APPROVED
4	CR2018-0002	Rezone A to CR-C1,CR-C2,CR-R1 & Comp Plan	KARCHER FARM, LLC	APPROVED
5	RZ2019-0022	Rezone AG to RR	Rodriguez	APPROVED
6	CU2019-0024	CUP school cafeteria	Vallivue School District	APPROVED
7	CR2018-0002	Rezone A to CR-C1, CR-C2, CR-R1 & Comp plan change	Karcher Farm, LLC	APPROVED

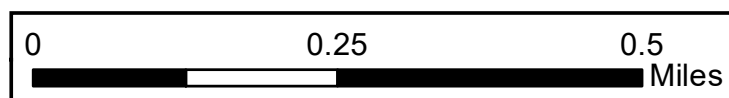
SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

Obendorf Soil Map



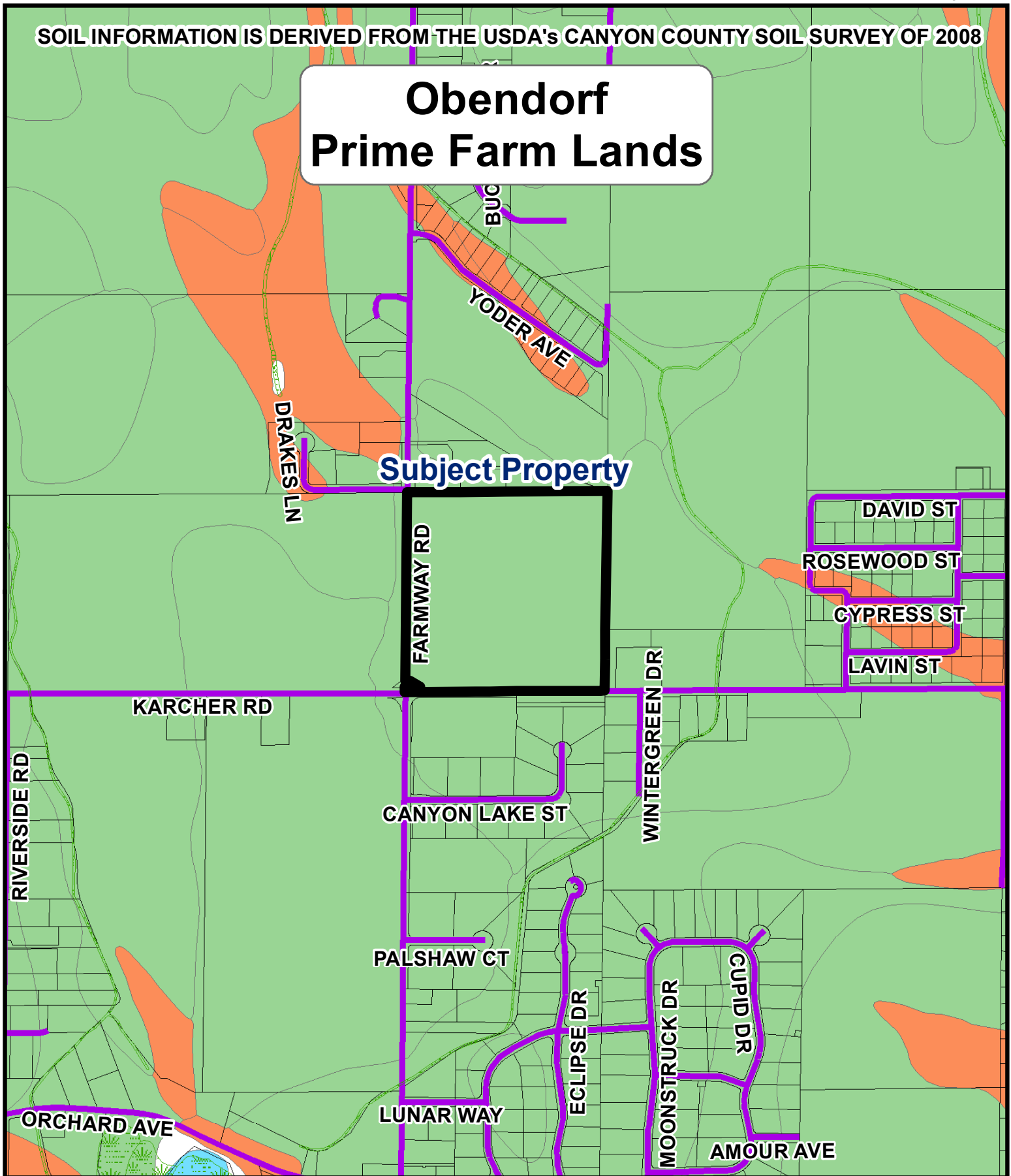
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- 2.000001 - 5.000000
- 5.000001 - 10.000000
- ▲ 10.000001 - 49.800000

- GEO-THERMAL LOCATIONS
- Wetlands



SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2008

Obendorf Prime Farm Lands



WETLANDS
City_Limits
TAXLOTS
2C_Hydro

NOT PRIME FARMLAND
PRIME FARMLAND IF IRRIGATED
PRIME FARMLAND IF IRRIGATED AND DRAINED

0 0.125 0.25
Miles

SOIL REPORT

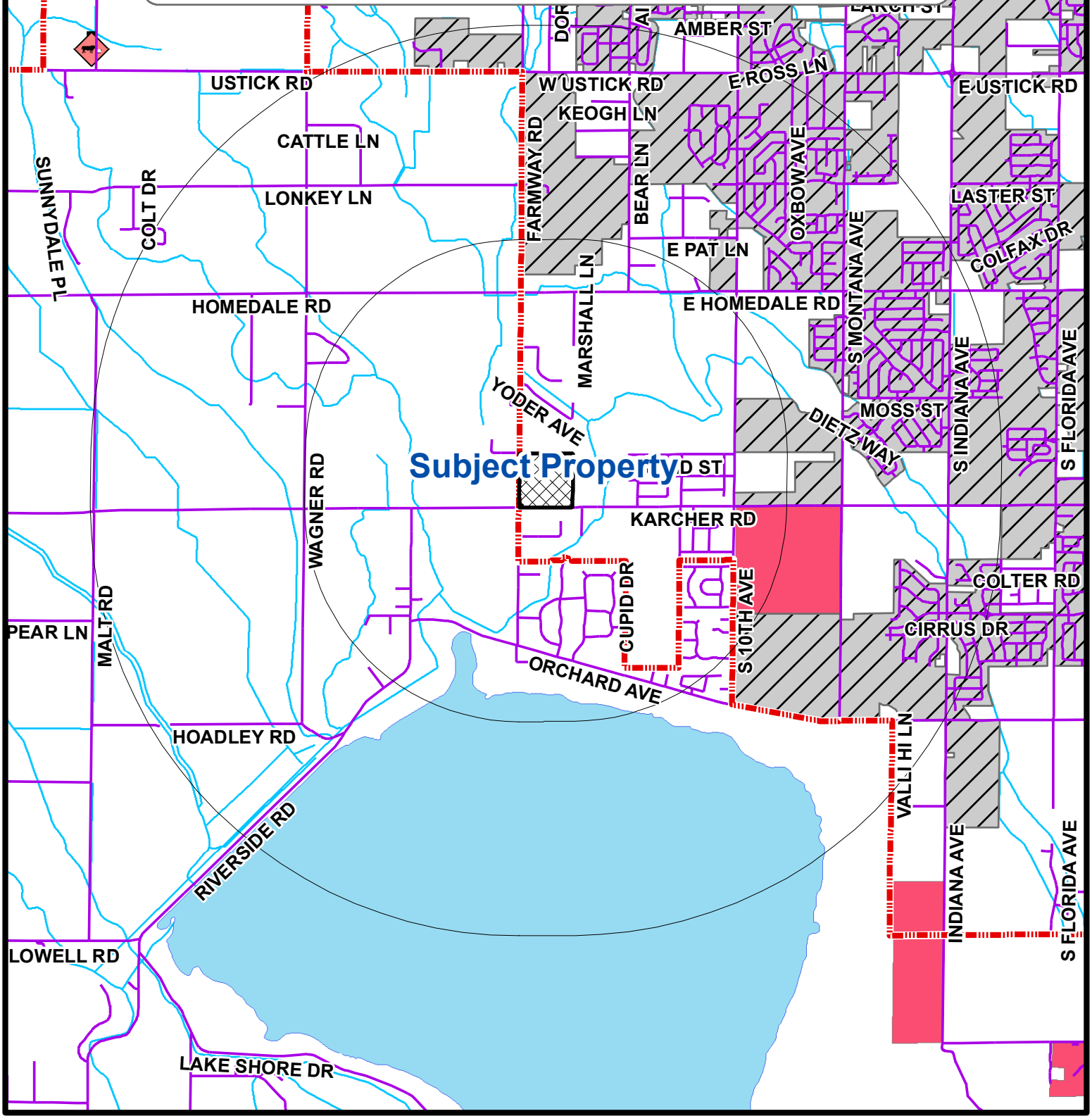
SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
3	MODERATELY SUITED SOIL	1761479.28	40.44	100.00%
		1761479.28	40.44	100%




FARMLAND REPORT

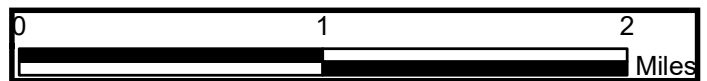
SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
PrA	Prime farmland if irrigated	1761479.28	40.44	100.00%
		1761479.28	40.44	100%

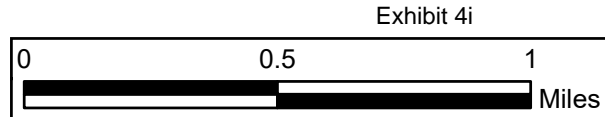
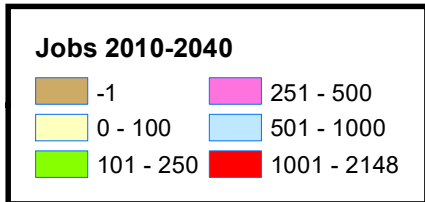
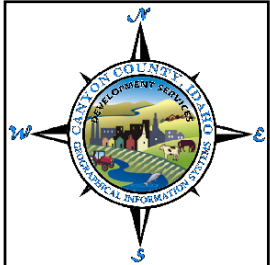
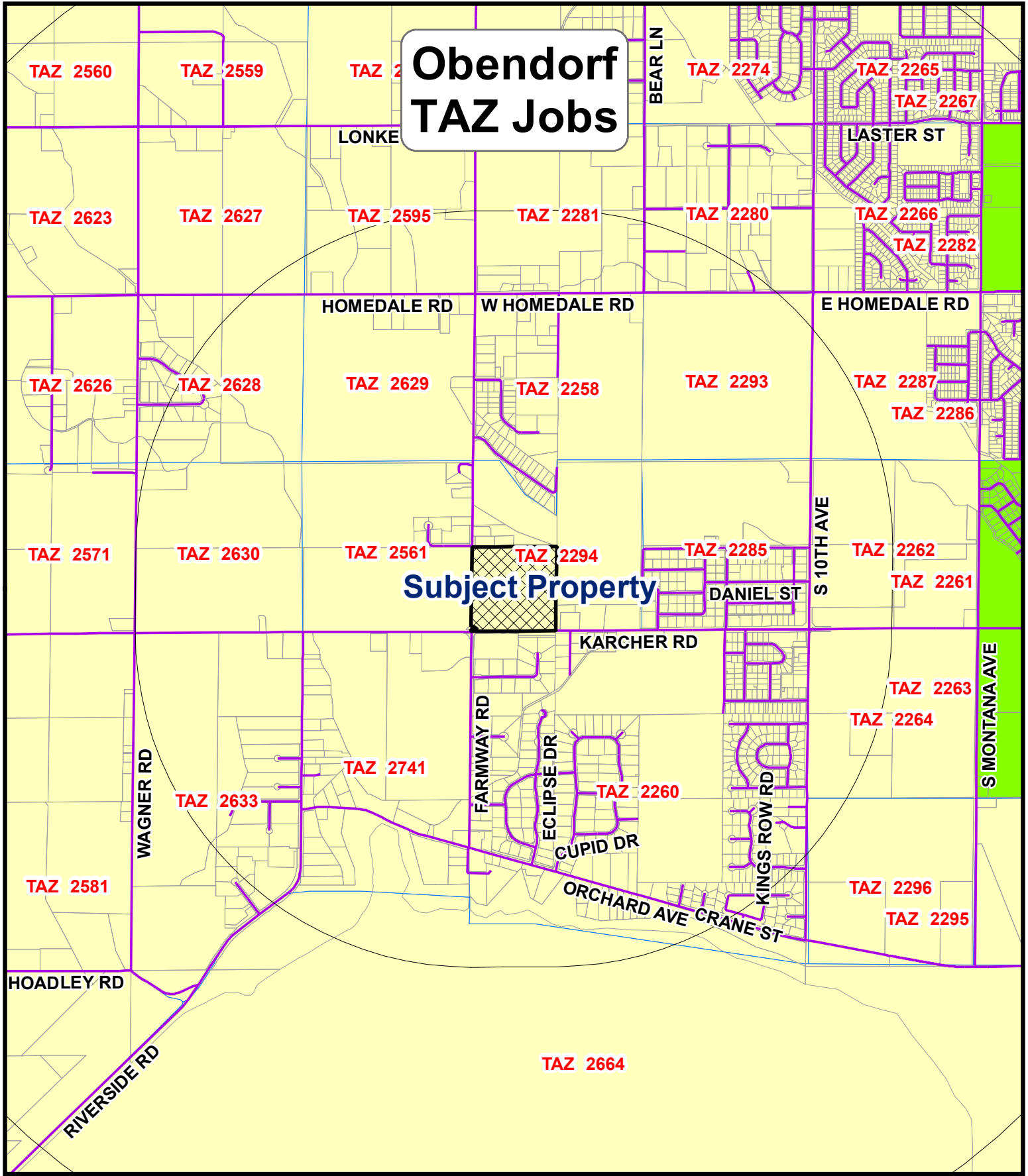
SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018

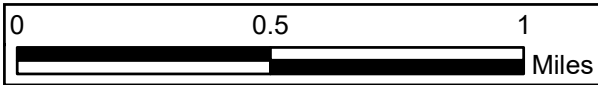
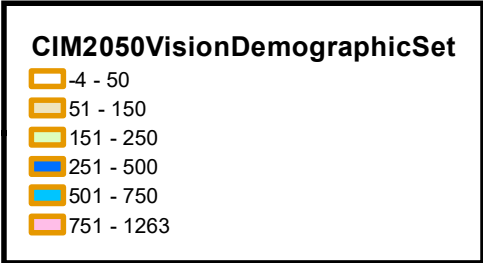
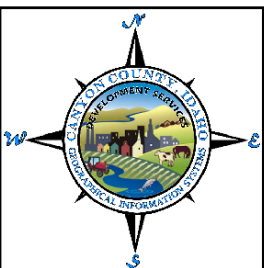
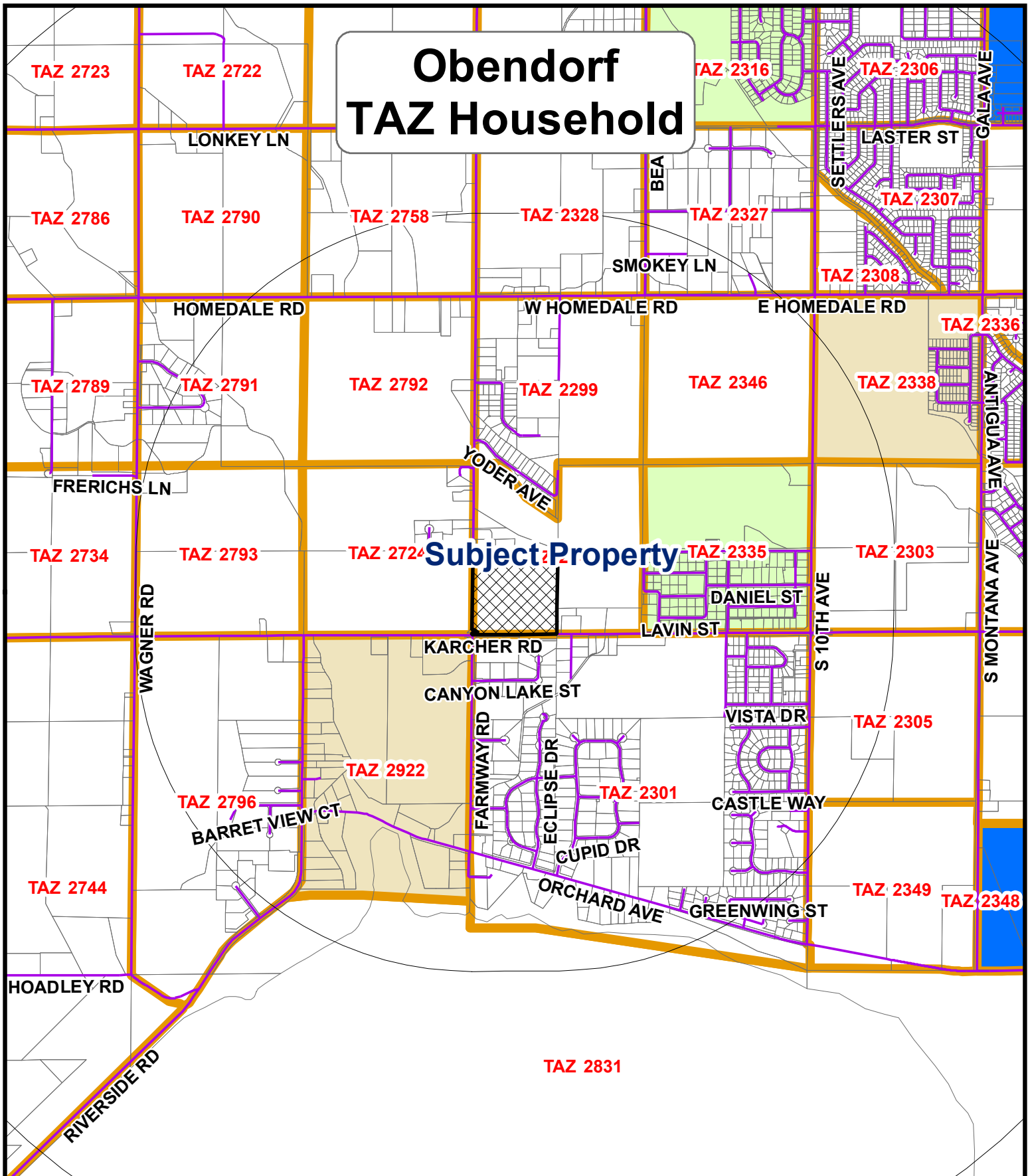
Obendorf Dairy, Feedlot, and Gravel Pit Map

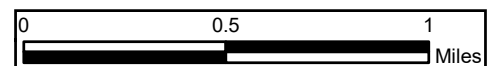
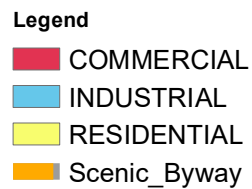


	DAIRYLOTS
	GRAVELPITS
	FEEDLOTS



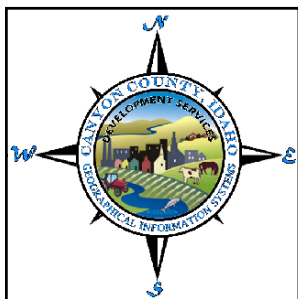
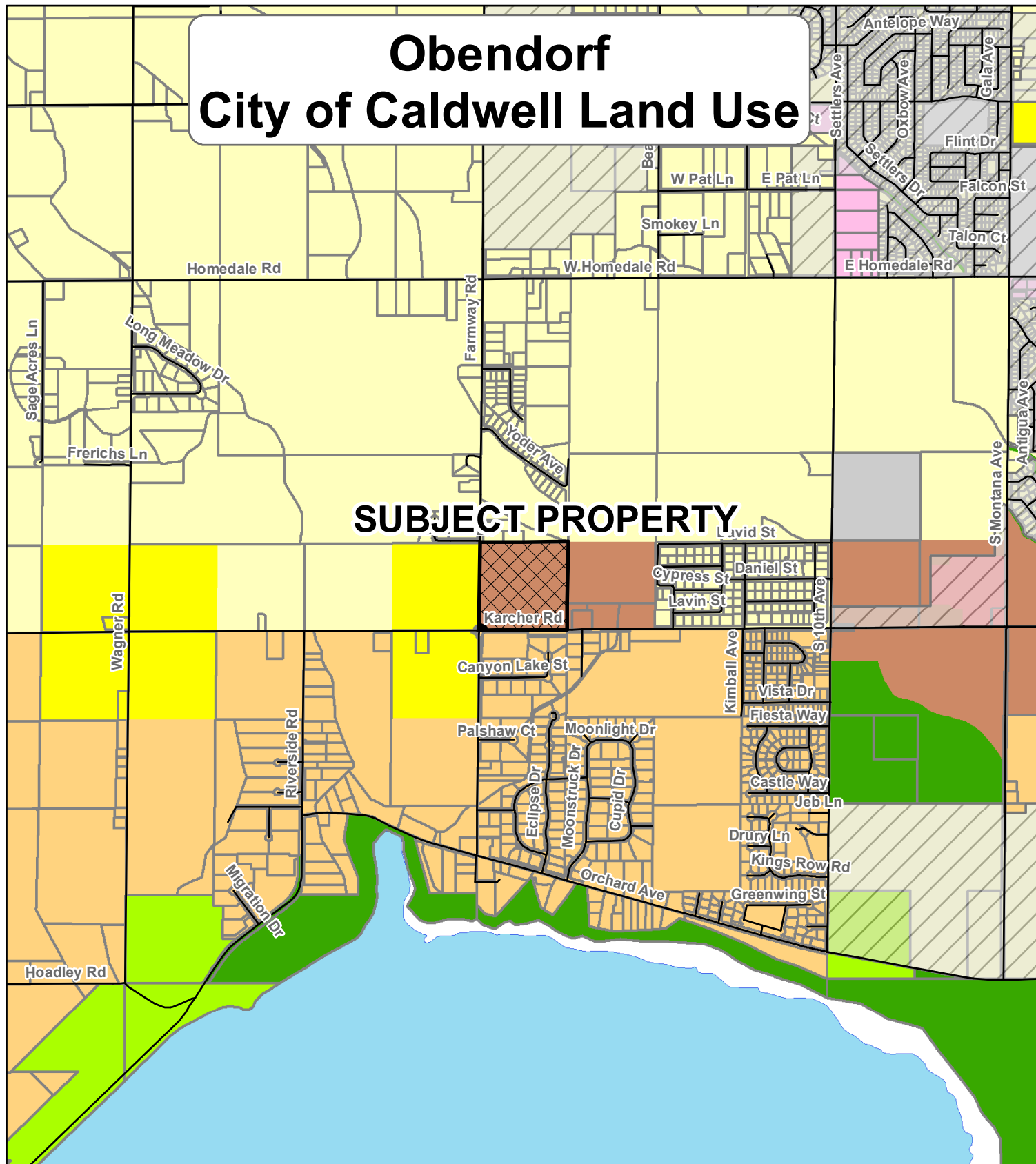






Obendorf City of Caldwell Land Use

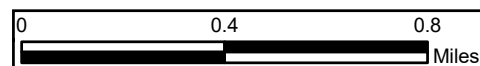
SUBJECT PROPERTY



Cald Comp Plan

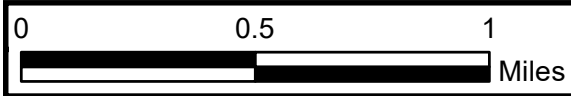
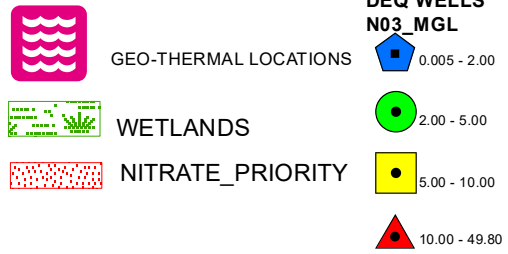
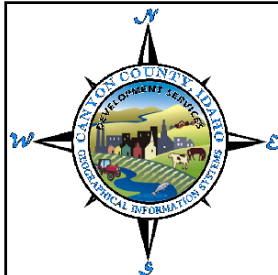
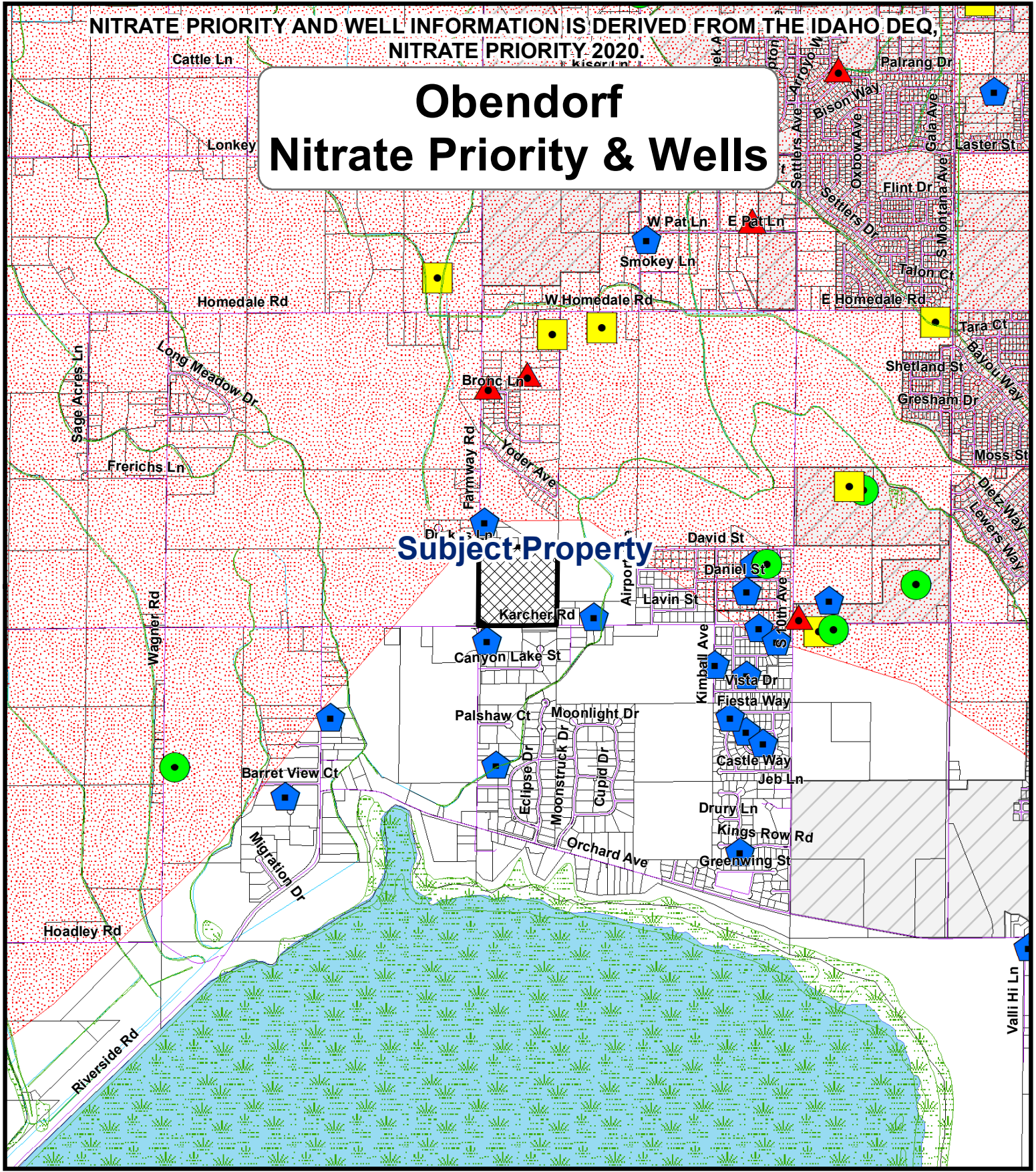
- | | |
|----------------------------|----------------------------|
| Residential Estates | Commercial & Service |
| Low Density Residential | Traditional Neighborhood |
| Medium Density Residential | Highway Corridor |
| High Density Residential | Manufacturing & Production |
| City Center | Industrial |
| Institutional | Rail Facilities |
| Business | Public |
| | Environmentally Sensitive |
| | Open Space |

Exhibit 4k



NITRATE PRIORITY AND WELL INFORMATION IS DERIVED FROM THE IDAHO DEQ,
NITRATE PRIORITY 2020.

Obendorf Nitrate Priority & Wells





JAROM WAGONER
Mayor

208.455.3011
(f) 208.455.3003

City Hall
411 Blaine Street
Caldwell, Idaho 83605

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

For a list of the City
Council members, visit:
Website
www.cityofcaldwell.org

CITY OF *Caldwell, Idaho*

May 3, 2022

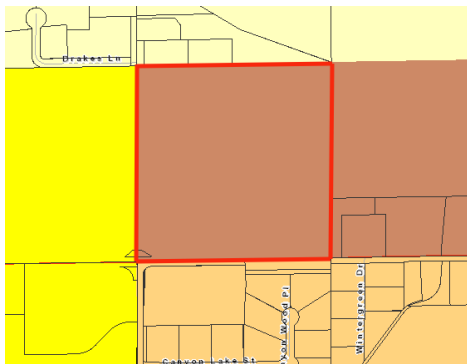
Canyon County Development Services Dept.
111 North 11th Ave.
Ste. 140
Caldwell, Idaho 83605

Re: Curtis Crystal (Representing Gregory & Ann Obendorf)
Case No. RZ2022-0007
Zoning Map Amendment

Dear Canyon County Planning Department,

Our office received a public agency notice regarding Curtis Crystal's request for a zoning map amendment (rezone) of a 12.6 acre portion of a parcel R32686 from an "A" (Agricultural) zone to a "C-2" (Service Commercial) zone. The subject property is located on the northeast corner of Farmway Road and Karcher Road, Caldwell, Idaho.

This parcel is with the city of Caldwell's Area of City Impact. See the map below:



Comprehensive Plan Land Use:
Brown – Highway Corridor
Light Brown – Traditional Neighborhood
Yellow- Medium Density Residential

"The Treasure of the Valley"

Planning and Zoning Department's comments:

- The parcel is identified on the City of Caldwell's 2040 Comprehensive Plan Map as Highway Corridor.
- Any improvements on the site should comply with Chapter 7 of the City of Caldwell's Landscaping Ordinance.
- The new development should be connected to city services, such as sewer and water.
- Per the Caldwell City Code, a convenience store with a gas station is only permitted in Highway Corridor with a Special Use Permit (SUP)

Fire Department Comments:

- The building, structure or facility shall not be occupied prior to the fire code official issuing a permit and conducting associates inspections indicating the applicable provisions of the adopted International Fire Codes have been met.
- Smoking shall be prohibited in the construction site/structure at all times.
- A Knox Box / Key Box may be required for this structure. Please contact the Fire Prevention Office at (208) 455-4703 for ordering information. Location shall be determined with the Fire Code Official at time of installation.
- Fire extinguishers shall be installed in accordance with the Fire Code.
- Premise Identification, Address Identification. New and existing building shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly visible from the street or road fronting the property. These numbers or letters shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 6" inches high a minimum stroke width of 0.5 inch.
- Fire apparatus access roads shall be designed and maintained to support the imposed loads of the fire apparatus and shall be surfaced as to provide all weather driving capabilities. Please show weight bearing calculations for the all-weather surface of the emergency access roads that is capable of supporting the imposed loads of fire apparatus weighing at least 75,000 pounds.
- Roads supporting fire hydrants shall be a minimum clear width of 26'
- A water supply will be required for this site based on construction type and classification
- Fire Sprinkler/ Alarm Plans may be required and shall be submitted to the Caldwell City for Fire Marshal's Office review and approval before installation.
- Utilities and infrastructure (i.e. fire hydrants and all weather access roads) shall be in place and functional prior to vertical construction.
- Approved / Stamped plans shall be on site during work and available for the Caldwell Fire Department during inspection. Work shall not be conducted/approved if plans are not on site.
- Any overlooked hazardous condition and or violation of the International building or fire code does not imply approval of such conditions or violation and shall be corrected prior to final occupancy.

- Approval of shop drawings is not intended to imply waiver or modification of any requirements of the Idaho State Statutes or Rules, International Fire Code, NFPA Standards or any other applicable criteria

Sincerely,

A handwritten signature in blue ink that reads "Emma Hill". The signature is written in a cursive, flowing style.

Emma Hill
Associate Planner
City of Caldwell Planning and Zoning

DAVID REYNOLDS
CHAIRMAN OF THE BOARD

DONALD BARKSDALE
VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER
PROJECT MANAGER

THOMAS RITTHALER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

MARY SUE CHASE
ASSISTANT SECRETARY-
TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NANPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

28 April 2022

Canyon County Development Services
111 North 11th Ave., Ste. 140
Caldwell, Idaho 83605

RE: Greg Obendorf **RZ2022-0007**
Farmway and Karcher Rds.
Wilder Irrigation District **W-218**
Terry Lateral 07+70
Sec. 09, T3N, R3W, BM.

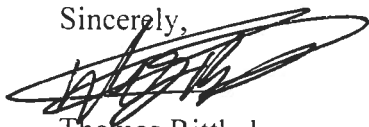
Jenifer Almeida:

There are no Boise Project facilities located on the above-mentioned properties, however they do in fact possess a valid water right.

Per Idaho State Statutes, title 42, local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr

cc: Tony Avermann Watermaster, Div; 4 BPBC
Lisa Sweet Secretary – Treasurer, WID
File



**CANYON HIGHWAY DISTRICT No. 4**

15435 HIGHWAY 44
CALDWELL, IDAHO 83607

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

July 14, 2022

Canyon County Board of Commissioners and Planning & Zoning Commission
111 N. 11th Street
Caldwell, Idaho 83605
Attention: Juli McCoy, Planner

RE: **RZ2022-0007**
Rezone from Agricultural to C-2 Commercial
Canyon County Parcel R32686 aka 0 Karcher Rd, Caldwell

Dear Commissioners:

Canyon Highway District No. 4 (CHD4) has reviewed the application to rezone 12.6 acres of a 40.4 acre parcel to C-2 Commercial. The 40.4 acre subject parcel is located in township 3N Range 3W Section 9 and is parcel number, R32686. CHD4 offers the following comments on the proposed rezone:

Summary

- Final traffic study shall analyze the entire rezone site, which also includes the car wash and assumed use (shopping center?) of the remaining 7 acres. This shall be submitted at time of commercial approach permit or preliminary plat
- Improve Farmway frontage per “Transportation Impacts and Frontage Improvements” section
 - Modified rural road cross section that generally reflects pavement width consistent with ½ of Caldwell City’s principal arterial section (R-810A) and other improvements per Farmway Corridor Plan.
- Locate driveway approach at the midpoint between the loon and collector road. If the driveway approach at that location cannot accommodate left turn lane design for 50 mph, consideration can be given for locating the driveway approach south of midpoint assuming it does not conflict with the loon traffic.
- The applicant shall plan a connection to the planned collector road at the subject parcel’s north property line, directly across from Drakes Lane.
- Dedicate ROW per “Right-of-Way Dedication” section
 - ROW dedication consistent with the Farmway Corridor Plan
 - 56’ half width (typical)
 - 68’ where right turn lane required
 - ROW dedication for loon

General

CHD4 is unaware of the applicant’s direction for splitting the property (administrative land division or subdivision). A subdivision or land division request will change the process for moving the development request forward; however, it is not anticipated to change the comments hereto.

The subject property has approximately 1,320-feet of frontage on both Farmway and Karcher Roads. Karcher Road is under the jurisdiction of the Idaho Transportation Department while Farmway Road is under the jurisdiction of CHD4. Please seek input from ITD for Karcher Road improvements.

The site plan dated 9/9/21 depicts a gas station, convenience store, farmers market, and carwash totaling 5.18 acres. These uses were referenced in the TIS dated 11/23/21 and revised TIS dated 3/18/22. Per TIS sections, “project description” and “trip generation”, trips associated with the gas station and farmers market were analyzed; however, the car wash and balance of the site were not analyzed. Pertaining to Farmway Road, it is likely the dedicated left turn lane and right turn lane will mitigate site traffic; however, design could be affected with these trips omitted. Final traffic study shall analyze the entire rezone site, which also includes the car wash and assumed use (shopping center?) of the remaining 7 acres. This shall be submitted at time of commercial approach permit or preliminary plat.

The subject parcel is within 1 mile of Caldwell City Limits and within Caldwell’s impact area. Per HSDP 2100.010, “the District may apply the standards and specifications of the City at the Highway District’s discretion.” Staff recommends the following:

- Modified rural road cross section that generally reflects pavement width consistent with ½ of Caldwell City’s principal arterial section (R-810A) and other improvements per Farmway Corridor Plan.
- ROW dedication per the Farmway Corridor Plan

Please see **Transportation Impacts and Frontage Improvements and Right-of-Way Dedication** for further details

Outparcels

If the 12.6 acre rezone is split and developed prior to the remaining (40.4 acres-12.6 acres) 27.8 acres, then outparcels do not apply per HSDP 2030.040.

Farmway Corridor Plan—Access

CHD4 and Caldwell City are jointly reviewing the Farmway Corridor from Karcher Road to Highway 19. The study is underway and the preferred roundabout concept is attached.

The draft Corridor Plan depicts access to the subject property via a planned collector road approach located 1,320’ north of Karcher Road (directly across from Drakes Lane). Said collector road access may be limited to a right-in-right-out (RIRO) as the parcel’s frontage is restricted by a center median, with provisions for indirect left turns via loons or U-turn intersections up and down-stream.

Access

Buildout Conditions—2023

Traffic mitigation includes a SB left turn lane. The parcel’s Farmway driveway approach location is partly dependent upon the left turn lane design. Per record of survey, instrument number 2009032399, CHD4 may have in possession ROW along Farmway Road that abuts the north property line of the subject parcel. This ROW could assist with the taper associated with the frontage improvements. The left turn lane design should accommodate the posted speed of 50 mph—this is also consistent with the draft Corridor Plan.

Ideally the driveway approach should be located at the midpoint between the loon and collector road. If the driveway approach at that location cannot accommodate left turn lane design for 50 mph, consideration can be given for locating the driveway approach south of midpoint assuming it does not conflict with the loon traffic.

This driveway approach will be temporary, but allow full access in the interim.

Future Conditions

As the area develops or when safety warrants, per the Farmway Corridor Plan the full access driveway approach will be reduced to a RIRO. South bound left turns can be made indirectly at the loon 660' north of Karcher Road. Left outs can be made at the quarter section line by U-turn (shown as Westfield Lane in the Corridor Plan).

The applicant shall plan a connection to the planned collector road at the subject parcel's north property line, directly across from Drakes Lane. Said connection could be made by easement and shall be depicted on any future subdivision/land division(s) requests. Said collector road could be considered to allow left turns in.

Transportation Impacts and Frontage Improvements

Per CHD4's TIS comments dated 2/3/22, using the historical growth rate of 6.9% for Farmway Road, a SB left turn lane at buildout (year 2023) is warranted. Assuming one through lane, a right-turn lane is warranted at buildout and if two through lanes a right turn lane is required within the build out plus 5 year horizon. The following traffic mitigation measures are required:

- Pavement width
 - ½ Caldwell's principal arterial R-810A (Pavement width is consistent with Corridor Plan)
 - 33' width (typical)
 - Where applicable, additional 12' of pavement for dedicated right turn lane
 - Paving loon is required
- Construct dedicated right turn lane
 - For driveway approach and for collector road (across from Drakes Lane)
 - Due to spacing of collector road and driveway approach likely a continuous right turn lane
- Stripe left turn lane
- 10' Pathway
- Rural improvements are acceptable
 - Provide cash deposit for curb and gutter
- Corridor Plan calls out a center median
 - Provide cash deposit
- Other improvements per Farmway Corridor Plan and CHD4 Highway Standards and Development Procedures Manual (HSDP)
- Depending on how the commercial site is developed, construction of the collector road at the north property line may be required with the commercial site.

Please seek input from ITD for Karcher Road improvements.

Right-of-Way Dedication

Per the Farmway Corridor Plan, ROW dedication varies for the subject parcel. Typical ROW is 112' for full width and 56' for half width. Typical half width cross section includes: half of a 14' wide raised median, 12' through lane, 14' through lane, 2' curb and gutter, 8' landscape and drainage swale area, 10' shared path, and 3' utility corridor. Additional ROW is required for dedicated right turn lane. Assuming a right turn lane width of 12', right-of-way dedication may be 68' along portions of the subject parcel's frontage. Furthermore, additional ROW may be necessary for loon construction. CHD4 can provide a CAD template to assist in ROW dedication of loon.

Right-of-way dedication shall apply at time of commercial access permit or subdivision (56' typical, 68' where dedicated right turn lane, and ROW for loon). The applicant shall provide a plan view showing all improvements per "Transportation Impacts and Frontage Improvements" section across the entire Farmway Road frontage (1,320'). Right-of-way dedication shall be based on said plan for the entire frontage and dedicated at time of administrative split or subdivision whichever comes first.

Approach Permit

If the applicant splits the property via an administrative land division, a commercial approach permit application is required. Said submittal shall be accompanied by improvement drawings.

To note, Board review of the permit is required. Development agreement may be used to facilitate timing of frontage improvements with site development.

It is recommended the applicant schedule a pre-application meeting prior to the commercial approach permit or preliminary plat submittal.

Section Line Setbacks

Canyon County Code § 7-10-19 provides for a minimum 70' setback from any section line or quarter-section line to any permanent structure to provide a buffer for future roadway construction unless the highway district having jurisdiction waives the seventy foot (70') setback requirement.

The centerline of Farmway Road is generally located on the section line; however, right-of-way dedication is greater than the 70' setback. Building setback per Canyon County code from the ROW line takes precedent

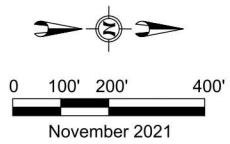
CHD4 does not oppose the request zone change; however, does request Canyon County include these comments in the development's conditions of approval.

Please feel free to contact me with any questions on this matter.

Respectfully,

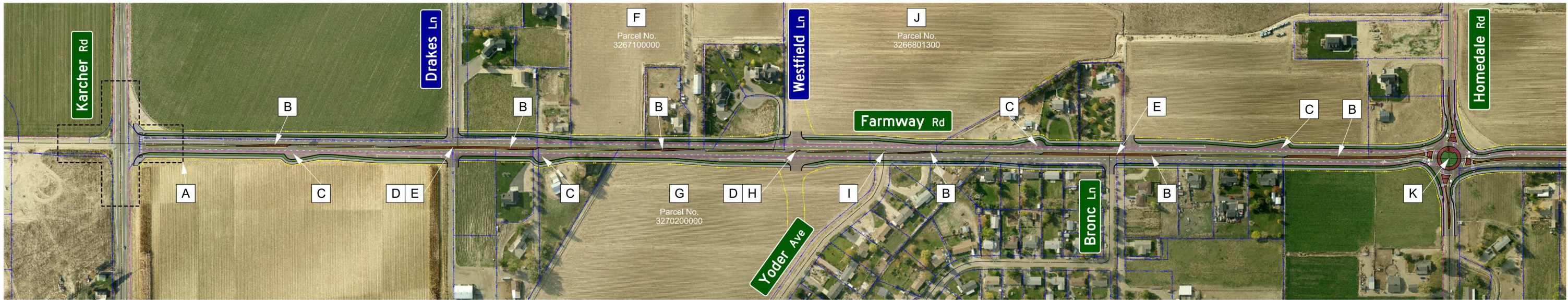


Lenny Riccio, P.E.
Assistant Engineer
Transportation Planner



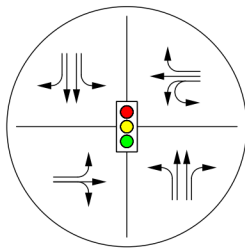
Farmway Road Corridor Planning Study

Design Year (2045) Corridor Improvement Option - Roundabout Corridor
Karcher Road to Homedale Road



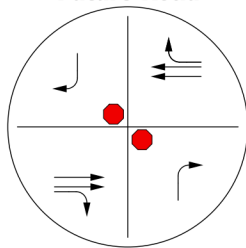
Corridor Plan

Karcher Road



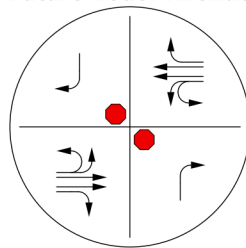
Full Access Intersection
Traffic Signal Control

Drakes Lane and
Future Road



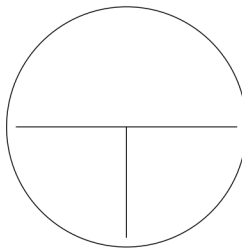
Limited Access 1/4-Mile Intersection
(Right-turn Only from Cross Street and
No Left-turn from Farmway Road)
Stop Control

Westfield Lane and
Future Yoder Avenue



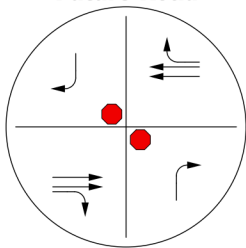
Limited Access 1/2-Mile Intersection
(Right-turn Only from Cross Street)
Stop Control

Yoder Avenue



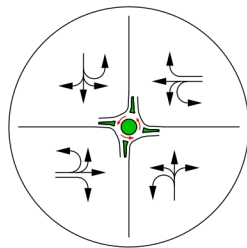
Closed Access
Intersection Will Be Closed
After New Intersection At Westfield

Bronc Lane and
Future Road



Limited Access 1/4-Mile Intersection
(Right-turn Only from Cross Street and
No Left-turn from Farmway Road)
Stop Control

Homedale Road



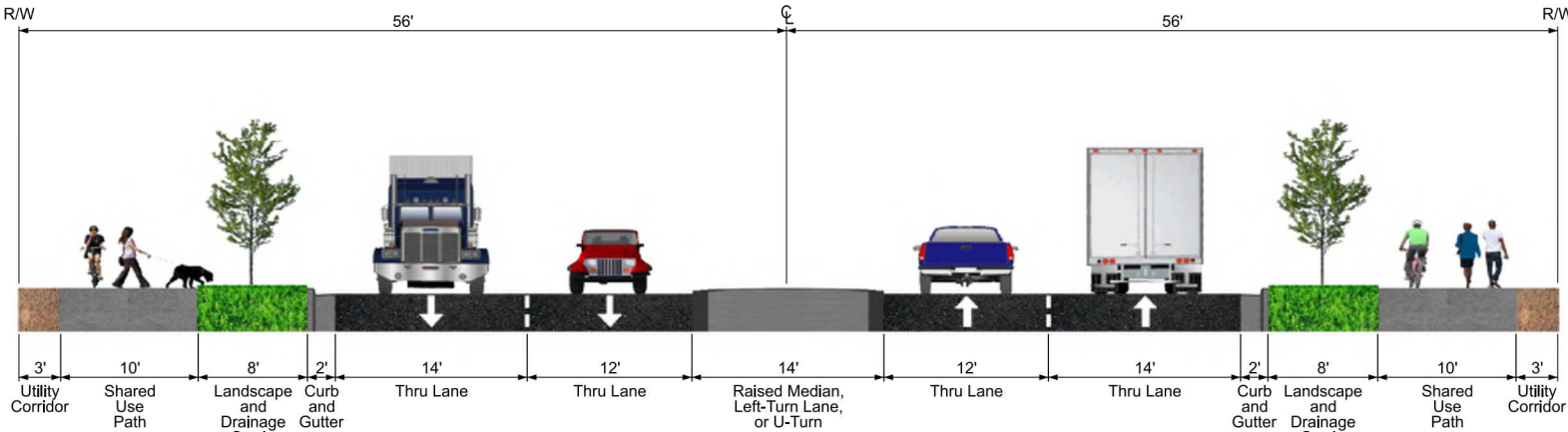
Full Access Intersection
Roundabout Control

Notes

- A** The intersection of Farmway Road and Karcher Road (Idaho 55) is not included with this study. ITD is leading the design of the intersection as a separate project.
- B** Raised median to limit access along Farmway Road to right-in and right-out, except as shown at public street intersections.
- C** Loon provided to allow U-turns for passenger cars and pick-up trucks.
- D** Future collector road per the City of Caldwell's 2040 Comprehensive Plan.
- E** Future limited access intersection located 1/4-mile from nearest full-access intersection.
- F** Temporary access for the future development of Parcel No. 3267100000 on Farmway Road will be abandoned when other public road access is available. Access is anticipated at a future 1/4-mile intersection road or a future 1/2-mile collector road located along the parcel's north boundary.
- G** Access for the future development of Parcel No. 3270200000 will be at the 1/2-mile collector road that will extend east to connect to Yoder Avenue.
- H** Access for 1/2-mile intersection is initially limited to right-in/right-out with left-in and U-turn access. A future full-access intersection will be constructed when needed to handle traffic demand. Right-of-way limits are shown for a multi-lane roundabout.
- I** The current Yoder Avenue approach on Farmway Road will be closed when the future 1/2-mile collector road east of Farmway Road is constructed.
- J** Access for the future development of Parcel No. 3266801300 will be at the future 1/4-mile collector road and at the 1/2-mile collector road along the parcel's south boundary.
- K** Full-access intersection. Roundabout shown is phased multi-lane configuration with one circulating lane and one right-turn lane on all approaches. It is expandable to two through lanes on Farmway Road when needed to handle traffic demand.

1. Existing property lines and right-of-way limits shown are approximate based on data from the 2020 Canyon County GIS.

Intersection Configurations



Farmway Road Cross Section

Legend

	New Asphalt Pavement
	New Concrete Sidewalk or Shared Use Path
	New Median or Median Curb
	New Landscape Buffer
	New Landscape Rock
	GIS Section Line
	Existing GIS Property Line
	Existing GIS Prescriptive Easement
	Proposed Right-Of-Way

MILE
6



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December 19, 2022

Deb Root
Canyon County Development Services
111 N. 11th Ave
Caldwell, Idaho 83605

VIA EMAIL

Development Application	RZ2022-0007
Project Name	SH-55/Farmway: Obendorf Parcel
Project Location	NE Corner of SH-55 (Karcher Rd)/Farmway, Caldwell
Applicant	Curtis Crystal

The Idaho Transportation Department (ITD) reviewed the referenced rezone application and has the following comments:

1. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
2. The Idaho Administrative Procedure Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at (208)334-8832 for more information.
3. Attached document, 22715 Farmway Pond 20221216, illustrates the original drainage pond location in relation to this development. This pond location overlaps the proposed gas station. ITD is willing to work with the developer to minimize impacts, however there will be some impact to the gas station if it is not relocated slightly.
4. The applicant shall meet the requirements set forth in attached document, 22175 Obendorf, RE: Obendorf Development – ITD development Conditions Memo.

If you have any questions, you may contact me at (208)334-8337.

Sincerely,

Niki Benyakhlef
Development Services Coordinator
Niki.Benyakhlef@itd.idaho.gov



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IDAHO TRANSPORTATION DEPARTMENT
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September 6, 2022

Garrett Scott
T-O Engineers
gscott@to-engineers.com

VIA EMAIL

RE: Obendorf Development – ITD Development Condition Memo

Dear Mr. Scott,

The Idaho Transportation Department (ITD) has completed our review of the Obendorf Gas Station Traffic Impact Study. The proposed development is located in the northeast quadrant of the intersection of SH-55 and Farmway Road in Canyon County, ID. The development is proposing a right-in/right-out access to SH-55 at approximately MP 10.78, left.

The department finds the development's proposed access acceptable with the following conditions:

- Approach shall be moved to the east so it is between approximately Sta 758+00 and 759+00 per the attached exhibit.
- Developer shall provide funding for ITD to design and construct a right-turn lane and raised median to be included in ITD Project KN 22715.
- Developer shall dedicate right-of-way from access location to easterly property boundary to accommodate the future right-turn lane. Estimated R/W width required is approximately 12' due to pavement widening, but will depend on the impacts determined by the completed design of the right-turn lane and may be wider due to drainage and other construction impacts.

Payment for the right-turn lane design and construction shall be made to ITD prior to issuance of the approved permit.

Please submit engineered drawings, right-of-way dedication documents, and temporary traffic control plans to itdd3permits@itd.idaho.gov. My staff will work with you on reviewing and accepting these documents prior to issuance of an approved permit. No work may be in ITD's right-of-way without an approved permit.



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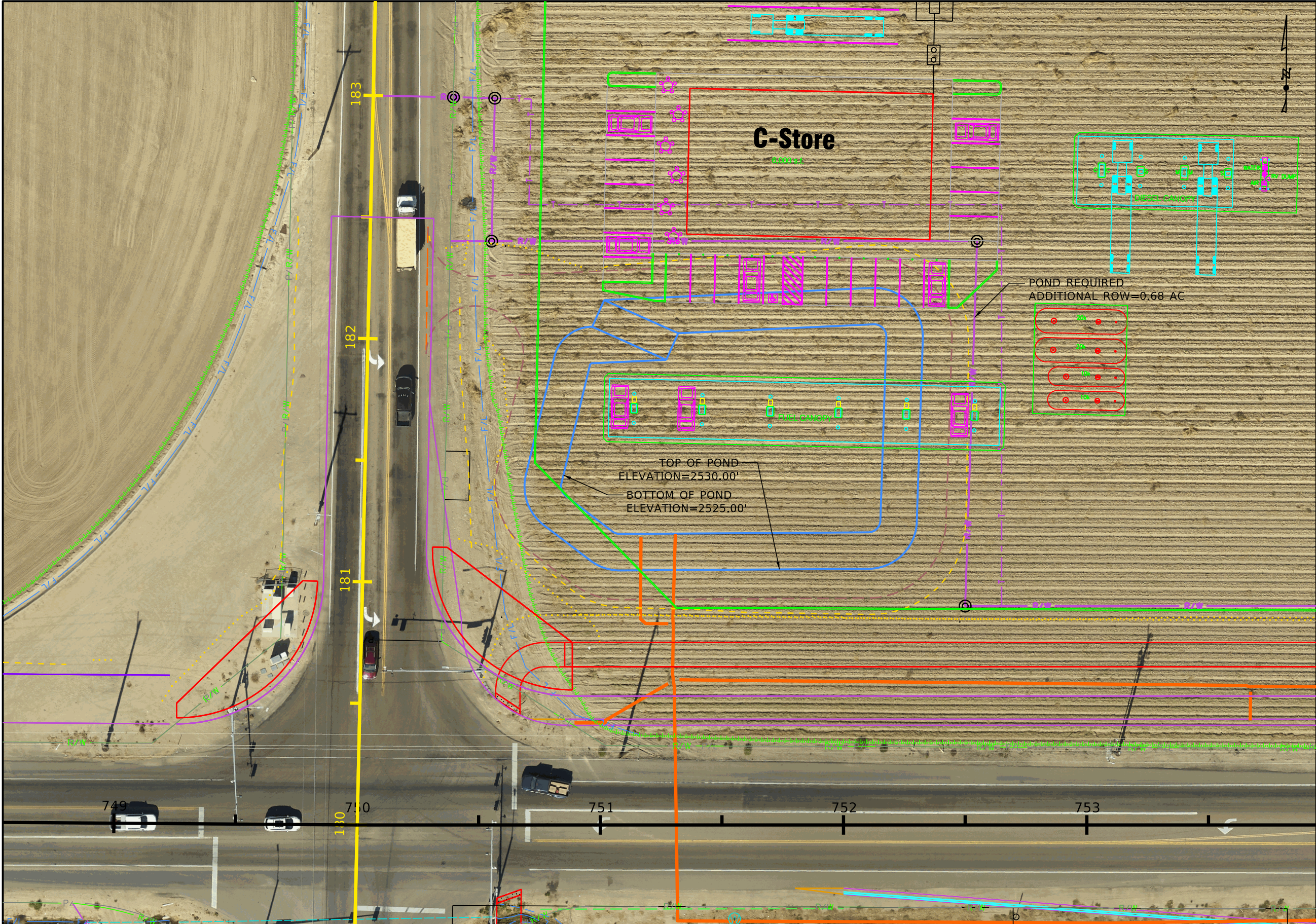
Maintaining safety and mobility for Idaho's motorists is of utmost importance to ITD. If you have any questions please contact me by email at vincent.trimboli@itd.idaho.gov or 208-334-8817.

Sincerely,

Vincent Trimboli
ITD – District 3
Planning and Development Services Manager

Cc:

Chris Hopper – Canyon Highway District 4
Erika Bowen – Idaho Transportation Department
Regan Hansen – Traffic Signal Engineer



REVISIONS			
NO.	DATE	BY	DESCRIPTION

DESIGNED	MJS
DESIGN CHECKED	WPR
DETAILED	MJS
DRAWING CHECKED	WPR

SCALES SHOWN
ARE FOR 11" X 17"
PRINTS ONLY

IDAHO
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DEPARTMENT

CADD FILE NAME
2715 FRMWY POND.DGN

DRAWING DATE:
\$PLTDATES\$

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TRANSPORTATION
DEPARTMENT

HORROCKS
ENGINEERS

PROJECT NO.
A022(715)

DRAINAGE POND EXHIBIT
SH-55, FARMWAY RD. TO MIDDLETON RD.

ENGLISH
COUNTY CANYON
KEY NUMBER 22715
SHEET 3 OF 5

NOT
APPROVED
FOR
CONSTRUCTION

Dan Lister

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Friday, May 5, 2023 7:17 AM
To: Dan Lister
Cc: Bonnie Puleo
Subject: [External] RE: Agency Notice Obendorf RZ2022-0007
Attachments: Obendorf 050523.pdf; 22715 Farmway Pond 20221216.pdf; 22715 Obendorf signed DC Memo.pdf

Good Morning, Dan!

I apologize I did not get this out to you yesterday. ITD's comments have not changed from our initial response, however I did update bullet no. 3 to request the county not to approve the site plans without confirming with ITD first.



Niki Benyakhlef
 Development Services Coordinator

District 3 Development Services
 O: 208.334.8337 | C: 208.296.9750
 Email: niki.benyakhlef@itd.idaho.gov
 Website: itd.idaho.gov

From: Bonnie Puleo <Bonnie.Puleo@canyoncounty.id.gov>
Sent: Wednesday, April 12, 2023 9:03 AM
To: Robin Collins <rcollins@cityofcaldwell.org>; Planning Team City of Caldwell <P&Z@cityofcaldwell.org>; 'dgeyer@cityofcaldwell.org' <dgeyer@cityofcaldwell.org>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; 'mstowell@ccparamedics.com' <mstowell@ccparamedics.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; Lisa Boyd <lisa.boyd@vallivue.org>; Joseph Palmer <joseph.palmer@vallivue.org>; Boise Project Board of Control <tritthaler@boiseproject.org>; GAshley <gashley@boiseproject.org>; 'Irichard@cityofcaldwell.org' <Irichard@cityofcaldwell.org>; 'Alan Perry' <aperry@cityofcaldwell.org>; 'CHOPPER@CANYONHD4.ORG' <CHOPPER@CANYONHD4.ORG>; D3 Development Services <D3Development.Services@itd.idaho.gov>; 'brentc@brownbuscompany.com' <brentc@brownbuscompany.com>; Kent, Lori - NRCS-CD, Caldwell, ID' <Lori.Kent@id.nacdn.net>; COMPASS <gis@compassidaho.org>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov>; Idaho Power <easements@idahopower.com>; Megan Kelly <mkelly@idahopower.com>; 'webmaster@valleyregionaltransit.org' <webmaster@valleyregionaltransit.org>; 'JESSICA.MANSELL@INTGAS.COM' <JESSICA.MANSELL@INTGAS.COM>; 'MONICA.TAYLOR@INTGAS.COM' <MONICA.TAYLOR@INTGAS.COM>; 'stevie.harris@isda.idaho.gov' <stevie.harris@isda.idaho.gov>; 'brock.cornell@isda.idaho.gov' <brock.cornell@isda.idaho.gov>
Subject: Agency Notice Obendorf RZ2022-0007

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May 5, 2023

Dan Lister
Planning Official, Canyon County Development Services
111 N. 11th Ave
Caldwell, Idaho 83605

VIA EMAIL

Development Application	RZ2022-0007
Project Name	SH-55/Farmway: Obendorf Parcel
Project Location	NE Corner of SH-55 (Karcher Rd)/Farmway, Caldwell
Applicant	Curtis Crystal

The Idaho Transportation Department (ITD) reviewed the referenced rezone application and has the following comments:

1. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
2. The Idaho Administrative Procedure Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at (208)334-8832 for more information.
3. ITD has developed final design plans for widening SH-55 from Farmway Road to Middleton Road. The attached document, 22715 Farmway Pond 20221216, illustrates Farmway Rd intersection's drainage pond location. The applicant's proposed gas station layout overlaps with the drainage pond design. ITD is willing to work with the developer to minimize impacts, with the understanding that any changes to the SH-55 project design shall be the responsibility of the applicant. ITD requests that the county does not approve any site plans without confirming final location of the drainage pond.
4. The applicant shall meet the requirements set forth in attached document, 22175 Obendorf, RE: Obendorf Development – ITD development Conditions Memo.

If you have any questions, you may contact me at (208)334-8337.

Sincerely,

Niki Benyakhlef
Development Services Coordinator

Niki.Benyakhlef@itd.idaho.gov

Dan Lister

From: Juli McCoy
Sent: Monday, July 25, 2022 6:03 PM
To: Dan Lister
Subject: Fwd: [External] Proposed Gas Station - corner of Karcher & Farmway

I'm still active. Yay, Obendorf :D! Hope you're well!

Sent from my iPhone

Begin forwarded message:

From: jaharris88@aol.com
Date: July 25, 2022 at 5:17:25 PM MDT
To: Juli McCoy <Juli.McCoy@canyoncounty.id.gov>
Subject: [External] Proposed Gas Station - corner of Karcher & Farmway
Reply-To: jaharris88@aol.com

I was just informed there is a proposed development on the corner of Karcher and Farmway Rd., for the building of a gas station/convenience store and future other business. May I suggest that the State highway (Karcher Rd) FIRST be addressed before ANY further development is considered. The influx of traffic presently is becoming a nightmare and the road hasn't been touched in the 50+ yrs. I have lived here, except for a few stop lights. Yet, planning and zoning continues to close their eyes to the fact that the infrastructure is completely inadequate to handle the ever increasing traffic, let along the expansive building of homes and businesses.

It's bad enough that the precious farmlands are being eaten away little by little with the building of subdivisions/businesses, but the lack of thoughtful planning on the part of those overseeing developments is criminal. It's been a joke for years that they would do a 4-lane expansion at Sunny Slope area to Karcher Rd., but allow commercial and residential over-growth along the area where it's still 2-lanes. Let's put the brakes on allowing any further development along Karcher Rd. until it's widened to at least 4 lanes and able to accommodate the present amount of vehicles, let alone those in the future, (after all, it is a State Highway). For decades, Karcher Rd. has been one of the deadliest highways in our State and it's time to think "smart" in how to handle the foreseeable future.

There are already 4 gas stations/convenience stores within a 5 mile area - is there a NEED for another one? Most people throughout this area have wells for drinking water - do we NEED gas tanks buried above our aquifers risking contamination?? This is a RURAL AREA and needs to be respected as such!!



I vote to put a stop to developments until roadways are improved to handle the ever growing population.

Julie (McCoy) Harris

I would like the following comments on Case No. RZ2022-0007 (Greg & Ann Obendorf) to be included in the official record of the upcoming Zoning Hearing scheduled for August 4, 2022.

I am **opposed** to this zoning change and the development of the proposed Convenience Store and Gasoline Station on the northeast corner of Karcher Road (SR 55) and Farmland Road for the following reasons:

NEED (OR LACK THEREOF):

- Five convenience stores with fueling stations already exist within five miles of the proposed site: Two Maverick Stations (5 mi. and 2 mi.), one Extra Mile Chevron Station (3.1 mi.), and the Lakeview Market/Gas station (0.7 mi.).
- How convenient do these convenience stores need to be? Is it necessary to have a convenience store with a fueling station located every 0.7 mile along the Karcher Road corridor?
- Is this development compatible with the vision statement in the proposed Canyon County 2030 Comprehensive Plan? The vision statement includes:
 - *Ensuring the quality of life for Canyon County residents by preserving our agricultural heritage and planning for a smart growth future through physical and fiscal management.*
 - *(G4.09.00) Maintain and enhance the aesthetic beauty of the County.*

TRAFFIC IMPACT:

This area is already very congested with inadequate highway capacity. A significant amount of commercial traffic already uses Farmway Road between Orchard and Karcher Roads (primarily a residential area) to avoid traffic congestion on SR 55. The application states that the development is forecast to generate 1,770 weekday trips, representing a significant amount of traffic to be handled at an already congested intersection. A major expansion of State Route 55 is in the planning stages at Idaho DOT and slated for a 2024 upgrade to five lanes.

- The proposed Canyon County 2030 Comprehensive Plan states:
 - *(P8.01.02) Consider the cumulative impact of rezones and subdivisions on road capacity and traffic congestion when making land-use decisions.*

INADEQUATE CITY SERVICES:

- There are **no** city services provided to this property at this time. Commercial developments should be required to be located in areas serviced by city water and sewers.
- Our critical ground water resources should not be arbitrarily "sold" to commercial developments especially when the Western states, including Idaho, are experiencing (or facing the potential for) severe drought.
- Several sections of the proposed 2030 Comprehensive Plan address this very issue:
 - *(P3.01.01) Direct business development to locate in areas that can provide necessary services and infrastructure.*
 - *(G4.04.00) Concentrate on future growth in and around existing communities while preserving and enhancing the County's agricultural and rural character.*



- (P4.04.01) *Support development in areas that provide services, utilities, and amenities*

ENVIRONMENTAL:

The zoning application contains no specific data on fuel storage at the proposed new facility. A gasoline station requires sufficient fuel storage capacity to receive full tanker load deliveries of fuel in order to receive competitive pricing.

- A typical gasoline tanker truck holds 8,000 gallons of gasoline. The double tanker trucks commonly used in this area have a capacity of approximately 14,000-15,000 gallons.
- A station with three grades of gasoline plus diesel fuel could potentially have a storage capacity in excess of 30,000 gallons of fuel.
- This fuel would be buried on top of the aquifer that provides drinking water for several thousand people. ***The environmental risk of a leaking tank or faulty tank plumbing poses a significant risk of groundwater contamination (with benzene and methylbenzene) and ultimately contamination of Lake Lowell and the irrigation system.***
- Once again the proposed 2030 Comprehensive Plan addresses the importance of protecting the County's water resources:
 - *Surface water, groundwater, aquifer protection, and recharge are vital to sustaining the county's life.*
 - (G5.05.00) *Protect Canyon County inhabitants' health, safety, and welfare by reducing the risk and effects of natural and human-made hazards.*
 - (P5.01.01) *Protect and enhance waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources.*
 - (A5.01.05a) *Develop a wellhead area protection ordinance to safeguard aquifer recharge areas and groundwater supplies where relevant.*

NOISE/LIGHT:

- The zoning application states that the *proposed* operating hours will be M-Th 6:00AM to 10:00PM, Fri & Sat 6:00AM-11:00PM, and Sun 7:00AM-9:00PM.
- Will these operating hours be enforced and by whom? What is there to prevent this development from being operated 24 hours per day in the future?
- Will the county require noise and lighting mitigation and indirect lighting?
- Will the lighting comply with the City of Caldwell Dark Sky Ordinance?
- The noise of heavy vehicle traffic along Farmway Road is already excessive. The addition of the convenience store/fueling station as proposed will result in increased traffic which already includes commercial vehicles, tractor trailers, gravel hauling rigs (double dumps), tanker trucks, and commuter traffic.

These are just some of the concerns that I have about the proposed development. I do not feel that this development is needed nor is it compatible with the with the goals of the Proposed Canyon County 2030 Comprehensive Plan.

Andrew F. Haumesser, 15981 Lunar Way, Caldwell, ID 83607

July 25, 2022

Case No. RZ2022-0007

Please include my comments in the official record for the Planning and Zoning hearing on August 4, 2022 for this case.

I am OPPOSED to the proposal to change the current land designation from agricultural to commercial (C-2):

1. I do not believe that there is a critical need for another convenience store and gas station in this vicinity. There are 2 Maverick Stores, 1 Jacksons food store (Chevron), and the Riverside gas station all within 5 miles of this corner.
2. To the southwest of this proposed corner, the county commissioners already passed and changed prime agricultural land, with blatant disregard to all the opposition from landowners and neighbors in the area, to C-2 and Valley Wide propane was planning to build a gas station/convenience store on 10 acres on the SAME corner. This should be investigated before allowing the northwest corner to be changed and allowed the same designation. Then, in theory, the board and commissioners would be allowing for the building of TWO convenience stores on the same corner. This seems like very poor planning to me.
3. In the 2020 comprehensive plan for canyon county, as the 2030 hasn't yet been finalized, it has specified on page 34, on bullets 5, 6, and 7, it reminds the county boards that "canyon county should not overdevelop and should retain agricultural lands/uses and environmental impacts", while also assuring that "new development should be located near existing infrastructure and in areas where agricultural uses are not diminished". The existing site will not have any city services, for water and sewer, which is unfortunate. I believe that this site can be great for commercial someday, however, it should be in accordance with what the county has outlined for its comprehensive plan, therefore, the rezoning should be denied until the owner has a plan to extend the city services to the property.
4. The environmental impact with the amount of fuel this site is proposing could affect the aquifer that thousands of existing landowners use each day. Something that was never considered is how close this site is, less than 1 mile to Lake Lowell, to a habitat that is federally protected. Is it necessary to place something this toxic near our aquifer and the Lake all just to appease one landowner? With the Riverside gas station less than 1 mile from the proposed site already putting us all at risk, is it worth it to do it again, all in the name of profit and letting a landowner do whatever they want? The county needs to consider the long term consequences of making this huge decision that will set a major precedent.

I am opposed to having this site rezoned right now, with a future date in mind when city water and sewer are in the area for commercial entities.

Tom Blaisdell

15883 Canyon Lake St

Caldwell, ID 83607



Dan Lister

From: Juli McCoy
Sent: Wednesday, July 27, 2022 7:40 PM
To: Dan Lister
Subject: Fwd: [External] Karcher and Farmway Gas Station

Sent from my iPhone

Begin forwarded message:

From: Jennifer Babbitt <jenniferbabbitt@yahoo.com>
Date: July 27, 2022 at 1:30:16 PM MDT
To: Juli McCoy <Juli.McCoy@canyoncounty.id.gov>
Subject: [External] Karcher and Farmway Gas Station

I would like the following comments on Case No. RZ2022-0007 (Greg & Ann Obendorft) to be included in the official record of the upcoming Zoning Hearing scheduled for August 4, 2022.

I am **opposed** to this zoning change and the development of the proposed Convenience Store and Gasoline Station on the northeast corner of Karcher Road (SR 55) and Farmway Road for the following reasons:

Need (or lack thereof):

Five convenience stores with fueling stations already exist within five miles of the proposed site: Two Maverick Stations (5 mi. and 2 mi.), one Extra Mile Chevron Station (3.1 mi.), and the Lakeview Market/Gas station (0.7 mi.).

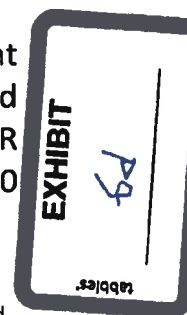
How convenient do these convenience stores need to be? Is it necessary to have a convenience store with a fueling station located every 0.7 mile along the Karcher Roadcorridor?

Is this development compatible with the vision statement in the proposed Canyon County 2030 Comprehensive Plan? The vision statement includes:

- *Ensuring the quality of life for Canyon County residents **by preserving our agricultural heritage** and planning for a **smart growth future** through physical and fiscal management.*
- *(G4.09.00) Maintain and enhance the **aesthetic beauty** of the County.*

Traffic Impact:

This area is already very congested with inadequate highway capacity. A significant amount of commercial traffic already uses Farmway Road between Orchard and Karcher Roads (primarily a residential area) to avoid traffic congestion on S R 55. The application states that the development is forecast to generate 1,770



weekday trips, representing a significant amount of traffic to be handled at an already congested intersection. A major expansion of State Route 55 is in the planning stages at Idaho DOT and slated for a 2024 upgrade to five lanes.

The proposed Canyon County 2030 Comprehensive Plan states:

- *(P8.01.02) Consider the cumulative impact of rezones and subdivisions on road capacity and traffic congestion when making land-use decisions.*

Inadequate City Services:

There are no city services provided to this property at this time. Commercial developments should be required to be located in areas serviced by city water and sewers.

Our critical ground water resources should not be arbitrarily “sold” to commercial developments especially when the Western states, including Idaho, are experiencing (or facing the potential for) severe drought.

Several sections of the proposed 2030 Comprehensive Plan address this very issue:

- *(P3.01.01) Direct business development to locate in areas that can provide necessary services and infrastructure.*
- *(G4.04.00) Concentrate on future growth in and around existing communities while preserving and enhancing the County's agricultural and rural character.*
- *(P4.04.01) Support development in areas that provide services, utilities, and amenities*

Environmental:

The zoning application contains no specific data on fuel storage at the proposed new facility. A gasoline station requires sufficient fuel storage capacity to receive full tanker load deliveries of fuel in order to receive competitive pricing.

A typical gasoline tanker truck holds 8,000 gallons of gasoline. The double tanker trucks commonly used in this area have a capacity of approximately 14,000-15,000 gallons.

A station with three grades of gasoline plus diesel fuel could potentially have a storage capacity in excess of 30,000 gallons of fuel.

This fuel would be buried on top of the aquifer that provides drinking water for several thousand people. ***The environmental risk of a leaking tank or faulty tank plumbing poses a significant risk of groundwater contamination (with benzene and methylbenzene) and ultimately contamination of Lake Lowell and the irrigation system.***

Once again the proposed 2030 Comprehensive Plan addresses the importance of protecting the County's water resources:

- *Surface water, groundwater, aquifer protection, and recharge are vital to sustaining the county's life.*
- *(G5.05.00) Protect Canyon County inhabitants' health, safety, and welfare by reducing the risk and effects of natural and human-made hazards.*

- (P5.01.01) *Protect and enhance waterways, **groundwater**, wetlands, wildlife habitat, air, soils, and other natural resources.*
- (A5.01.05a) *Develop a wellhead area protection ordinance **to safeguard aquifer recharge areas and groundwater supplies** where relevant.*

Noise/Light:

The zoning application states that the *proposed* operating hours will be M-Th 6:00AM to 10:00PM, Fri & Sat 6:00AM-11:00PM, and Sun 7:00AM-9:00PM.

Will these operating hours be enforced and by whom? What is there to prevent this development from being operated 24 hours per day in the future?

Will the county require noise and lighting mitigation and indirect lighting?

Will the lighting comply with the City of Caldwell Dark Sky Ordinance?

The noise of heavy vehicle traffic along Farmway Road is already excessive. The addition of the convenience store/fueling station as proposed will result in increased traffic which already includes commercial vehicles, tractor trailers, gravel hauling rigs (double dumps), tanker trucks, and commuter traffic.

These are just some of the concerns that I have about the proposed development. I do not feel that this development is needed nor is it compatible with the with the goals of the Proposed Canyon County 2030 Comprehensive Plan.

Jennifer Babbitt
15337 Reminiscene Dr
Caldwell, ID 83607

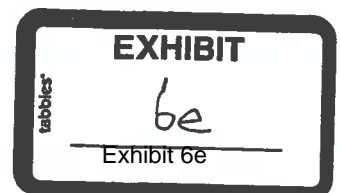
Sent from my iPhone

From: FERМЕНА PAT MONTGOMERY
Sent: Thursday, July 28, 2022 1:08 PM
To: juli.mccoy@canyoncounty.gov <juli.mccoy@canyoncounty.gov>
Subject: Proposed Truck Stop corner of Karcher/Farmway?

Hello Juli,

We've seen information that there is application for the above business. It seems like there's a light at that intersection but that's a big amount of traffic as I don't remember any turn lanes. Also, there isn't any infrastructure, water, sewer?? It's currently zoned agriculture & sure hate to see any more agriculture land go away. There's terrible amount of traffic & this may lead to lots more accidents & again no infrastructure. The closet fire department is in Caldwell probably 5-7 miles & that's county out there not city?? Hopefully there'll be some thought when this is brought before planning/zoning whoever for approval. The property tax payers already take the burdensome share of paying for these new additions!

Concerned citizen/ tax payers, Fermenta & Pat Montgomery



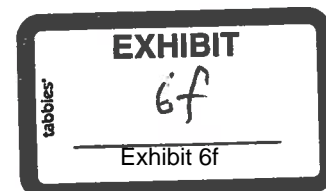
I would like the following comments on **Case No. RZ2022-0007** (Greg & Ann Obendorf) to be included in the official record of the Zoning Hearing on August 4, 2022.

I am **opposed** to this zoning change and the development of the proposed Convenience Store and Gasoline Station on the northeast corner of Karcher Road (SR 55) and Farmland Road for the following reasons:

- 1) There is an existing gas station /convenience store on Riverside Road, just under a mile away from the proposed new station.
- 2) The existing station is just off highway 55, providing accessibility without degrading the ambiance of the 55 corridor. The new station would certainly usher in increasingly unsightly additions in an area that has always been trending toward higher-end homes.
- 3) There are no city services available to the proposed new station. Commercial developments should be required to be located in areas serviced by city utilities.
- 4) I do not think that this proposed is compatible with the vision statement in the proposed Canyon County 2030 Comprehensive Plan. The vision statement includes:
 - a. *Ensuring the quality of life for Canyon County residents **by preserving our agricultural heritage** and planning for a **smart growth future** through physical and fiscal management.*
 - b. *(G4.09.00) Maintain and enhance the **aesthetic beauty** of the County.*
- 5) This intersection already has a large amount of commercial traffic, with semi-trailers using Farmway as a cutoff from Simplot Road to highway 95 west of Marsing. The quality of life in the area has seen a serious decline because of road noise and the use of compression brakes by these vehicles. The proposed new station will only make these issues worse.
- 6) The possibility of a leaking fuel tank at the new station, or of a fuel delivery accident, can not be ignored. With hundreds of existing homes already drawing water from the aquifer, and hundreds more proposed or anticipated, contamination would be a major disaster, with long-term, perhaps irreversible, consequences.

These are just some of the concerns that I have about the proposed new station. I think that this new station is not needed, will further degrade quality of life in the area, has the potential for disastrous long-term harm to the environment, and is not compatible with the with the goals of the Proposed Canyon County 2030 Comprehensive Plan.

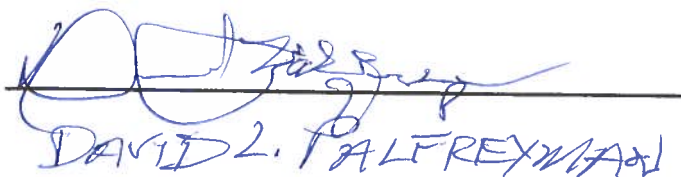
John Kernkamp, 15635 Riverside Road, Caldwell, ID 83607



1-9-2023

I support the Conditional Rezone Application on case R22022-007 for the reasons below:

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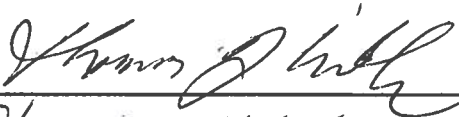


DAVID L. PALFREYMAN

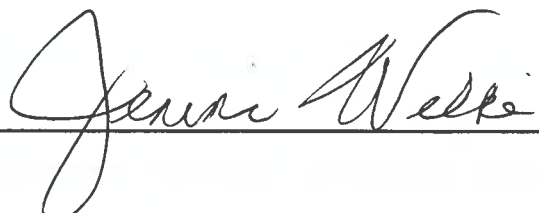
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Oba WILKE FARMS



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MATT WILKE

1-9-2023

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Bo Hilliard Bo Hilliard

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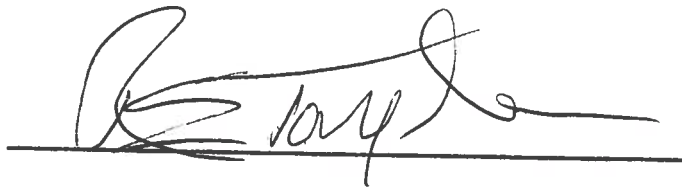




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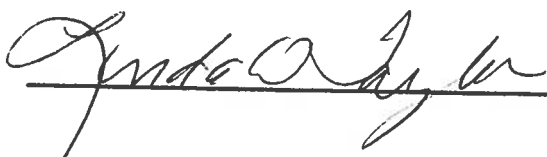
A handwritten signature in black ink, appearing to read "Randall S. Tarnor", written over a horizontal line.

RANDALL S. TARNOR

1-9-2023

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Linda D. Taylor

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Alissa Becherer

Alissa Becherer

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Ann BettenCourt

ANN BETTENCOURT

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Ryan R Lenz

1-9-2023

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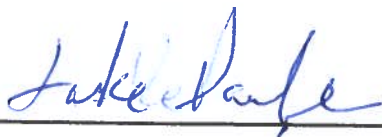
Bud Bowman

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Jacob Hargrave

1-9-2023

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Robert Carter

Robert Carter

1-9-2023

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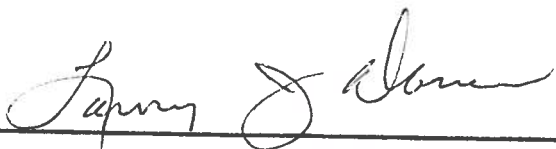
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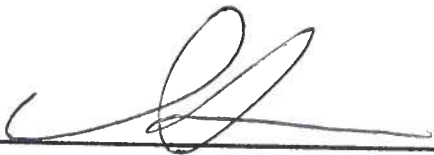




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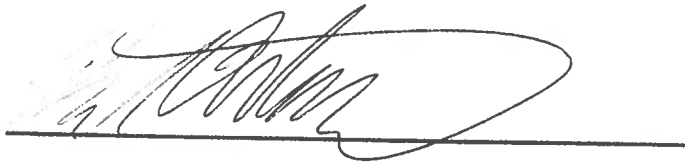


Doug DeLong

1-9-2023

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JC Watson Company

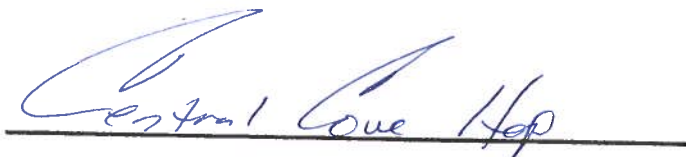
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Robert L. Thompson

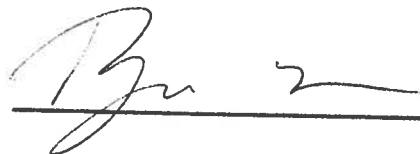


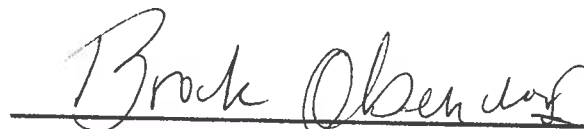
Central Cove Hop

1-9-2023

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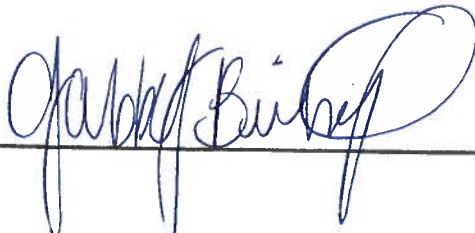
Megan S. Maxwell

Megan Maxwell

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Gabby Bishop

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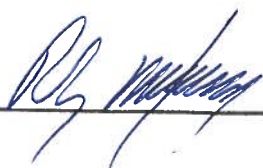
A handwritten signature in blue ink, appearing to read 'Nathan Jackson', written over a horizontal line.

NATHAN JACKSON

1-9-2023

I support the Conditional Rezone Application on case R22022-007 for the reasons below:

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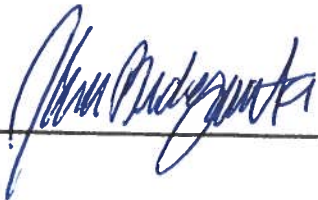




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John Bideganeta

1-9-2023

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Greg Troost

Cay Troost

1-9-2023

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Phillip Obendorf

1-9-2023

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Lexi Oropeza



1-9-2023

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Kortney Ford

1-9-2023

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Ken Stewart

[Signature]

1-9-2023

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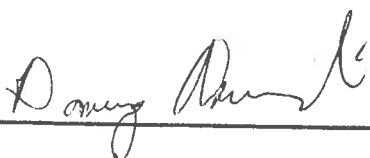


Ruben Asuncion

1-9-2023

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Chad C. Henggel

RECEIVED
▶ FEB 06 2023 ◀
RECEIVED

CHAD A. Henggeler CO-owner Lakeview Fruit

1-9-2023

I support the Conditional Rezone Application on case RZ2022-007 for the reasons below:

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Tom Baxter

Tom Baxter

RECEIVED

▶ FEB 06 2023

RECEIVED

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JERRY L JACKSON



February 6, 2023

To: Dan Lister and Canyon County Commissioners

RE: Case RZ2022-007

The following is an analysis of the 2020 Comprehensive plan as it pertains to Application RZ2022-007. The staff report for the Planning and Zoning Commission lists 13 goals, policies or implementation actions that support the request.

I submit that the following 29 elements of the above comprehensive plan also are in favor of the requested Conditional Rezone.

Page 12 – Land use classifications: Commercial

The commercial designation are intended to provide for a variety of commercial uses that provides goods and services to businesses, travelers and residents of the County.

(Fits well)

Page 16 – Policy #10

Land use laws and decisions should avoid imposing unnecessary conditions or procedures on development approvals.

(A denial would be imposing unnecessary conditions)

Page 18 – Goal #1

Consider population growth trends when making land use decisions.

(This property has been shown as future commercial for 3 consecutive comp plans over many years and is in an area of growth as well as in an impact area)

Page 34 – Goal #1

To diversify and improve the economy of Canyon County in ways that are compatible with community values.

(Good fit)

Page 34 -Goal #5

To ensure that land use policies, ordinances and processes allow for a viably economic environment for development.

(Another fit)

Page 34 -Policy #2

Support existing business and industry in the county.

(You have many letters of support from nearby business owners and farmers.)

Page 34 -Policy #3

Encourage broad-based economic development programs that include:

b. Commercial development

Page 34 -Policy #6

Encourage commercial and residential development in a controlled, planned and constructive manner.

(Again, this property has been planned for commercial through 3 comprehensive plans and many years.)

Page 34 -Policy #7

Canyon County should identify areas of the county suitable for commercial, industrial and residential development.

(Further support from previous planning)

Page 35 -Policy #8

Set aside suitable sites for economic growth and expansion that is compatible with the surrounding area.

(Fits well with existing zoning and use)

Page 35 -Policy #10

Continue good coordination, cooperation and support among economic development entities within Canyon County, plus those at the regional and state levels.

(Applicant is cooperating with City of Caldwell, Canyon Highway District #4 and I.T.D.)

Page 38 -Policy #5

Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area.

(Very germane to this request.)

Page 39 -Policy #2

Encourage orderly developments of subdivisions and individual land parcels, and require development agreements when appropriate.

(An approval of this application would include conditions of approval)

Page 39 -Policy #3

Encourage and support commercial and industrial development and guidelines to create jobs and expand the tax base. Create commercial, residential and Industrial Zoning districts to help attract development.

(Canyon County is light on commercial and industrial zones which tends to discourage good tax base uses.)

Page 39 -Policy #11

Coordinate planning and development with applicable highway districts and Southwest District Health.

(All the above are covered by the development agreement)

Page 59 -Goal #4

Collaborate with Highway districts, the Idaho Transportation Department (ITD), Valley Regional Transit (VRT), cities and others in planning for designing, developing and permitting new and/or expanded transportation facilities.

(Applicant is bound by conditions of approval, which include Canyon Highway District and City of Caldwell, which include a pre-annexation agreement)

Page 60 -Policies #2 a, b, c, d, e, f

Coordinate with transportation agencies to protect and enhance the traffic-carrying capacity of principal arterial roads designed for through traffic where appropriate and not in direct conflict with other Canyon County objectives.

Methods may include:

(See exhibit 5c from Canyon Highway District #4)

Page 61 - Policy #13

Ensure that all new development is accessible to regularly maintained roads for fire protection and emergency service purposes.

(Well covered, see site plan)

Page 61 -Policy #14

Work with Highway Districts, ITD, Compass to identify major transportation corridors (existing or new) and where applicable and not in direct conflict with other County goals and policies. Preserve them for future needs.

(Applicant has agreed to appropriate set-back and easement to fulfill this policy)

Page 61 –Policy #15

Work with Highway Districts, ITD, cities and others to reserve rights-of-way for planned transportation facilities.

(See site plan)

Page 61 -Policy #20

Analyze specific applications to protect functional classified rights-of-way where not in direct conflict with other County goals and policies. Consider adequate rights-of-way and access control for the integrity of the transportation system.

(See conditions of approval and site plan which fulfill this policy)

The Planning and Zoning Commission listed 5 policies they deemed to be inconsistent with the Comprehensive plan.

Page 34 -Policy #1

Canyon County should encourage the continued use of agricultural lands, land uses, and recognize the economic benefits they provide for the County.

(This policy, if taken as absolute, would prohibit any change of zoning, would prohibit any city expansion and would prohibit public improvements such as Highway 20/26, Highway 44 and Highway 55 widening.)

Page 34 -Policy #7

Canyon County should identify area of the county suitable for commercial, industrial and residential development. New development should be located in close proximity to existing infrastructure and area where agricultural uses are not diminished.

(This policy is in two parts. The first sentence fully supports this application. The second sentence is also supported by facts. This project is in the impact area of Caldwell, is subject to a pre-annexation agreement, is in an area of growth and further, has no known opposition from any Ag owners. In fact, you have letters

from many surrounding Ag owners in support of the application. The application is also subject to a development agreement that mitigates concerns.)

Page 82 -Policy #1

Preserve agricultural lands and zoning classifications.

(This policy is mitigated by Goal #5 on page 38 which states: Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area. If taken by itself, policy #1 above would preclude any change in the County and Goal #5 above would be frustrated)

Page 82 -Policy #3

Protect agricultural operations and facilities from land use policies or undue interference created by existing or proposed residential, commercial or industrial development.

(Again policy #5 on page 38 mitigates this concern, especially coupled with the fact that the surrounding Ag operations are in support of this request and there is no known opposition stating any concerns about compatibility.)

Page 44 -Policy #3

Protect agricultural activities from land use conflicts or undue interference created by existing or proposed residential, commercial or industrial development.

(See Policy #5 on page 38 again. The proposed farmers market will create a market for sales of farm produce that will be very convenient for local producers.)

Please consider this analysis in totality and approve this application.

Thank you,

Alan Mills

1-9-2023

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SHANNON BANTA

1-9-2023

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Dallon Hoskins

DALLON HOSKINS

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Dan Kinney

DAN KINNEY

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TODD BANTA



A handwritten signature, likely of Todd Banta, written in dark ink. The signature is stylized and cursive, with a long horizontal line extending from the end. It is positioned above a solid horizontal line.

1-9-2023

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KAREN MCCORMICK

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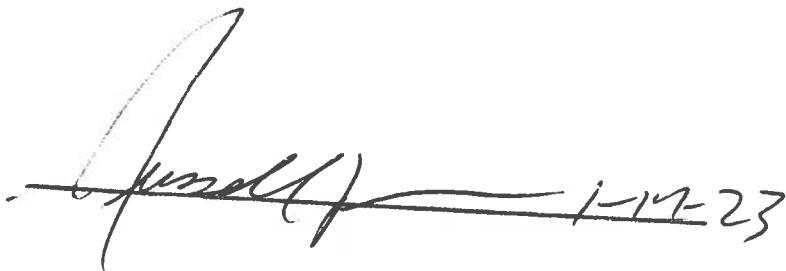
A handwritten signature in black ink, appearing to read "Dave McCormick", written over a horizontal line.

DAVE MCCORMICK

1-9-2023

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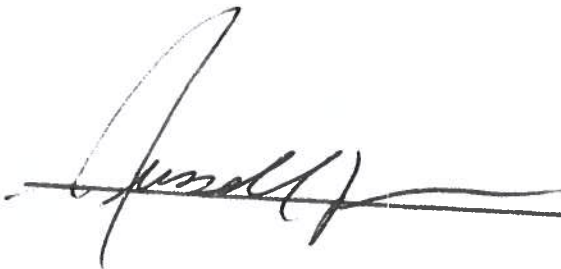
 1-17-23

RUSSELL ZORN 1-17-23

1-9-2023

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 1-17-23

RUSSELL ZORN 1-17-23

Dan Lister

From: Monica Reeves
Sent: Thursday, May 4, 2023 4:53 PM
To: Dan Lister; Jennifer Almeida
Subject: FW: [External] RZ2022-0007 Obendorf

From: CH Weston <cheyneidaho1@outlook.com>
Sent: Thursday, May 04, 2023 4:51 PM
To: BOCC <BOCC@canyoncounty.id.gov>
Cc: cheyneidaho1@gmail.com
Subject: [External] RZ2022-0007 Obendorf

Dear Commissioners:

I was disheartened that you reversed the Planning and Zoning Commissioners efforts to examine the land use issues regarding this case. The planning and Zoning personnel put a lot of quality time into their decision-making process, obviously to no avail. My previous comments continue to apply.

It would be a kind consideration to hold off on this proposed application until work on Highway 55 is completed in a few years.

There are plenty of existing service stations leading both in and out of Caldwell/Treasure Valley.
What is the public need for this request? Please answer this is your remarks for the record.

This an agricultural and rural residential area. We certainly don't need more traffic congestion out is way when services are so close at hand. We have issues with potential noise pollution and business lighting that erases dark skies at night. We have issues with signalization and dedicated lanes at the signal at Farmway Road.

Sincerely,

Cheyne Weston, Property Owner in the Area

Sent from [Mail](#) for Windows

OBENDORF GAS STATIONS TRAFFIC IMPACT STUDY

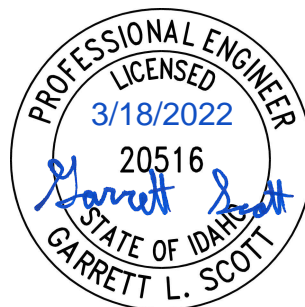
SUBMITTED TO:

**Canyon Highway District No. 4
Idaho Transportation Department**

March 2022

PREPARED BY:

William (Bill) White, Senior Transportation Planner
Garrett Scott, P.E., PTOE, Project Engineer



T-O ENGINEERS

332 N. Broadmore Way
Nampa, ID 83687-5123
208.442.6300

T-O PROJECT #: 210209

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EXECUTIVE SUMMARY

The Obendorf Gas Stations development is a commercial development located on approximately 6 acres at the northeast corner of the intersection of Farmway Road and SH 55 (Karcher Road) in Canyon County, Idaho. Although the site lies outside of the city limits of Caldwell, the property is within Caldwell's impact area limits. The proposed development consists of a gas station with up to 20 vehicle fueling positions (VFP) and an accompanying 6,000 square-foot convenience store, as well as a 3,000 square foot farmer's market. Access to the site is proposed via one full-access driveway along Farmway Road, north of SH 55 (Driveway A), and one right-in, right-out driveway along SH 55, east of Farmway Road (Driveway B). The development is planned to be fully built-out by the year 2023.

RESULTS

The study intersection of SH 55 at Farmway Road was found to operate well within acceptable standards during 2021 existing and 2023 future without project conditions. Year 2023 conditions applied a 3-percent compounded annual growth rate to traffic volumes to conservatively estimate increasing travel demands in the region. No planned transportation improvements were incorporated into the year 2023 analysis, so intersection geometry and traffic signal timing are unchanged between the existing and future without project analyses.

Trips generated by the Obendorf Gas Stations site were estimated using the *ITE Trip Generation Manual, 10th Edition*. The proposed development is anticipated to generate a total of 1,770 net-new daily trips, with 98 and 131 trips occurring during the AM and PM peak hours, respectively. Site trips were distributed through the study network based on a comparison of existing turning movement counts at the study intersection as the development is not of a size warranting analysis through the COMPASS regional travel demand model.

Under year 2023 future with project conditions, the study intersection of SH 55 at Farmway Road is anticipated to continue to operate well within acceptable level of service thresholds. Additionally, the site access points operate acceptably even without consideration of turn lane warrants. However, a comparison of traffic volumes at the site access points against the turn-lane warrants established in NCHRP Report 457 reveal the need for right-turn lanes at both project approaches.

RECOMMENDATIONS

Based on the analysis and evaluation contained within this report, the following recommendations are provided:

- ◆ **Farmway Road at Driveway A.** Construct a northbound right-turn lane along Farmway Road at Driveway A. This turn lane should be constructed concurrently with Driveway A and meet the standards outlined in the *ITD Traffic Manual*. Driveway A should be constructed to provide full access with no turning movement restrictions.
- ◆ **SH 55 (Karcher Road) at Driveway B.** Construct a westbound right-turn lane along SH 55 at Driveway B. This turn lane should be constructed concurrently with Driveway B and meet the standards outlined in the *ITD Traffic Manual*. Driveway B should be constructed to provide right-in, right-out access only. Additionally, Driveway B should be located such that a right-turn lane does not encroach upon the existing quarter mile driveway on SH 55, while maintaining adequate spacing from the SH 55 at Farmway Road intersection.

1 INTRODUCTION

This report summarizes the Traffic Impact Study (TIS) prepared for the Obendorf Gas Stations development proposed in Canyon County, Idaho. This study was prepared per the guidelines outlined by the 2017 Association of Canyon County Highway Districts (ACCHD) Standards. The scope of this study was established in coordination with the Canyon Highway District No. 4 (CHD4), a member of the ACCHD, as well as the Idaho Transportation Department (ITD).

The CHD4 and ITD, in coordination with Canyon County, are the lead review agencies for this TIS as they are the agencies that maintain the roadways within the study network. The TIS will be submitted to CHD4, ITD, and Canyon County for review, and other agencies can review the TIS per invite of CHD4 and ITD.

1.1 PROJECT DESCRIPTION

The Obendorf Gas Stations development is a commercial development located on approximately 6 acres at the northeast corner of the intersection of Farmway Road and SH 55 (Karcher Road) in Canyon County, Idaho. Although the site lies outside of the city limits of Caldwell, the property is within Caldwell's impact area limits. The development consists of a gas station with up to 20 vehicle fueling positions (VFP) and an accompanying 6,000 square-foot convenience store, as well as a 3,000 square foot farmer's market. The lot will provide parking spaces in accordance with the Canyon County zoning code for Service Commercial land use in relation to general commercial and gas station requirements.

The site is proposed to construct two driveways, with one each of Farmway Road and SH 55, 880 feet to the north and east of the Farmway Road at SH 55 intersection. These access points will alter the street landscape, as right of way will be utilized from the existing roads with a 20-foot-wide landscape buffer and 24-foot-wide drive isle leading into the site. Ultimate build-out of this development is anticipated to start summer of 2022 and be completed by 2023.

The existing site is an agricultural field a part of Ranes Ranch and New Meadows, but the Obendorf Gas Stations development will only encompass the farthest southwest 15 acres of the total 40-acre lot. The current zoning for the area is listed as AG (Agricultural) and the applicant is anticipating a zoning change to C2 (Service Commercial), as the current zoning does not permit commercial spaces. The northern most edge of the lot is also expected to be developed into medium density residential labor housing (R-2) with rezoning efforts. This development will have one access point and is not expected to interfere with the traffic analysis of the study area. A separate TIS is anticipated to be completed for all future land uses not specifically covered in this study.

Figure 1 provides a site location map, and **Figure 2** provides the most current preliminary site plan for the project. Note that the car wash use shown on the site plan is not covered in this study and that the site plan may evolve during design.

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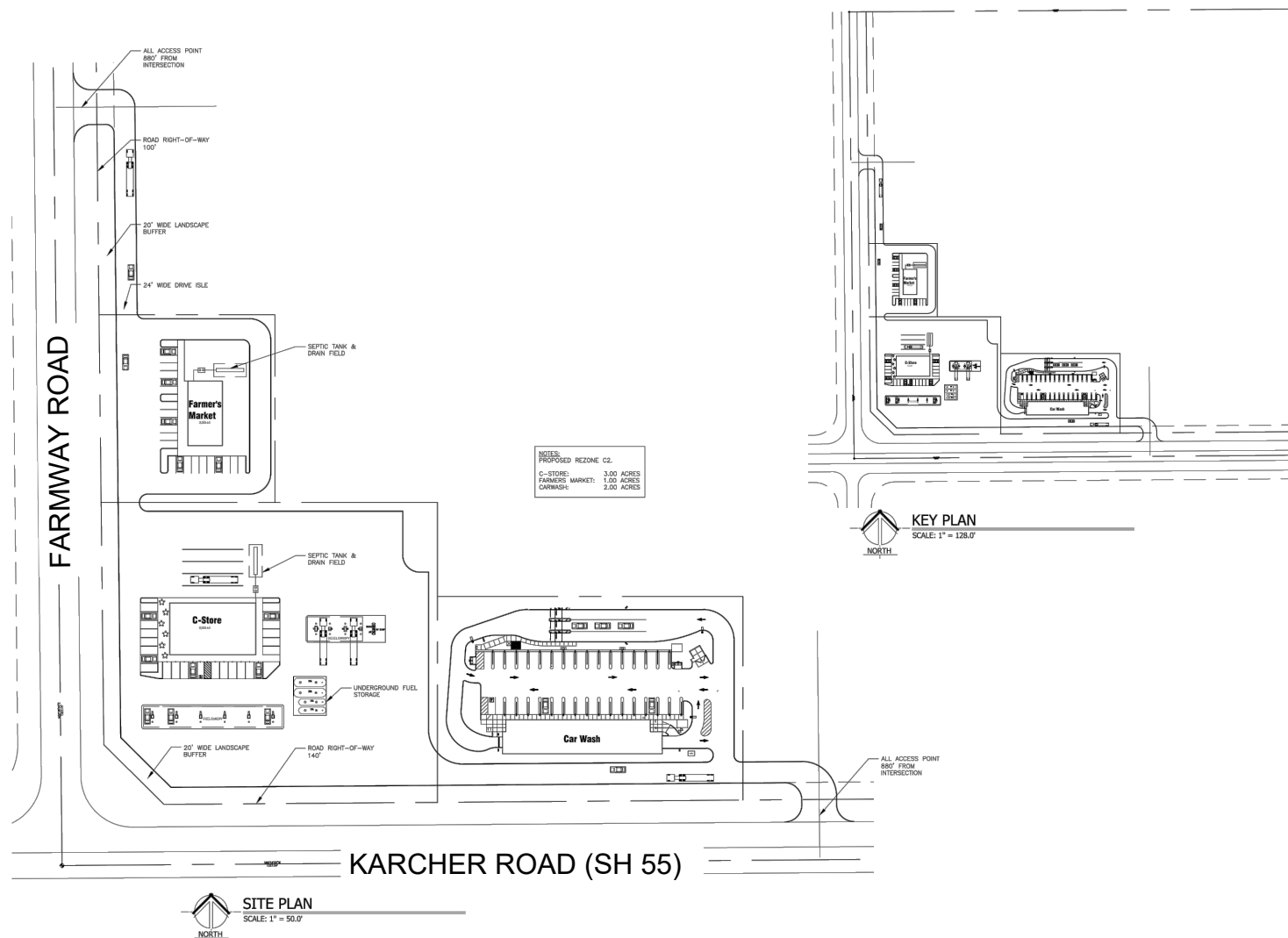
1 SITE VICINITY
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OBENDORF GAS STATIONS
TRAFFIC IMPACT STUDY

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2 SITE PLAN

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1.2 SCOPE AND METHODOLOGY

A TIS reviews the transportation impacts of development on roadways and intersections located within reasonable proximity of a project and recommends strategies and improvements to address unacceptable impacts, as needed. This section describes the scope and methodologies used to evaluate transportation conditions and establish potential recommendations for the Obendorf Commercial development. The TIS was prepared per the “best” industry practices highlighted by resources such as *Traffic Impact Analyses for Site Development* (ITE, 2010).

1.2.1 Project Scope

A TIS evaluates capacity primarily through an examination of intersection operations. Congestion and vehicle delay are experienced more rapidly at intersections versus road segments (between intersections) due to the frequency of vehicle conflicts (e.g. turning, slowing, or stopping vehicles). The study reviews traffic conditions for the AM and PM peak hours, the confirmed hours of peak traffic congestion for the weekday. These are typically known as the morning and evening “rush” hours of the work commute.

Per coordination with the CHD4 and ITD, this TIS was tasked with reviewing traffic performances for one intersection located in reasonable proximity of the project, in addition to the proposed site access points. A year 2023 analysis horizon was used for this TIS, which addresses traffic activities following project construction and full occupancy. A summary of identified study intersections is as follows:

- ◆ SH 55 and Farmway Road
- ◆ Farmway Road and Driveway A (site access point)
- ◆ SH 55 and Driveway B (site access point)

The need for right- and left-turn lanes were evaluated at the site access points based on the warrants detailed in NCHRP Report 457 – Evaluating Intersection Improvements: An Engineering Study Guide.

1.2.2 Methodology – Intersection Capacity & Operations

Intersection delay, capacity, and traffic operations were evaluated using the level-of-service (LOS) procedures of the *Highway Capacity Manual, Sixth Edition* (Transportation Research Board, 2016). The *Highway Capacity Manual* (HCM) is a nationally recognized and locally accepted method of measuring traffic flow and congestion. Criteria range from LOS A, indicating free-flow with minimal vehicle delay, to LOS F, indicating congestion with significant vehicle delays.

LOS for a signalized intersection is defined in terms of the average control delay experienced by all vehicles at the intersection, as measured over a specific timeframe such as a peak hour. LOS for a one or two-way stop-controlled intersection or driveway is the function of average control delays experienced by vehicles in an approach or approach movement over a specific timeframe. Typically, the stopped approach or movement experiencing the worst LOS is reported. Finally, LOS at an all-way stop is defined by the average control delays experienced by all vehicles at an intersection, as with signalized intersections, while the LOS thresholds are associated with delays for unsignalized intersections.

Table 1 on the following page outlines the LOS criteria for signalized and unsignalized intersections from the *Highway Capacity Manual*. LOS delay thresholds vary between signalized and unsignalized intersections. This is because driver tolerances for delay have been documented to be higher at traffic signals.

Table 1. Intersection Level of Service Criteria		
Level of Service	Signalized Control Delay (sec/veh)	Unsignalized Control Delay (sec/veh)
A	≤ 10	≤ 10
B	>10 – 20	>10 - 15
C	>20 – 35	>15 - 25
D	>35 – 55	>25 - 35
E	>55 – 80	>35 - 50
F	> 80	>50

Source: Highway Capacity Manual (TRB, 2016)

Levels-of-service were determined using Synchro Version 11.0, (Trafficware, 2019). This tool can apply the analysis methodologies of HCM 2016 and is a standard industry software application. Per ACCHD, LOS C and D are the minimum design level of service thresholds for rural and suburban intersections, respectively. For this study, LOS D was considered to be the minimum acceptable level of service. Improvements may be necessitated for intersections that do not meet this capacity standard.

2 EXISTING CONDITIONS

This section provides an existing conditions analysis describing the study street network, traffic volumes, and capacities for study intersections. The existing conditions analysis is established to help measure changes in forecast roadway conditions and performances.

2.1 ROADWAY NETWORK

The study focuses on traffic operations for the primary intersection associated with the proposed access points. These are the roadways anticipated to support the majority of approaching and departing project trips. The Idaho Statewide Functional Classification Map maintained by the ITD catalogs the classifications of these roadways.

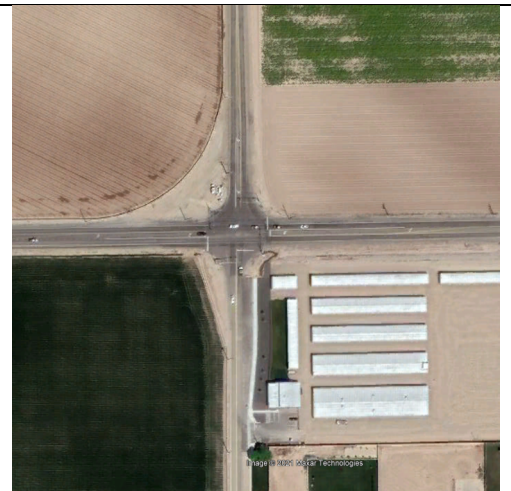
A description of primary study roadways is provided below.

- ◆ **SH 55 (Karcher Road)** is classified as a two-lane Principal Arterial in the vicinity of the site. The posted speed limit in the vicinity of the site is 55 miles per hour (mph).
- ◆ **Farmway Road** is classified as a two-lane Principal Arterial north of SH 55. South of SH 55, Farmway Road is classified as a Minor Arterial. The posted speed limit in the vicinity of the site is 55 mph.

Under existing conditions, one intersection was addressed. A summary of intersection geometrics and traffic controls is provided below.

SH 55 (Karcher Road) at Farmway Road

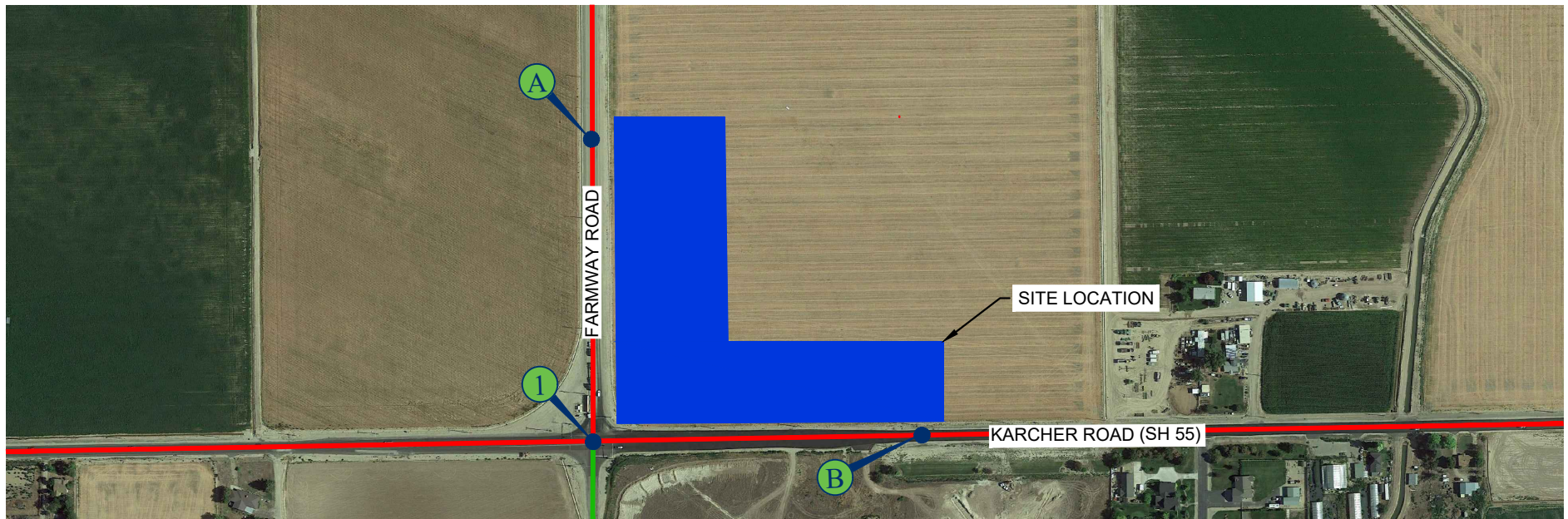
This is a signalized intersection. The eastbound, westbound, and southbound approaches each provide on left-turn lane and one through/right-turn shared lane. The northbound approach provides on left-turn/through/right-turn shared lane. There are no marked pedestrian crossings and no curb-ramps located at any corners of the intersection.



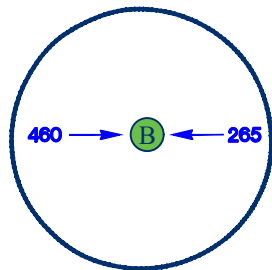
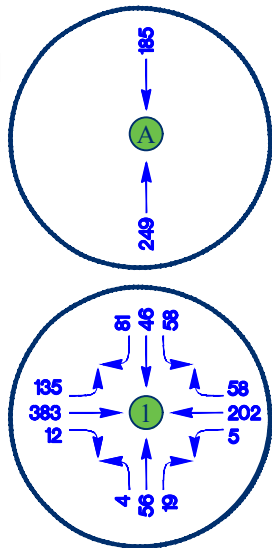
2.2 TRAFFIC COUNTS

This TIS was developed using intersection turning movement counts. Turning movement counts for the study intersection of SH 55 at Farmway Road were collected by L2 Data Collection on behalf of T-O Engineers on October 5, 2021, specifically in support of this TIS. Counts were performed from 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM, per industry standard. The peak hour from the intersection was used in the capacity analyses. Existing turning movements volumes are shown with **Figure 3** on the following page for the AM and PM peak hours. Traffic count worksheets are provided with **Appendix B**.

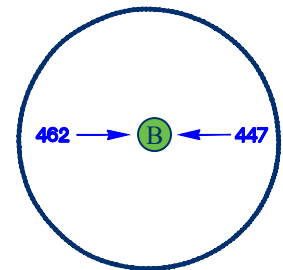
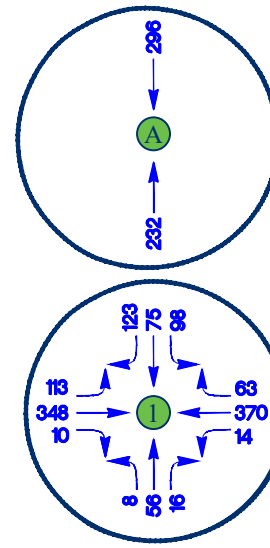
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AM



PM



LEGEND

PRINCIPAL ARTERIAL —
MINOR ARTERIAL —

INTERSECTION
TURNING
MOVEMENTS



3 2021 EXISTING
AM/PM PEAK HOUR

OBENDORF GAS STATIONS
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Traffic Capacity & Operations

This section summarizes existing traffic capacities and operations for the study area. A review of year 2021 intersection capacity and operations is discussed.

2.2.1 Intersection Capacity & Operations

The LOS analysis was performed for the study intersection based on a review of the traffic volumes summarized in Section 2.2 and the geometric conditions described in Section 2.1. **Table 2** shows a summary of LOS for the study intersection during the AM and PM peak hours. Also shown are average control vehicle delays. As the intersection of SH 55 at Farmway Road is signalized, overall intersection level of service (LOS) and delay are reported, as well as the LOS and delay for each lane group.

Table 2. 2021 Existing Intersection Operations – AM and PM Peak Hours								
Intersection	Control	Intersection AM / PM		Lane Group	AM Peak		PM Peak	
		LOS ¹	Delay ²		LOS ¹	Delay ²	LOS ¹	Delay ²
SH 55 (Karcher Road) at Farmway Road	Traffic Signal	B / B	15.9 / 16.9	EBL	B	13.0	B	13.1
				EBTR	B	15.8	B	14.2
				WBL	B	12.3	B	11.3
				WBTR	B	18.2	B	19.0
				NBLTR	B	18.8	C	22.5
				SBL	B	16.0	B	19.1
				SBTR	B	12.7	B	16.3
1. LOS = level of service 2. Average control delay								

Under 2021 existing conditions, SH 55 at Farmway Road operates well within acceptable level of service standards, when examining both the intersection overall and each lane group on the intersection approaches. The intersection operates at LOS B during both peak hours, and the worst lane group (NBLTR) operates at LOS C during the PM peak hour only. This analysis indicates that there is ample capacity at the intersection to accommodate additional traffic volume. LOS summary sheets are provided in **Appendix C** at the end of this report.

3 YEAR 2023 TRAFFIC CONDITIONS

This section describes forecast year 2023 traffic conditions, without and with consideration of the Obendorf Gas Stations development. Summarized are the anticipated background street network modifications, forecast traffic volumes, and operations/capacity for study intersections.

3.1 ROADWAY NETWORK

Future transportation improvements within Ada County and Canyon County are planned and programmed by the Community Planning Association of Southwest Idaho (COMPASS) in a cooperative process alongside various municipalities, highway districts, public transit agencies, and other stakeholders within the COMPASS planning area, as well as ITD. These transportation improvements are documented in the Fiscal Year (FY) 2022 to 2028 Transportation Improvement Program (TIP).

The TIP indicates that there are several projects by ITD in the planning and/or development stages along the SH 55 (Karcher Road) corridor in the vicinity of the site. These projects are encompassed by the ITD Idaho 55: Pear Lane to Middleton Road study. Broadly, this study proposes to widen SH 55 to a five-lane section, with a rural section and a suburban section to be built to the west and east of Farmway Road, respectively. Only a portion of the improvements planned in this study are currently funded, all of which are outside the boundaries of this study. Furthermore, at the time of this TIS, there is no timeline on when improvements would be implemented along SH 55 in the vicinity of the site. However, proposed access along SH 55 for the Obendorf Gas Stations site should conform to the long-term vision and goals for the corridor identified through the planning studies conducted by ITD. Therefore, it is understood that the proposed site access point on SH 55 (Driveway B in this TIS) should be restricted to right-in, right-out movements only.

No further roadway improvements were identified within the study area and as such, forecast operations and capacity analyses were performed based on existing geometric and traffic control conditions.

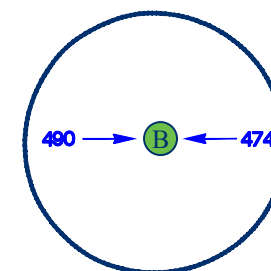
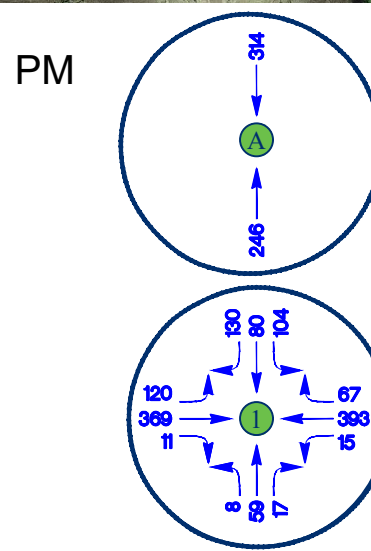
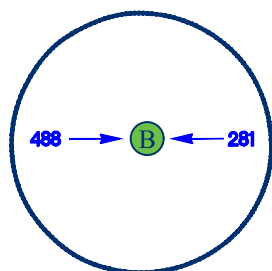
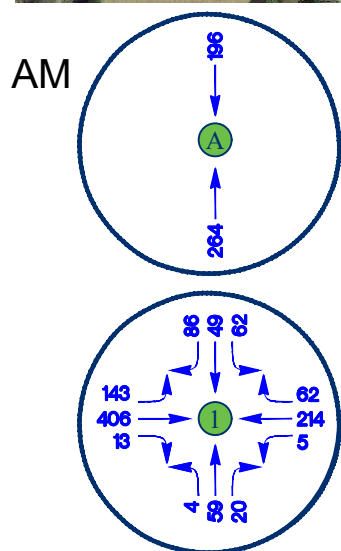
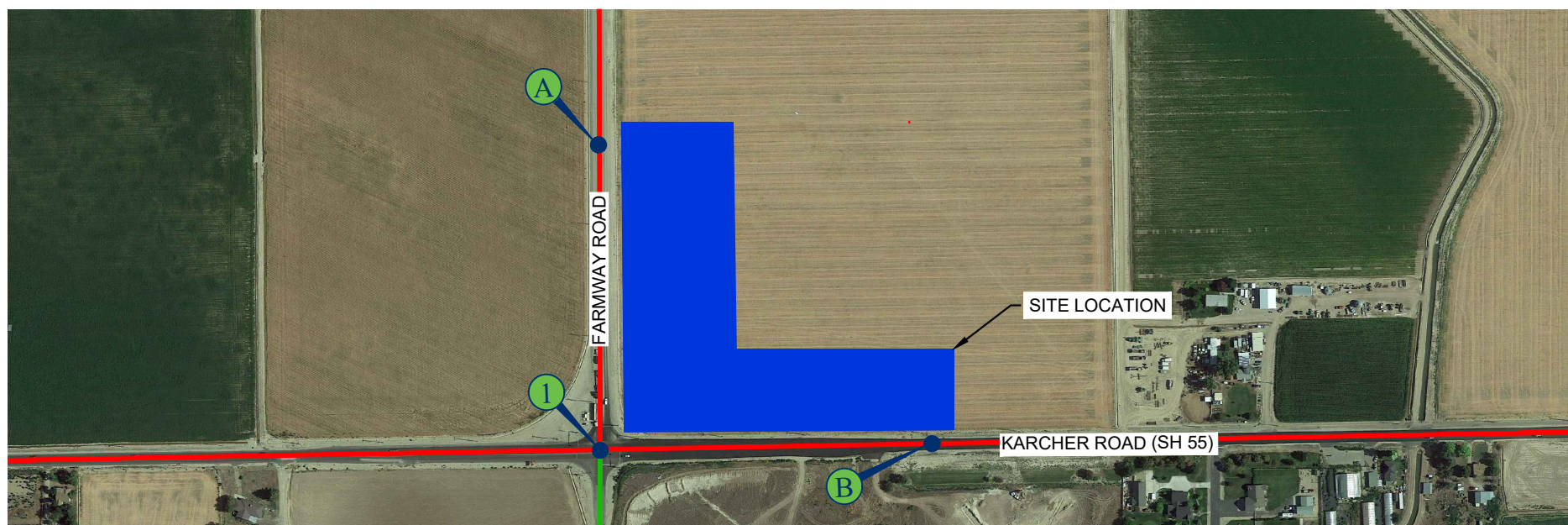
3.2 TRAFFIC FORECASTS

Year 2023 forecasted traffic volumes are comprised of baseline growth and any trips generated by concurrent “pipeline” developments. This section describes the year 2023 traffic forecasts developed for streets and intersections in the study area.

Baseline traffic growth refers to an increase of traffic not typically related to land use development within a TIS study area. Baseline traffic is forecast using annual growth rates established based upon a review of historical count data, or as identified from a regional travel demand model. A baseline growth rates of three (3) percent was identified through the scoping process performed with CHD4. This calculates to a total overall baseline traffic growth of approximately 6.1-percent by year 2023. These are conservative growth rates used to forecast moderately higher, yet reasonable, future volumes.

Through the scoping process and discussions with CHD4 and ITD, no concurrent pipeline developments within the vicinity of the Obendorf Gas Stations site were identified. Therefore, the baseline traffic growth discussed previously constitutes total 2023 forecasted traffic conditions. A summary of resulting turning movement volumes for year 2023 future without project conditions is shown with **Figure 4** for the AM and PM peak hours.

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MINOR ARTERIAL —

INTERSECTION
TURNING
MOVEMENTS



4 2023 FUTURE WITHOUT PROJECT
AM/PM PEAK HOUR

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3.2.1 Trip Generation

Trip generation for the proposed Obendorf Gas Stations development was forecast based on the methodologies of the Trip Generation Manual (ITE, 10th Edition, 2017). The manual is a nationally recognized and locally accepted resource for forecasting traffic for commercial, institutional, and residential developments. The methods were developed based on the survey of other existing land uses located with the United States.

Trip generation was developed using ITE Land Use Codes 820 for Shopping Center and 945 for Gasoline/Service Station with Convenience Market. Although a land use code exists for Farmer's Market uses (858), there is limited trip generation data for this land use and land use code 820 provides a more conservative estimate of trips generated by the Obendorf Gas Stations site. Descriptions of these land uses are provided below:

- ◆ **Shopping Center (ITE Code 820).** An integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. A shopping center's composition is related to its market area in terms of size, location, and type of store. A shopping center also provides on-site parking facilities sufficient to service its own parking demands.
- ◆ **Gasoline/Service Station with Convenience Market (ITE Code 945).** Includes gas stations with convenience markets where the primary business is the fueling of motor vehicles. The site includes in this land use category generally have a convenience market with a gross floor area of between 2,000 and 3,000 square feet and at least 10 vehicle fueling positions.

Calculations from the Trip Generation Manual yield unadjusted new trips. Studies have shown that retail and service land uses will capture between twenty and sixty percent of their traffic as pass-by trips, depending on their size and the specific land use. Pass-by trips are those that are attracted to/from a site from adjacent streets as travelers commute between origins and destinations. These are addressed as turning trips diverted from an existing through movement at a project approach or intersection, noted as an impact only to streets in-route between the initial travel route and proposed land use. Thus, they are only considered to impact a project approach and streets/intersections are along the diverted routes of travel. These are not considered a gain in traffic as they already exist within a commute.

Based on the recommendations contained in the ITE Trip Generation Manual, pass-by trip reductions were applied to both the Shopping Center and Gas Station with Convenience Market land uses. A 34-percent pass-by reduction was applied to the Shopping Center land use during the PM peak hour only, while pass-by reductions of 62-percent and 56-percent were applied to the Gas Station with Convenience Market land use during the AM and PM peak hours, respectively.

Trip generation was forecast for the AM and PM peak hours of adjacent street traffic, representing the impacts of the project upon the morning and evening rush hours of commute traffic. Traffic generated over the course of a typical weekday is also provided for reference. **Table 3** on the following page provides a summary of trip generation for the 2023 occupancy year of the project.

**Table 3. Summary of Daily and Peak Hour Trip Generation**

ITE Land Use Code	Land Use Description	Size	Weekday	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
820	Shopping Center	3,000 SF	113	2	1	3	5	6	11
945	Gas Station with Convenience Market	20 VFP ¹	4,107	127	122	249	143	137	280
Unadjusted New Trips			4,220	129	123	252	148	143	291
Pass-By Trips			2,450 ²	77	77	154	80	80	160
Net-New Trips			1,770	52	46	98	68	63	131

Source: ITE Trip Generation Manual (10th Edition)

1. VFP = vehicle fueling positions

2. Weekday pass-by trips estimated by using the ratio between unadjusted weekday and peak hour trips

As shown, approximately 1,770 net-new weekday trips are forecast with development of the Obendorf Gas Stations development. Approximately 98 of these trips would be generated during the AM peak hour and 131 during the PM peak hour. These peak hourly trips would comprise approximately 12.9-percent of total weekday trips.

3.2.2 Trip Distribution and Assignment

Trip distribution and assignment is the process of identifying the probable destinations, directions, and traffic routes that development related traffic will likely affect. The estimated traffic generated by the development must be distributed and assigned to analyze impacts on the roadway system within the study area.

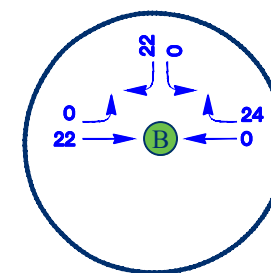
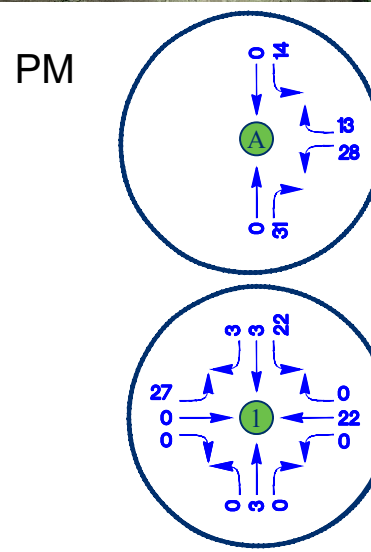
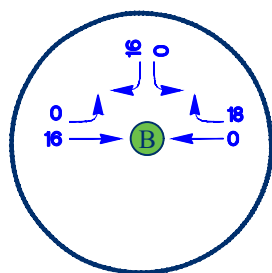
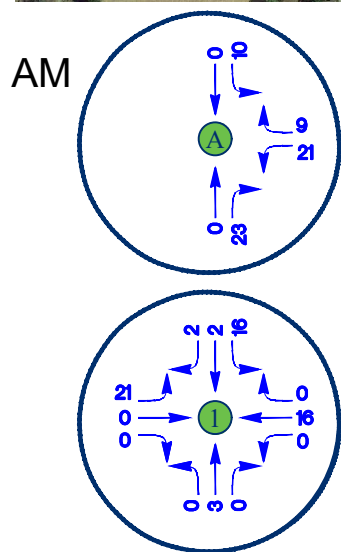
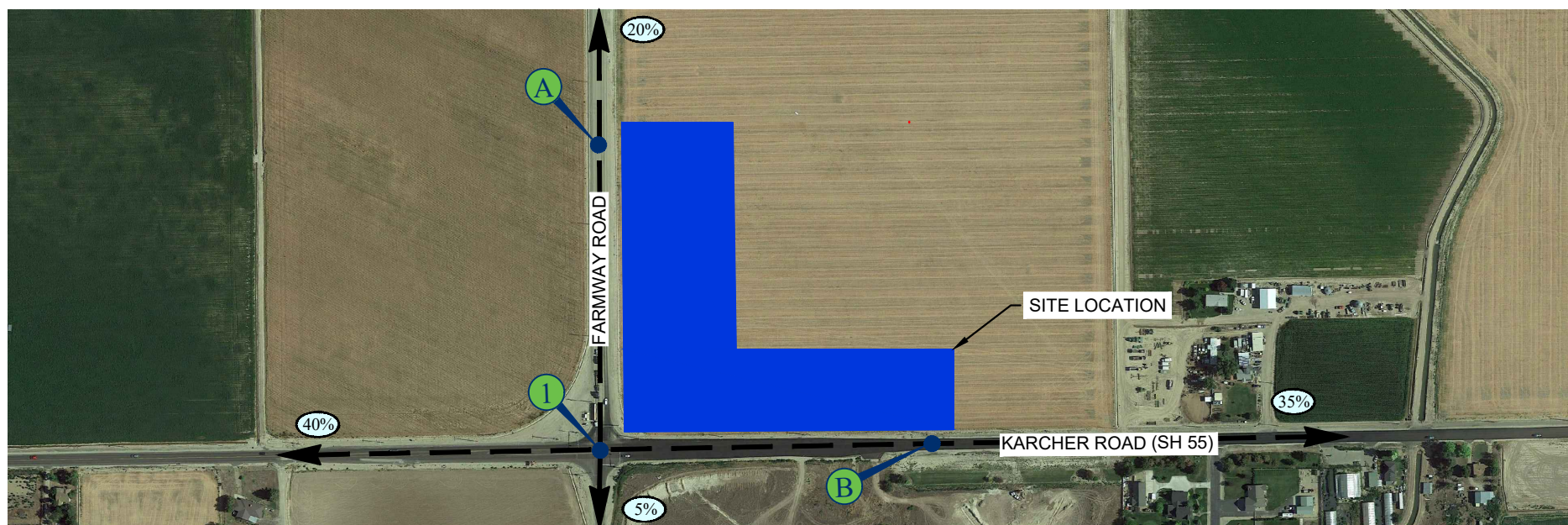
This project is not of a size warranting an analysis with the COMPASS travel demand model. Therefore, for this study, the distribution of trips was based on a comparison of existing intersection turning movement counts, as count densities indicate how roadways are being utilized in relation to the region. A summary of resulting trip distribution assumptions for the study area is provided in **Table 4** below.

Table 4. Forecasted Overall Directional Distribution of Site Oriented Traffic

Direction / Roadway	% Overall Distribution
North Farmway Road	20
South Farmway Road	5
East SH 55 (Karcher Road)	35
West SH 55 (Karcher Road)	40
Total	100

Trips were assigned to study roadways based on the described distribution pattern and routed to site driveways in a way that conforms to the assumed right-in, right-out restriction for Driveway A (SH 55 access point). The resulting trip assignments are shown in **Figures 5 and 6** for non pass-by and pass-by trips, respectively, during the AM and PM peak hours. The combined, total site trips are shown in **Figure 7**. Finally, total site trips are combined with 2023 future without project traffic volumes to produce 2023 future with project volumes, as shown in **Figure 8**.

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LEGEND

PRINCIPAL ARTERIAL
MINOR ARTERIAL



INTERSECTION
TURNING
MOVEMENTS



5 SITE TRIPS (NON PASS-BY)
AM/PM PEAK HOUR

OBENDORF GAS STATIONS
TRAFFIC IMPACT STUDY

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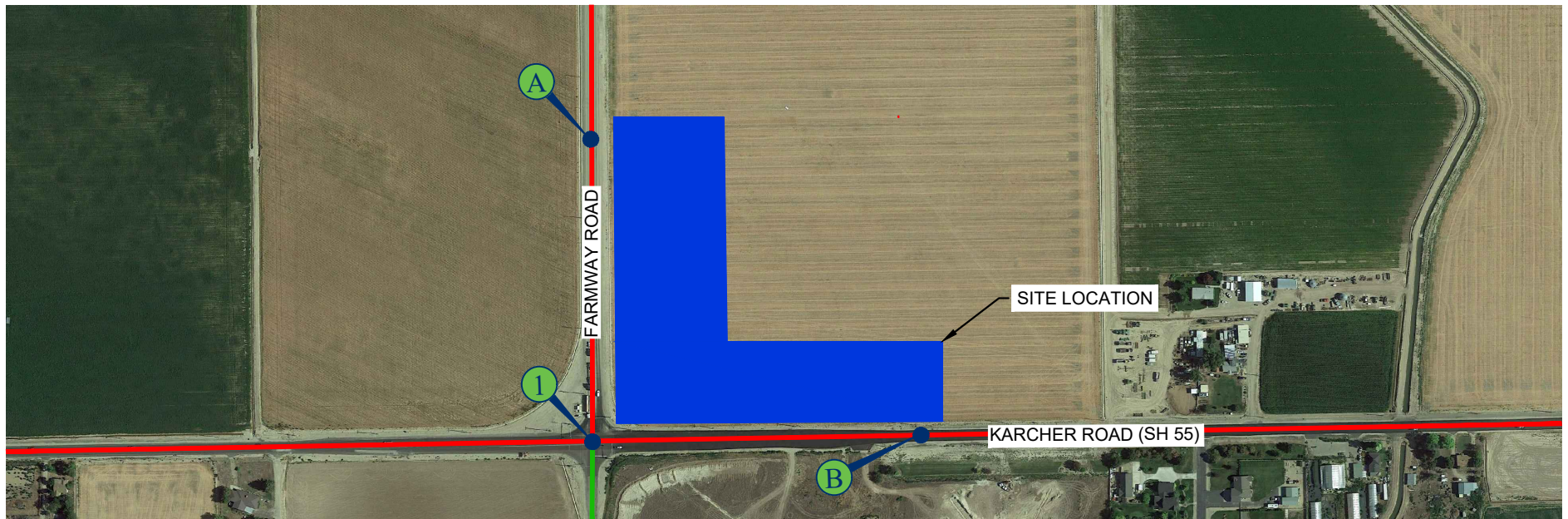
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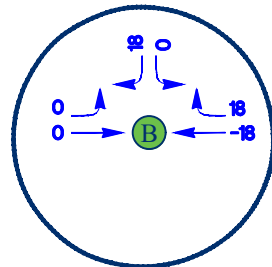
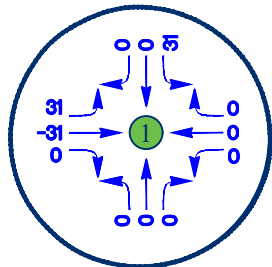
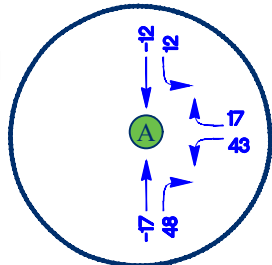
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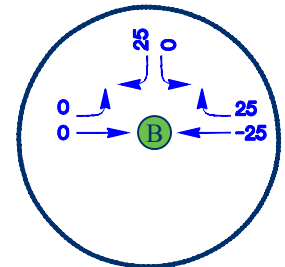
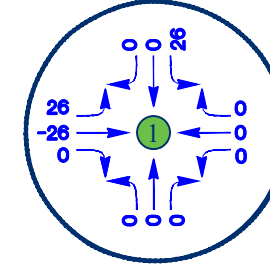
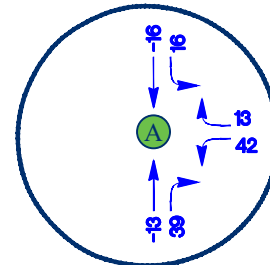
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AM



PM



LEGEND

PRINCIPAL ARTERIAL
MINOR ARTERIAL



INTERSECTION
TURNING
MOVEMENTS



6 SITE TRIPS (PASS-BY)
AM/PM PEAK HOUR

**OBENDORF GAS STATIONS
TRAFFIC IMPACT STUDY**



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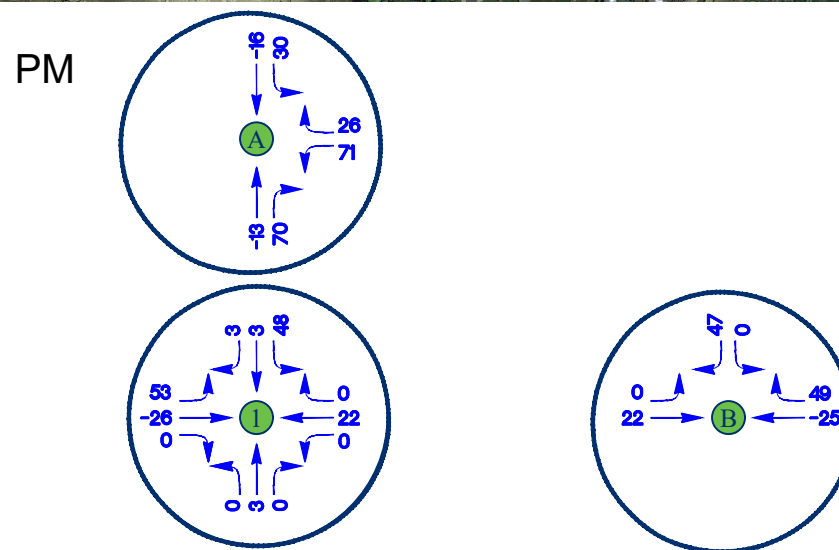
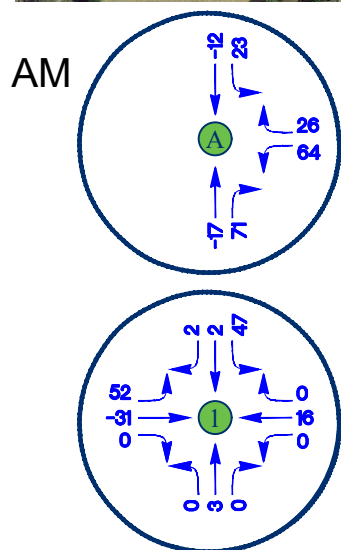
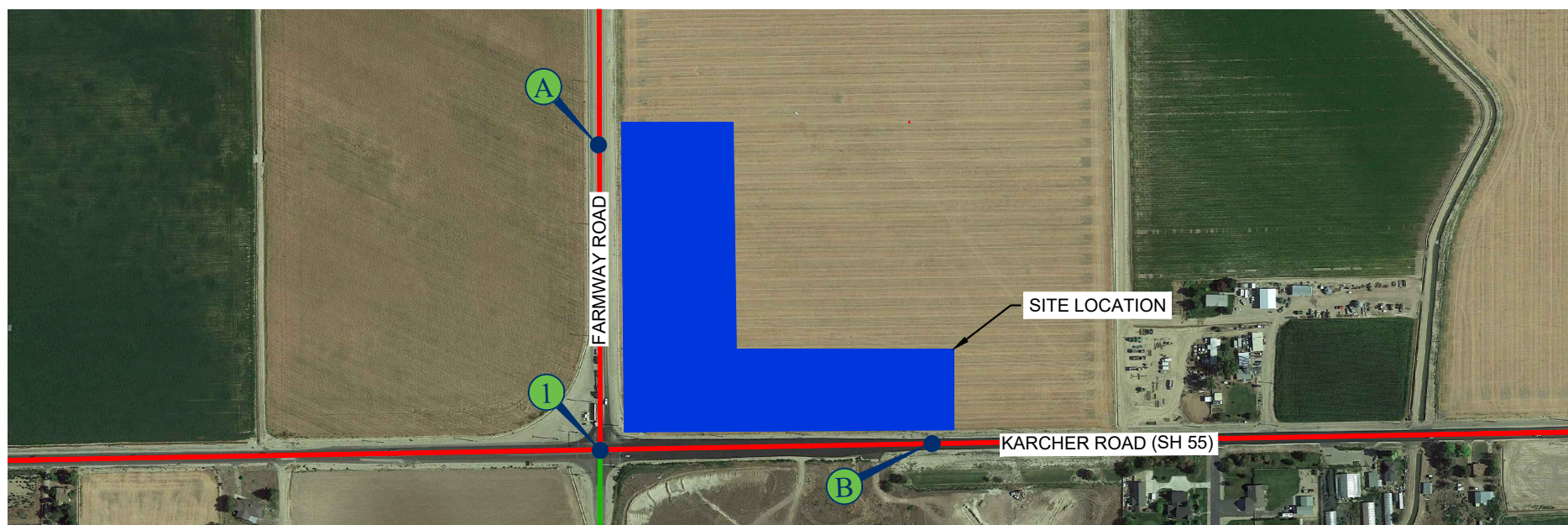
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LEGEND

PRINCIPAL ARTERIAL
MINOR ARTERIAL



INTERSECTION
TURNING
MOVEMENTS



7 TOTAL SITE TRIPS
AM/PM PEAK HOUR

OBENDORF GAS STATIONS
TRAFFIC IMPACT STUDY



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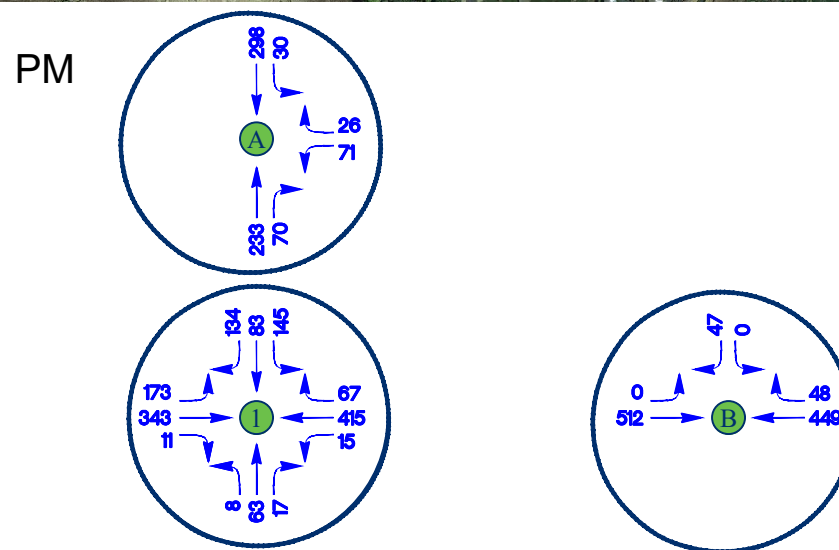
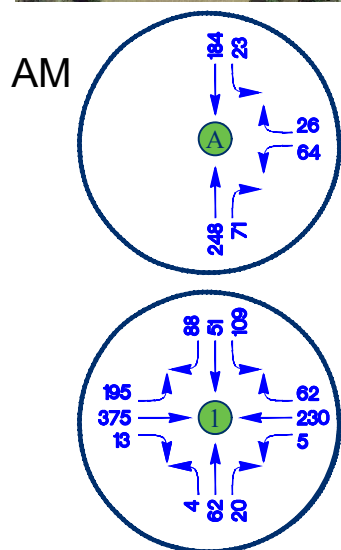
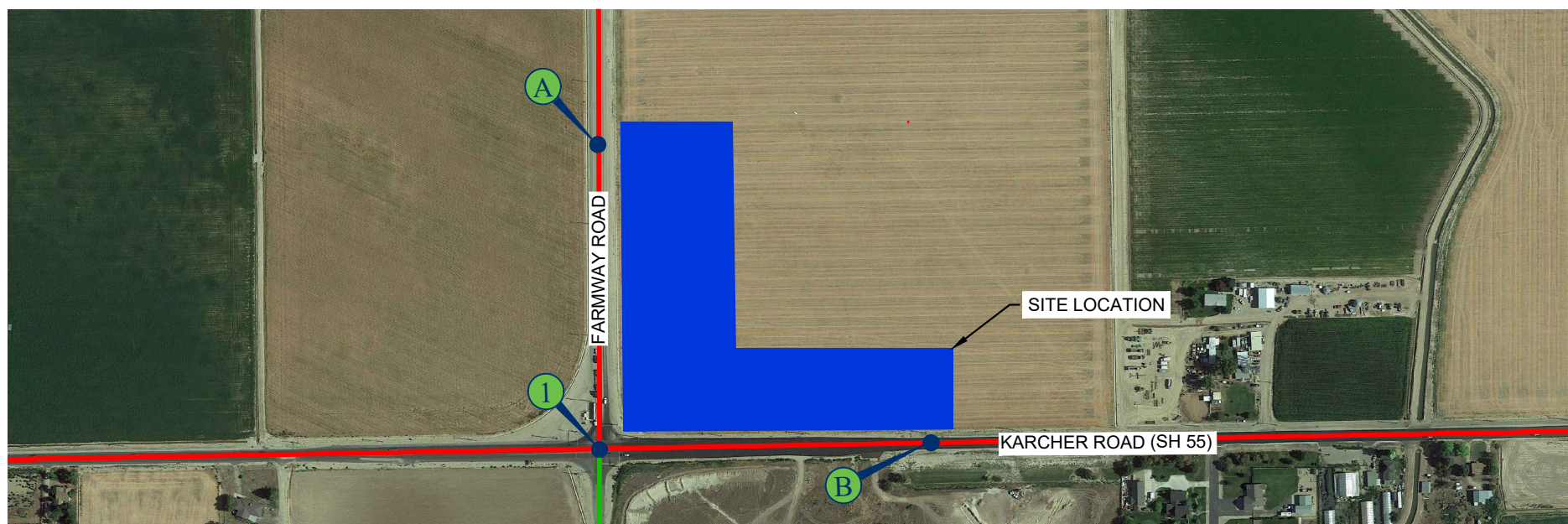
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DATE: NOV 2021

JOB: 210209

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LEGEND

PRINCIPAL ARTERIAL ————
MINOR ARTERIAL ————

INTERSECTION
TURNING
MOVEMENTS



8 2023 FUTURE WITH PROJECT
AM/PM PEAK HOUR

OBENDORF GAS STATIONS
TRAFFIC IMPACT STUDY



332 N. BROADMORE WAY
NAMPA, IDAHO 83687

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DATE: NOV 2021

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3.3 TRAFFIC CAPACITY & OPERATIONS

This section summarizes forecast traffic capacities and operations for the study area. Provided are a review of year 2023 conditions for study intersections, without and with project development.

3.3.1 Intersection Capacity & Operations

LOS were forecast for study intersections based on future without and with-project traffic volumes versus the geometric conditions described for the existing conditions analysis. Again, there are no improvements shown with Section 3.1 that would impact travel or provide additional capacities in the study area. Thus, the future LOS analysis was developed based on existing geometric and traffic control conditions for study intersections and roadways. A summary of the resulting, forecast intersection LOS is provided with **Table 5** for the AM and PM peak hours.

Intersection	Control	Intersection AM / PM		Lane Group	AM Peak		PM Peak	
		LOS ¹	Delay ²		LOS ¹	Delay ²	LOS ¹	Delay ²
SH 55 (Karcher Road) at Farmway Road	Traffic Signal	B / B	16.1 / 17.2	EBL	B	13.0	B	13.3
				EBTR	B	15.9	B	14.2
				WBL	B	12.3	B	11.2
				WBTR	B	18.5	B	19.2
				NBLTR	B	19.4	C	23.4
				SBL	B	16.4	B	19.8
				SBTR	B	13.2	B	17.1
1. LOS = level of service 2. Average control delay								

Intersection	Control	Intersection AM / PM		Lane Group	AM Peak		PM Peak	
		LOS ¹	Delay ²		LOS ¹	Delay ²	LOS ¹	Delay ²
SH 55 (Karcher Road) at Farmway Road	Traffic Signal	B / B	16.7 / 18.9	EBL	B	13.7	B	14.9
				EBTR	B	14.9	B	14.3
				WBL	B	12.0	B	11.4
				WBTR	C	20.2	C	21.5
				NBLTR	C	21.7	C	27.2
				SBL	B	18.2	C	21.9
				SBTR	B	14.5	B	18.8
Farmway Road at Driveway A	TWSC	N/A	N/A	WBLR	B	13.3	C	15.2
SH 55 (Karcher Road) at Driveway B	TWSC	N/A	N/A	SBR	B	10.2	B	12.1
1. LOS = level of service 2. Average control delay								



As shown, all study intersections are anticipated to operate at LOS C or better under 2023 forecasted conditions, with and without consideration of the Obendorf Gas Stations development. It should be noted that the addition of site trips causes in some of lane groups of the SH 55 at Farmway Road intersection to degrade from LOS B to LOC C; however, overall intersection operations remain at LOS C with the addition of site trips. Regardless, intersection operations are anticipated to be well within acceptable standards through the year 2023 with the addition of site traffic from the development, and no mitigation measures are need based on this operational analysis alone. LOS summary sheets are provided in **Appendix C** at the end of this report.

3.3.2 Turn Lane Analysis

Per the study scope with CHD4 and ITD, 2023 future with project AM and PM peak hour traffic volumes at the site access points were compared against graphical turn lane warrants. Warrants for right- and left-turn lanes along major roads were examined, in addition to warrants for providing two approach lanes along stop-controlled, minor road approaches. For Driveway A, the turn lane warrants provided in NCHRP Report 457 were utilized; however, because Driveway B is located on an ITD facility, the right-turn lane warrant provided as Figure 3B-1 in the *ITD Traffic Manual: Idaho Supplementary Guidance to the MUTCD* was utilized.

Based on this analysis, a right-turn lane **is warranted** at both site access points. These right-turn lanes should be constructed according to the standards in the *ITD Traffic Manual: Idaho Supplementary Guidance to the MUTCD*. Specifically, given a posted speed limit of 55 miles per hour on both SH 55 (Karcher Road) and Farmway Road, the right-turn lanes should provide 340 feet of full-width deceleration length and 180 feet of gap/taper length, assuming a 12-foot wide turning lane.

It should be noted that the tapered section of a westbound right-turn lane constructed for the SH 55 access point (Driveway B) at its current location would encroach upon the existing driveway located a quarter mile east of the SH 55 at Farmway Road intersection. It is recommended that this access point be relocated to the west such that a right-turn lane would not impact the quarter-mile driveway, while still maintaining the required spacing of 690 feet between the access point and the SH 55 at Farmway Road intersection.

A left-turn lane is lane **is not warranted** at Driveway A and Farmway Road, based on the graphical warrants from NCHRP Report 457. Additionally, because Driveway B is proposed to be constructed as a right-in, right-out access, left-turns into the site will not be allowed at this location and left-turn lane warrants were not evaluated.

Turn lane warrant worksheets are provided in **Appendix D** at the end of this report.



4 SUMMARY, RECOMMENDATIONS, AND CONCLUSION

The Obendorf Gas Stations development is proposed to provide a gas station with 20 vehicle fueling positions and an ancillary 6,000 square-foot convenience store, in addition to a 3,000 square-foot farmer's market. Site access is proposed via two driveways: one full-access driveway with Farmway Road, located to the north of SH 55, and one right-in, right-out driveway with SH 55, located to the east of Farmway Road. The proposed right-in, right-out access along SH 55 aligns with ITD's long-term plan for the corridor. Ultimate build-out of the site is anticipated to be completed in 2023.

When accounting the effect of pass-by trips, the proposed development is forecast to generate approximately 1,770 weekday trips, with 98 trips generated during the AM peak hour and 131 trips generated during the PM peak hour according to the ITE Trip Generation Manual. The majority of trips were forecast to/from SH 55 (Karcher Road), with 35- and 40-percent of trips anticipated to/from the east and west, respectively, along SH 55. 20-percent of project trips are forecast to/from the north via Farmway Road, with the remaining 5-percent expected to/from the south via Farmway Road.

4.1 SUMMARY RESULTS

Intersection and street capacity analyses were performed based on review of year 2021 existing and 2023 forecasted, with and without consideration of the Obendorf Gas Stations site, traffic conditions for the AM and PM peak hours. This study concludes that the intersection of SH 55 at Farmway Road is expected to operate well within acceptable ITD and ACCHD level of service standards through the year 2023, with and without traffic from the development. The site access points are also anticipated to operate well within acceptable standards, even without consideration of turn lane warrants.

Traffic volumes under 2023 Future with Project conditions were compared against the turn-lane warrants established in NCHRP Report 457. Right-turn lanes are warranted at both site access points. Left-turn lane warrants were not met at Driveway A, and a left-turn lane is not permitted at Driveway B as it is proposed to provide right-in, right-out access only. Additionally, two approach lanes on the site access points are not warranted.

4.2 RECOMMENDATIONS AND CONCLUSION

This study concludes that the development of Obendorf Gas Stations is not likely to result in a significant degradation of traffic operations at the study intersection through the year 2023.

A northbound right-turn lane is warranted along Farmway Road at Driveway A and a westbound right-turn lane is warranted along SH 55 at Driveway B based on 2023 future with project traffic volumes and a posted speed limit of 55 mph on these roadways. These right-turn lanes should be constructed in accordance with the guidelines contained in the Idaho Transportation Department Supplement to the MUTCD. The proposed location of Driveway A should be shifted further to the west as to not encroach upon the existing quarter mile driveway along SH 55, while maintaining adequate spacing between the access point and the SH 55 at Farmway Road intersection.

This concludes the TIS performed for Obendorf Gas Stations. No further conclusions or recommendations are provided.



Appendix A

Glossary of Terms



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This section of the Technical Appendix provides a glossary of terms. The *Highway Capacity Manual* (TRB, 2010) and the *Transportation Impact Analyses for Site Development* (ITE, 2005) were used to help with the development of the following definitions:

- ◆ **Access point** – An intersection, driveway, or opening on a roadway that provides access to a land use or facility.
- ◆ **All-way stop-controlled** – An intersection with stop signs located on all approaches.
- ◆ **Arterial** – (General Definition) A signalized street that primarily serves through-traffic and secondarily provides access to abutting properties.
- ◆ **Average daily traffic (ADT)** – The average 24-hour traffic volume at a given location on a roadway.
- ◆ **Capacity** – The number of vehicles or persons that can be accommodated on a roadway, roadway section, or at an intersection over a specified period of time. Capacity is also a term used to define limits for transit, pedestrian, and bicycle facilities. Concept typically expressed as vehicles per hour, vehicles per day, or persons per hour or per day.
- ◆ **Collector street** – (General Definition) A surface street providing land access and traffic circulation within residential, commercial, and industrial areas.
- ◆ **Cycle** – A complete sequence of cycle indicators.
- ◆ **Cycle length** – The total time for a signal to complete one cycle.
- ◆ **Delay** – The additional travel time experienced by a driver, passenger, or pedestrian.
- ◆ **Demand** – The number of users desiring service on a highway system or street over a specified time period. Concept typically expressed as vehicles per hour, vehicles per day, or persons per hour or per day.
- ◆ **Departing sight distance** – The length of road required for a vehicle to turn from a stopped position at an intersection (or driveway) and accelerate to travel speed.
- ◆ **Design Hour** – The peak hour of traffic volumes/conditions; typically used in traffic studies, design analyses, and design. Typically recognized as the 85th percentile hours and often one of the peak/commute hours.
- ◆ **Downstream** – The direction of traffic flow.
- ◆ **Functional class** – A transportation facility defined by the traffic service it provides.
- ◆ **Growth factor** – A percentage increase applied to current traffic demands or counts to estimate future demands/volumes.
- ◆ **Intersection Control Analysis** – An intersection control analysis (ICA) is a traffic/transportation study used to recommend geometric and traffic control improvements for an intersection or intersections.
- ◆ **Level of Service** – The standard used to evaluate traffic operating conditions of the transportation system. This is a qualitative assessment of the quantitative effect of factors such as speed, volume of traffic, geometric features, traffic interruptions, delays, and freedom to maneuver. Operating conditions are categorized as LOS A through LOS “F”. LOS A generally represents the most favorable driving conditions and LOS F represents the least favorable conditions.
- ◆ **Mainline** – The primary through roadway as distinct from ramps, auxiliary lanes, and collector-distributor roads.
- ◆ **Major Street** – The street not controlled by stop signs at a two-way stop-controlled intersection.



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- ◆ **Minor arterial** – (General Definition) A functional category of a street allowing trips of moderate length within a relatively small geographical area.
- ◆ **Operational analysis** – A use of capacity analysis to determine the level of service on an existing or projected facility, with known projected traffic, roadway, and control conditions.
- ◆ **Peak Generator Hour** – The single hour (or hours) in a day during which trip generation for a development or land use is highest.
- ◆ **Peak hour** – Single hour (or hours) in a day during which the maximum traffic volume occurs on a given facility (roadway, intersection, etc.). Typically, the peak hour is known as the “rush” hour that occurs during the AM or PM work commutes of the typical weekday. The absolute peak hour of the day can also be referred to as the design hour.
- ◆ **Peak Generator Hour** – The peak hourly volume generated by a particular development or land use. In the context of traffic reports, the generator hour can occur in the morning and afternoon, described as AM and PM peak generator hours, respectively.
- ◆ **Peak hour factor** – The hourly volume during the maximum-volume hour of the day divided by the peak 15-minute flow rate within the peak hour; a measure of traffic demand fluctuation within the peak hour.
- ◆ **Principal Arterial** - (General Definition) A major surface street with relatively long trips between major points, and with through-trips entering, leaving, and passing through the urban area.
- ◆ **Queue** – A line of vehicles, bicycles, or persons waiting to be served by the system in which the flow rate from the front of the queue determines the average speed within the queue. Slower moving vehicles or people joining the rear of the queue are usually considered a part of the queue.
- ◆ **Roadside obstruction** – An object or barrier along a roadside or median that affects traffic flow, whether continuous (e.g., a retaining wall) or not continuous (e.g., light supports or a bridge abutment).
- ◆ **Road characteristic** – A geometric characteristic of a street or highway, including the type of facility, number and width of lanes, shoulder widths and lateral clearances, design speed, and horizontal and vertical alignment.
- ◆ **Roundabout** – An unsignalized intersection with a circulatory roadway around a central island with all entering vehicles yielding to the circulating traffic.
- ◆ **Shoulder** – A portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, emergency use, and lateral support of the subbase, base, and surface courses.
- ◆ **Stopping sight distance** – The length of road needed for a moving vehicle to come to a complete stop prior to an obstruction sighted on the road.
- ◆ **Traffic conditions** – A characteristic of traffic flow, including distribution of vehicle types in the traffic stream, directional distribution of traffic, lane use distribution of traffic, and type of driver population on a given facility.
- ◆ **Travel speed** – The average speed, in miles per hour, of a traffic computed as the length of roadway segment divided by the average travel time of the vehicles traversing the segment.
- ◆ **Travel time** – The average time spent by vehicles traversing a highway segment, including control delay, in seconds per vehicle or minutes per vehicle.



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- ◆ **Trip Distribution and Assignment** – The predicted travel patterns of vehicle trips as they approach and depart a land use. Distribution refers to the travel pattern, usually defined in percentages or fractions, and assignment refers to vehicle trip ends.
- ◆ **Traffic forecast** – The predicted traffic volume of the analysis horizon year or time period. Most typically predicted for the weekday, AM peak hour, PM peak hour, or AM or PM peak generator hours of the typical weekday.
- ◆ **Traffic impact analysis** – A *traffic impact analysis* (TIS) is an engineering and planning study that forecasts the potential traffic and transportation impacts of a proposed development on an area, neighborhood, or community. Reports can also be referred to as a traffic impact study (TIS).
- ◆ **Trip generation** – The number of vehicle trips generated by a development or land use. Most typically predicted for the weekday, AM peak hour, PM peak hour, or AM or PM peak generator hours of the typical weekday.
- ◆ **Two-way left-turn lane** – A lane in the median area that extends continuously along a street or highway and is marked to provide a deceleration and storage area, out of the through-traffic stream, for vehicles traveling in either direction to use in marking left turns at intersections and driveways.
- ◆ **Two-way stop-controlled** – The type of traffic control at an intersection where drivers on the minor street or driver turning left from the major street wait for a gap in the major-street traffic to complete a maneuver. Typically, the minor approaches are stop-controlled.
- ◆ **Unsignalized intersection** – An intersection not controlled by traffic signals.
- ◆ **Upstream** – The direction from which traffic is flowing.
- ◆ **Volume** – The number of persons or vehicles passing a point on a lane, roadway, or other traffic-way during some time interval, often one hour, expressed in vehicles, bicycles, or persons per hour.
- ◆ **Volume-to-capacity ratio** – The ratio of flow rate to capacity for a transportation facility.
- ◆ **Walkway** – A facility provided for pedestrian movement and segregated from vehicle traffic by a curb or provide for on a separate right-of-way.

Appendix B

Summary Traffic Counts

L2 Data Collection

L2DataCollection.com
Idaho (208) 860-7554 Utah (801) 413-2993

Study: TO0016
Intersection: Farmway Rd / Karcher Rd
City, State: Canyon County, Idaho
Control: Signalized

File Name : Farmway Rd & Karcher Rd
Site Code : 00000000
Start Date : 10/5/2021
Page No : 1

Groups Printed- General Traffic - 3+ Axle Heavy Trucks

Start Time	Farmway Road From North					Karcher Road From East					Farmway Road From South					Karcher Road From West					Int. Total
	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	
07:00 AM	18	3	11	0	32	12	46	1	0	59	6	14	1	0	21	2	107	29	0	138	250
07:15 AM	20	12	22	0	54	12	56	0	0	68	9	6	0	0	15	3	100	32	0	135	272
07:30 AM	23	17	13	0	53	18	45	0	0	63	3	16	2	0	21	4	103	38	0	145	282
07:45 AM	20	14	12	0	46	16	55	4	0	75	1	20	1	0	22	3	73	36	0	112	255
Total	81	46	58	0	185	58	202	5	0	265	19	56	4	0	79	12	383	135	0	530	1059
08:00 AM	22	9	15	0	46	10	61	3	0	74	5	8	1	0	14	2	87	27	0	116	250
08:15 AM	14	8	9	0	31	10	51	7	0	68	7	14	1	0	22	0	67	33	0	100	221
08:30 AM	17	11	16	0	44	14	46	1	0	61	3	10	1	0	14	0	81	24	0	105	224
08:45 AM	21	7	13	0	41	10	57	3	0	70	1	7	3	0	11	2	61	28	0	91	213
Total	74	35	53	0	162	44	215	14	0	273	16	39	6	0	61	4	296	112	0	412	908

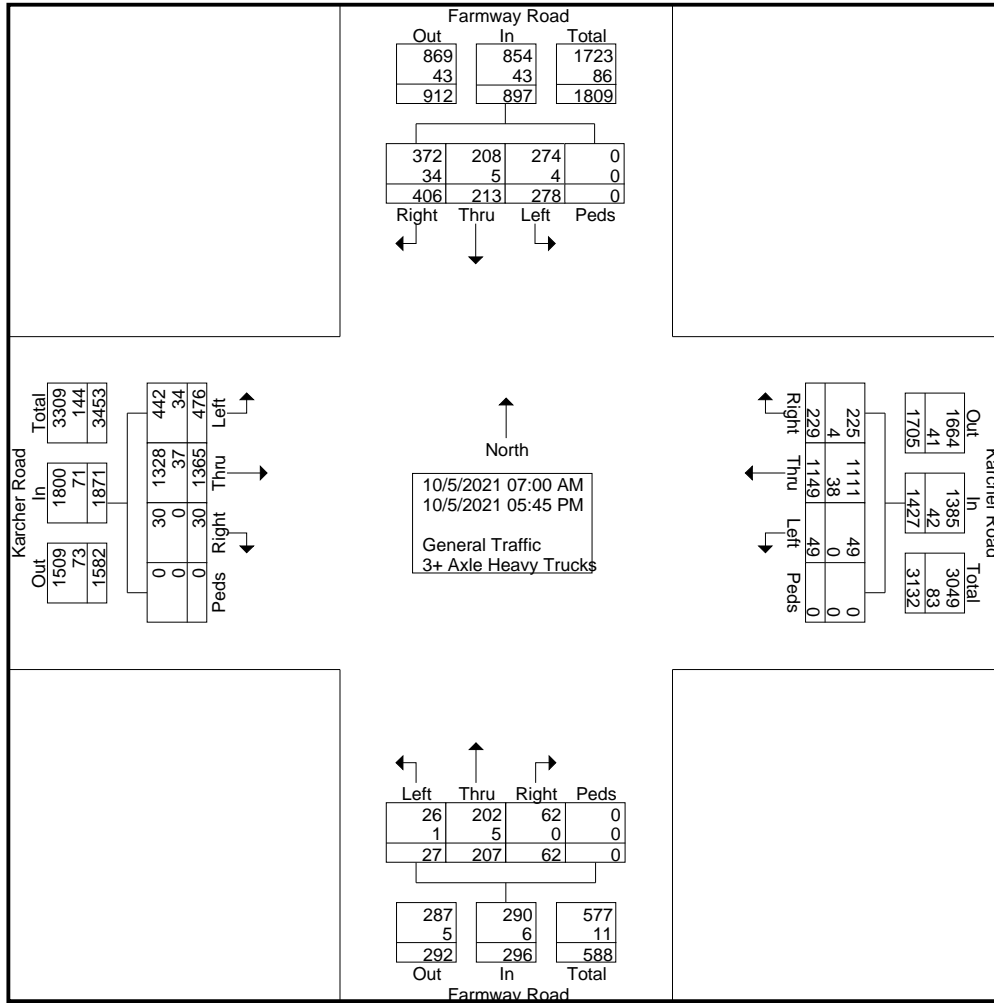
04:00 PM	22	10	13	0	45	15	88	4	0	107	1	17	1	0	19	1	88	26	0	115	286
04:15 PM	34	20	24	0	78	18	92	2	0	112	2	10	6	0	18	2	81	33	0	116	324
04:30 PM	36	17	14	0	67	17	92	5	0	114	2	11	1	0	14	0	86	35	0	121	316
04:45 PM	25	17	29	0	71	12	100	3	0	115	4	11	2	0	17	2	85	24	0	111	314
Total	117	64	80	0	261	62	372	14	0	448	9	49	10	0	68	5	340	118	0	463	1240
05:00 PM	27	20	20	0	67	14	86	3	0	103	5	11	0	0	16	2	106	28	0	136	322
05:15 PM	37	23	27	0	87	19	89	1	0	109	6	18	2	0	26	2	77	37	0	116	338
05:30 PM	34	15	22	0	71	18	95	7	0	120	1	16	4	0	21	4	80	24	0	108	320
05:45 PM	36	10	18	0	64	14	90	5	0	109	6	18	1	0	25	1	83	22	0	106	304
Total	134	68	87	0	289	65	360	16	0	441	18	63	7	0	88	9	346	111	0	466	1284
Grand Total	406	213	278	0	897	229	1149	49	0	1427	62	207	27	0	296	30	1365	476	0	1871	4491
Apprch %	45.3	23.7	31	0		16	80.5	3.4	0		20.9	69.9	9.1	0		1.6	73	25.4	0		
Total %	9	4.7	6.2	0	20	5.1	25.6	1.1	0	31.8	1.4	4.6	0.6	0	6.6	0.7	30.4	10.6	0	41.7	
General Traffic	372	208	274	0	854	225	1111	49	0	1385	62	202	26	0	290	30	1328	442	0	1800	4329
% General Traffic	91.6	97.7	98.6	0	95.2	98.3	96.7	100	0	97.1	100	97.6	96.3	0	98	100	97.3	92.9	0	96.2	96.4
3+ Axle Heavy Trucks	34	5	4	0	43	4	38	0	0	42	0	5	1	0	6	0	37	34	0	71	162
% 3+ Axle Heavy Trucks	8.4	2.3	1.4	0	4.8	1.7	3.3	0	0	2.9	0	2.4	3.7	0	2	0	2.7	7.1	0	3.8	3.6

L2 Data Collection

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Idaho (208) 860-7554 Utah (801) 413-2993

Study: TO0016
Intersection: Farmway Rd / Karcher Rd
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File Name : Farmway Rd & Karcher Rd
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Page No : 2



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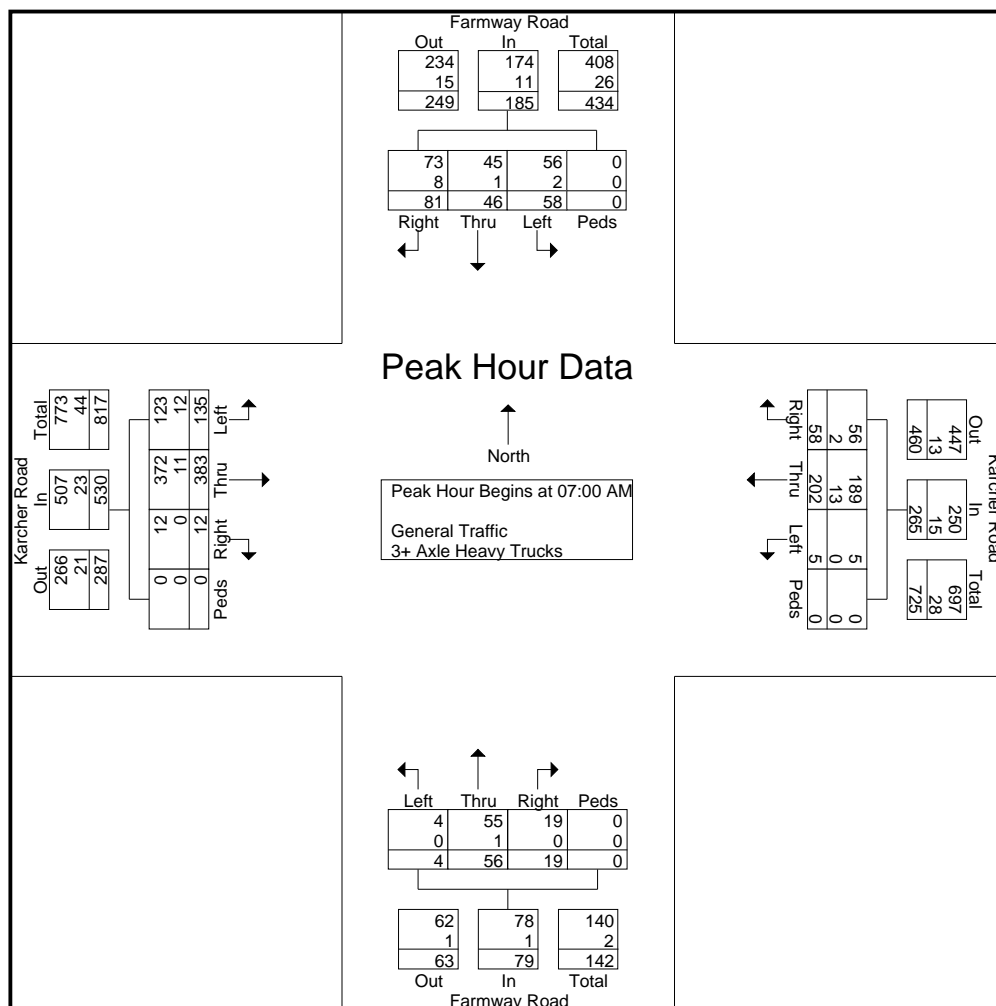
Page No : 3

Start Time	Farmway Road From North					Karcher Road From East					Farmway Road From South					Karcher Road From West					Int. Total
	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	

Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1

Peak Hour for Entire Intersection Begins at 07:00 AM

07:00 AM	18	3	11	0	32	12	46	1	0	59	6	14	1	0	21	2	107	29	0	138	250
07:15 AM	20	12	22	0	54	12	56	0	0	68	9	6	0	0	15	3	100	32	0	135	272
07:30 AM	23	17	13	0	53	18	45	0	0	63	3	16	2	0	21	4	103	38	0	145	282
07:45 AM	20	14	12	0	46	16	55	4	0	75	1	20	1	0	22	3	73	36	0	112	255
Total Volume	81	46	58	0	185	58	202	5	0	265	19	56	4	0	79	12	383	135	0	530	1059
% App. Total	43.8	24.9	31.4	0		21.9	76.2	1.9	0		24.1	70.9	5.1	0		2.3	72.3	25.5	0		
PHF	.880	.676	.659	.000	.856	.806	.902	.313	.000	.883	.528	.700	.500	.000	.898	.750	.895	.888	.000	.914	.939
General Traffic	73	45	56	0	174	56	189	5	0	250	19	55	4	0	78	12	372	123	0	507	1009
% General Traffic	90.1	97.8	96.6	0	94.1	96.6	93.6	100	0	94.3	100	98.2	100	0	98.7	100	97.1	91.1	0	95.7	95.3
3+ Axle Heavy Trucks	8	1	2	0	11	2	13	0	0	15	0	1	0	0	1	0	11	12	0	23	50
% 3+ Axle Heavy Trucks	9.9	2.2	3.4	0	5.9	3.4	6.4	0	0	5.7	0	1.8	0	0	1.3	0	2.9	8.9	0	4.3	4.7



L2 Data Collection

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Study: TO0016

Intersection: Farmway Rd / Karcher Rd

City, State: Canyon County, Idaho

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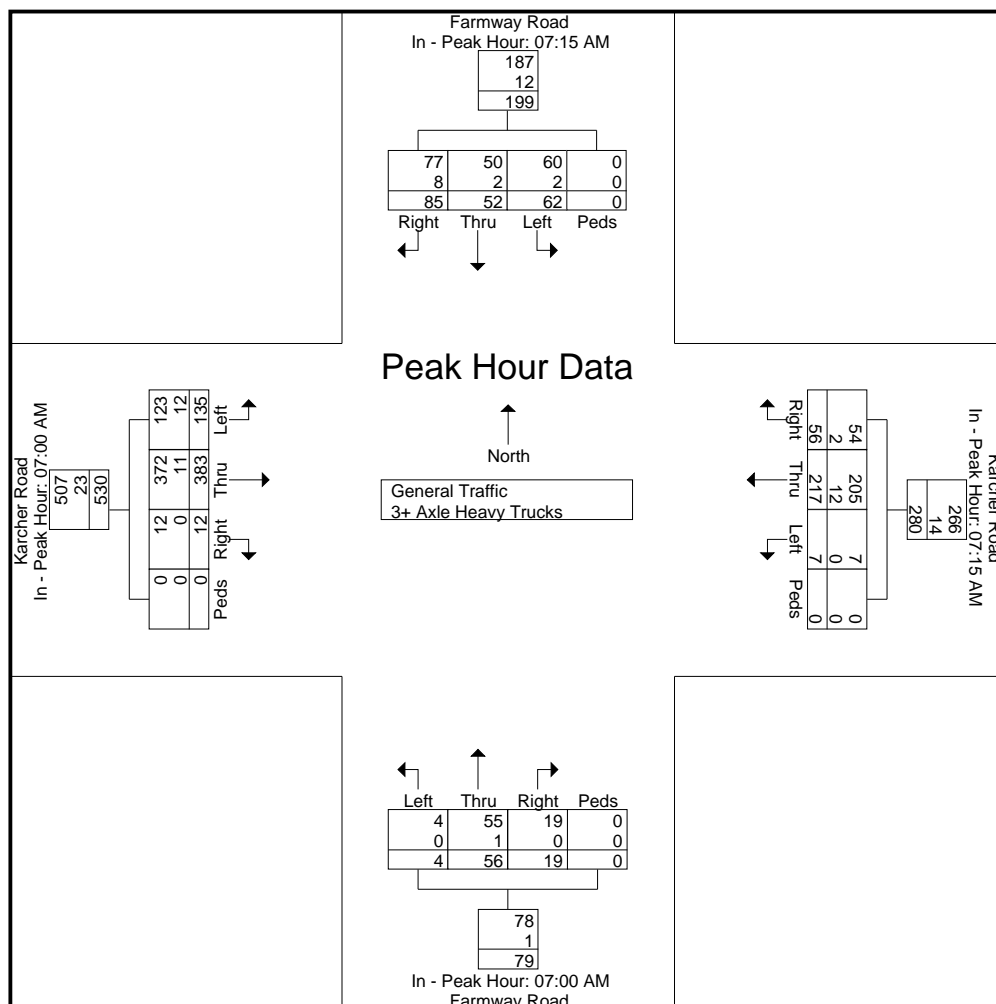
Page No : 4

	Farmway Road From North					Karcher Road From East					Farmway Road From South					Karcher Road From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total

Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1

Peak Hour for Each Approach Begins at:

	07:15 AM					07:15 AM					07:00 AM					07:00 AM				
+0 mins.	20	12	22	0	54	12	56	0	0	68	6	14	1	0	21	2	107	29	0	138
+15 mins.	23	17	13	0	53	18	45	0	0	63	9	6	0	0	15	3	100	32	0	135
+30 mins.	20	14	12	0	46	16	55	4	0	75	3	16	2	0	21	4	103	38	0	145
+45 mins.	22	9	15	0	46	10	61	3	0	74	1	20	1	0	22	3	73	36	0	112
Total Volume	85	52	62	0	199	56	217	7	0	280	19	56	4	0	79	12	383	135	0	530
% App. Total	42.7	26.1	31.2	0		20	77.5	2.5	0		24.1	70.9	5.1	0		2.3	72.3	25.5	0	
PHF	.924	.765	.705	.000	.921	.778	.889	.438	.000	.933	.528	.700	.500	.000	.898	.750	.895	.888	.000	.914
General Traffic	77	50	60	0	187	54	205	7	0	266	19	55	4	0	78	12	372	123	0	507
% General Traffic	90.	96.	96.	0	94	96.	94.	100	0	95	100	98.	100	0	98.7	100	97.	91.	0	95.7
3+ Axle Heavy Trucks	6	2	8	0	12	4	5	0	0	9	0	2	0	0	1	0	1	1	0	2
% 3+ Axle Heavy Trucks	8	2	2	0	12	2	12	0	0	14	0	1	0	0	1	0	11	12	0	23
	9.4	3.8	3.2	0	6	3.6	5.5	0	0	5	0	1.8	0	0	1.3	0	2.9	8.9	0	4.3



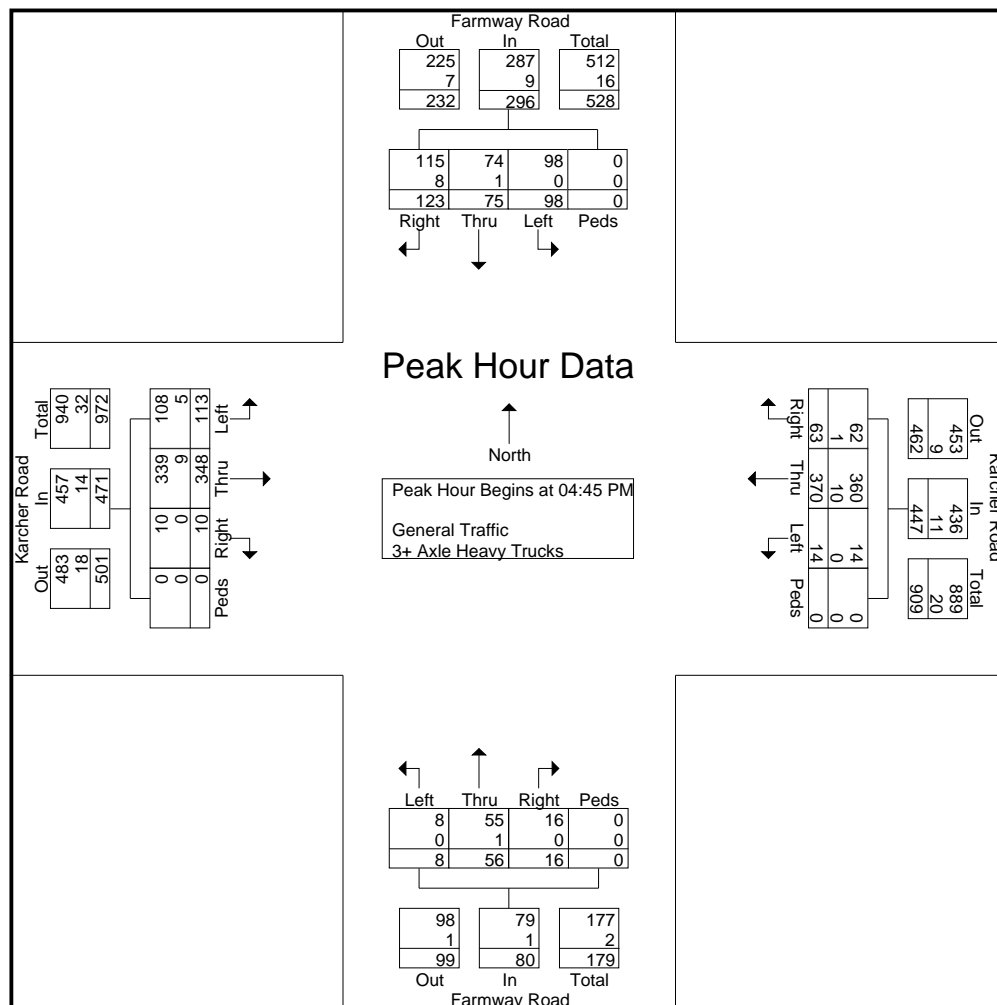
L2 Data Collection

L2DataCollection.com
Idaho (208) 860-7554 Utah (801) 413-2993

Study: TO0016
Intersection: Farmway Rd / Karcher Rd
City, State: Canyon County, Idaho
Control: Signalized

File Name : Farmway Rd & Karcher Rd
Site Code : 00000000
Start Date : 10/5/2021
Page No : 5

	Farmway Road From North					Karcher Road From East					Farmway Road From South					Karcher Road From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	25	17	29	0	71	12	100	3	0	115	4	11	2	0	17	2	85	24	0	111	314
05:00 PM	27	20	20	0	67	14	86	3	0	103	5	11	0	0	16	2	106	28	0	136	322
05:15 PM	37	23	27	0	87	19	89	1	0	109	6	18	2	0	26	2	77	37	0	116	338
05:30 PM	34	15	22	0	71	18	95	7	0	120	1	16	4	0	21	4	80	24	0	108	320
Total Volume	123	75	98	0	296	63	370	14	0	447	16	56	8	0	80	10	348	113	0	471	1294
% App. Total	41.6	25.3	33.1	0		14.1	82.8	3.1	0		20	70	10	0		2.1	73.9	24	0		
PHF	.831	.815	.845	.000	.851	.829	.925	.500	.000	.931	.667	.778	.500	.000	.769	.625	.821	.764	.000	.866	.957
General Traffic	115	74	98	0	287	62	360	14	0	436	16	55	8	0	79	10	339	108	0	457	1259
% General Traffic	93.5	98.7	100	0	97.0	98.4	97.3	100	0	97.5	100	98.2	100	0	98.8	100	97.4	95.6	0	97.0	97.3
3+ Axle Heavy Trucks	8	1	0	0	9	1	10	0	0	11	0	1	0	0	1	0	9	5	0	14	35
% 3+ Axle Heavy Trucks	6.5	1.3	0	0	3.0	1.6	2.7	0	0	2.5	0	1.8	0	0	1.3	0	2.6	4.4	0	3.0	2.7
Trucks																					



L2 Data Collection

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Idaho (208) 860-7554 Utah (801) 413-2993

Study: TO0016

Intersection: Farmway Rd / Karcher Rd

City, State: Canyon County, Idaho

Control: Signalized

File Name : Farmway Rd & Karcher Rd

Site Code : 00000000

Start Date : 10/5/2021

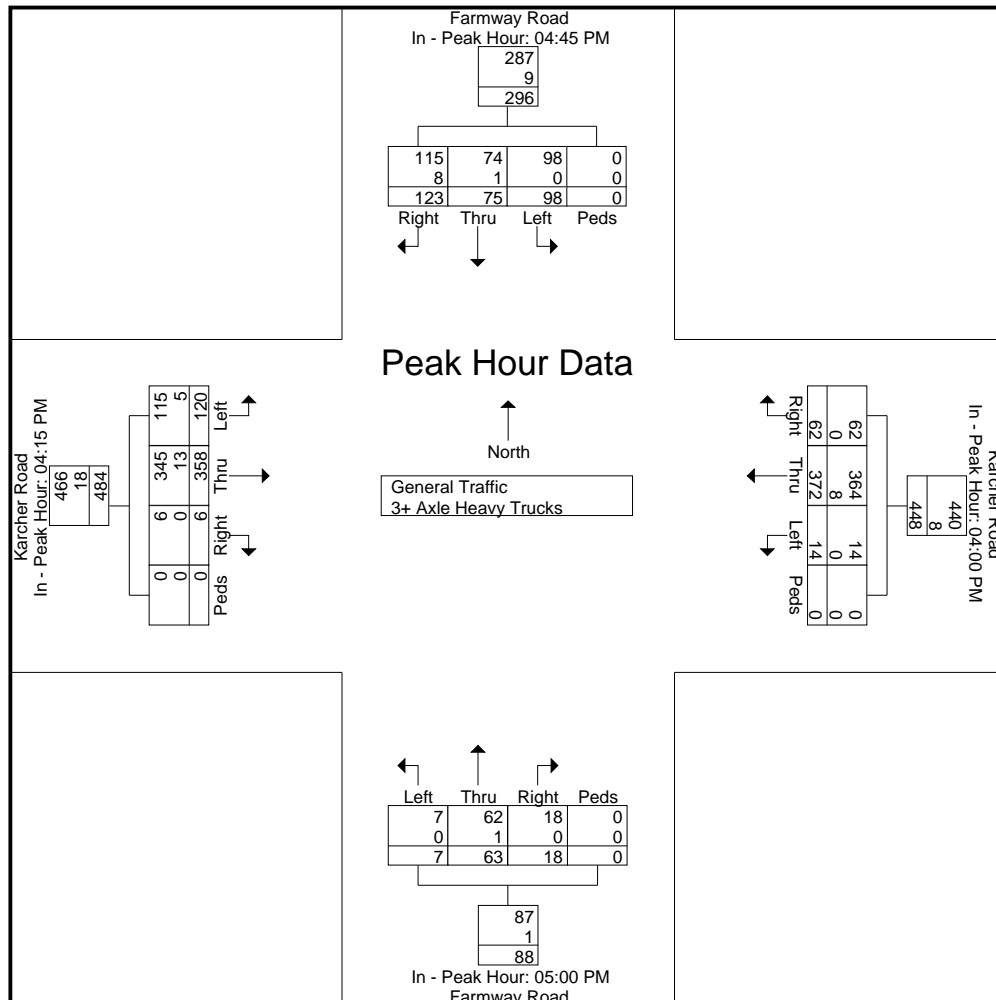
Page No : 6

	Farmway Road From North					Karcher Road From East					Farmway Road From South					Karcher Road From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total

Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1

Peak Hour for Each Approach Begins at:

	04:45 PM					04:00 PM					05:00 PM					04:15 PM				
+0 mins.	25	17	29	0	71	15	88	4	0	107	5	11	0	0	16	2	81	33	0	116
+15 mins.	27	20	20	0	67	18	92	2	0	112	6	18	2	0	26	0	86	35	0	121
+30 mins.	37	23	27	0	87	17	92	5	0	114	1	16	4	0	21	2	85	24	0	111
+45 mins.	34	15	22	0	71	12	100	3	0	115	6	18	1	0	25	2	106	28	0	136
Total Volume	123	75	98	0	296	62	372	14	0	448	18	63	7	0	88	6	358	120	0	484
% App. Total	41.6	25.3	33.1	0		13.8	83	3.1	0		20.5	71.6	8	0		1.2	74	24.8	0	
PHF	.831	.815	.845	.000	.851	.861	.930	.700	.000	.974	.750	.875	.438	.000	.846	.750	.844	.857	.000	.890
General Traffic	115	74	98	0	287	62	364	14	0	440	18	62	7	0	87	6	345	115	0	466
% General Traffic	93.	98.				100	97.			98.2	100	98.			98.9	100	96.	95.		96.3
	5	7	100	0	97		8	100	0			4	100	0			4	8	0	
3+ Axle Heavy Trucks	8	1	0	0	9	0	8	0	0	8	0	1	0	0	1	0	13	5	0	18
% 3+ Axle Heavy Trucks	6.5	1.3	0	0	3	0	2.2	0	0	1.8	0	1.6	0	0	1.1	0	3.6	4.2	0	3.7



L2 Data Collection

L2DataCollection.com
Idaho (208) 860-7554 Utah (801) 413-2993

Study: TO0016
Intersection: Farmway Rd / Karcher Rd
City, State: Canyon County, Idaho
Control: Signalized

File Name : Farmway Rd & Karcher Rd
Site Code : 00000000
Start Date : 10/5/2021
Page No : 7

Image 1























Appendix C

LOS Summary Worksheets

Obendorf TIS
HCM 6th Signalized Intersection Summary

1: Farmway Road & Karcher Road (SH 55)





















2021 Existing AM Peak

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	135	383	12	5	202	58	4	56	19	58	46	81
Future Volume (veh/h)	135	383	12	5	202	58	4	56	19	58	46	81
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826
Adj Flow Rate, veh/h	144	407	13	5	215	62	4	60	20	62	49	86
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	5	5	5	5	5	5	5	5	5	5	5	5
Cap, veh/h	384	520	17	247	286	83	87	157	51	438	173	303
Arrive On Green	0.09	0.30	0.30	0.01	0.21	0.21	0.12	0.12	0.12	0.06	0.29	0.29
Sat Flow, veh/h	1739	1760	56	1739	1362	393	39	1281	412	1739	595	1044
Grp Volume(v), veh/h	144	0	420	5	0	277	84	0	0	62	0	135
Grp Sat Flow(s),veh/h/ln	1739	0	1816	1739	0	1755	1732	0	0	1739	0	1638
Q Serve(g_s), s	2.9	0.0	9.7	0.1	0.0	6.8	0.0	0.0	0.0	1.4	0.0	2.9
Cycle Q Clear(g_c), s	2.9	0.0	9.7	0.1	0.0	6.8	2.0	0.0	0.0	1.4	0.0	2.9
Prop In Lane	1.00		0.03	1.00		0.22	0.05		0.24	1.00		0.64
Lane Grp Cap(c), veh/h	384	0	537	247	0	369	294	0	0	438	0	476
V/C Ratio(X)	0.37	0.00	0.78	0.02	0.00	0.75	0.29	0.00	0.00	0.14	0.00	0.28
Avail Cap(c_a), veh/h	1169	0	2093	1181	0	2023	1325	0	0	1280	0	1186
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	12.8	0.0	14.8	12.3	0.0	17.0	18.6	0.0	0.0	15.9	0.0	12.6
Incr Delay (d2), s/veh	0.2	0.0	1.0	0.0	0.0	1.2	0.2	0.0	0.0	0.1	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.8	0.0	2.9	0.0	0.0	2.1	0.8	0.0	0.0	0.4	0.0	0.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	13.0	0.0	15.8	12.3	0.0	18.2	18.8	0.0	0.0	16.0	0.0	12.7
LnGrp LOS	B	A	B	B	A	B	B	A	A	B	A	B
Approach Vol, veh/h	564			282			84			197		
Approach Delay, s/veh	15.1			18.1			18.8			13.8		
Approach LOS	B			B			B			B		
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	5.3	20.6		20.1	9.2	16.7	7.7	12.3				
Change Period (Y+Rc), s	5.0	7.0		6.7	5.0	7.0	5.0	6.7				
Max Green Setting (Gmax), s	25.0	53.0		33.3	25.0	53.0	25.0	33.3				
Max Q Clear Time (g_c+I1), s	2.1	11.7		4.9	4.9	8.8	3.4	4.0				
Green Ext Time (p_c), s	0.0	1.3		0.2	0.2	0.9	0.1	0.2				
Intersection Summary												
HCM 6th Ctrl Delay	15.9											
HCM 6th LOS	B											

Obendorf TIS
HCM 6th Signalized Intersection Summary

1: Farmway Road & Karcher Road (SH 55)





















2021 Existing PM Peak

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	113	348	10	14	370	63	8	56	16	98	75	123
Future Volume (veh/h)	113	348	10	14	370	63	8	56	16	98	75	123
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	118	362	10	15	385	66	8	58	17	102	78	128
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	331	641	18	362	460	79	83	143	39	427	175	287
Arrive On Green	0.08	0.36	0.36	0.02	0.30	0.30	0.11	0.11	0.11	0.07	0.28	0.28
Sat Flow, veh/h	1767	1797	50	1767	1543	265	88	1295	356	1767	632	1037
Grp Volume(v), veh/h	118	0	372	15	0	451	83	0	0	102	0	206
Grp Sat Flow(s),veh/h/ln	1767	0	1847	1767	0	1808	1739	0	0	1767	0	1669
Q Serve(g_s), s	2.4	0.0	8.7	0.3	0.0	12.5	0.0	0.0	0.0	2.7	0.0	5.5
Cycle Q Clear(g_c), s	2.4	0.0	8.7	0.3	0.0	12.5	2.3	0.0	0.0	2.7	0.0	5.5
Prop In Lane	1.00		0.03	1.00		0.15	0.10		0.20	1.00		0.62
Lane Grp Cap(c), veh/h	331	0	658	362	0	539	265	0	0	427	0	461
V/C Ratio(X)	0.36	0.00	0.57	0.04	0.00	0.84	0.31	0.00	0.00	0.24	0.00	0.45
Avail Cap(c_a), veh/h	1018	0	1824	1152	0	1786	1131	0	0	1122	0	1036
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	12.9	0.0	13.9	11.3	0.0	17.6	22.3	0.0	0.0	19.0	0.0	16.0
Incr Delay (d2), s/veh	0.2	0.0	0.3	0.0	0.0	1.4	0.2	0.0	0.0	0.1	0.0	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.7	0.0	2.6	0.1	0.0	4.1	0.9	0.0	0.0	0.9	0.0	1.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	13.1	0.0	14.2	11.3	0.0	19.0	22.5	0.0	0.0	19.1	0.0	16.3
LnGrp LOS	B	A	B	B	A	B	C	A	A	B	A	B
Approach Vol, veh/h		490			466			83			308	
Approach Delay, s/veh		13.9			18.7			22.5			17.2	
Approach LOS		B			B			C			B	
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	6.0	26.1		21.5	9.1	23.0	8.9	12.6				
Change Period (Y+Rc), s	5.0	7.0		6.7	5.0	7.0	5.0	6.7				
Max Green Setting (Gmax), s	25.0	53.0		33.3	25.0	53.0	25.0	33.3				
Max Q Clear Time (g_c+I1), s	2.3	10.7		7.5	4.4	14.5	4.7	4.3				
Green Ext Time (p_c), s	0.0	1.1		0.3	0.1	1.5	0.1	0.2				
Intersection Summary												
HCM 6th Ctrl Delay				16.9								
HCM 6th LOS				B								

Obendorf TIS
HCM 6th Signalized Intersection Summary

1: Farmway Road & Karcher Road (SH 55)





















2023 Future Without Project

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	143	406	13	5	214	62	4	59	20	62	49	86
Future Volume (veh/h)	143	406	13	5	214	62	4	59	20	62	49	86
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826
Adj Flow Rate, veh/h	152	432	14	5	228	66	4	63	21	66	52	91
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	5	5	5	5	5	5	5	5	5	5	5	5
Cap, veh/h	385	542	18	241	298	86	84	155	50	436	172	301
Arrive On Green	0.10	0.31	0.31	0.01	0.22	0.22	0.12	0.12	0.12	0.06	0.29	0.29
Sat Flow, veh/h	1739	1759	57	1739	1361	394	37	1282	414	1739	596	1043
Grp Volume(v), veh/h	152	0	446	5	0	294	88	0	0	66	0	143
Grp Sat Flow(s),veh/h/ln	1739	0	1816	1739	0	1755	1733	0	0	1739	0	1638
Q Serve(g_s), s	3.1	0.0	10.6	0.1	0.0	7.4	0.0	0.0	0.0	1.5	0.0	3.2
Cycle Q Clear(g_c), s	3.1	0.0	10.6	0.1	0.0	7.4	2.2	0.0	0.0	1.5	0.0	3.2
Prop In Lane	1.00		0.03	1.00		0.22	0.05		0.24	1.00		0.64
Lane Grp Cap(c), veh/h	385	0	560	241	0	384	290	0	0	436	0	472
V/C Ratio(X)	0.39	0.00	0.80	0.02	0.00	0.76	0.30	0.00	0.00	0.15	0.00	0.30
Avail Cap(c_a), veh/h	1140	0	2040	1151	0	1972	1292	0	0	1251	0	1156
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	12.8	0.0	15.0	12.3	0.0	17.3	19.2	0.0	0.0	16.4	0.0	13.1
Incr Delay (d2), s/veh	0.2	0.0	1.0	0.0	0.0	1.2	0.2	0.0	0.0	0.1	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.8	0.0	3.1	0.0	0.0	2.3	0.8	0.0	0.0	0.5	0.0	0.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	13.0	0.0	15.9	12.3	0.0	18.5	19.4	0.0	0.0	16.4	0.0	13.2
LnGrp LOS	B	A	B	B	A	B	B	A	A	B	A	B
Approach Vol, veh/h		598			299			88			209	
Approach Delay, s/veh		15.2			18.4			19.4			14.2	
Approach LOS		B			B			B			B	
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	5.3	21.6		20.3	9.5	17.3	7.9	12.4				
Change Period (Y+Rc), s	5.0	7.0		6.7	5.0	7.0	5.0	6.7				
Max Green Setting (Gmax), s	25.0	53.0		33.3	25.0	53.0	25.0	33.3				
Max Q Clear Time (g_c+I1), s	2.1	12.6		5.2	5.1	9.4	3.5	4.2				
Green Ext Time (p_c), s	0.0	1.4		0.2	0.2	0.9	0.1	0.2				
Intersection Summary												
HCM 6th Ctrl Delay				16.1								
HCM 6th LOS				B								

Obendorf TIS
HCM 6th Signalized Intersection Summary

1: Farmway Road & Karcher Road (SH 55)





















2023 Future Without Project PM

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	120	369	11	15	393	67	8	59	17	104	80	130
Future Volume (veh/h)	120	369	11	15	393	67	8	59	17	104	80	130
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	125	384	11	16	409	70	8	61	18	108	83	135
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	326	664	19	360	483	83	80	139	39	423	173	281
Arrive On Green	0.08	0.37	0.37	0.02	0.31	0.31	0.11	0.11	0.11	0.07	0.27	0.27
Sat Flow, veh/h	1767	1795	51	1767	1544	264	85	1295	360	1767	636	1034
Grp Volume(v), veh/h	125	0	395	16	0	479	87	0	0	108	0	218
Grp Sat Flow(s),veh/h/ln	1767	0	1846	1767	0	1808	1739	0	0	1767	0	1669
Q Serve(g_s), s	2.6	0.0	9.5	0.3	0.0	13.7	0.0	0.0	0.0	2.9	0.0	6.0
Cycle Q Clear(g_c), s	2.6	0.0	9.5	0.3	0.0	13.7	2.5	0.0	0.0	2.9	0.0	6.0
Prop In Lane	1.00		0.03	1.00		0.15	0.09		0.21	1.00		0.62
Lane Grp Cap(c), veh/h	326	0	683	360	0	565	258	0	0	423	0	454
V/C Ratio(X)	0.38	0.00	0.58	0.04	0.00	0.85	0.34	0.00	0.00	0.26	0.00	0.48
Avail Cap(c_a), veh/h	988	0	1770	1124	0	1734	1098	0	0	1091	0	1006
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	13.0	0.0	14.0	11.2	0.0	17.8	23.1	0.0	0.0	19.7	0.0	16.8
Incr Delay (d2), s/veh	0.3	0.0	0.3	0.0	0.0	1.4	0.3	0.0	0.0	0.1	0.0	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.7	0.0	2.9	0.1	0.0	4.5	1.0	0.0	0.0	1.0	0.0	1.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	13.3	0.0	14.2	11.2	0.0	19.2	23.4	0.0	0.0	19.8	0.0	17.1
LnGrp LOS	B	A	B	B	A	B	C	A	A	B	A	B
Approach Vol, veh/h		520			495			87			326	
Approach Delay, s/veh		14.0			18.9			23.4			18.0	
Approach LOS		B			B			C			B	
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	6.1	27.5		21.7	9.3	24.3	9.1	12.6				
Change Period (Y+Rc), s	5.0	7.0		6.7	5.0	7.0	5.0	6.7				
Max Green Setting (Gmax), s	25.0	53.0		33.3	25.0	53.0	25.0	33.3				
Max Q Clear Time (g_c+I1), s	2.3	11.5		8.0	4.6	15.7	4.9	4.5				
Green Ext Time (p_c), s	0.0	1.2		0.3	0.1	1.6	0.1	0.2				
Intersection Summary												
HCM 6th Ctrl Delay				17.2								
HCM 6th LOS				B								

Obendorf TIS
HCM 6th Signalized Intersection Summary




1: Farmway Road & Karcher Road (SH 55)

2023 Future With Project AM

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	195	375	13	5	230	62	4	62	20	109	51	88
Future Volume (veh/h)	195	375	13	5	230	62	4	62	20	109	51	88
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826
Adj Flow Rate, veh/h	207	399	14	5	245	66	4	66	21	116	54	94
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	5	5	5	5	5	5	5	5	5	5	5	5
Cap, veh/h	416	600	21	292	311	84	77	146	45	445	173	301
Arrive On Green	0.12	0.34	0.34	0.01	0.22	0.22	0.11	0.11	0.11	0.08	0.29	0.29
Sat Flow, veh/h	1739	1753	62	1739	1385	373	36	1299	400	1739	598	1041
Grp Volume(v), veh/h	207	0	413	5	0	311	91	0	0	116	0	148
Grp Sat Flow(s),veh/h/ln	1739	0	1815	1739	0	1759	1735	0	0	1739	0	1639
Q Serve(g_s), s	4.5	0.0	10.0	0.1	0.0	8.6	0.0	0.0	0.0	3.0	0.0	3.6
Cycle Q Clear(g_c), s	4.5	0.0	10.0	0.1	0.0	8.6	2.5	0.0	0.0	3.0	0.0	3.6
Prop In Lane	1.00		0.03	1.00		0.21	0.04		0.23	1.00		0.64
Lane Grp Cap(c), veh/h	416	0	621	292	0	394	268	0	0	445	0	474
V/C Ratio(X)	0.50	0.00	0.67	0.02	0.00	0.79	0.34	0.00	0.00	0.26	0.00	0.31
Avail Cap(c_a), veh/h	1041	0	1863	1122	0	1805	1182	0	0	1147	0	1057
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	13.3	0.0	14.5	12.0	0.0	18.9	21.5	0.0	0.0	18.0	0.0	14.3
Incr Delay (d2), s/veh	0.3	0.0	0.5	0.0	0.0	1.3	0.3	0.0	0.0	0.1	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.3	0.0	3.0	0.0	0.0	2.8	1.0	0.0	0.0	1.0	0.0	1.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	13.7	0.0	14.9	12.0	0.0	20.2	21.7	0.0	0.0	18.2	0.0	14.5
LnGrp LOS	B	A	B	B	A	C	C	A	A	B	A	B
Approach Vol, veh/h		620			316			91			264	
Approach Delay, s/veh		14.5			20.1			21.7			16.1	
Approach LOS		B			C			C			B	
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	5.3	24.7		21.6	11.4	18.6	9.1	12.5				
Change Period (Y+Rc), s	5.0	7.0		6.7	5.0	7.0	5.0	6.7				
Max Green Setting (Gmax), s	25.0	53.0		33.3	25.0	53.0	25.0	33.3				
Max Q Clear Time (g_c+I1), s	2.1	12.0		5.6	6.5	10.6	5.0	4.5				
Green Ext Time (p_c), s	0.0	1.3		0.2	0.2	1.0	0.1	0.2				
Intersection Summary												
HCM 6th Ctrl Delay				16.7								
HCM 6th LOS				B								




Obendorf TIS
HCM 6th TWSC

2: Farmway Road & Approach A
2023 Future With Project AM

Intersection						
Int Delay, s/veh	2.2					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	64	26	248	71	23	184
Future Vol, veh/h	64	26	248	71	23	184
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	70	28	270	77	25	200
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	559	309	0	0	347	0
Stage 1	309	-	-	-	-	-
Stage 2	250	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	490	731	-	-	1212	-
Stage 1	745	-	-	-	-	-
Stage 2	792	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	479	731	-	-	1212	-
Mov Cap-2 Maneuver	479	-	-	-	-	-
Stage 1	745	-	-	-	-	-
Stage 2	774	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	13.3	0		0.9		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1		SBL	SBT	
Capacity (veh/h)	-	-	532	1212	-	
HCM Lane V/C Ratio	-	-	0.184	0.021	-	
HCM Control Delay (s)	-	-	13.3	8	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	0.7	0.1	-	




















Obendorf TIS
HCM 6th TWSC

3: Karcher Road (SH 55) & Approach B
2023 Future With Project AM

Intersection						
Int Delay, s/veh	0.4					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	0	505	264	36	0	34
Future Vol, veh/h	0	505	264	36	0	34
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	549	287	39	0	37
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	-	0	-	0	-	307
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.318
Pot Cap-1 Maneuver	0	-	-	-	0	733
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	-	733
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Approach	EB	WB		SB		
HCM Control Delay, s	0	0		10.2		
HCM LOS				B		
Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1		
Capacity (veh/h)	-	-	-	733		
HCM Lane V/C Ratio	-	-	-	0.05		
HCM Control Delay (s)	-	-	-	10.2		
HCM Lane LOS	-	-	-	B		
HCM 95th %tile Q(veh)	-	-	-	0.2		




Obendorf TIS
HCM 6th Signalized Intersection Summary

1: Farmway Road & Karcher Road (SH 55)
2023 Future With Project PM

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	173	343	11	15	415	67	8	63	17	152	83	134
Future Volume (veh/h)	173	343	11	15	415	67	8	63	17	152	83	134
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	180	357	11	16	432	70	8	66	18	158	86	140
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	340	712	22	399	498	81	71	127	33	451	179	292
Arrive On Green	0.10	0.40	0.40	0.02	0.32	0.32	0.10	0.10	0.10	0.11	0.28	0.28
Sat Flow, veh/h	1767	1790	55	1767	1558	252	82	1320	341	1767	635	1034
Grp Volume(v), veh/h	180	0	368	16	0	502	92	0	0	158	0	226
Grp Sat Flow(s),veh/h/ln	1767	0	1846	1767	0	1810	1743	0	0	1767	0	1669
Q Serve(g_s), s	4.1	0.0	9.3	0.3	0.0	16.2	0.4	0.0	0.0	4.9	0.0	7.0
Cycle Q Clear(g_c), s	4.1	0.0	9.3	0.3	0.0	16.2	3.1	0.0	0.0	4.9	0.0	7.0
Prop In Lane	1.00		0.03	1.00		0.14	0.09		0.20	1.00		0.62
Lane Grp Cap(c), veh/h	340	0	734	399	0	579	231	0	0	451	0	471
V/C Ratio(X)	0.53	0.00	0.50	0.04	0.00	0.87	0.40	0.00	0.00	0.35	0.00	0.48
Avail Cap(c_a), veh/h	879	0	1574	1075	0	1543	979	0	0	975	0	894
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	14.4	0.0	14.1	11.4	0.0	19.9	26.8	0.0	0.0	21.7	0.0	18.5
Incr Delay (d2), s/veh	0.5	0.0	0.2	0.0	0.0	1.6	0.4	0.0	0.0	0.2	0.0	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.3	0.0	3.0	0.1	0.0	5.6	1.3	0.0	0.0	1.7	0.0	2.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	14.9	0.0	14.3	11.4	0.0	21.5	27.2	0.0	0.0	21.9	0.0	18.8
LnGrp LOS	B	A	B	B	A	C	C	A	A	C	A	B
Approach Vol, veh/h	548			518			92			384		
Approach Delay, s/veh	14.5			21.2			27.2			20.1		
Approach LOS	B			C			C			C		
Timer - Assigned Phs	1	2		4	5	6	7	8				
Phs Duration (G+Y+Rc), s	6.2	31.7		24.3	11.0	26.9	11.6	12.7				
Change Period (Y+Rc), s	5.0	7.0		6.7	5.0	7.0	5.0	6.7				
Max Green Setting (Gmax), s	25.0	53.0		33.3	25.0	53.0	25.0	33.3				
Max Q Clear Time (g_c+I1), s	2.3	11.3		9.0	6.1	18.2	6.9	5.1				
Green Ext Time (p_c), s	0.0	1.1		0.3	0.2	1.7	0.2	0.2				
Intersection Summary												
HCM 6th Ctrl Delay	18.9											
HCM 6th LOS	B											

Obendorf TIS
HCM 6th TWSC

6: Farmway Road & Driveway A
2023 Future With Project PM

Intersection						
Int Delay, s/veh	2.3					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	71	26	233	70	30	298
Future Vol, veh/h	71	26	233	70	30	298
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	77	28	253	76	33	324
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	681	291	0	0	329	0
Stage 1	291	-	-	-	-	-
Stage 2	390	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	416	748	-	-	1231	-
Stage 1	759	-	-	-	-	-
Stage 2	684	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	402	748	-	-	1231	-
Mov Cap-2 Maneuver	402	-	-	-	-	-
Stage 1	759	-	-	-	-	-
Stage 2	661	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	15.2	0		0.7		
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	459	1231	-	
HCM Lane V/C Ratio	-	-	0.23	0.026	-	
HCM Control Delay (s)	-	-	15.2	8	0	
HCM Lane LOS	-	-	C	A	A	
HCM 95th %tile Q(veh)	-	-	0.9	0.1	-	

Obendorf TIS
HCM 6th TWSC

7: Karcher Road (SH 55) & Driveway B
2023 Future With Project PM

Intersection

Int Delay, s/veh 0.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑	↑			↑
Traffic Vol, veh/h	0	512	449	49	0	47
Future Vol, veh/h	0	512	449	49	0	47
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	557	488	53	0	51

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	-	0	- 0 - 515
Stage 1	-	-	- - -
Stage 2	-	-	- - -
Critical Hdwy	-	-	- - 6.22
Critical Hdwy Stg 1	-	-	- - -
Critical Hdwy Stg 2	-	-	- - -
Follow-up Hdwy	-	-	- - 3.318
Pot Cap-1 Maneuver	0	-	- - 0 560
Stage 1	0	-	- - 0 -
Stage 2	0	-	- - 0 -
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	- - 560
Mov Cap-2 Maneuver	-	-	- - -
Stage 1	-	-	- - -
Stage 2	-	-	- - -

Approach	EB	WB	SB
HCM Control Delay, s	0	0	12.1
HCM LOS			B

Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	-	560
HCM Lane V/C Ratio	-	-	-	0.091
HCM Control Delay (s)	-	-	-	12.1
HCM Lane LOS	-	-	-	B
HCM 95th %tile Q(veh)	-	-	-	0.3

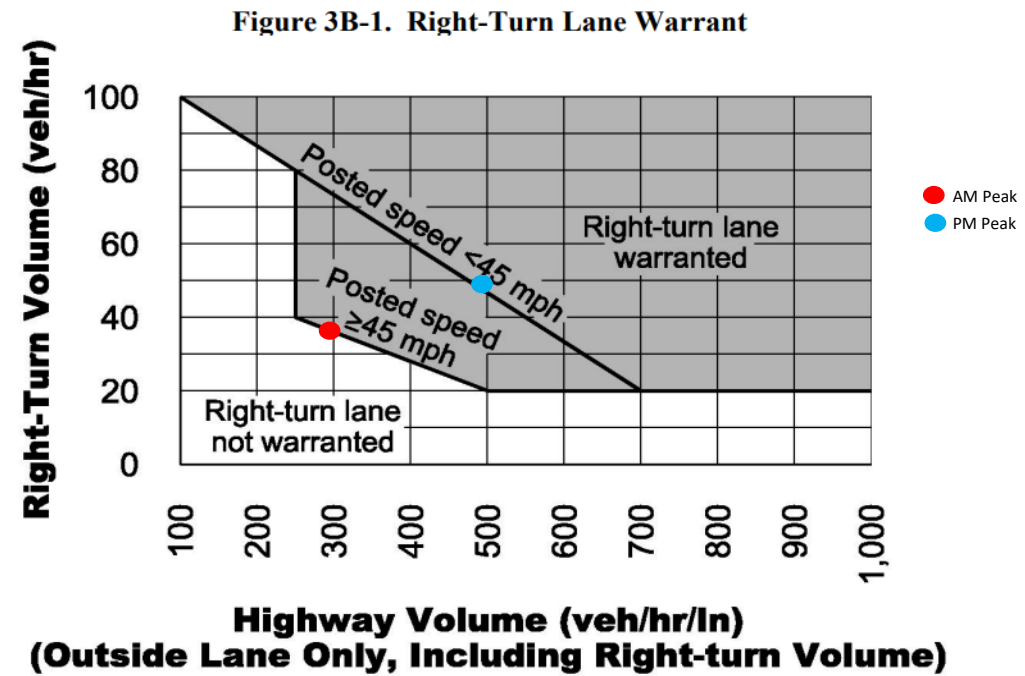
Appendix D

Turn Lane Warrant Worksheets

Driveway B at Karcher Road (SH 55)
2023 FWP - AM and PM Peak

Variable	Value
Major-road speed, mph:	55

	AM Peak	PM Peak
Major-road volume (one direction), veh/h:	299	498
Right-turn volume, veh/h:	36	49



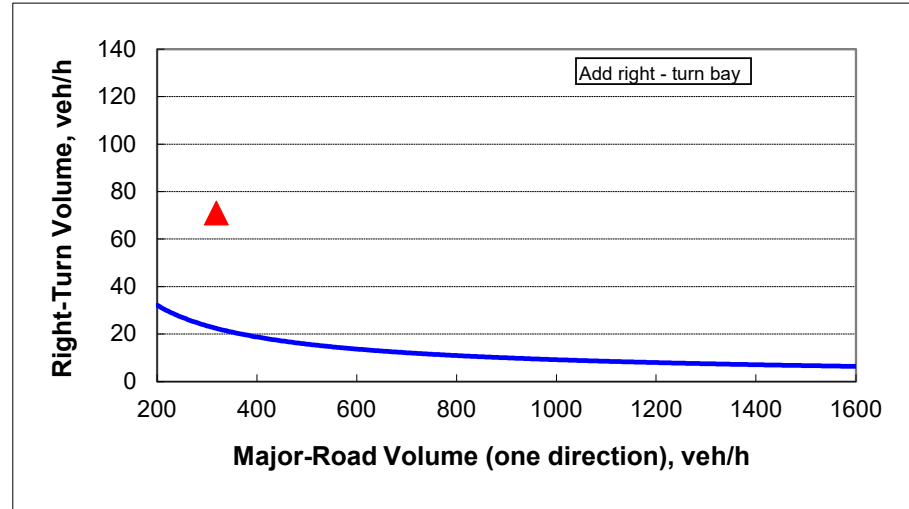
DrwyA_Farmway_2023 FWP AM

Figure 2 - 6. Guideline for determining the need for a major-road right-turn bay at a two-way stop-controlled intersection.**INPUT**

Roadway geometry:	2-lane roadway
Variable	Value
Major-road speed, mph:	55
Major-road volume (one direction), veh/h:	319
Right-turn volume, veh/h:	71

OUTPUT

Variable	Value
Limiting right-turn volume, veh/h:	22
Guidance for determining the need for a major-road right-turn bay for a 2-lane roadway:	
Add right-turn bay.	



DrwyA_Farmway_2023 FWP PM

Figure 2 - 6. Guideline for determining the need for a major-road right-turn bay at a two-way stop-controlled intersection.**INPUT**

Roadway geometry:	2-lane roadway
Variable	Value
Major-road speed, mph:	55
Major-road volume (one direction), veh/h:	303
Right-turn volume, veh/h:	70

OUTPUT

Variable	Value
Limiting right-turn volume, veh/h:	23
Guidance for determining the need for a major-road right-turn bay for a 2-lane roadway:	
Add right-turn bay.	

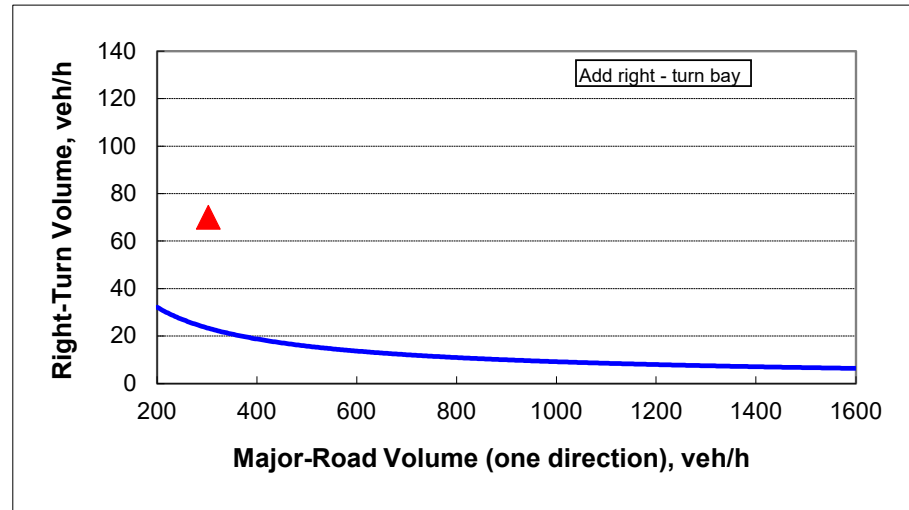


Figure 2 - 5. Guideline for determining the need for a major-road left-turn bay at a two-way stop-controlled intersection.

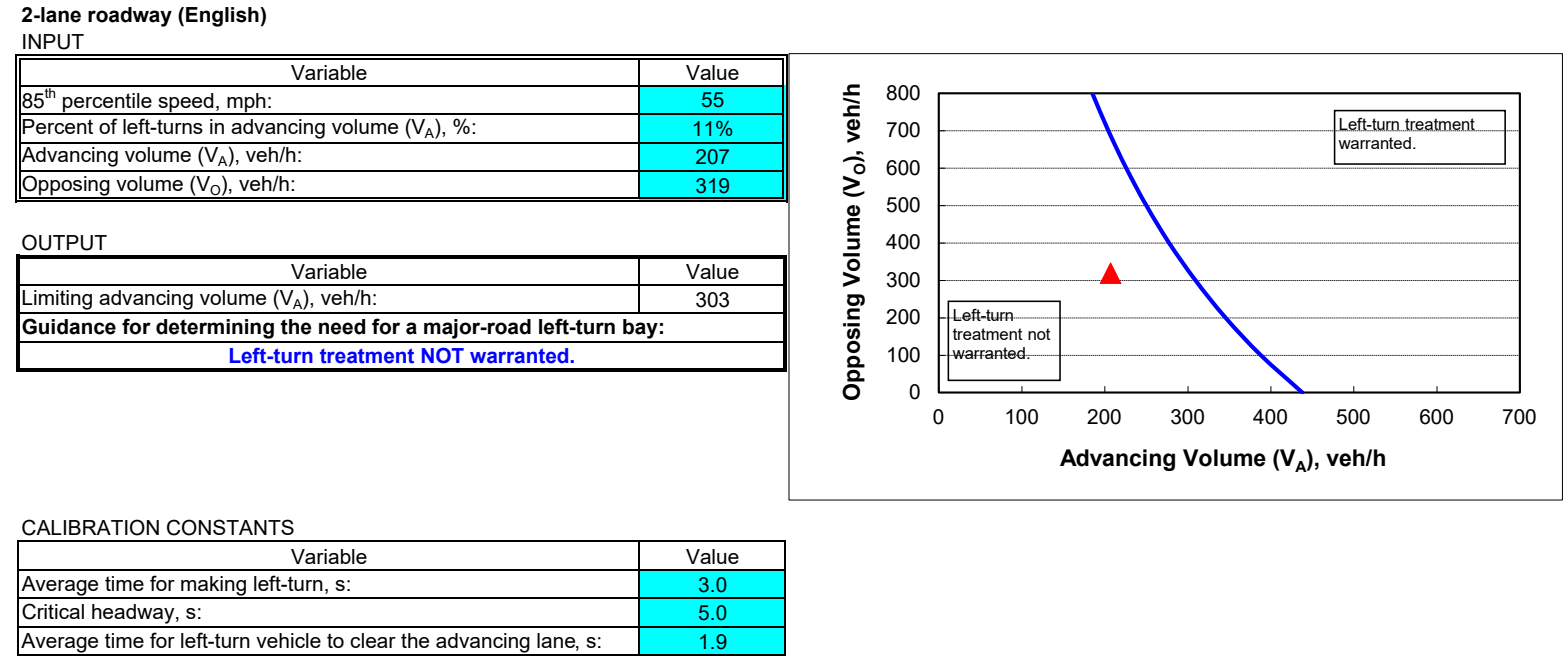
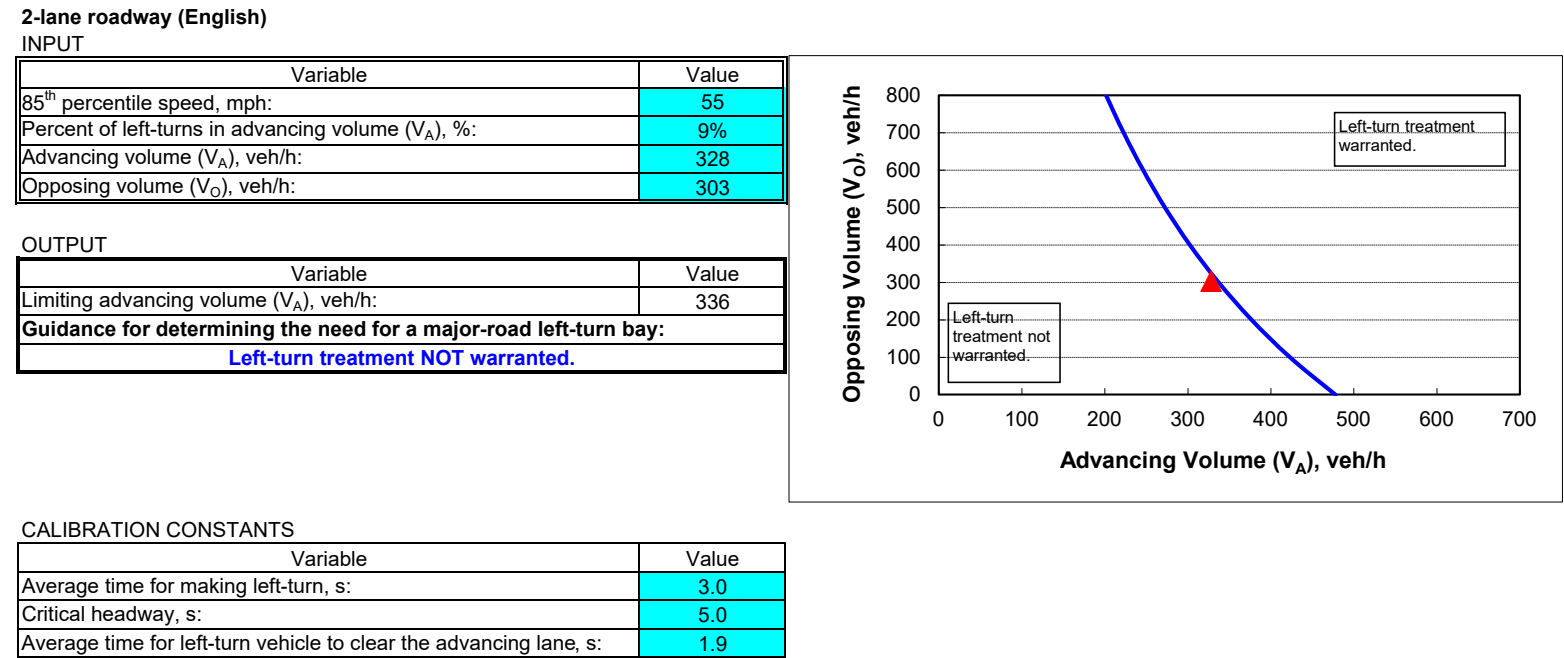


Figure 2 - 5. Guideline for determining the need for a major-road left-turn bay at a two-way stop-controlled intersection.



DrwyB_Kacher_2023 FWP AM

Figure 2 - 4. Guideline for determining minor-road approach geometry at two-way stop-controlled intersections.**INPUT**

Variable	Value
Major-road volume (total of both directions), veh/h:	804
Percentage of right-turns on minor road, %:	100%
Minor-road volume (one direction), veh/h:	34

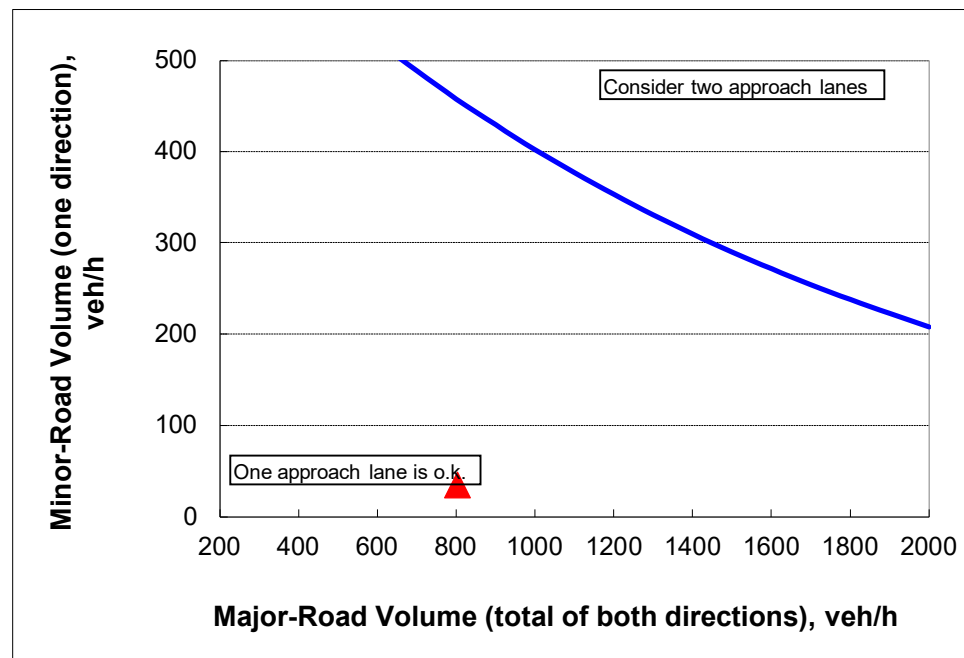
OUTPUT

Variable	Value
Limiting minor-road volume (one direction), veh/h:	457
Guidance for determining minor-road approach geometry:	
ONE approach lane is o.k.	

CALIBRATION CONSTANTS

Minor Road	Critical gap, s:	Follow-up gap, s:
Right-turn capacity, veh/h:	6.2	3.3
Left-turn and through capacity veh/h:	6.5	4.0

* according to Table 17 - 5 of the HCM



DrwyB_Karcher_2023 FWP PM

Figure 2 - 4. Guideline for determining minor-road approach geometry at two-way stop-controlled intersections.**INPUT**

Variable	Value
Major-road volume (total of both directions), veh/h:	1010
Percentage of right-turns on minor road, %:	100%
Minor-road volume (one direction), veh/h:	47

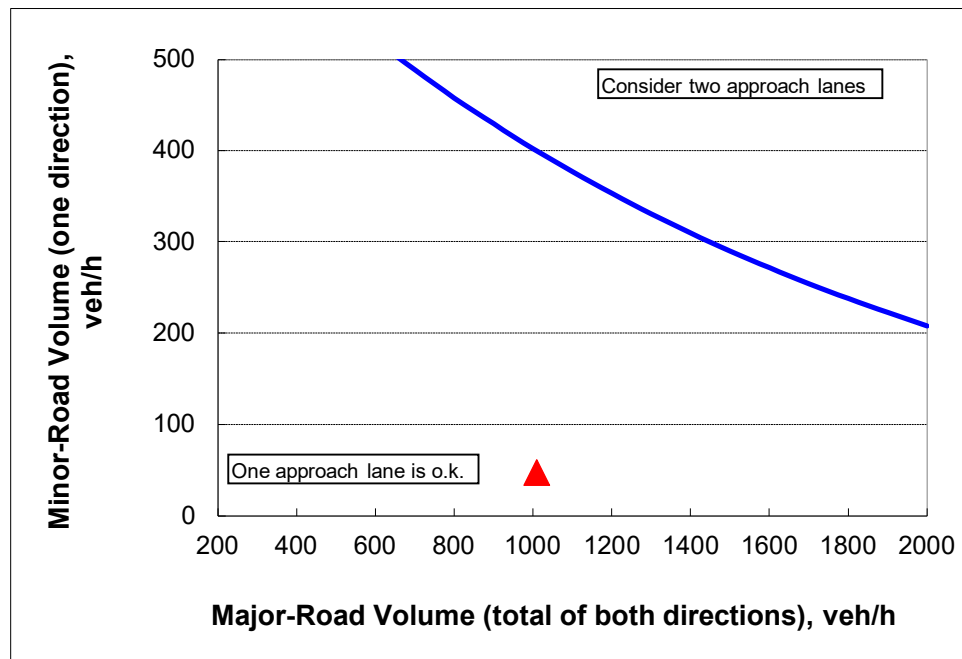
OUTPUT

Variable	Value
Limiting minor-road volume (one direction), veh/h:	400
Guidance for determining minor-road approach geometry:	
ONE approach lane is o.k.	

CALIBRATION CONSTANTS

Minor Road	Critical gap, s:	Follow-up gap, s:
Right-turn capacity, veh/h:	6.2	3.3
Left-turn and through capacity veh/h:	6.5	4.0

* according to Table 17 - 5 of the HCM



DrwyA_Farmway_2023 FWP AM

Figure 2 - 4. Guideline for determining minor-road approach geometry at two-way stop-controlled intersections.**INPUT**

Variable	Value
Major-road volume (total of both directions), veh/h:	525
Percentage of right-turns on minor road, %:	29%
Minor-road volume (one direction), veh/h:	90

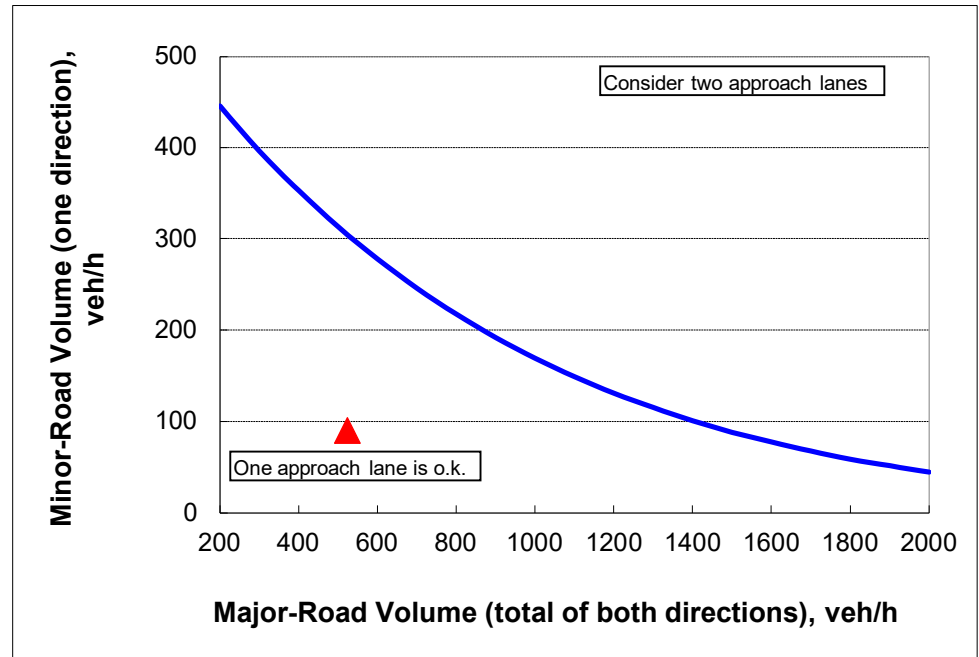
OUTPUT

Variable	Value
Limiting minor-road volume (one direction), veh/h:	304
Guidance for determining minor-road approach geometry:	
ONE approach lane is o.k.	

CALIBRATION CONSTANTS

Minor Road	Critical gap, s:	Follow-up gap, s:
Right-turn capacity, veh/h:	6.2	3.3
Left-turn and through capacity veh/h:	6.5	4.0

* according to Table 17 - 5 of the HCM



DrwyA_Farmway_2023 FWP PM

Figure 2 - 4. Guideline for determining minor-road approach geometry at two-way stop-controlled intersections.**INPUT**

Variable	Value
Major-road volume (total of both directions), veh/h:	630
Percentage of right-turns on minor road, %:	27%
Minor-road volume (one direction), veh/h:	96

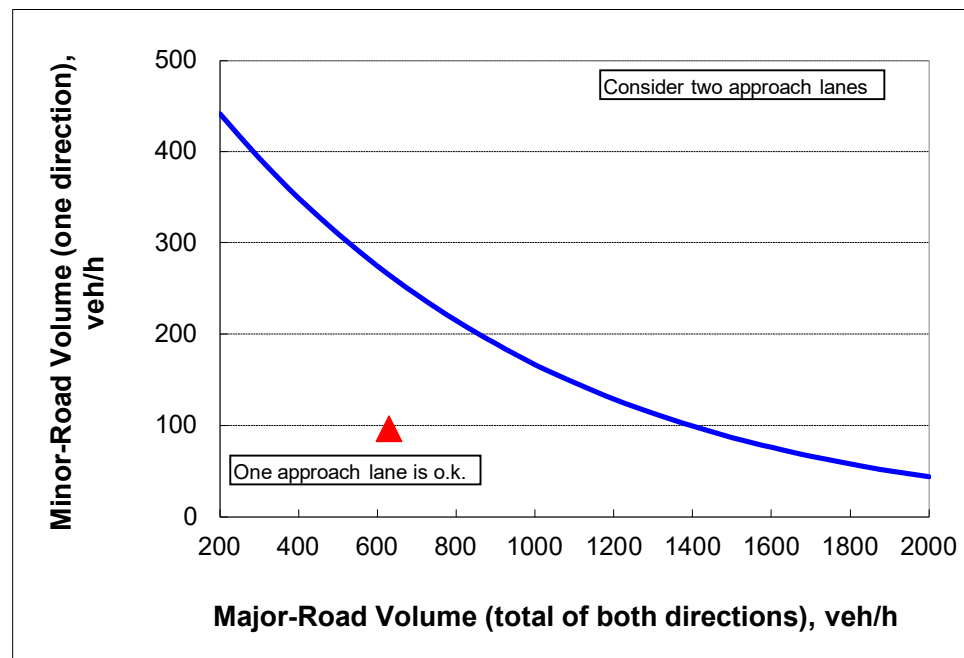
OUTPUT

Variable	Value
Limiting minor-road volume (one direction), veh/h:	265
Guidance for determining minor-road approach geometry:	
ONE approach lane is o.k.	

CALIBRATION CONSTANTS

Minor Road	Critical gap, s:	Follow-up gap, s:
Right-turn capacity, veh/h:	6.2	3.3
Left-turn and through capacity veh/h:	6.5	4.0

* according to Table 17 - 5 of the HCM



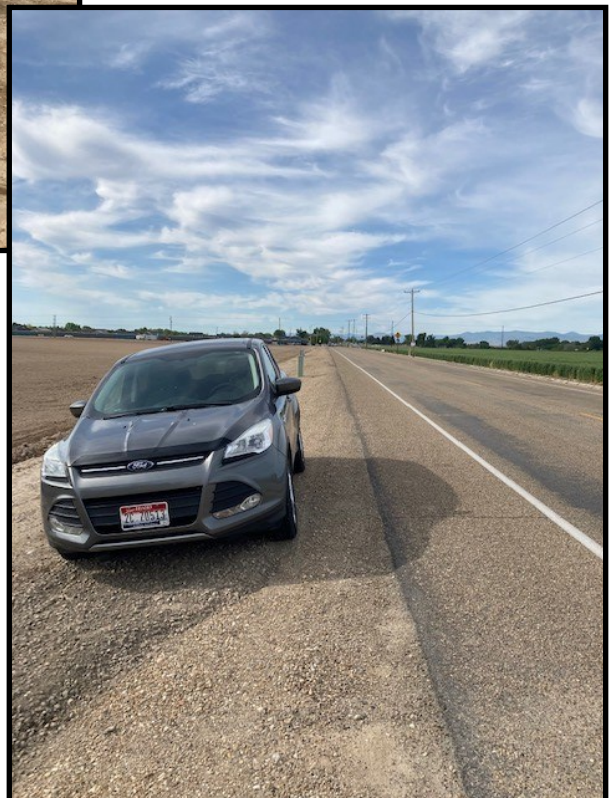


Highway 55 and Farmway Rd.
facing east



Highway 55 and Farmway Rd.
facing south east

Looking east down Farmway
Rd.





Looking North down Highway
55



Looking over site toward
Farmway Rd.



Looking over site toward
Highway 55



Looking over site toward the
north



Looking over site toward the
east



Looking over site toward the
north west



Planning and Zoning Commission - Staff Report **Obendorf – RZ2022-0007**

Development Services Department

Findings of Fact, Conclusions of Law, and Order Conditional Rezone – RZ2022-0007

Findings of Fact

1. The applicants, Gregory & Ann Obendorf, represented by Curtis Crystal, are requesting a conditional rezone of a 12.6-acre portion of parcel R32686 from an “A” (Agricultural) zone to a “CR-C-2” (Conditional Rezone - Service Commercial) zone. The request includes a development agreement (Attachment A). The 40.4-acre property is located on the northeast corner of Farmway Road and Karcher Road, Caldwell; also referenced as a portion of the SW¼ of Section 09, Township 3N, Range 3W; BM; Canyon County, Idaho.
2. The subject property is designated as “Commercial” in the Future Land Use plan within the 2020 Canyon County Comprehensive Plan.
3. The subject property is located within the Caldwell Area of City Impact.
4. The subject property is located within the Canyon Highway District #4, Caldwell Rural Fire District, Valley View School District and the Boise Project Board of Control Irrigation District.
5. A neighborhood meeting was conducted on April 5, 2021 in accordance with CCZO Section 07-01-15.
6. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Affected agencies were noticed on April 26, 2022. Newspaper notice was published on June 29, 2022. Property owners within 600’ were notified by mail on July 1, 2022. Full political notice was provided on April 26, 2022. The property was posted on July 11, 2022.
7. The record includes all testimony, the staff report, exhibits, and documents in Case File RZ2022-0007.

Conclusions of Law

For this request, the Planning and Zoning Commission finds and concludes the following regarding the Standards of Review for a Conditional Rezone (CCZO §07-06-07(6)):

A. Is the proposed conditional rezone generally consistent with the comprehensive plan?

Conclusion: The proposed conditional rezone is not consistent with the comprehensive plan.

Finding: Although the subject parcel is designated at “commercial” in the Future Land use map within the Canyon County Comprehensive Plan, the request is not in general compliance with the following goals, policies and implementation actions of the 2020 Canyon County Comprehensive Plan:

- Economic Policy No. 1: “Canyon County should encourage the continued use of agricultural lands, land uses, and recognize the economic benefits they provide to the County.”
- Economic Policy No. 7: “Canyon County should identify areas of the county suitable for commercial, industrial and residential development. New development should be located in close proximity to existing infrastructure and areas where agricultural uses are not diminished.”
- Agricultural Policy #1: “Preserve agricultural lands and zoning classifications.”

- Agricultural Policy #3: “Protect agricultural operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial or industrial development.”
- Natural Resources Policy #3: “Protect agricultural activities from land use conflicts or undue inference created by existing or proposed residential, commercial or industrial development.”

B. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?

Conclusion: The proposed zone change is not more appropriate than the current zone.

Finding: The subject parcel is actively farmed and located to the west, east and north east to other large agricultural properties. The property consists of 40 acres of moderately-suited soils which is considered prime farmland if irrigated. The Planning and Zoning Commission finds that the request is premature and should wait until Caldwell city services are available to support the commercial development and the widening of SH-55 is completed. The City of Caldwell also requests the future commercial development be supported by city services (City of Caldwell letter dated May 3, 2022).

C. Is the proposed conditional rezone compatible with surrounding land uses?

Conclusion: The proposed use is compatible with the surrounding land uses.

Finding: Directly across Highway 55, on parcel R32900216, is a mini-storage facility that operates under a conditional use permit, this parcel is zoned “C-1” (Neighborhood Commercial). To the south west of the subject parcel are several parcels that are zoned “CR-C-2” (Conditional Rezone-Service Commercial) and “CR-C-1” (Conditional Rezone-Neighborhood Commercial) and “C-1” (Neighborhood Commercial).

D. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?

Conclusion: As conditioned by the development agreement, the proposed use will not negatively affect the character of the area.

Finding: The Canyon County Comprehensive Plan 2020 Future Land Use Map designates the subject property as commercial. The request is located within the Caldwell Area of City Impact and the land use is designated as Highway Corridor the purpose of which is to “identify key areas along a highway corridor that are highly visible and transitional in nature. This category includes land that is suitable for a blend of highway oriented commercial uses, business parks, limited light industrial, educational, office and high density residential”

As conditioned by the development agreement (Attachment A), the rezone only impacts 12.6 acre of a 40-acre parcels, retaining approximately 27 acres in agricultural uses. The agreement restricts the development to the first two phases which requires conditions regarding traffic improvements and reviews and complying with City of Caldwell requirements. The result allows commercial uses within the designated area incrementally with conditions that address traffic, services and operational concerns.

E. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed conditional rezone?

Conclusion: Adequate sewer, drainage, and storm water retention facilities and utility systems will be provided to accommodate the proposed use at the time of development.

Finding: The following adequate facilities can be provided and demonstrated at the time of development:

- Wells/Septic Systems: The property is located within the Caldwell Area of City Impact. City services are not available to the subject parcel at this time. Therefore, the gas station with convenience store and seasonal farmer's market will be required to meet IDWR, DEQ and SWDH requirements.
- Irrigation and Drainage: The property is located within the Boise Project Board of Control Irrigation District and has a valid water right. Future development will be required to provide irrigation water to all landscaping and retain stormwater on-site.

F. Does legal access to the subject property for the conditional rezone exist or will it exist at the time of development?

Conclusion: Legal access to the property does exist.

Finding: Legal access will be granted via a single point driveway on Farmway Road and another single point driveway on Highway 55.

G. Does the proposed conditional rezone require road improvements to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?

Conclusion: The rezone of the subject property will require improvements to prevent undue interference with existing or future traffic patterns as proposed.

Finding: The applicant commissioned a Traffic Impact Study (TIS) by TO Engineers which was completed in November, 2021. The proposed development is expected to generate a total of 1,770 net-new daily trips. Based upon the analysis contained within the TIS the following recommendations were provided:

- Access: Access to the property shall be located a minimum of 660' from the intersection of Karcher Road and Farmway Road.
- Farmway Road at Driveway A: Per standards outlined in the *ITD Traffic Manual* a northbound right-turn lane should be constructed concurrently with Driveway A which will provide full access with no turning restrictions.
- State Highway 55 at Driveway B: Per standards outlined in the *ITD Traffic Manual* a westbound turn lane should be constructed concurrently with Driveway B which will provide right-in, right-out access only.

Canyon Highway District #4 commented on the request and TIS. The comment letter does not oppose the request subject to conditions of approval which include a final traffic study addressing the full buildout, improvements to Farmway frontage per Transportation Impacts and Frontage Improvements section of the TIS, Driveway approach location, connection plan directly across from Drake Lane, and dedication. The letter is included as a condition of the development agreement.

Upon review of the staff report and considering all testimony at the August 4, 2022, the Planning and Zoning Commission finds the TIS does not address the cumulative impacts to traffic in the area. No comments were received from ITD (Idaho Transportation Department) regarding their review of the TIS. The request is found to be premature and impacts would be better addressed after SH-55 widening.

H. Will the proposed conditional rezone impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

Conclusion: Essential services will be provided to accommodate the use. No mitigation is proposed at this time.

Finding: Staff has not found that the proposed use will require additional public funding to meet the needs created by the requested use and police, fire, and emergency medical services will be provided to the property. As a condition of the development agreement, City of Caldwell requires the development to comply with applicable Caldwell Fire Department requirements and standards. All affected essential services were notified on April 26, 2022. No comments were received.

Conclusions of Law - Area of City Impact

The property is within the Caldwell Area of City Impact. The city designates the area as "Highway Corridor".

Pursuant to Canyon County Code §09-01-21 – Zoning Ordinance Amendment Proposals within the Caldwell Area of City Impact Agreement, a notice was provided to the City of Caldwell on April 26, 2022. A comment letter was received from the City of Caldwell identifying the request is consistent with their comprehensive plan subject to the following:

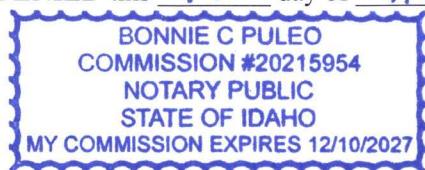
- Development meets applicable regulations within Caldwell's Landscaping Ordinance;
- Development connect to city services (water and sewer); and
- Development meet Caldwell Fire comments and conditions.

As conditioned by the development agreement (Attachment A), the request shall comply with Caldwell's landscaping requirements and Fire District Conditions. The agreement requires the developer to connect to city services prior to Phase 3. The applicant shall work with the City of Caldwell on a pre-annexation/services connection deferral agreement.

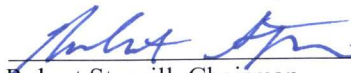
Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **recommends denial** of Case #RZ2022-0007, a conditional rezone of parcel R32686 from an "A" zone (Agricultural) to an "CR-C-2" zone (Conditional Rezone – Service Commercial).

DENIED this 18 day of August, 2022.



PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO


Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

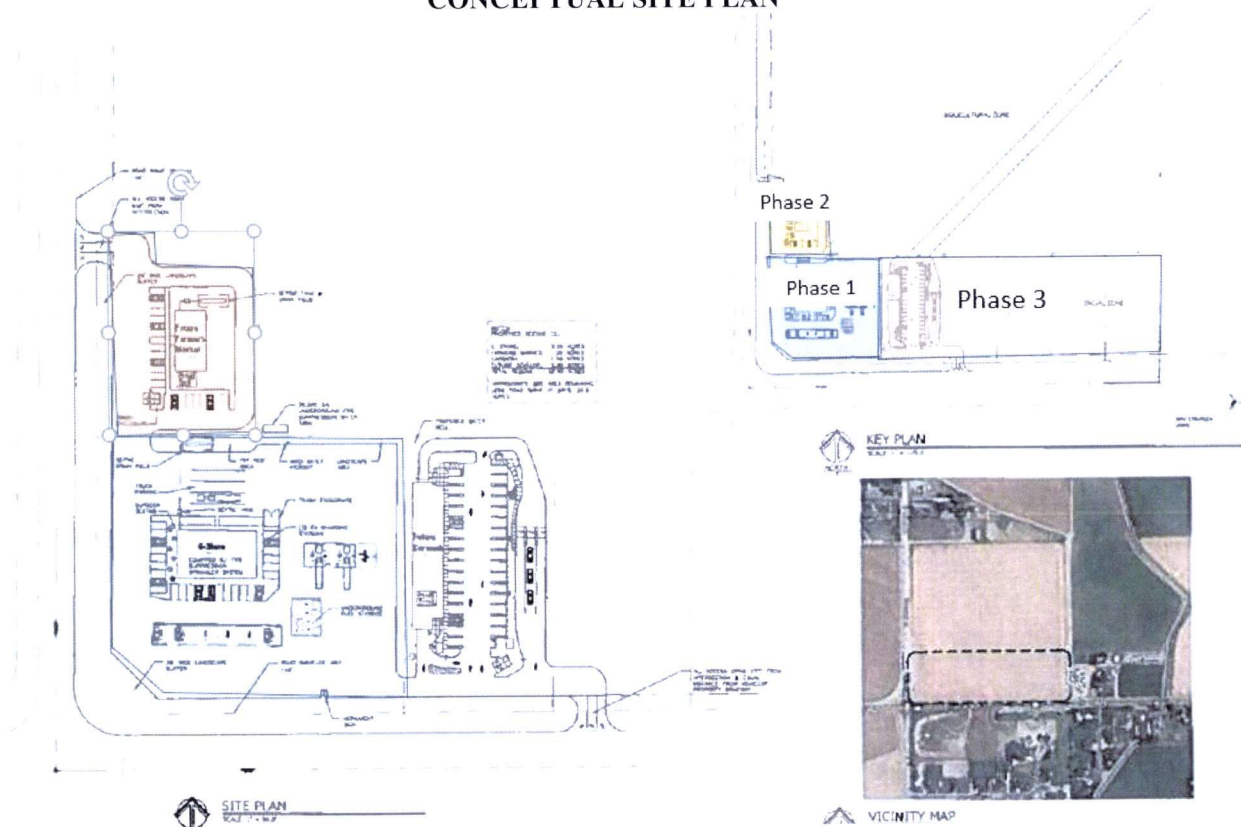
On this 18th day of August, in the year 2022, before me Bonnie Puleo, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she) executed the same.

Notary: Bonnie C. Puleo
My Commission Expires: 12/10/2027

ATTACHMENT A
DRAFT CONDITIONS OF APPROVAL

1. Development shall only occur within the 12.6 acres shown in the conceptual site plan (Attachment B) on Parcel R32686 zoned "CR-C-2". The remaining acreage shall remain zoned "A" (Agricultural).
2. Prior to commencement of use, development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations and is subject to the following restrictions:
 - a. The development shall be phased in substantial compliance with the conceptual site plan (Attachment B) as follows:
 - i. Phase one shall consist of a fueling station to include 12 passenger vehicle pumps and 4 diesel pumps for commercial vehicles and, a 6,000 sq. foot convenience store with second floor caretaker residence.
 - ii. Phase two shall consist of a 3,000 square foot farmers market and is to include a paved parking lot.
 - iii. Phase three, consisting of a 7,000 square foot carwash and commercial development, shall not occur until such time as Caldwell has extended public utilities to the site.
 - b. The development shall comply with the following City of Caldwell requirements:
 - i. Development shall comply with City Landscaping Ordinance;
 - ii. The development shall comply with applicable Caldwell Fire Department requirements and standards as stated in Caldwell's letter dated May 3, 2022 (Exhibit 5a of the staff report); and
 - iii. A pre-annexation agreement/city services deferral agreement shall be completed by the development and the City of Caldwell.
 - c. A Final Traffic Study is required and is subject to review and acceptance by Canyon Highway District 4, City of Caldwell – Engineering and Idaho Transportation Department. All improvements of the study shall be complied with unless other alternative measures are identified by the above agencies. Development shall comply with the following:
 - i. Requirements and conditions stated in the Canyon Highway District #4 letter dated July 14, 2022 (Exhibit 5c) of the staff report.
3. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezones for a land-use shall commence within two (2) years of the approval of the board."

ATTACHMENT B CONCEPTUAL SITE PLAN





CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, August 4, 2022
6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

Commissioners Present : Robert Sturgill, Chairman
 Patrick Williamson, Vice Chairman
 Brian Sheets, Commissioner
 Ron Amarel, Commissioner
 Miguel Villafana, Commissioner

Staff Members Present: Dan Lister, Planning Official
 Elizabeth Allen, Planner
 Bonnie Puleo, Recording Secretary

Chairman Robert Sturgill, called the meeting to order at 6:30 p.m.

Commissioner Sheets, read the testimony guidelines and proceeded to the business item on the agenda.

Chairman Sturgill asked if there were any changes to the agenda. Planner Elizabeth Allen said the applicant for case number SD2021-0034, Lago Vista Estates Subdivision, had requested to table their item until a date certain of October 20, 2022 to allow their attorney, Borton-Lakey Law, time to review the staff report and staff's recommendation of denial and termination of the development agreement. Planner Elizabeth Allen described the timeline in which they received the staff report and what the denial/termination of the development agreement entails.

MOTION: No motion to table the item. Case number SD2021-0034 will be heard on the night's agenda.

- **Case No. RZ2022-0007/Greg & Ann Obendorf:** The applicant, Curtis Crystal, representing Gregory & Ann Obendorf, is requesting a zoning map amendment (rezone) of a 12.6-acre portion of parcel R32686 from an "A" (Agricultural) zone to a "C-2" (Service Commercial) zone. The 40.4-acre property is located on the northeast corner of Farmway Road and Karcher Road, Caldwell; also referenced as a portion of the SW¼ of Section 09, Township 3N, Range 3W; BM; Canyon County, Idaho.

Planner Dan Lister, reviewed the Staff report for the record including late exhibits.

Chairman Robert Sturgill entered the late exhibits into the record and affirmed the witnesses to testify.

Testimony:

Curtis Crystal – Applicant (Representative) – IN FAVOR – 2301 Parkside Dr. Boise ID

Mr. Crystal agrees with staff's report and the conditions of approval. In answer to a Commissioner's question, he doesn't know what they are going to do with the remaining 10-plus acre water rights

associated with the property. He said he assumed they will use it for the remaining farmland. He also said for the indefinite future, the rest of the land will be used for farmland. They have plans for the petroleum-based storage tanks and have worked with Southwest District Health for plans on the fuel containment. It is a very strenuous, regulated process. Southwest District Health deferred a lot of that to the Department of Environmental Quality who was concerned about location of the water well in relation to the septic system. They would look at the food service portion when they apply for their building permit. The tanks in the ground are double-lined tanks with sensors active all the time and they will be checked monthly with additional annual tests. Mr. Crystal discussed the filters, drains and secondary containment chamber that would be put in place and which would be emptied periodically. The applicants, the Obendorfs, are farmers and they thought this (rezone) would be a good opportunity. Mr. Crystal said Southwest District Health had no concerns about the proximity of this development to Lake Lowell.

Patrick Colwell – IN FAVOR – 323 Broadmore Way Nampa ID 83677

Mr. Colwell said that Southwest District Health accepted their proposed septic system (in concept) and the Department of Environmental Quality accepted the well design and issued a permit. He said they have submitted traffic impact studies which were approved by Idaho Department of Transportation and Canyon Highway District #4. Access permits have been submitted and conceptually approved by the two agencies also. The access will be designed per Canyon Highway District #4 requirements and their plan meets all the requirements of the Highway 55 access plan. He said Idaho Department of Transportation has the ultimate authority on access and can put any requirements on the project they think are necessary. All stormwater would be retained on site. He said the remaining water rights will probably be retained by the owners as they have thousands of acres of agricultural ground in the valley and they will probably find a place to use them. He said the access point of the property is outside the widening plan of Highway 55.

John Kernkamp – IN OPPOSITION – 15635 Riverside Rd. Caldwell ID

Mr. Kernkamp lives about a ¼ of a mile south from the intersection of Karcher and Riverside. He said a gas station and convenience store is already there; it's off Karcher Road so people using it aren't trying to get on and off Karcher Road. It doesn't have the same impact on the ambience of Karcher Road because it is off the road. He said having a new station right on the road is the beginning of urban sprawl. The intersection of Karcher and Farmway is already very busy because long haul semi's try to take a short cut from Simplot to the highway. There is a huge amount of semi (truck) traffic on that road already. He has lived there ten years and now, semi's use their engine brakes at all hours of the night and he can't sleep with his windows open during summer because of it. He is amazed at the number of additional car trips quoted. It is one vehicle trip per minute, and it will really impact the quality of life in that area and not in a good way. He felt there was a lot of undefined possibilities for the use of this property.

Cheyne Weston – IN OPPOSITION – 16316 Orchard Ave. Caldwell ID 83607

Mr. Weston said long ago, these meeting used to start off with a public needs statement saying why the project is needed. He said there is a problem when you don't state the need for a gas station like this. There are already lots of gas stations around. He doesn't see where there is a need to begin with and most of the people who use this will be non-local. Mr. Weston said he is concerned about Caldwell's Dark Sky ordinance. Truck stops are generally well lit and the lights will obliterate the view of Bogus Basin. That disrupts the quality of life for him and his neighbors. He also has groundwater concerns. Lake Lowell is only a half mile away and any breach in the tanks will send adverse water conditions to the Lake. He is on the Board of Caldwell Parks and he said they want sidewalks along that stretch. He wants them to use city sewer or water; he thinks all phases should use city sewer and water when you come out this far. He feels this project is premature until Idaho Department of Transportation's project gets done.

Andrew Haumesser – IN OPPOSITION – 15981 Lunar Way Caldwell ID 83607

Mr. Haumesser lives less than half a mile south from this intersection. He wanted to talk about the need or the lack thereof for this project. He asked how convenient do convenience stores really need to be? They already have one 7/10's of a mile from this intersection with four more going into Caldwell. He said we need this like a hole in the head, especially when there is going to be one across the road on the other corner. He was a certified, professional geologist and part of his job was to remove buried fuel tanks. Mr. Haumesser said 75% of the tanks he removed were leaking and it was the plumbing going up to the pumps that leaked, not the tank itself. This project location is on the aquifer with several thousands of people using it for drinking water. It affects every irrigation well in the area and could affect Lake Lowell with pollution. He felt if they approve this project, one of the conditions should be the hours of operation: what is to prevent them from going to 24 hour-a-day operations in the future? That should be a restriction. He said they should be connected to city services and pointed out the letter from the City of Caldwell states the new development should be connected to city services such as sewer and water. He said no one has discussed how many gallons of fuel will be stored here.

Mike Gann – IN OPPOSITION – 15951 Malt Road Caldwell ID 83607

Mr. Gann lives on the corner of Malt Road and Highway 55. The prior testimony has expressed his concerns on traffic, traffic safety, environmental impacts, groundwater.

Deborah Haumesser – IN OPPOSITION – 15981 Lunar Way Caldwell ID 83607

Ms. Haumesser was part of the opposition to the development on adjacent land known as Karcher Farms. She believes they should have to do a traffic impact study and it needs to be done during peak hours: the photos presented are not the way traffic looks during peak hours. Prior to the Karcher Farms development approval, she counted 167 vehicles coming past her back patio in one hour. Because of the noise from the semi-trucks and double dump trucks, she can't sit on her patio anymore and have conversations. Ms. Haumesser said they wear earplugs at night to sleep because, beginning at 5:00 am in the morning, the traffic is very loud. They never have their windows open any more. It is a quality of life issue: they moved out to the area because of the cows and farmland. To have two adjacent fuel stations on those two corners; this is going to add another 1770 vehicle to that intersection each day. That is not good for their quality of life. She loves the blue sky and the fresh air. She said her home is no longer a quiet place in the county.

Curtis Crystal – Applicant (Representative) – REBUTTAL – 2301 Parkside Dr. Boise ID

Mr. Crystal said with regards to lighting, they are always conscious of making sure down lighting is a high priority. There will be improvements on Farmway with sidewalks, landscaping and pathways put in at the appropriate time. The intent of a convenience store is to provide food, products and services within walking distance of local neighborhoods. He has been out to the property a couple of times. He agrees with the owners of the property that there is a need there. He said they will be storing about 40,000 gallons of fuel and would agree to a permanent limit on the hours of operation.

MOTION: Commissioner Sheets moved to close public testimony on Case RZ2022-0007 seconded by Commissioner Amarel. Voice vote, motion carried.

DELIBERATION:

Commissioner Villafana questioned the number of one-way trips; would that be adding that number of trips or is that the amount traffic that flows through that area now? Staff was unable to answer. Commissioner Villafana said he hates to see the loss of farmland but he has seen tractors working up to the edge of Highway 55 and he thinks that is dangerous because traffic moves so fast. He thinks there is a need for a gas station because every time he drives down Karcher, all the gas stations are full. He

thinks the farmer's market is a nice idea. He is torn because he hates to see the loss of farmland but he but he thinks they do have a good plan. There is going to be a larger population in the area because of a development that is coming close to this parcel. He reiterated that he feels it is a good plan. Commissioner Sheets thinks this is a facility that is best suited within the city and cities are better equipped to handle these types of things. In that case, they would be using city services and applying city landscaping and lighting ordinances. He feels this development is better handled in a city jurisdiction rather than a county jurisdiction. He also said the Idaho Transportation Department information is critical to this: not having any information about what they think about it (is a concern). You can do a farmer's market on agricultural land; it's an allowed use. He doesn't think this intensive use is appropriate and he won't be able to support it. Commissioner Williamson said if city services were there it would make more sense to him. Sidewalks next to Highway 55 is an incredibly dangerous idea because of how fast the cars are moving. There are a lot of trucks on Farmway also and Idaho Transportation Department doesn't seem to be aware of that. He believes cities would handle this type of project better. He would feel better if they were bringing city services down to the property. Commissioner Williamson also believes this will cause a cascade of development although having two gas stations across from each other would be good because it will create competition and lower gas prices. As it stands right now, he is in favor of a farmer's market but the other two portions, he can't support. Commissioner Amarel said the 1770 trips are because it is a convenience store. He believes this is a better fit for a city environment.

MOTION: Commissioner Sheets moved to deny Case RZ2022-0007 including revising the Findings of Facts, Conclusions of Law and conditions of approval and bring them back to the next hearing, forwarding the recommendation to the Board of Canyon County Commissioners. Motion seconded by Commissioner Williamson. Roll call vote 3 in favor, 2 opposed, motion passed.

- **Case No. ZV2022-0004/RLM Investments:** Ryan Myhre, representing RLM Investments I, LLC, is requesting a Variance of 4.4 feet and 16.9 feet to the front setback requirement of 30 feet within an "A" (Agricultural) Zoning District. The subject property is located at 10586 Lake Shore Dr, Nampa (R29612), also referenced as a portion of the NW ¼ of Section 17, Township 2N, Range 2W; BM; Canyon County, Idaho.

Planner Dan Lister reviewed the Staff report for the record.

Chairman Robert Sturgill affirmed the witnesses to testify.

Testimony:

Ryan Myhre – Applicant (Representative) – IN FAVOR – 301 E. Bower St., Meridian ID 83642

Mr. Myhre is the owner of the property and reviewed the background of the case. He was in contact with a County Planner before he bought the property: he was told he could move one lot to encompass the current manufactured home and he would have an additional administrative split, giving him access to three lots. When he submitted all the information, he was told no, he would need a private drive because there are more than two lots. He had already spent \$25,000 to build a foundation to put the mobile home on but then found out he couldn't do it (the split). He is asking for a variance so he can get to that third lot. He was going to sell the front two lots and keep the back (third) lot to build on for himself. He showed where his lot would be on the map. He said he can't keep any of the lots now because his holding costs have been so high (since January). Per the Highway District, it has to be accessed by the driveway and he can't build an access between his property and the neighbors. There was discussion about the distances

between the two existing homes, the new, proposed driveway length and the surveying the applicant has done in preparation for splitting the lot.

MOTION: Commissioner Williamson moved to close public testimony on Case ZV2022-0004 seconded by Commissioner Sheets. Voice vote, motion carried.

DELIBERATION:

Commissioner Sheets knows where the applicant is coming from; landlocked parcels have issues when it comes to access and frontage roads. He agrees that it is a hardship.

MOTION: Commissioner Sheets moved to approve Case ZV2022-0004 including the Findings of Facts, Conclusions of Law and conditions of approval and order. Motion seconded by Commissioner Williamson. Roll call vote: 5 in favor, 0 opposed, motion passed.

- **Case No. SD2021-0034/Lago Vista Estates Subdivision:** The applicant, Mason and Associates, INC., representing IMH Boise Heritage LLC, is requesting approval of a preliminary plat (with drainage, grading, hillside, and irrigation plan) for Lago Vista Estates Subdivision which proposes 101 residential lots, and seven common lots. The two properties are zoned "CR-R-R" (Conditional Rezone – Rural Residential). The properties (R30072013 & R30072011) totaling approximately 206.93-acres is located southeast of the Locust Lane and Pump Road intersection; also referenced as a portion of the NE and SW ¼ of Section 11, T2N, R3W, Canyon County, Idaho.

Planner Elizabeth Allen, reviewed the Staff report for the record including late exhibits.

Chairman Robert Sturgill entered the late exhibits into the record and affirmed the witnesses to testify.

Testimony:

Darren Mann – Applicant (Representative) – IN FAVOR – 868 E. Riverside Dr. #200, Eagle ID 83616

Mr. Mann is the principle for IMH Companies in Idaho. He is requesting a continuance for this project based on the information contained in their attorney's letter submitted to the Commission. They only received knowledge of the staff report on Friday and that gave them only three days to review it. They would appreciate the time so they can address the concerns of the Commission and the neighbors. They are not interested in making trouble. They consider themselves a friendly builder and are not in the business of entitling land. Mr. Mann said they came to the project with a development agreement and took it on because it was what they like to build. It is a beautiful area. They plan on building beautiful estate homes and increasing the value of the neighbors' properties. He said they also have concerns when it comes to the water: they have hired a company to do all the work to alleviate those anxieties. There will be no sewer treatment. Brown water will be maintained on that one lot and each property will have holding tanks for the solids. They will be pumped out annually by the HOA and be taken off site. He said they are in the process of doing their research on the water (issues). It is a bit troubling that it has been 400 days since they have submitted: they are not sure why staff accepted their submittal if they were looking at getting rid of the development agreement. Mr. Mann said they don't understand why staff didn't bring this up when they met on February 7th. They have spent hundreds of thousands of dollars putting this project together with consultants, architects and engineers. They are able to perform all the requests that are required for traffic and water and are asking for a continuance until the second meeting in October so they can address everyone's concerns, including the neighbors. They are not here to fight; they are good neighbors and a good builder and are here to enhance the communities in which they do

business. Mr. Mann said they hired HDR Incorporated and they are getting ready to drill test wells. They should have all that completed before the second meeting in October. He said they would like to talk to the owner of the apple orchard property next to them as their orchard well is on the property line and they may be able to get some well data from them. He explained the two lots for the sewer are leach fields for gray water only. Each lot will have its own tank for solids and those will be pumped out annually or as needed. It will be small high pressure lines which will pump the gray water into the fields. The system is almost completely designed. He said they haven't had any conversations with Upper Deer Flat Fire District but they are planning on having a fire suppression system on site and fire sprinklers in every home. He could not answer whether that information was contained on the preliminary plat. He reiterated they are doing fire hydrants and sprinklers in the homes. The community well will be for the 99 homes and the irrigation of lots. They are still in the process of designing the water system. He said it will be at least a two well system and there are two well lots on the plat right now. They will do another traffic study; they were not told when they first started this project that they needed to do a new traffic study. They will address Fire Department response time in their report in October.

Karryn Davlin – IN OPPOSITION – 9586 Pump Rd., Nampa ID 83686

Ms. Davlin doesn't mind progress but she is very concerned about the well system. She said we have had droughts for several years and this is the first time she has owned a home on a well system. Everyone needs water and she wants to be sure there is water for everyone. Wells are going dry in their area. She said the homes they are building are not little homes; they are family homes and they use lots of water. She asked where is it going to come from? Can it sustain that (all the homes)? If they don't have water, they aren't going to be able to live there anymore. She hopes they all see that and how important water is for them and their livestock.

Claudia Haynes – IN OPPOSITION – 8830 Deer Sky Ranch Trail Nampa ID 83686

Ms. Haynes lives within a half a mile of the proposed subdivision. She has lived there 20 years and was at the original hearing for the subdivision. They never submitted the plat drawing. Their attorney said the Nampa city impact area would come around Lake Lowell within a short period of time, but it has been 14 – 16 years and that hasn't happened. In that period of time, there has been a lot of development and people moving into the area. She has copies of bills totaling over half a million dollars from people who have had to drop their wells, drill new wells or put in new motors and electronics because the aquifer is dropping. She has provided this evidence over the past few years, submitted in writing to both the Planning and Zoning Commission and Board of County Commissioners from the head hydrologist from the State of Idaho. She said this application started a long time ago; it's great they are talking about new traffic studies. Ms. Haynes said whatever has to be done to finish his project, it looks like they are traveling down the right road. She talked to the Upper Deer Flat Fire Marshal directly; he said they don't have the facilities to support (fire service for) this property but he said they could apply to Marsing Fire. She provided documents showing the rest of her concerns and has given them documentation including articles in the newspaper showing conflicting information about water. She spent \$30,000 last October to drill down 20 feet: the next bill will be \$50,000. She also provided a copy of a bill from her neighbor that showed he just drilled a new well in May 2022 which cost \$50,000 and the reason was because he was out of water. She said we are not making this up or trying to stack what this applicant is trying to do. We would like to give him until October and let him do his studies. He can come back and do his presentation and they will come back and do a presentation also.

Kim Yanecko – IN OPPOSITION – 13038 Skyview Street Nampa ID 83686

Ms. Yanecko said she was there representing a group of 160 people in Canyon County. She read a letter from the group that discussed their concerns about residential development and the lack of regard for water resources, public safety and property rights protections. They cited the short amount of time that

the staff report was made available for review and response. Ms. Yanecko discussed the water resources in the area: she pointed out that the Taylor Jene plat was denied by the Board of County Commissioners because of water and even though the applicant has asked the Board to hear the project again, they expect it to be denied. She said just because Idaho Department of Water Resources granted the water right doesn't guarantee water will be available 365 days a year to the new homeowners, much less the existing homeowners. Ms. Yanecko talked about a 2020 statement from a Canyon County planner who noted that "South Canyon area has been identified by Boise River Basin feasibility study in this area as having water supply issues." She also discussed the lack of monitoring of wells during the irrigation season. She said their answer is if a well goes dry, turn off their pumps for hours or days and wait for the aquifer to recharge. The land is currently using for grazing and no irrigation is currently used. Ms. Yanecko said the newest residential well is 800+ feet west of this proposed subdivision. She said a community well is not the answer either. Her community wells (they have two) are stressed with 33 homes. The lot size of this proposal is also lower than the average 2 acre lot size. She said the school district needs to plan for 38,000 new students in grades K – 8. They have asked to stop growth as there are not enough resources, especially if the bond doesn't pass. There will be more traffic on rural roads: West Lewis Lane is classified as a rural road, minor arterial. She said with 101 new homes, that would be 960 additional trips on the roadway. Ms. Yanecko said with the County's liability insurance being cancelled in October 2022 and the possibility of the County having to be self-insured, if there are problems with the lack of water, will the liability rest with the developer even if the County approved the development? There should have been an annual review of this agreement. 13 – 16 years doesn't constitute "time is of the essence" and she said allowing the development to continue could place the liability burden back on the County. She said this proposal should be required to comply with any new laws. The County should have a hearing and reverse the zoning decision, reverting it back to agricultural land, with a new application for a new zoning request for any development. She stated Idaho code 67-65-09 gives the County the ability to terminate this agreement and rezone it back to agricultural land.

Beverly Cavazos – IN OPPOSITION – 10140 Vista Del Lago Lane Nampa ID 83686

Ms. Cavazos lives about a half mile down the road from this new development. They had a meeting with Idaho Department of Water Resources at a local park by Sky Ranch and the Idaho Department of Water Resources explained to them with graphs and projections about water and aquifer levels. The Department of Water Resources showed them a presentation which showed the aquifer has so many wells on it right now, it periodically goes dry. It takes two to four days for the aquifer to replenish the water level with the number of people on it right now. She said that means for two days, they can't do anything: wash clothes, take showers, etc. She wonders with another 101 homes, how long they will be without water now? They are trying to get the Commission to understand that every time they approve even one home build, it makes it even worse for the aquifer. She can't imagine what it is going to be like with another 101 homes. They do not have the water to sustain these homes. She suggested the Commission request Idaho Department of Water Resources come and make a presentation to them. Developers twist the situation and claim there is going to be water. She said there will always be water but there is a possibility of a long period of time when there will be no water in these homes. People need to know this. The developers have been able to twist the figures and seem like there is plenty of water and there isn't.

Terry Mahoney – IN OPPOSITION – 13996 Lewis Lane Nampa ID 83686

Mr. Mahoney lives directly west of the property, in the middle of the apple orchard. His opposition is primarily the same as everyone else. He just drilled an 800 foot well two years ago. His big concern is what does he do when he has problems? How far down can he go? They were having trouble when they were drilling his agriculture-style well because they already knew there were problems and the driller was beginning to think they weren't going to find water. He said he may not have the opportunity to drill deeper. Mr. Mahoney's neighbors have also had problems. He showed the original well and other wells

that have had problems and spoke about the history of problems when drilling wells. He said having a development of this density in a rural area doesn't make sense. Not only is there aerial spraying but there is also 24 hour a day spraying with big jet propelled sprayers in the orchard itself. He said people are going to be surprised when they move in there.

Darren Mann – Applicant (Representative) – REBUTTAL – 868 E. Riverside Dr. #200, Eagle ID 83616

In response to questions from the Commission, Mr. Mann stated there are some surface water rights. He did not know if residents of the development would be allowed to use wells for irrigation water. Mr. Mann said he believes all the homes will be outside the 100 foot exclusion zone for aerial spraying. He also said there would be disclosures to the new residents about aerial spraying. There was discussion about the assessment of the risk of building homes with no water. Mr. Mann said they believe they have hired the best water consultant in the Treasure Valley to ascertain what they can and can't do. They were told when they began the project, there was 'substantial water' and multiple layers of aquifers to pull from and it would not endanger others. He said they are now in the test well phase. If there is not enough water, they would be foolish to move forward with 100 homes. They will need to start drilling test wells in the next three weeks.

MOTION: Commissioner Williamson moved to close public testimony on Case SD2021-0034 seconded by Commissioner Amarel. Voice vote, motion carried.

DELIBERATION: Commissioner Williamson said he was leaning towards voting for a continuation considering the applicant is willing to research the issues. While they can't complete a traffic study by the October hearing date, he would like a traffic impact study and to get additional information from the two Fire Districts. Commissioner Sheets said he comes from the school of thought that the Commission should evaluate the application that is in front of them. He said how many public hearings do we need to have on this? There is another step and that is going in front of the Board of County Commissioners. He hasn't seen any additional evidence to change his mind from agreeing with staff's recommendation. Commissioner Amarel said he was looking at the amount of information the Commission has had to review on the project and what the public has had to go through. He felt Mr. Mann seemed sincere; if he is doing the test wells, we could learn something from that. He said let's give him a chance to prove himself. Commissioner Williamson said that one of the parties in opposition also said that the applicant should be given the continuance. Commissioner Villafana said he is with Commissioner Sheets. He said there is no guarantee if they do a continuance that the applicant would have any of the information the Commission is asking for. He is in favor of making the decision based on what they have in front of them now. They will have the opportunity to address any questions brought up tonight with the Board of County Commissioners.

MOTION: Commissioner Williamson moved to continue Case SD2021-0034 until October 20, 2022 as requested by the applicant. Motion seconded by Commissioner Amarel. Roll call vote: 3 in favor, 2 opposed, motion passed.

APPROVAL OF MINUTES:

MOTION: Commissioner Sheets moved to approve the minutes from 7/7/2022, seconded by Commissioner Villafana. Voice vote motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Planner Elizabeth Allen discussed the County losing their liability insurance which means if there is a lawsuit, the County would need to defend itself. Planner Elizabeth Allen discussed the 2030

Comprehensive Plan hearing, scheduled from 5 pm to 10 pm and the public comments she has received. The presentation will be concise; the event will livestream on YouTube. There was discussion about the Commissioners providing short summaries on what was discussed during the public testimony portion of the Comprehensive Plan Hearing. Commissioner Amarel asked about having public entities providing information to the Commission on various topics, including traffic, water, fire and school capacity. Planner Elizabeth Allen said it was her plan to have some of the aforementioned agencies provide presentations to the Commission quarterly. She also felt that it would be helpful to have staff reports published more than one week in advance and is working on changing that timeframe.

ADJOURNMENT:

MOTION: Commissioner Williamson moved to adjourn, seconded by Commissioner Sheets. Voice vote motion carried. Hearing adjourned at 9:59 pm.

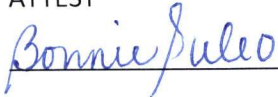
An audio recording is on file in the Development Services Departments' office.

Approved this 1st day of September, 2022.



Robert Sturgill, Chairman

ATTEST



Bonnie Puleo, Recording Secretary



Planning and Zoning Commission - Staff Report

Obendorf – RZ2022-0007

Development Services Department

Findings of Fact, Conclusions of Law, and Order

Conditional Rezone – RZ2022-0007

Findings of Fact

1. The applicants, Gregory & Ann Obendorf, represented by Curtis Crystal, are requesting a conditional rezone of a 12.6-acre portion of parcel R32686 from an “A” (Agricultural) zone to a “CR-C-2” (Conditional Rezone - Service Commercial) zone. The request includes a development agreement (Attachment A). The 40.4-acre property is located on the northeast corner of Farmway Road and Karcher Road, Caldwell; also referenced as a portion of the SW¼ of Section 09, Township 3N, Range 3W; BM; Canyon County, Idaho.
2. The subject property is designated as “Commercial” in the Future Land Use plan within the 2020 Canyon County Comprehensive Plan.
3. The subject property is located within the Caldwell Area of City Impact.
4. The subject property is located within the Canyon Highway District #4, Caldwell Rural Fire District, Valley View School District and the Boise Project Board of Control Irrigation District.
5. A neighborhood meeting was conducted on April 5, 2021 in accordance with CCZO Section 07-01-15.
6. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Affected agencies were noticed on April 26, 2022. Newspaper notice was published on June 29, 2022. Property owners within 600’ were notified by mail on July 1, 2022. Full political notice was provided on April 26, 2022. The property was posted on July 11, 2022.
7. The record includes all testimony, the staff report, exhibits, and documents in Case File RZ2022-0007.

Conclusions of Law

For this request, the Planning and Zoning Commission finds and concludes the following regarding the Standards of Review for a Conditional Rezone (CCZO §07-06-07(6)):

A. Is the proposed conditional rezone generally consistent with the comprehensive plan?

Conclusion: The proposed conditional rezone is consistent with the comprehensive plan.

Finding: The request is in general compliance with the following goals, policies and implementation actions of the 2020 Canyon County Comprehensive Plan:

- Property Rights Policy No. 1: “No person shall be deprived of private property without due process of law.”
- Property Rights Policy No. 8: “Promote orderly development that benefits the public good and protects the individual with a minimum of conflict.”
- Population Goal No. 2: “To encourage economic expansion and population growth throughout the county plus increase economic diversity for continued enhancement of our quality of life to meet citizen needs.”
- Population Goal No. 3: “To guide future growth in order to enhance the quality and character of the county while providing and improving the amenities and services available to Canyon County residents.”
- Economic Development Goal No. 3: “Create new jobs that are sustainable and lasting.”

- Economic Development Goal No. 4: *“Provide an economically viable environment that builds and maintains a diverse base of business.”*
- Economic Development Policy No. 6: *“Encourage commercial and residential development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County.”*
- Economic Development Policy No. 12: *“Establish appropriate industrial and commercial zones to further increase business and economic development in various areas of Canyon County.”*
- Land Use Goal No. 1: *“To encourage growth and development in an orderly fashion, minimize adverse impacts on differing land uses, public health, safety, infrastructure and services.”*
- Land Use Goal No. 4: *“To encourage development in those areas of the county which provide the most favorable conditions for future community services.”*
- Land Use Policy No. 1: *“Review all residential, commercial and industrial development proposals to determine the land use compatibility and impact to surrounding areas.”*
- Land Use Implementation Action: *“Encourage commercial areas, zones or uses that are contiguous to existing county or city commercial areas, zones or uses but recognizing additional areas or zones, beyond those already existing, may be desirable and that some mixed uses are compatible.”*
- Land Use Policy No. 3: *“Encourage the establishment of new development to be located within the boundaries of a rural fire protection district.”*

B. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?

Conclusion: The proposed zone change is more appropriate than the current zone.

Finding: While the subject parcel and the majority of parcels in the immediate area still zoned “A” agricultural it is an area that is currently transitioning to residential and commercial uses. There are twenty-eight (28) platted subdivisions in the immediate vicinity that would benefit from the proposed rezone and development. The subject parcel is located at the corner of two major arterial road ways at a signalized intersection which allows for adequate traffic control. It is also located within the Area of City Impact for the city of Caldwell which designates it as “Highway Corridor” on their land use map making the proposed use of a convenience store, fueling station, farmers market and car wash very appropriate and compatible.

C. Is the proposed conditional rezone compatible with surrounding land uses?

Conclusion: The proposed use is compatible with the surrounding land uses.

Finding: Directly across Highway 55, on parcel R32900216 is a mini-storage facility that operates under a conditional use permit, this parcel is zoned “C-1” (Neighborhood Commercial). To the south west of the subject parcel are several parcels that are zoned “CR-C-2” (Conditional Rezone-Service Commercial) and “CR-C-1” (Conditional Rezone-Neighborhood Commercial) and “C-1” (Neighborhood Commercial).

D. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?

Conclusion: As conditioned by the development agreement, the proposed use will not negatively affect the character of the area.

Finding: The Canyon County Comprehensive Plan 2020 Future Land Use Map designates the subject property as commercial. The request is located within the Caldwell Area of City Impact and the land use is designated as Highway Corridor the purpose of which is to “identify key areas along a highway corridor that are highly visible and transitional in nature. This category includes land that is suitable for a blend of highway oriented commercial uses, business parks, limited light industrial, educational, office and high density residential”

As conditioned by the development agreement (Attachment A), the rezone only impacts 12.6 acre of a 40-acre parcels, retaining approximately 27 acres in agricultural uses. The agreement restricts the development to the first two phases which requires conditions regarding traffic improvements and reviews and complying with City of Caldwell requirements. The result allows commercial uses within the designated area incrementally with conditions that address traffic, services and operational concerns.

E. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed conditional rezone?

Conclusion: Adequate sewer, drainage, and storm water retention facilities and utility systems will be provided to accommodate the proposed use at the time of development.

Finding: The following adequate facilities can be provided and demonstrated at the time of development:

- Wells/Septic Systems: The property is located within the Caldwell Area of City Impact. City services are not available to the subject parcel at this time. Therefore, the gas station with convenience store and seasonal farmer’s market will be required to meet IDWR, DEQ and SWDH requirements.
- Irrigation and Drainage: The property is located within the Boise Project Board of Control Irrigation District and has a valid water right. Future development will be required to provide irrigation water to all landscaping and retain stormwater on-site.

F. Does legal access to the subject property for the conditional rezone exist or will it exist at the time of development?

Conclusion: Legal access to the property does exist.

Finding: Legal access will be granted via a single point driveway on Farmway Road and another single point driveway on Highway 55.

G. Does the proposed conditional rezone require road improvements to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?

Conclusion: The rezone of the subject property will require improvements to prevent undue interference with existing or future traffic patterns as proposed.

Finding: The applicant commissioned a Traffic Impact Study (TIS) by TO Engineers which was completed in November, 2021. The proposed development is expected to generate a total

of 1,770 net-new daily trips. Based upon the analysis contained within the TIS the following recommendations were provided:

- Access: Access to the property shall be located a minimum of 660' from the intersection of Karcher Road and Farmway Road.
- Farmway Road at Driveway A: Per standards outlined in the *ITD Traffic Manual* a northbound right-turn lane should be constructed concurrently with Driveway A which will provide full access with no turning restrictions.
- State Highway 55 at Driveway B: Per standards outlined in the *ITD Traffic Manual* a westbound turn lane should be constructed concurrently with Driveway B which will provide right-in, right-out access only.

Canyon Highway District #4 commented on the request and TIS. The comment letter does not oppose the request subject to conditions of approval which include a final traffic study addressing the full buildout, improvements to Farmway frontage per Transportation Impacts and Frontage Improvements section of the TIS, Driveway approach location, connection plan directly across from Drake Lane, and dedication. The letter is included as a condition of the development agreement.

H. Will the proposed conditional rezone impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

Conclusion: Essential services will be provided to accommodate the use. No mitigation is proposed at this time.

Finding: Staff has not found that the proposed use will require additional public funding to meet the needs created by the requested use and police, fire, and emergency medical services will be provided to the property. As a condition of the development agreement, City of Caldwell requires the development to comply with applicable Caldwell Fire Department requirements and standards. All affected essential services were notified on April 26, 2022. No comments were received.

Conclusions of Law - Area of City Impact

The property is within the Caldwell Area of City Impact. The city designates the area as "Highway Corridor".

Pursuant to Canyon County Code §09-01-21 – Zoning Ordinance Amendment Proposals within the Caldwell Area of City Impact Agreement, a notice was provided to the City of Caldwell on April 26, 2022. A comment letter was received from the City of Caldwell identifying the request is consistent with their comprehensive plan subject to the following:

- Development meets applicable regulations within Caldwell's Landscaping Ordinance;
- Development connect to city services (water and sewer); and
- Development meet Caldwell Fire comments and conditions.

As conditioned by the development agreement (Attachment A), the request shall comply with Caldwell's landscaping requirements and Fire District Conditions. The agreement requires the developer to connect to city services prior to Phase 3. The applicant shall work with the City of Caldwell on a pre-annexation/services connection deferral agreement.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **recommends approval** of Case #RZ2022-0007, a conditional rezone of parcel R32686 from an "A" zone (Agricultural) to an "CR-C-2" zone (Conditional Rezone – Service Commercial).

APPROVED this _____ day of _____, 2022.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this _____ day of _____, in the year 2022, before me _____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he(she) executed the same.

Notary: _____

My Commission Expires: _____

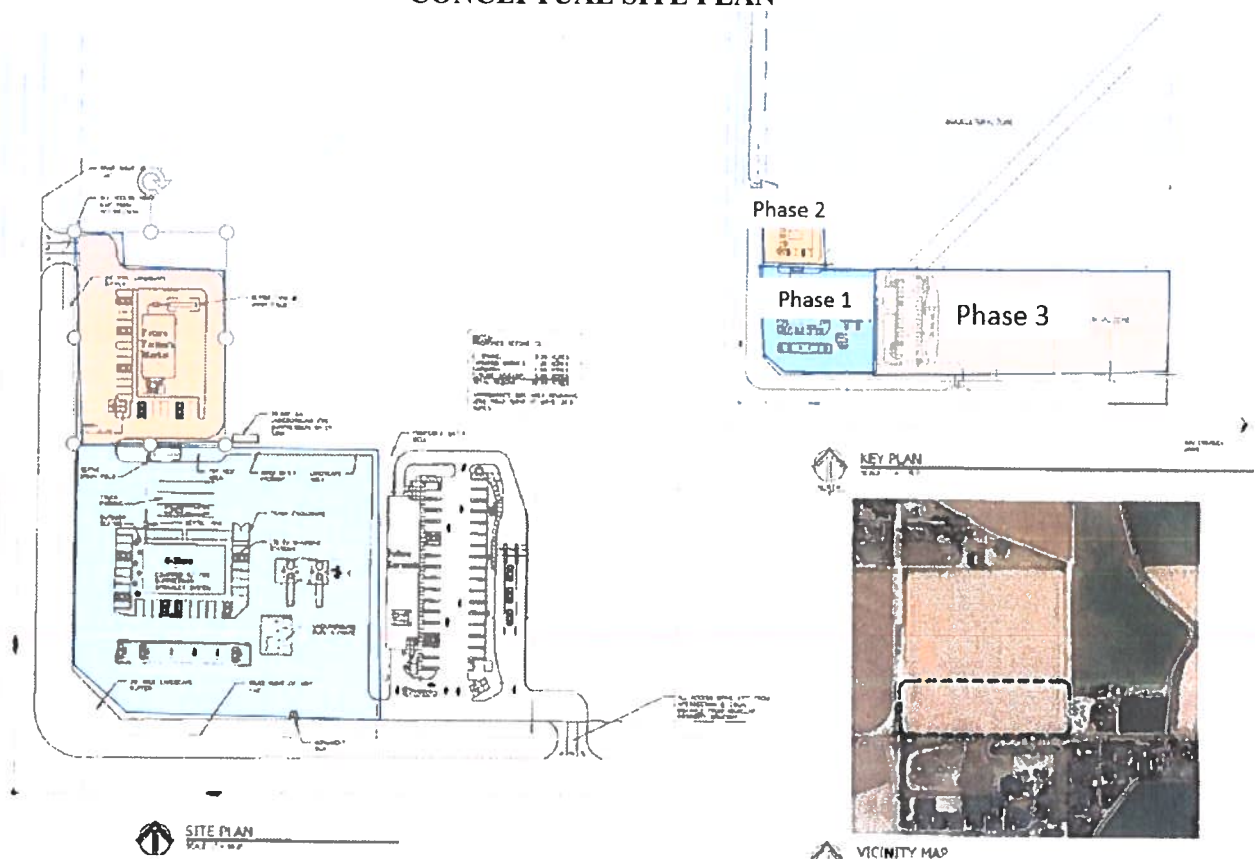
ATTACHMENT A

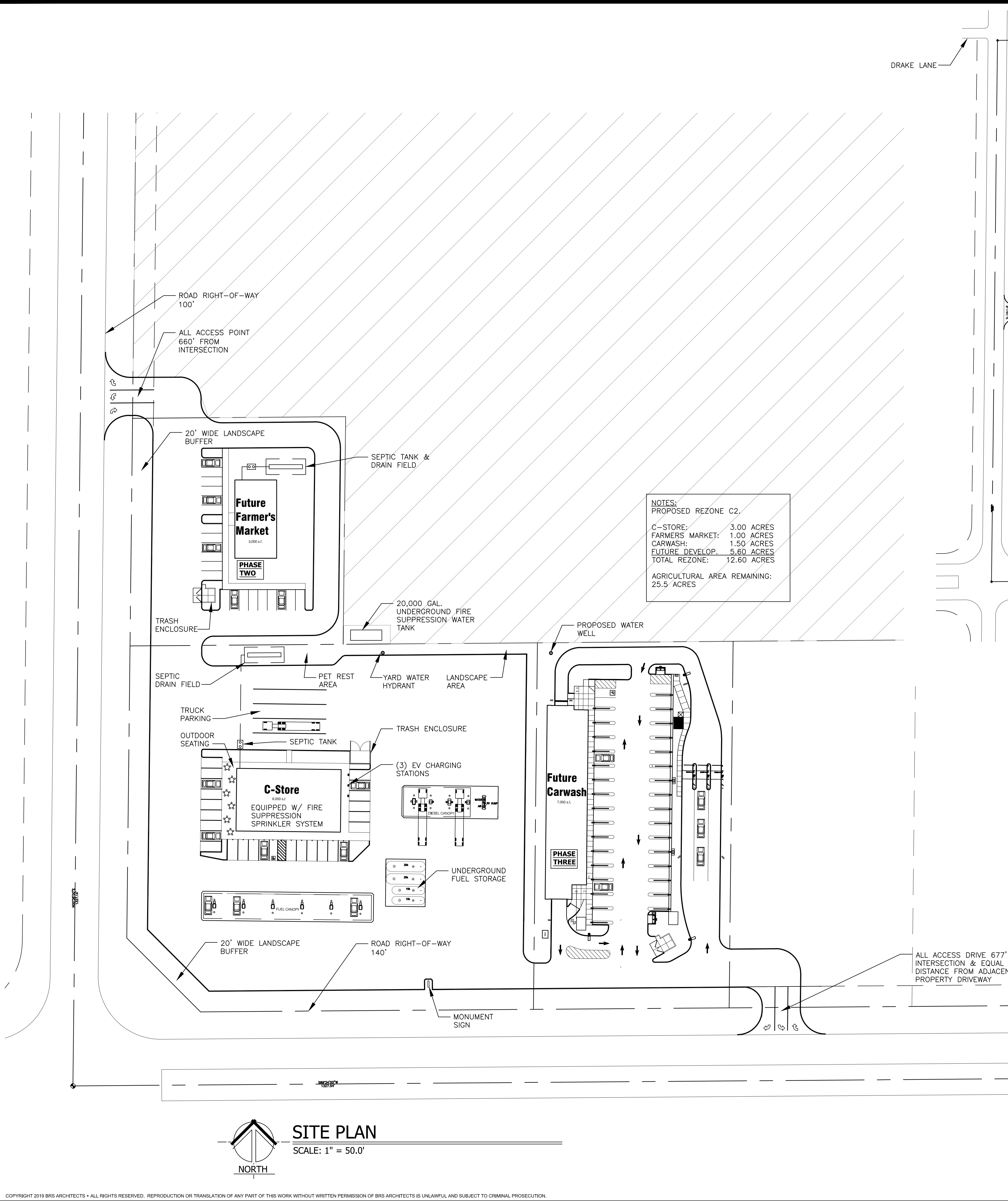
DRAFT CONDITIONS OF APPROVAL

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the property.
2. Development shall only occur within the 12.6 acres shown in the conceptual site plan (Attachment B) on Parcel R32686 zoned "CR-C-2". The remaining acreage shall remain zoned "A" (Agricultural).
3. Prior to commencement of use, development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations and is subject to the following restrictions:
 - a. The development shall be phased in substantial compliance with the conceptual site plan (Attachment B) as follows:
 - i. Phase one shall consist of a fueling station to include 12 passenger vehicle pumps and 4 diesel pumps for commercial vehicles and, a 6,000 sq. foot convenience store with second floor caretaker residence.
 - ii. Phase two shall consist of a 3,000 square foot farmers market and is to include a paved parking lot.
 - iii. Phase three, consisting of a 7,000 square foot carwash and commercial development, shall not occur until such time as Caldwell has extended public utilities to the site.
 - b. The development shall comply with the following City of Caldwell requirements:
 - i. Development shall comply with City Landscaping Ordinance;
 - ii. The development shall comply with applicable Caldwell Fire Department requirements and standards as stated in Caldwell's letter dated May 3, 2022 (Exhibit 5a of the staff report); and

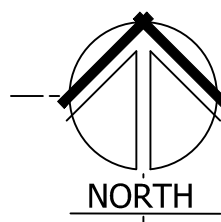
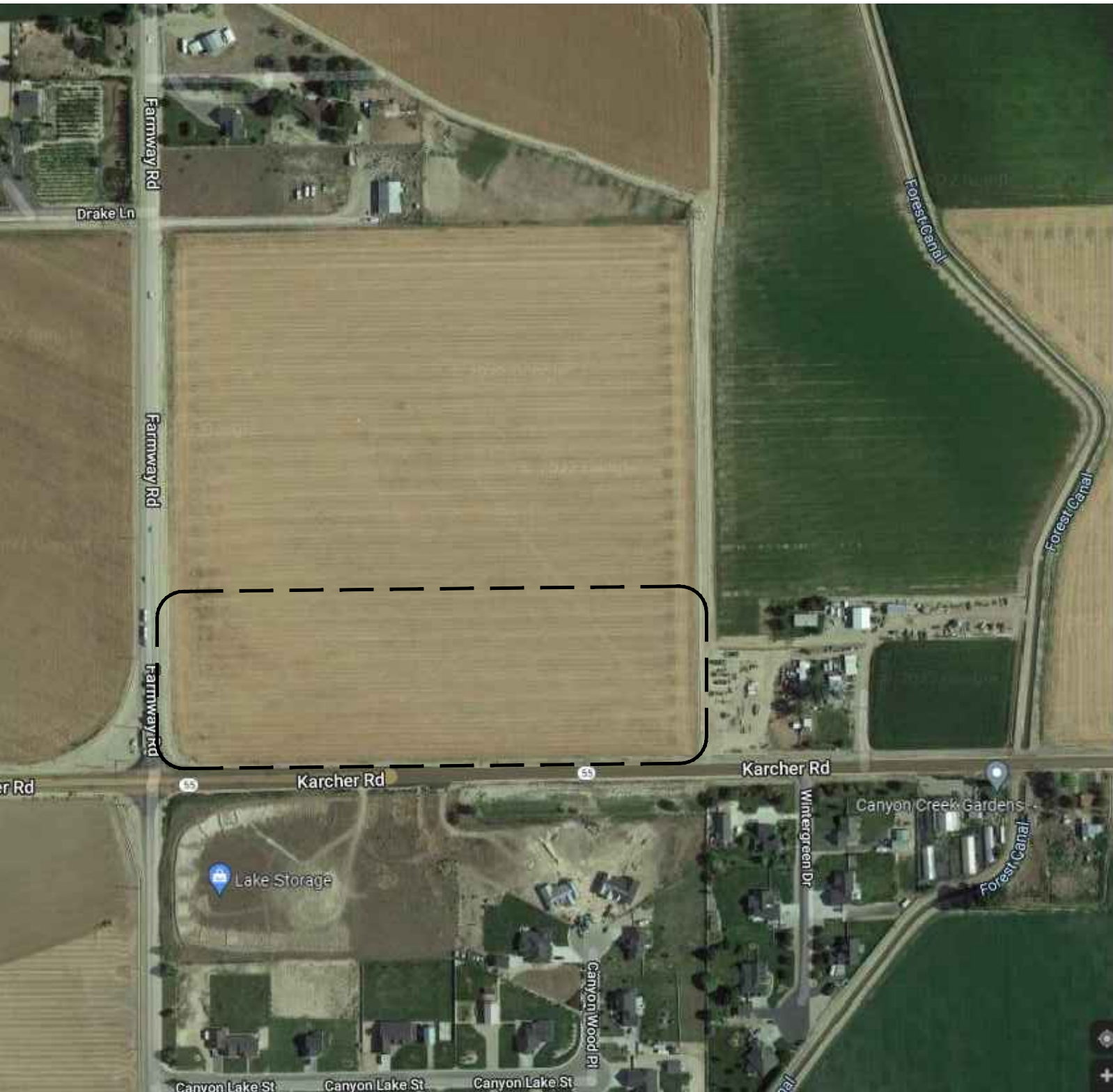
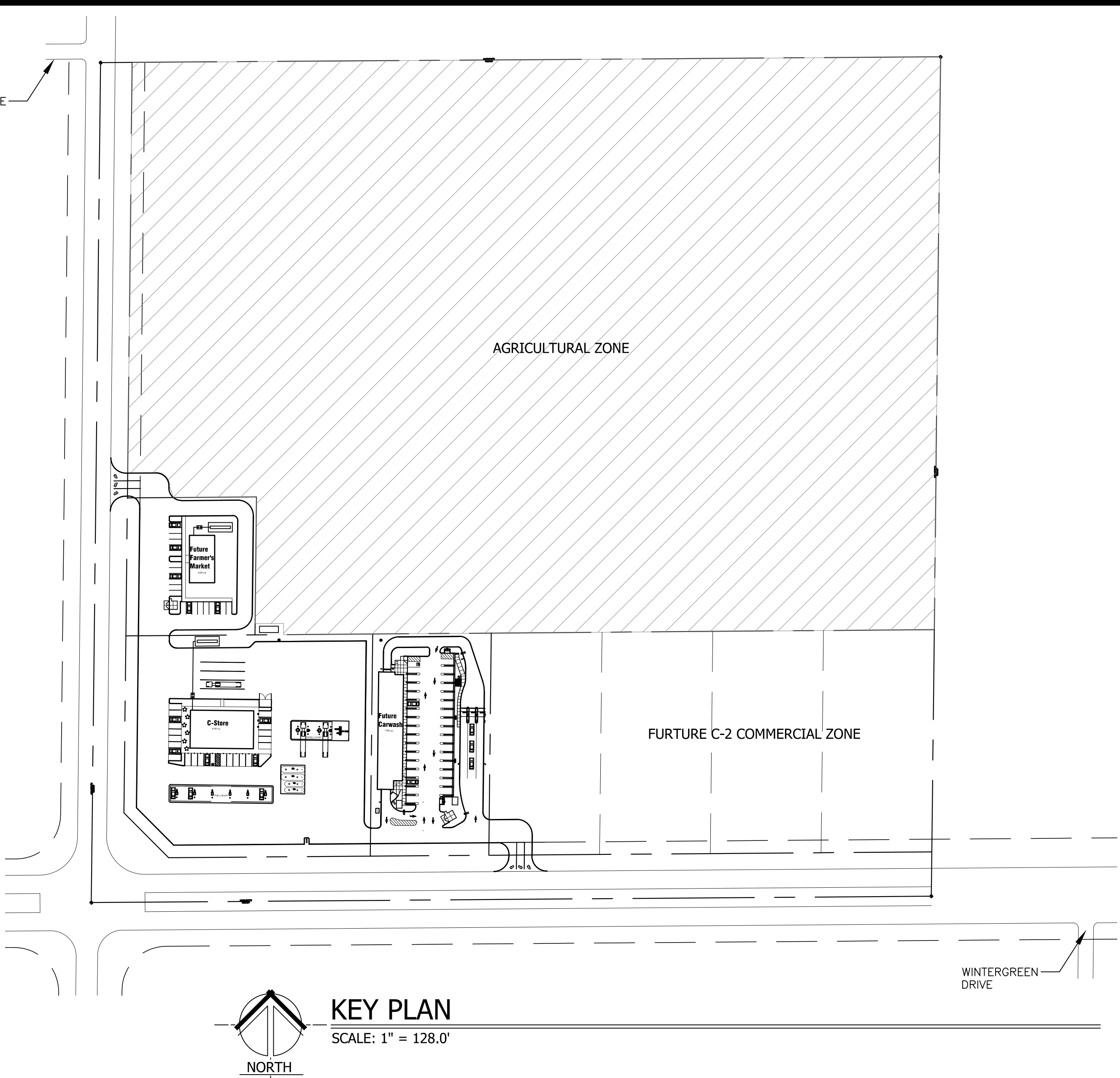
- iii. A pre-annexation agreement/city services deferral agreement shall be completed by the development and the City of Caldwell.
 - c. A Final Traffic Study is required and is subject to review and acceptance by Canyon Highway District 4, City of Caldwell – Engineering and Idaho Transportation Department. All improvements of the study shall be complied with unless other alternative measures are identified by the above agencies. Development shall comply with the following:
 - i. Requirements and conditions stated in the Canyon Highway District #4 letter dated July 14, 2022 (Exhibit 5c) of the staff report.
4. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezones for a land-use shall commence within two (2) years of the approval of the board."

ATTACHMENT B
CONCEPTUAL SITE PLAN

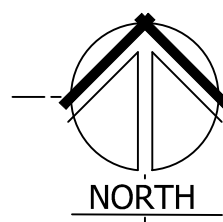




NOTES:
PROPOSED REZONE C2.
C-STORE: 3.00 ACRES
FARMERS' MARKET: 1.00 ACRES
CARWASH: 1.50 ACRES
FUTURE DEVELOP: 5.60 ACRES
TOTAL REZONE: 12.60 ACRES
AGRICULTURAL AREA REMAINING:
25.5 ACRES



VICINITY MAP
SCALE: NTS



SITE PLAN
SCALE: 1" = 50.0'

NO.	REVISIONS	DATE

1010 S. ALLANTE PL.
SUITE 100
BOISE, IDAHO 83709
(208) 336-8370
FAX (208) 336-8380



PROPOSED DESIGN FOR:
**OBENDORF COMMERCIAL
DEVELOPMENT**

CANYON COUNTY, ID.

NE CORNER OF KARCHER & FARMWAY ROADS

DRAWN	
DATE	10-05-22
CHECKED	CC
JOB NO.	21110

SITE PLAN

A1.0

PRELIMINARY

Exhibit 11





Exhibit 11









Exhibit 11









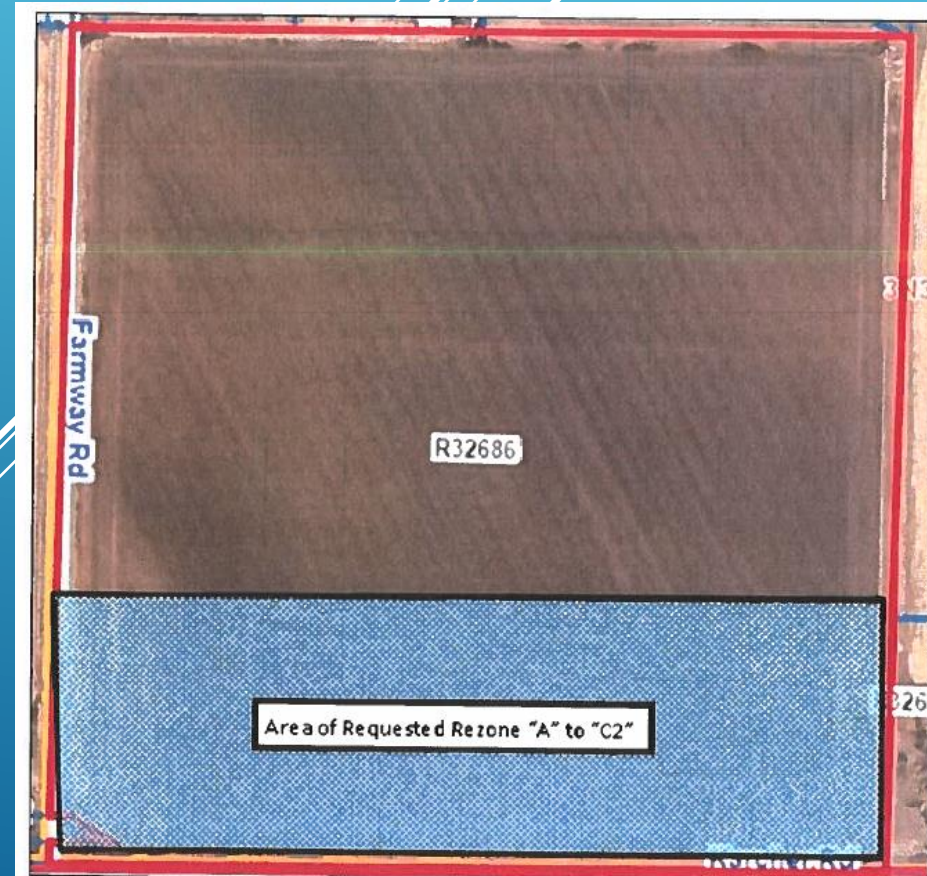






CONDITIONAL REZONE C2

- Commercial Designation/Major Corridor
- Existing Zoning Supports Request
- Impact Area – Water - Wastewater and Transportation



NO.	REVISION	DATE

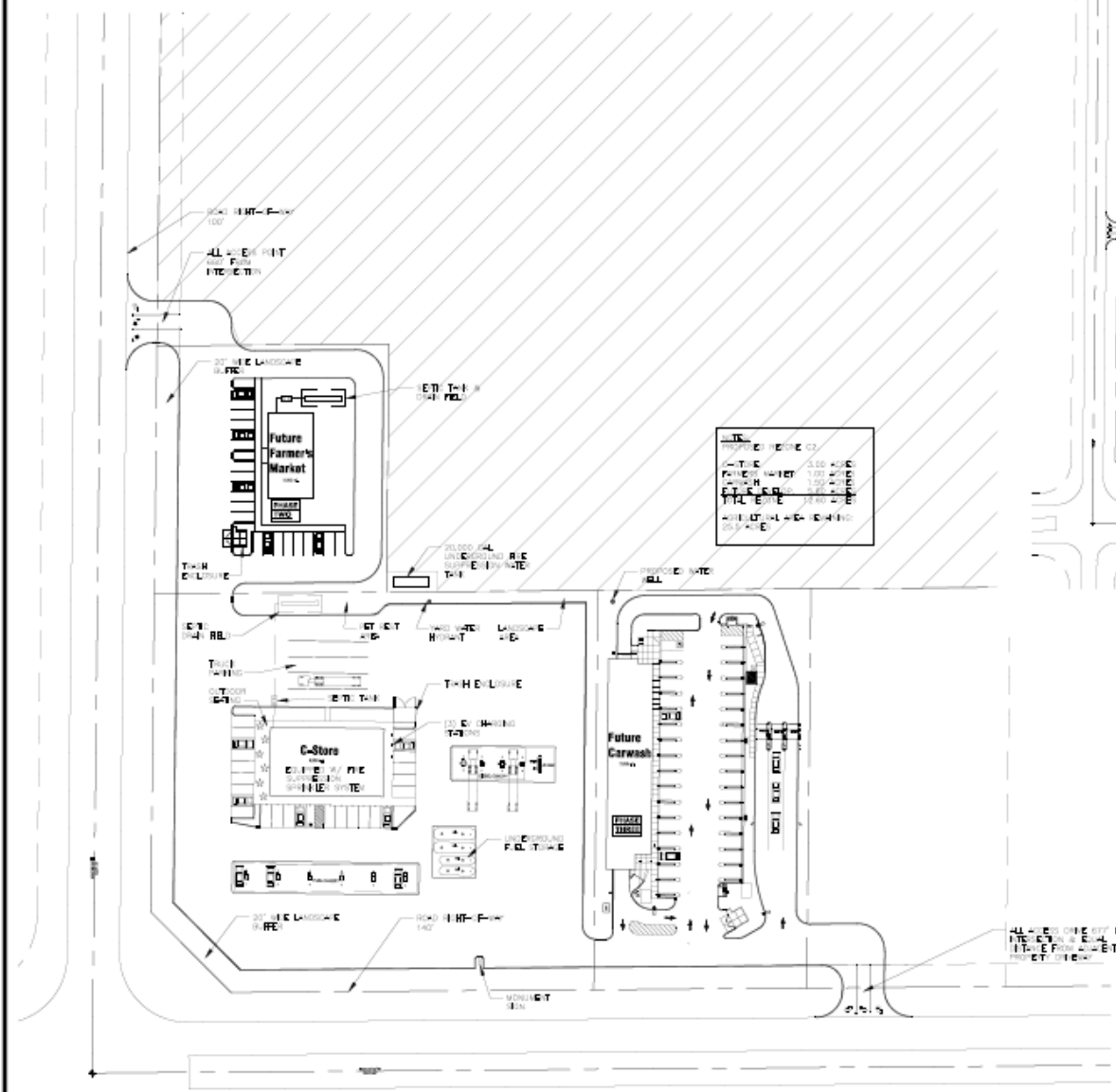
1010 S. ALLANTE PL.
SUITE 100
BOISE, IDAHO 83709
(208) 336-0070
FAX (208) 336-0380

BRS
ARCHITECTS

PROPOSED DEVELOPMENT FOR:
OBENDORF COMMERCIAL DEVELOPMENT
NE CORNER OF MARQUER & FARWAY ROADS
CANYON COUNTY, ID.

DATE	10/05/22
CHECKED	CC
JOB NO.	21110
SITE PLAN	
A1.0	

PRELIMINARY



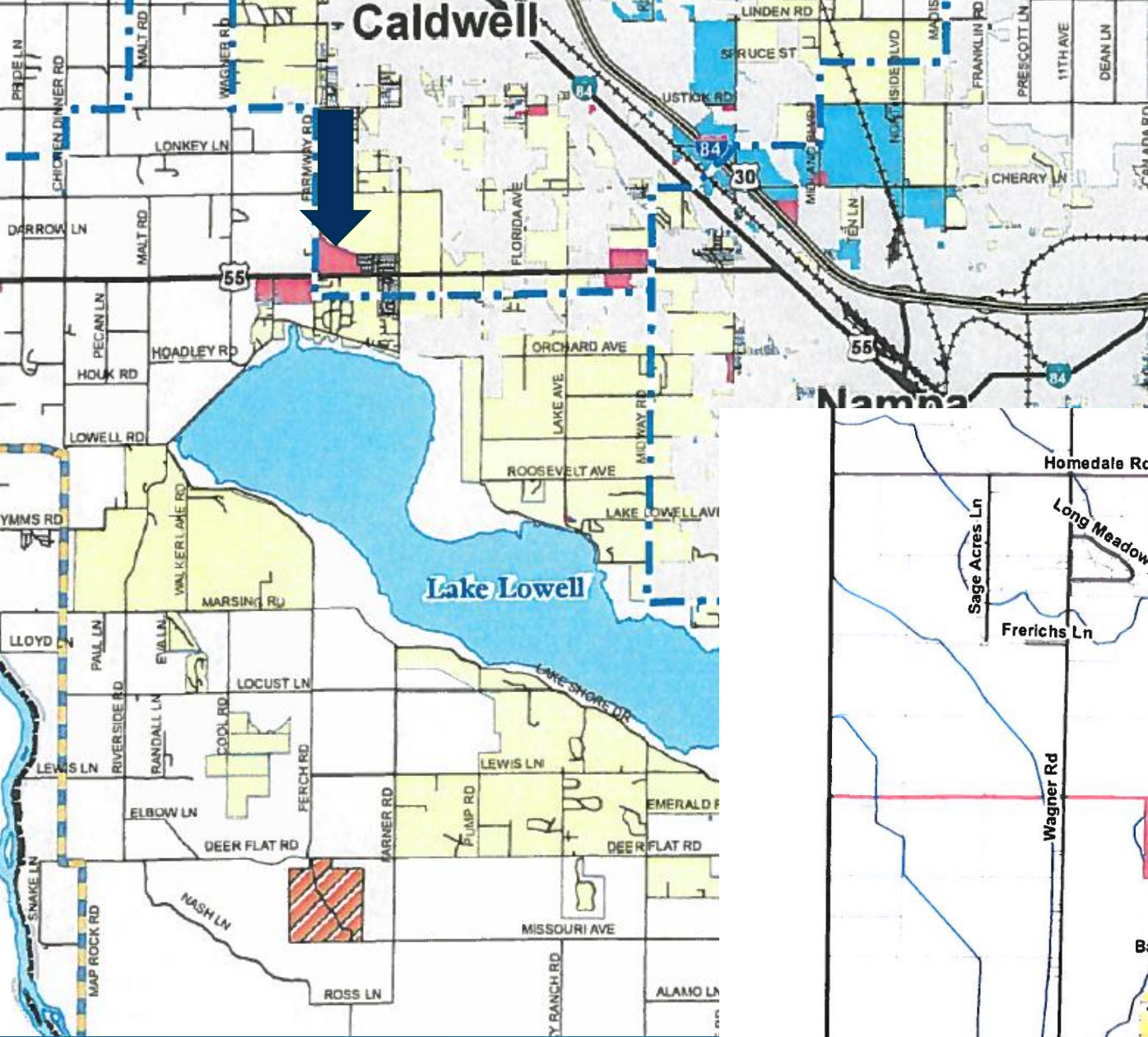
KEY PLAN
SCALE: 1" = 1262'



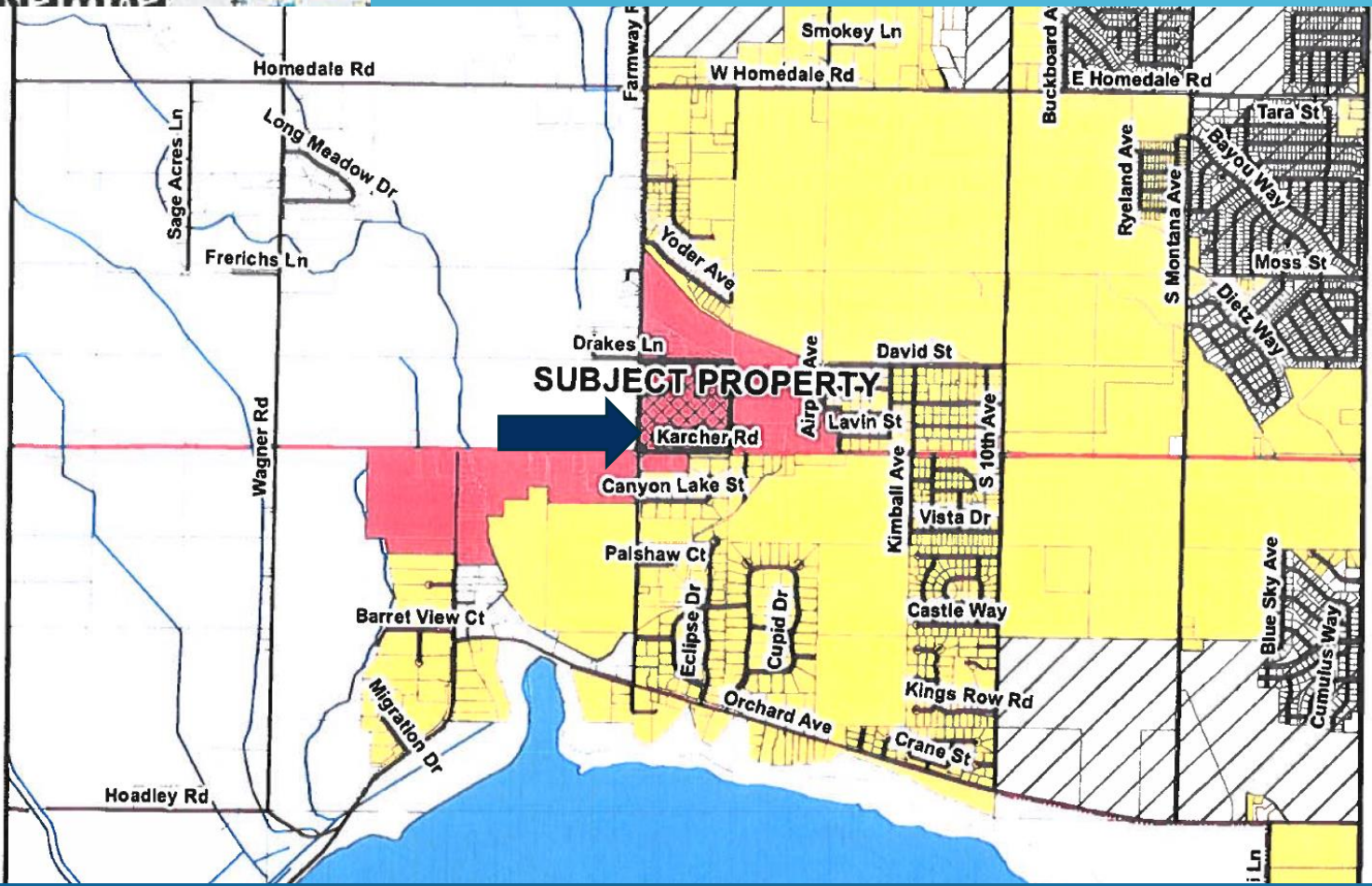
VICINITY MAP
SCALE: NTS

SITE PLAN
SCALE: 1" = 500'

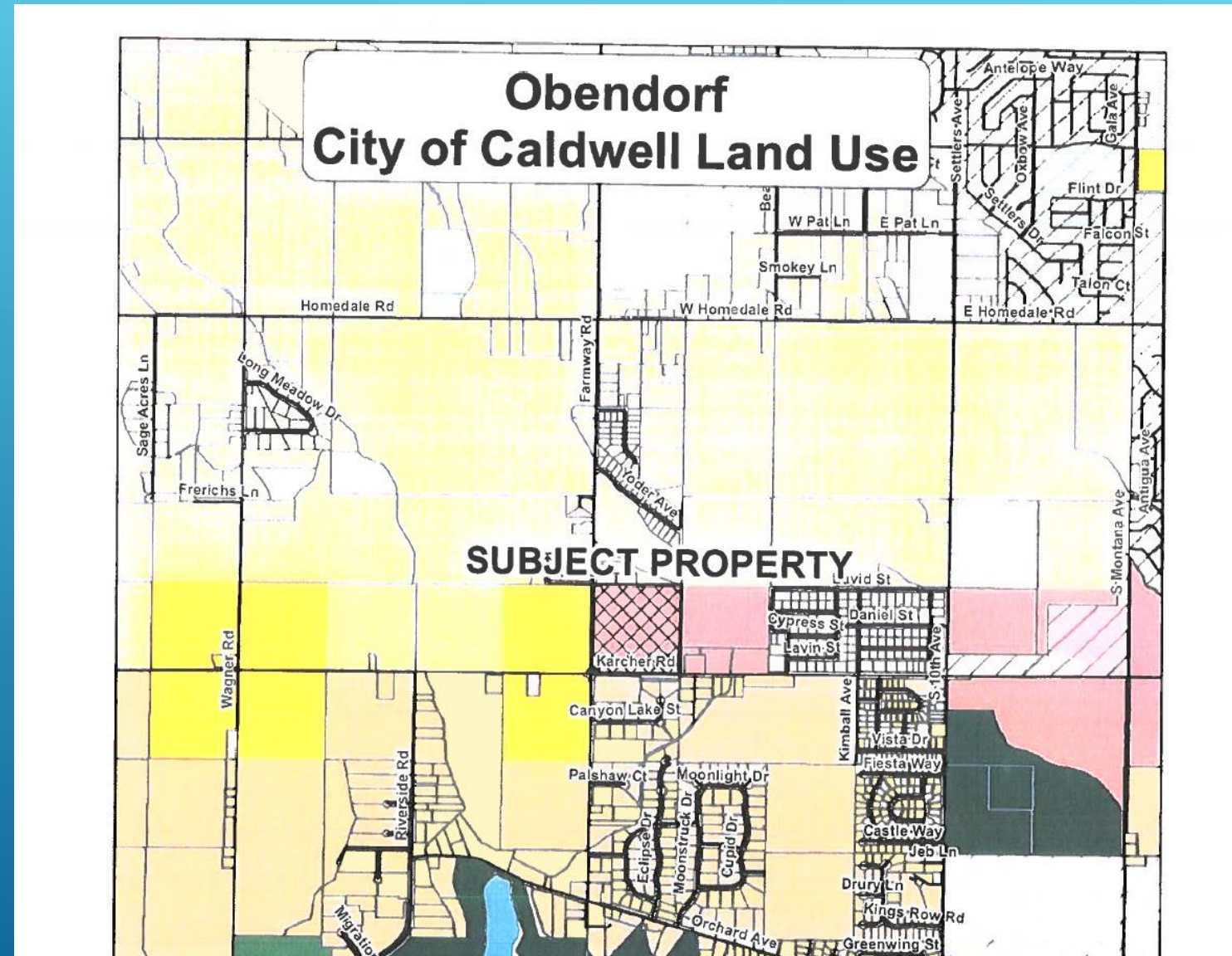
COPYRIGHT 2022 BY BRS ARCHITECTS. ALL RIGHTS RESERVED. NO PART OF THIS WORK MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM BRS ARCHITECTS. BOISE, IDAHO. PROJECT NO. 21110.



PROVIDE FOR A VARIETY
OF COMMERCIAL USES THAT PROVIDES GOODS
AND SERVICES TO BUSINESSES, TRAVELERS
AND RESIDENTS OF THE COUNTY



Key areas along a highway corridor which are highly visible or transitional in nature. This category includes land that is suitable for a blend of highway oriented commercial uses, business parks, limited light industrial uses, educational, office and high-density residential uses.



COMPREHENSIVE PLAN

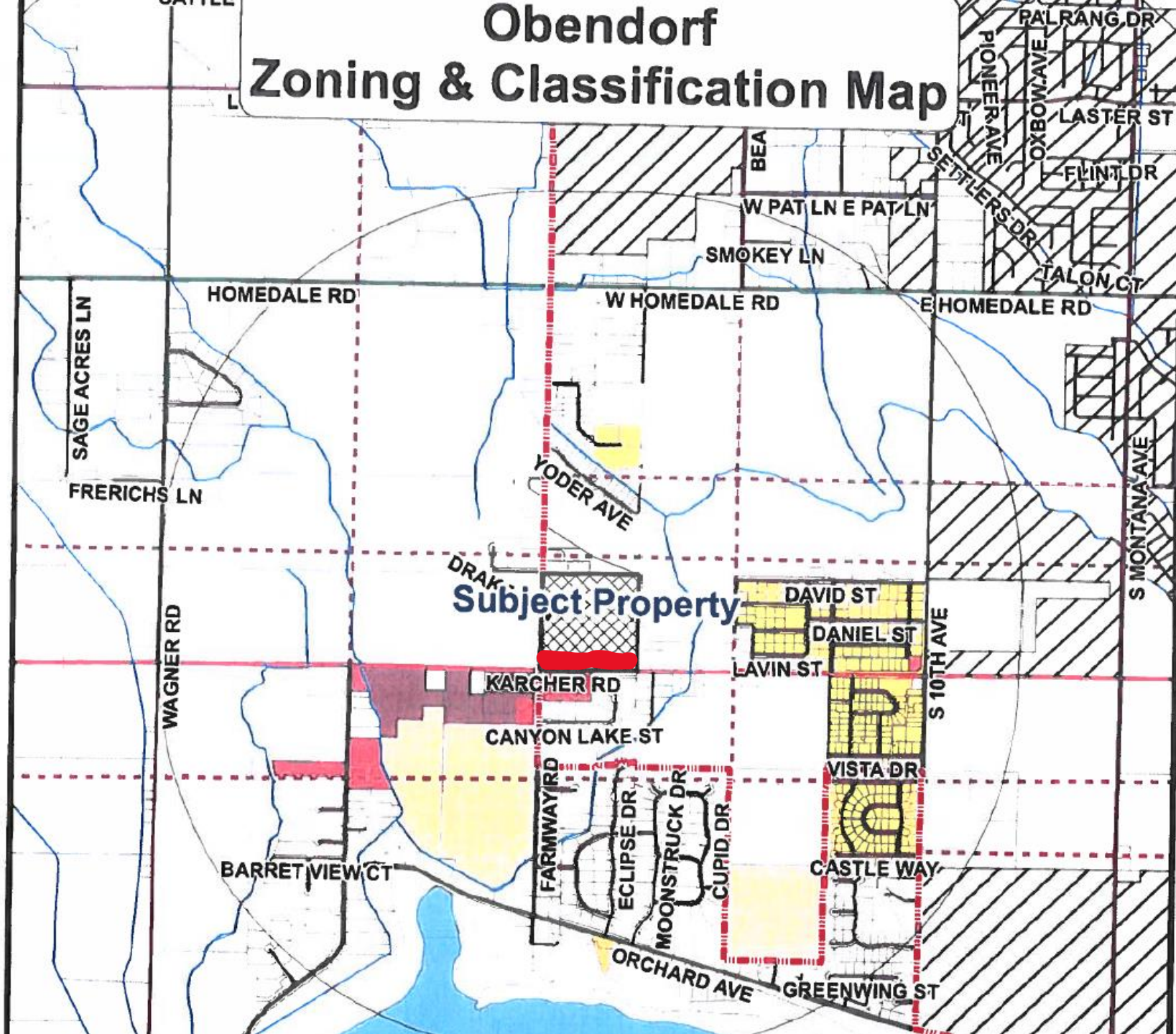
- **Alan Mills – 25 Goal and Policies**
- **STAFF RPT P&Z – 13 PRO and 0 CON – Rec. Approval**
- **P&Z Commission (3 to 2): 5 CON – Require Continued AG – No deference to Map**
 - **Denied - Require Farming on 12 acres of mod. suited soil with Commercial Designation and similar surrounding zoning at signalized intersection on Hwy 55**
- Consider population growth trends
- Canyon County should identify areas of the county suitable for commercial, industrial and residential development. Establish commercial zones to further increase business and economic development in various areas of Canyon County.
- Land use laws and decisions should avoid imposing unnecessary conditions or procedures on development approvals.
- Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area.

COMMERCIAL

- COMP PLAN: “**Create commercial, residential and industrial zoning districts to help attract development.**”
- Appropriate Planned Uses – 3 Phases
- Need entitled/zoned property – Economic Development
- Along Major Corridor - Highway 55
- Comp Plan Calls for more Commercial
- Existing Commercial in Area

Obendorf Zoning & Classification Map

Exhibit 12



Untitled Map

Write a description for your map.

Legend

- 📍 Canyon Creek Gardens
- 📍 Lake Storage
- 📍 The Church of Jesus Christ of Latter?

Exhibit 12

Subject Property C2

Karcher Farms
Commercial

Google Earth

Image © 2023 Maxar Technologies

N

700 ft



Commercial

Commercial

Residential

Legend

- 📍 Canyon Creek Gardens
- 📍 Lake Storage
- 📍 The Church of Jesus Christ of Latter?



700 ft

COMMERCIAL USE

Exhibit 12



BUSINESS DECISION

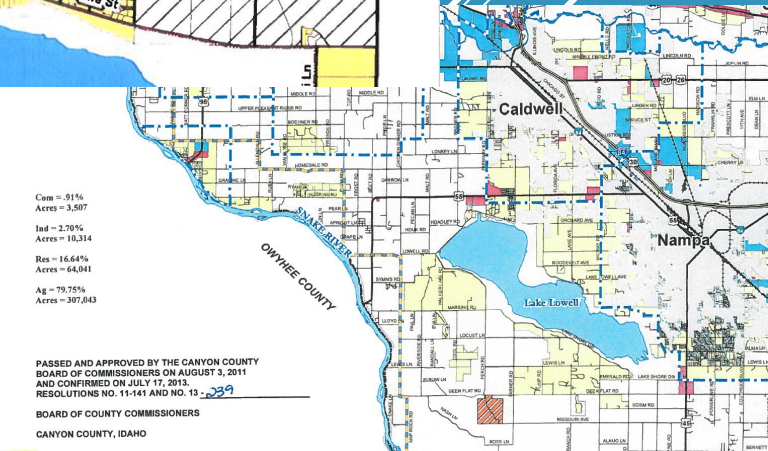
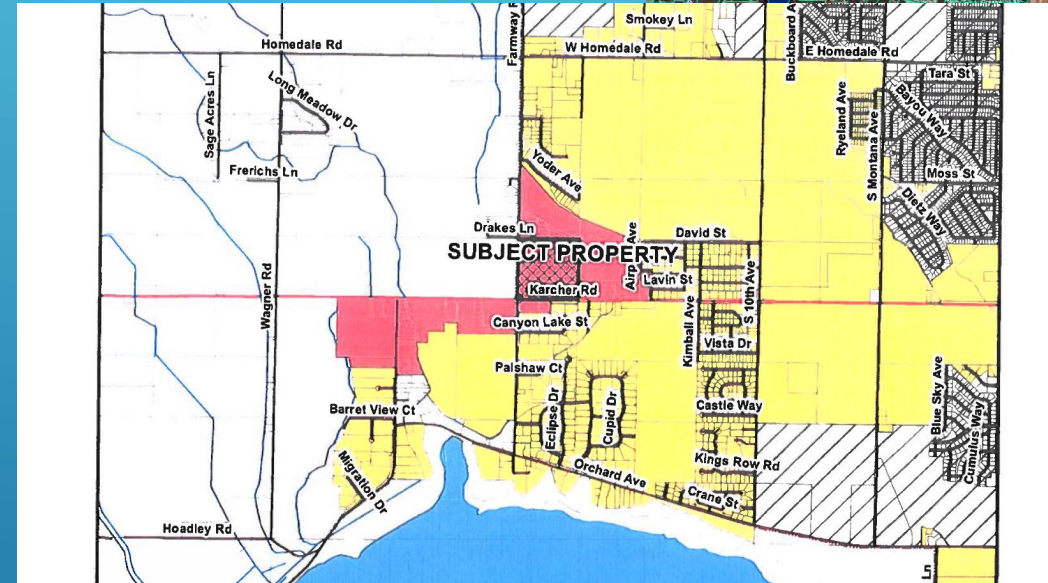
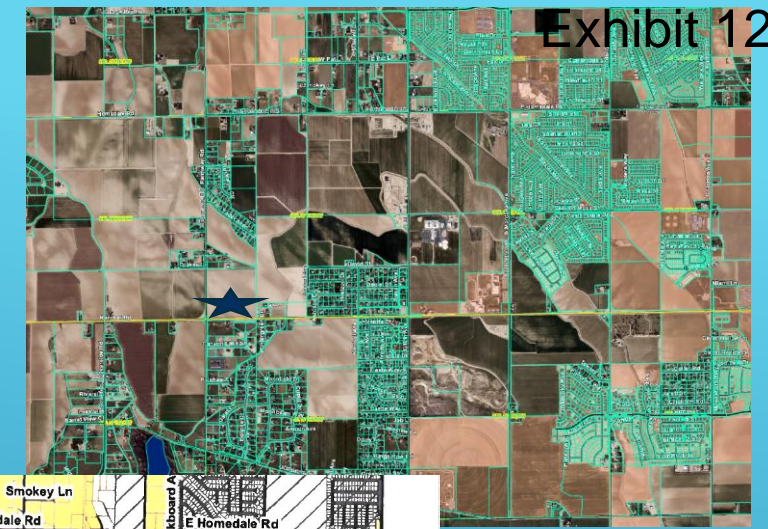
28 County Subdivisions within 1 Mile

726 Lots

2 Subdivisions in Platting – 1 mile

387 Lots

**Highway 55 Corridor
work/recreation**



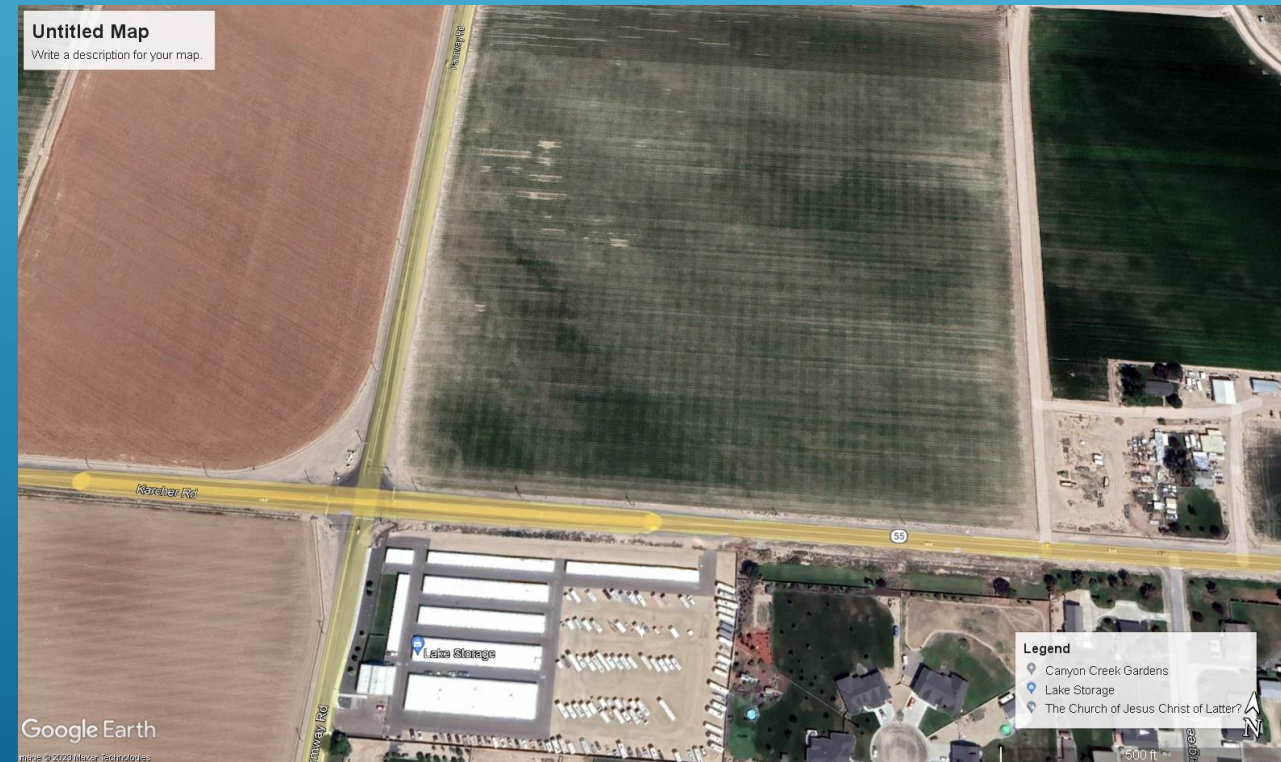
Cow = 51%
Acres = 3,507
Ind = 2.79%
Acres = 10,314
Res = 16.64%
Acres = 64,041
Ag = 79.75%
Acres = 307,043

PASSED AND APPROVED BY THE CANYON COUNTY
BOARD OF COMMISSIONERS ON AUGUST 3, 2011
AND CONFIRMED ON JULY 17, 2013.
RESOLUTIONS NO. 11-141 AND NO. 13-259
BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO

- ▶ Water/Wastewater
 - ▶ Engineering Issue
 - ▶ SWDH/DEQ/IDWR
- ▶ Signalized Intersection
- ▶ Traffic Impact Study
 - ▶ Farmway - North Bound Turn Lane
 - ▶ Hwy 55 – Westbound Turn Lane
 - ▶ High LOS – has capacity



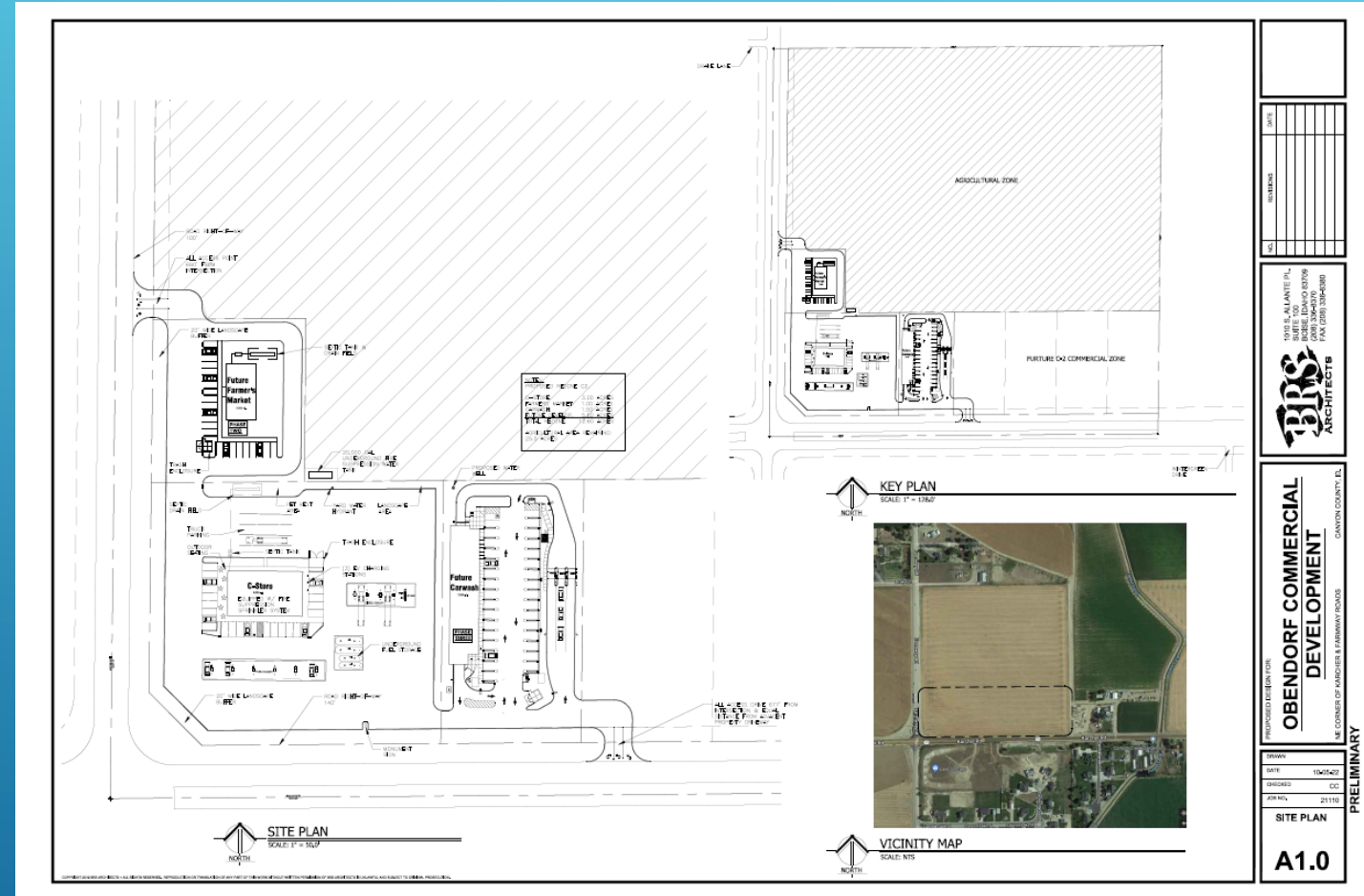
MEET AGENCY REQ'S

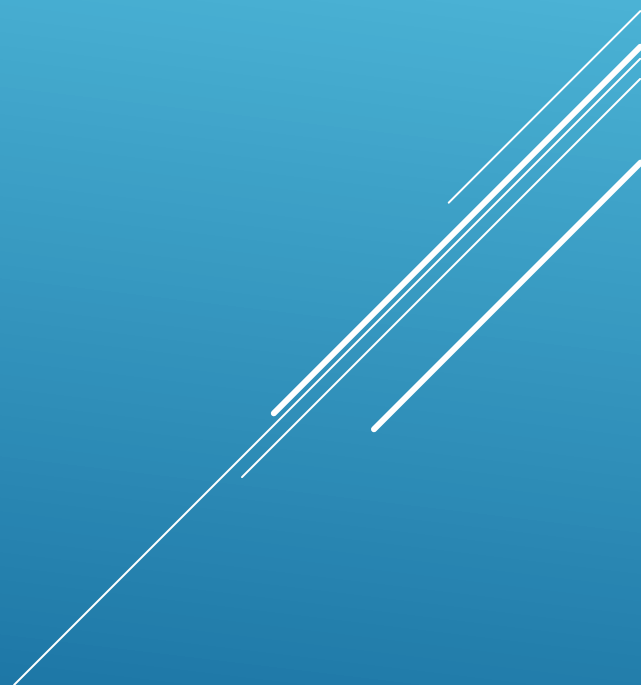


MEETS REQUIREMENTS OF ZONING ORDINANCE

- In accordance with Comp Plan
- C2 More Appropriate than AG
- Compatible – conditions
- Does Not Negatively Change Character
- Access/Traffic/Water/ Wastewater

• **QUESTIONS?**







February 7, 2019

Patricia A. Nilsson, AICP, Director
Canyon County Development Services
111 North 11th Avenue, #140
Caldwell, ID 83605

RE: Proposed Subdivision for John Sabala and Partners

Patricia,

This letter is a follow up to our January 23, 2019 consultation with Canyon County Planning and Zoning and the developers, John Sabala and partners.

The purpose of the meeting was to discuss the decision of the Canyon County Commissioners that conditioned the proposed residential land development be serviced by a community wastewater treatment system as opposed to individual onsite wastewater treatment systems. The meeting focused mainly on residential development.

Southwest District Health's Division Administrator, Brian Crawford, gave historical input on the general area as it relates to land development, general hydraulic dynamics both underground and surface flows. Staff also provided historical information on general soil conditions, current well construction requirements, etc. Part of that historical perspective was information of the Moon Struck West Subdivision which is situated contiguous to the proposed new development.

Brian gave a historical background on the overall evaluation of the Moon Struck West Subdivision and how it was ultimately approved with extensive engineering and supported by a Level II NP study. That subsequent study ultimately determined that individual septic systems would minimize impact to the groundwater utilizing advance treatment units capable of achieving 16mg/L in Total Nitrogen of the wastewater being disposed of in the individual systems. In addition, groundwater flows to the North West away from Lake Lowell.

Brian Crawford felt that due to the proximity of the existing and proposed subdivision, the existing Level II NP study would be acceptable to use for the new subdivision proposal as it would hold the new subdivision to its established requirements. Additional recommendations were also discussed including establishing easements throughout the community to allow future city central sewer connections.

Given the circumstances, a centralized community system may not be the best option given the density of the development, large area needed to install a community system, costs associated with the system, and requirements to meet necessary flows etc. Central systems are not fully functional until optimal flows are reached through the build out of the development. Individual wells and septic systems should

Healthier Together

13307 Miami Lane • Caldwell, ID 83607 • (208) 455-5442 • FAX (208) 455-5350

Patricia A. Nilsson, AICP, Director
Canyon county Developmetn Services
February 7, 2019
Page Two

also be considered for this new residential development based on the findings of the in depth Level II NP study at Moon Struck West.

Please feel free to contact us at any time if you have any further questions.

Respectfully,

Timothy Wright, SWDH Land Development Senior.

c: Brian Crawford, Environmental and Community Health Administrator, SWDH
Jami Delmore, Environmental Health Supervisor, SWDH
file copy

Healthier Together

13307 Miami Lane • Caldwell, ID 83607 • (208) 455-5442 • FAX (208) 455-5350

Commissioners Minutes

February 15, 2023 – 1:32 p.m. to 3:05 p.m.

PUBLIC HEARING - REQUEST BY GREGORY AND ANN OBENDORF FOR A CONDITIONAL REZONE FROM AN AGRICULTURAL ZONE TO A SERVICE COMMERCIAL ZONE, CASE NO. RZ2022-0007

Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek

DSD Planning Official Dan Lister, Todd Lakey, Pat Colwell, Alan Mills, Curtis Crystal, Mark Wendelsdorf, Bud Bowman, Lisa Bowman, Jim Thompson, Heather Scott, other interested persons

Deputy Clerk Monica Reeves _____

PUBLIC HEARING - REQUEST BY GREGORY AND ANN OBENDORF FOR A CONDITIONAL REZONE FROM AN AGRICULTURAL ZONE TO A SERVICE COMMERCIAL ZONE, CASE NO. RZ2022-0007

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Gregory and Ann Obendorf, represented by BRS Architects, for a conditional rezone of a 12.6-acre portion of parcel R32686 from an “A” (Agricultural) zone to a “C-2” (Service Commercial) zone. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Official Dan Lister, Todd Lakey, Pat Colwell, Alan Mills, Curtis Crystal, Mark Wendelsdorf, Bud Bowman, Lisa Bowman, Jim Thompson, Heather Scott, other interested persons, and Deputy Clerk Monica Reeves.

Dan Lister gave the oral staff report (mark 4:00 to 27:52). The request is for a conditional rezone of a 12.6-acre portion of a 40.4-acre parcel from an “A” (Agricultural) zone to a “C-2” (Service Commercial) zone. The property is located on the northeast corner of Farmway Road and Karcher Road in Caldwell. The request includes a development agreement. The 12.6-acre portion will be developed in three phases:

Phase 1: Gas station with a convenience store at the corner of Farmway Road and Karcher Road on a 3-acre lot; and

Phase 2: A seasonal farmers market on a one-acre lot; and

Phase 3: A carwash accessory to the gas station and some commercial lots along Karcher Road. As part of the development agreement, Phase 3 would not occur until city services are available.

The 2020 comprehensive plan designates the future land use of the parcel as commercial. The parcel is located within the Caldwell impact area and is designated as highway corridor on their comprehensive plan and that designation would only apply if the property was annexed into the City of Caldwell. The majority of properties in the area are zoned agricultural with an average lot size of 10.37 acres. The area is in transition; several fields are still in ag production but there are

also subdivisions and commercial uses in the area. The property is considered prime farmland if irrigated, and the property does have surface irrigation rights. Mr. Lister reviewed the zoning designations and uses in the area. The development agreement requires: a traffic impact study at the time of final platting; internal public roads approved by Canyon Highway District; maintain a 1.35-average residential density; and a wastewater treatment system is required. Per County code, this decision shall not be presumptive proof that the zoning of other property adjacent to, or in the vicinity of the conditional rezone properties should be zoned the same. City services are not available to the property at this time, therefore the gas station, convenience store, and seasonal farmers market would be required to meet IDWR, SWDH and DEQ requirements. Wells in the immediate area show low levels of nitrates. DEQ will require a public drinking water system if the use serves 25 or more people for 60 days or more a year. Future development will be required to provide irrigation water to all landscaping and retain stormwater on site. The applicant commissioned a traffic impact study by T-O Engineers which was completed in November of 2021 and updated in March of 2022. The proposed development is expected to generate a total of 1,770 net new daily trips. There was a review of access requirements; a northbound right turn lane should be constructed concurrently with Driveway "A" to provide access with no turning restrictions. At Highway 55 and Driveway "B" a westbound turn lane should be constructed concurrently to provide right in/right out access only. Canyon Highway District does not oppose the request subject to conditions of approval. ITD provided comment and stated their conditions with the approach must be relocated to the east and that the developer shall provide funding for ITD to design and construct a right turn lane and raised median to be included in ITD's project which is the improvements from Indiana Avenue to Pear Lane. The developer shall provide dedication of right-of-way from the access location to the easterly property boundary to accommodate the future right turn lane. ITD is not opposed subject to the conditions and funding improvements. Mr. Lister reviewed the agency comments. Six letters of opposition were received with the following concerns: city services and Karcher Road improvements should be completed prior to development; the current conditions of Karcher Road and Highway 55 are congested with inadequate highway capacity; promotes incremental removal of valuable farmland the commercial use is not needed in the area; environmental risk concerns from fuel storage tanks; the proposal does not address noise or exterior lighting impacts; infrastructure expansions are a burden on taxpayers; and the developer should work with the city to bring services to the property. Staff also received 43 letters of support. On August 4, 2022, the P&Z Commission recommended denial of the request because they found the request is premature and should wait until Karcher Road is improved and city services are available; the majority of the properties in the immediate area are still zoned as agriculture which currently lack city services and infrastructure. The P&Z Commission did not see the comment letter and information from ITD, and they felt input was critical for this type of decision. They found the request to be inconsistent with the agricultural preservation protection policies of the comprehensive plan. Staff's recommended FCO's are based on the recommendation of denial by the P&Z Commission. Following his report, Mr. Lister responded to questions from the Board.

Commissioner Van Beek disclosed ex parte communication she had with the manager of Lakeview Fruit, additionally, the Dowens have leased her property for farming in the past. Ms. Dowen's point was that the widening of Karcher Road would take out the fruit stand they are currently operating and she said they want to locate at the southeast corner of Karcher Road and Highway 55.

The following people testified in support of the request:

The applicant's representative, Todd Lakey, (mark 28:40 to 49:40) gave testimony regarding the project design and site plan; zoning designations in the area; road improvement plans, and access. They are only rezoning the frontage being the 12 acres of the 40 acres and they do not believe the proposal will negatively impact the area. The development will consist of three phases: a convenience store will be first; the farmers market located on Riverside and Highway will be relocated and this will significantly improve the access, parking, and the building itself; and the carwash and the other commercial use will be on the remainder of the 12 acres after city services are there in probably 5+ years. The comprehensive plan and zoning ordinance strongly support the application. The City of Caldwell's plan supports this proposal which is a highway-oriented commercial use. According to Mr. Lakey, the P&Z Commission had a split decision of 3-to-2 and they utilized four or five goals/policies that focused on making the landowner continue to farm the 12 acres.

He spoke about balancing growth and said ag and commercial uses can co-exist; the county has designated commercial areas along this corridor; the property is on a major transportation corridor on a signalized intersection. Spoke of the commercial uses in the area. There are 726 lots within one mile of the subject property; and two subdivisions in platting for 387 lots, and additional residential. The water system will probably be public water system that will be engineered and designed in accordance with their requirements. There is a strong aquifer that can support the well on the site; will meeting SWDH and DEQ requirements. Regarding fuel storage, it is highly regulated as far as the design of the tanks, retention areas, and installation. ITD will be widening to Farmway Road, and the TIS shows we have high levels of service and capability ,and they will install the turn lanes on Farmway and Hwy. 55. Following his testimony, Mr. Lakey responded to

Patrick Colwell (mark 49:51 to 55:20) provided testimony regarding the technical aspects of the request. They have coordinated with SWDH on the permit approval process, and have obtained approval from the Department of Water Resources for the well. Storm drainage will be retained on site. Traffic impact studies have been completed by the highway district and the Idaho Transportation Department, and they expect final approval on the access permit after this hearing. There are plans for Highway 55 to be improved to five lanes through that section.

Alan Mills (mark 55:30 to 1:02:52) testified the property has had a future commercial zoning designation for many years. He believes the project will be a benefit to the community and to the tax base of Canyon County.

Curtis Crystal (mark 1:03:14 to ---) testified about the architectural features of the project.

Heather Scott (mark 1:07:-- to 1:10:---) is the manager of the storage unit and she is in support of the project with conditions. No way should there be a left turn; traffic safety concerns; reducing speed limit in the intersection.

Jim Thompson (1:13:50 to ---) The use fits within the zoning.

Rebuttal testimony was offered by Todd Lakey (1:15:02 to 1:19:30) who provided additional comments regarding traffic, and said there will be a right in/right out; the right-of-way dedication is incorporated into the design; the traffic analysis looks at the current status of the site, existing traffic volumes and it looks at it at build-out. It conforms with the comp plan; this is the exact location where this kind of proposal should occur; will comply with agency requirements.

Dan – (1:19:51 to 1:21:00) the commercial designation is in line with the 2030 comp plan designation; P&Z was not necessarily opposed to the phase 3 connection to city services, they were concerned about the whole thing not being connected; the design should by Curtis Crystal is not part of our... that conceptual plan needs to be included if you want. RECORDING.

Mr. Lakey said that would be fine. They want to pursuant phase 1 and 2; phase 3 won't proceed until RECORDING

Mr. Lister identified the late exhibits which were entered into the record. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony.

(mark 1:24:35 to 1:33:16) The Board deliberated as follows:

Commissioner Van Beek is in favor of the request with some of the conditions that have been presented, notably the no left-hand turn onto Highway 55, including Exhibit No. 11 from Mr. Crystal on the substantial compliance and adding that to the development agreement. The findings need to be amended. This was presented to the P&Z Commission with a recommendation of approval so the Board would be in compliance with staff's recommendation. She understands the concerns, but said there was testimony from Alan Mills and Jim Thompson that this has been a part of the comprehensive plan all along. The County has to put commercial development somewhere; there is an argument for access and fueling services and support of agritourism in that Lakeview Fruit Stand, so the buildout of that supports agriculture. If you venture out onto Karcher Road off Riverside Road there is a slope, and a righthand turn would be easier than trying to make a left hand turn onto Farmway and then going west on Karcher Road. There is good support but we need to amend the conclusions of law for the conditional rezone - it is consistent

with the comprehensive plan. She references Condition B (staff notes it is in Exhibit No. 10 in the staff report) and said that is the basis of her support for staff's recommendation.

Mr. Lister said the only condition we don't need to change is Condition No. 2c because it includes the letters from Canyon Highway District and ITD which already spell out they need to have a right in and right out, and the left-hand turn; it's already part of that condition. He can add Condition No. 2d to have the conceptual design plan to be in substantial compliance. The only findings we need to change are the ones shown by the P&Z Commission to be A, B, and G. What he is hearing is that based on conditions the Board believes it will not be injurious and traffic impacts for the existing and future finding can be made. It sounds like the Board agrees with some of the policies provided by Alan Mills and also Exhibit No. 10. Finding B of Exhibit No. 10 goes into why it's more appropriate so staff can make those changes, and if the Board agrees with some of the findings on Exhibit No. 10 staff can transfer those over. This is a material change therefore a second hearing will be required to consider the approval and at that time the conditions, and the revised findings of fact would come back and after the second hearing the Board could sign it. The P&Z Commission recommended denial and some of the information provided in this staff report is different from what they saw: a letter from ITD and a design they never saw. A second hearing will be noticed for a second hearing by the Board.

Commissioner Van Beek said based on the testimony by Ms. Scott and Commissioner Brooks' concerns on the width, is there any need to have that validated again? Mr. Lister said they have to meet the standards as part of the design of the development, and we already have Condition No. 2c that requires review prior to any development of the site. They have to have the final traffic study reviewed and meet the conditions of the letters provided by ITD and Canyon Highway District. Any improvements will be required through funding or through actual improvements. Commissioner Van Beek said it looks like a big oversight to not take that into consideration when that storage unit was put in. Commissioner Holton concurs that it is a change and that the P&Z Commission did not have the information to review.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to provide conditional approval on Case No. RZ2022-0007 for Greg and Ann Obendorf, and have staff amend the FCO's for items A, B, and G and to also amend the development agreement. As soon as reasonably possibly a second public hearing will be scheduled. The hearing concluded at 3:05 p.m. An audio recording is on file in the Commissioners' Office.



FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER CANYON COUNTY BOARD OF COUNTY COMMISSIONERS

In the matter of the application of:

OBENDORF – RZ2022-0007

The Board of County Commissioners considered the following:

- 1) Conditional Rezone of a 12.6-acre portion of parcel R32686 from an “A” (Agricultural) zone to a “CR-C-2” (Conditional Rezone - Service Commercial) zone. The request includes a development agreement (Attachment A).

[RZ2022-0007, 0 Karacher Road, Caldwell (Parcel Number R32686), a portion of the SW¹/₄ of Section 09, T3N, R3W, BM, Canyon County, Idaho]

Summary of the Record

1. The record is comprised of the following:
 - A. The record includes all testimony, the staff report, exhibits, and documents in Case File RZ2022-0007.
 1. On August 4, 2022, the Planning and Zoning Commission recommended denial of the request.
 2. The hearing of this case was tabled by the Board of County Commissioners. The hearing on November 2, 2022 was tabled due to a lack of quorum. The hearing on October 28, 2022 was tabled upon request by the applicant. The hearing on January 24, 2023 was tabled due to a Board scheduling conflict.
 3. After considering all facts and testimony during a public hearing held on February 15, 2023, the Board of County Commissioners reversed the recommended decision by the Planning and Zoning Commission (Exhibit 13). The Board directed staff to schedule and notice a public hearing to consider approval of RZ2022-0007 subject to amending findings for criteria A, B & G and modification to the development agreement conditions regarding conceptual design and traffic and access improvements (Attachment A).

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-06-01 (Initiation of Proceedings), Canyon County Code §07-06-07 (Conditional Rezones), Canyon County Code §07-10-27 (Land Use Regulations (Matrix), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), Canyon County Code §09-01 (Caldwell Area of City Impact Agreement), and §67-6519 (Application Granting Process).
 - a. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Affected agencies were noticed on April 12, 2023. A newspaper notice was published on April 12, 2023. Property owners within 600’ were notified by mail on April 12, 2023. Full political notice was provided on April 26, 2022. Posting on the subject property was completed on April 19, 2023.
 - b. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions or limitations may be imposed to promote the public health, safety and welfare, or to reduce any potential damage, hazard, nuisance or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses (CCZO §07-06-07(1)).
2. The Board has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act (“LLUPA”) and can establish its own ordinances regarding land use, including subdivision permits. *See* I.C. §67-6504, §67-6513.

3. The Board has the authority to hear this case and make its own independent determination. *See* I.C. §67-6519, §67-6503; CCZO 07-17-09(5).
4. The Board can sustain, modify or reject the Commission’s recommendations. *See* CCZO §07-05-03.
5. The burden of persuasion is upon the applicant to prove that all criteria, including whether the proposed use is essential or desirable to the public welfare, are satisfied. CCZO §07-05-03.
6. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County’s hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCZO 07-05-03(1)(I).

The application (RZ2022-0007) came on for a public hearing before the Canyon County Board of County Commissioners on May 23, 2023. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence presented, including the conditions of approval and project plans, the Board of County Commissioners decides as follows:

CONDITIONAL REZONE CRITERIA – CCZO §07-06-07(6)

A. Is the proposed conditional rezone generally consistent with the comprehensive plan?

Conclusion: The conditional rezone is consistent with the Future Land Use Map within the 2020 Canyon County Comprehensive Plan. The request is generally consistent with goals and policies within the 2020 Canyon County Comprehensive Plan.

- Findings:**
- (1) The subject property is designated as “Commercial” on the Future Land Use map (Exhibit 4j; Exhibit 6h). The commercial designation is intended to provide for commercial uses that can provide for a variety of commercial uses that provides goods and services to businesses, travelers, and residents of the county” (pg. 12 & 37, 2020 Comprehensive Plan).
 - (2) The request is located within the Caldwell Area of City Impact. Caldwell’s Future Land Use map designates the subject parcel as a “Highway Corridor” (Exhibit 4k; Exhibit 5a). This category includes highway-oriented commercial uses, business parks, and limited light industrial uses.
 - (3) The request is in general conformance with the 2020 Canyon County Comprehensive Plan goals and policies including, but not limited to, the following goals and policies:
 - Property Rights Policy No. 8: *“Promote orderly development that benefits the public good and protects the individual with a minimum of conflict.”*
 - Property Rights Policy No. 10: *“Land use laws and decisions should avoid imposing unnecessary conditions or procedures on development approvals.”*
 - Property Rights: The requested rezoning of a portion of a 40-acre property is to allow limited commercial uses within a future commercial designation. The applicant proposes uses that will service the growing area (Exhibits 4j, 4k, 5a, 6g – 6i). Conditions applied to this request (Attachment A) are deemed necessary to minimize potential impacts regarding the character of the area (*See Finding D for details*), traffic (*See Finding G for details*), and the City of Caldwell (*See Area of City Impact finding for details*).
 - Population Goal No. 1: *“Consider population growth trends when making land use decisions.”*
 - The 2020 Canyon County Comprehensive Plan designates the property as “commercial” on the Future Land Use map (Exhibit 4j). The property is located in the

Caldwell Area of City Impact where highway-orientated commercial uses are supported and future residential growth is anticipated (Exhibit 4k & 5a).

- Economic Development Goal No. 1: *“To diversify and improve the economy of Canyon County in ways that are compatible with community values.”*
 - Economic Development Goal No. 5: *“To ensure that land use policies, ordinances, and processes allow for a viably economic environment for development.”*
 - Economic Development Policy No. 6: *“Encourage commercial and residential development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County.”*
 - Economic Development Policy No. 12: *“Establish appropriate industrial and commercial zones to further increase business and economic development in various areas of Canyon County.”*
 - Economic Development: The 2020 Canyon County Comprehensive Plan designates the property as “commercial” on the Future Land Use map (Exhibit 4j). The property is located in the Caldwell Area of City Impact where highway-orientated commercial uses are supported and future residential growth is anticipated (Exhibit 4k; Exhibit 5a). Letters of support were received demonstrating the proposed commercial zone would be beneficial to travelers along HWY 55/Karcher Road and commensurate with existing uses found in the area (Exhibit 6g – 6i). Conditions applied to this request are deemed necessary to minimize potential impacts regarding the character of the area (*See Finding D for details*), traffic (*See Finding G for details*), and the City of Caldwell (*See Area of City Impact finding for details*).
 - Land Use Goal No. 1: *“To encourage growth and development in an orderly fashion, minimize adverse impacts on differing land uses, public health, safety, infrastructure and services.”*
 - Land Use Goal No. 4: *“To encourage development in those areas of the county which provide the most favorable conditions for future community services.”*
 - Land Use Policy No. 1: *“Review all residential, commercial and industrial development proposals to determine the land use compatibility and impact to surrounding areas.”*
 - Land Use Implementation Action: *“Encourage commercial areas, zones or uses that are contiguous to existing county or city commercial areas, zones or uses but recognizing additional areas or zones, beyond those already existing, may be desirable and that some mixed uses are compatible.”*
 - Land Use Policy No. 3: *“Encourage the establishment of new development to be located within the boundaries of a rural fire protection district.”*
 - Land Use: The property is located within Caldwell Rural Fire District. As a condition of the development agreement (Attachment A), the development will meet all required fire district requirements and standards (Exhibit 5a). The 2020 Canyon County Comprehensive Plan designates the property as “commercial” on the Future Land Use map (Exhibit 4j). The property is located in the Caldwell Area of City Impact where highway-orientated commercial uses are supported and future residential growth is anticipated (Exhibit 4k; Exhibit 5a). The property is approximately 4,000 from city jurisdiction (Exhibit 4a). Conditions applied to this request are deemed necessary to minimize potential impacts regarding the character of the area (*See Finding D for details*), traffic (*See Finding G for details*), and the City of Caldwell (*See Area of City Impact finding for details*).
- (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2022-0007.

B. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?

Conclusion: As proposed and restricted by the development agreement (Attachment A), the conditional rezone supports limited commercial development orientated near an existing highway within a future commercial designation and city impact area with similar zones and land uses. Therefore, the request is more appropriate than the current zoning designation.

- Findings:** (1) Per the development agreement (Attachment A), the applicant is proposing 12.6 acres be rezoned, near the corner of Farmway Road and Karcher Road (Exhibit 2, 11 & 12), for the following development:
- Phase one consists of a fueling station to include 12 passenger vehicle pumps and 4 diesel pumps for commercial vehicles and, a 6,000 sq. foot convenience store with second-floor caretaker residence.
 - A caretaker, per CCZO Section 07-02-03, is *“a person properly designated to watch over a property for security or maintenance.”*
 - Phase two consists of a 3,000-square-foot farmers market and is to include a paved parking lot.
 - Phase three, consisting of a 7,000-square-foot carwash and commercial development, is not proposed until the City of Caldwell has extended public utilities to the site.

Comments from affected agencies did not oppose the request subject to conditions of approval (Exhibit 5a: Agency Comment – City of Caldwell; Exhibit 5b: Agency Comment – Boise Project Board of Control; Exhibit 5c: Agency Comment – Canyon Highway District #4; and Exhibit 5d: Agency Comment – Idaho Transportation Department)

- (2) The subject parcel and the majority of parcels in the immediate area zoned “A” (Agricultural) with existing agricultural uses (Exhibit 4a, Exhibit 4d, & and Exhibit 4g). However, the County designated the area to support future commercial development (Exhibit 4j). The request is located within the Caldwell Area of City Impact and is designated as “Highway Corridor” on the Future Land use map (Exhibit 4k). The city also shows residential growth within and adjacent to the designated area. The City of Caldwell does not oppose the request subject to the conditions regarding the development (1) meet applicable regulations of the City landscaping ordinance, (2) connect to city service, and (3) comply with Caldwell Fire comments and conditions. Conditions that address the City of Caldwell’s comment are included as conditions of the development agreement (Attachment A).
- (3) There are 28 platted subdivisions in a one-mile radius of the subject property with an average lot size of 1.03 acres. Two (2) subdivisions are currently in platting within a one-mile radius with an average lot size of 0.30 acres (Exhibit 4e). Directly across Highway 55/Karcher Road, on parcel R32900216 is a mini-storage facility that operates under a conditional use permit, this parcel is zoned “C-1” (Neighborhood Commercial; Exhibit 4d). To the southwest of the subject parcel are several parcels that are zoned “CR-C-2” (Conditional Rezone - Service Commercial) and “CR-C-1” (Conditional Rezone - Neighborhood Commercial) and “C-1 (Neighborhood Commercial). See Exhibit 4f: Maps – Cases with Reports for more information
- (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2022-0007.

C. Is the proposed conditional rezone compatible with surrounding land uses?

Conclusion: The proposed request is compatible with the surrounding land uses.

- Findings:** (1) There are 28 platted subdivisions in a one-mile radius of the subject property with an average lot size of 1.03 acres. Two (2) subdivisions are currently in platting within a one-mile radius with an average lot size of 0.30 acres (Exhibit 4e). Directly across Highway 55/Karcher Road,

on parcel R32900216 is a mini-storage facility that operates under a conditional use permit, this parcel is zoned “C-1” (Neighborhood Commercial) (Exhibit 4d). To the southwest of the subject parcel are several parcels that are zoned “CR-C-2” (Conditional Rezone - Service Commercial) and “CR-C-1” (Conditional Rezone - Neighborhood Commercial) and “C-1 (Neighborhood Commercial).

Recent decisions: CR2018-0002 – Karcher Farms (R32915, R32917011, R32917011A, 123 acres): Approved on appeal to courts in 2019 to CR-C2, CR-C1, and CR-R-1 subject to 21 conditions of approval (DA #20-147). The property has since been sold and plats were recently submitted to the Development Services Department (SD2022-0051 & SD2022-0049). *See* Exhibit 4f: Maps – Cases with Reports for more information.

- (2) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2022-0007.

D. Will the proposed use negatively affect the character of the area? What measures will be implemented to mitigate impacts?

Conclusion: As conditioned by the development agreement (Attachment A) the proposed use will not negatively affect the character of the area. Impacts are mitigated through conditions of the development agreement (Attachment A).

- Findings:**
- (1) The Canyon County Comprehensive Plan 2020 Future Land Use Map designates the subject property as commercial (Exhibit 4j). The request is located within the Caldwell Area of City Impact and the land use is designated as Highway Corridor the purpose of which is to “identify key areas along a highway corridor that are highly visible and transitional in nature. This category includes land that is suitable for a blend of highway-oriented commercial uses, business parks, limited light industrial, educational, office and high density residential” (Exhibit 4k).
 - (2) As conditioned by the development agreement (Attachment A), the rezone only impacts 12.6 acres of a 40-acre parcel, retaining approximately 27 acres in agricultural uses. The agreement restricts the development to the first two phases which requires conditions regarding traffic improvements and reviews and complying with City of Caldwell requirements. The result allows commercial uses within the designated area incrementally with conditions that address traffic, services, and operational concerns.
 - (3) Testimony included opposition letters with the following concerns (Exhibits 6a – 6f & 6j):
 - City services and Karcher Road improvements (Spring 2023) should be completed prior to the requested development. The current conditions of Karcher Road/SH-55 are congested with inadequate highway capacity.
 - Environmental risks/concerns of groundwater contamination from the gas storage/fuel tanks.

Over 40 letters of support were received that finds the request to not impact the character and to provide a commercial benefit to the growing area (Exhibits 6g – 6i).

The Board of County Commissioners finds the proposal as conditioned (Attachment A) adequately mitigates potential impacts on the character of the area and promotes orderly growth.

- (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2022-0007.
- (5) Additional supporting evidence regarding traffic, services, and facilities impact mitigation measures can be found in Subsections E and G of this document.

E. Will adequate facilities and services including sewer, water, drainage, irrigation, and utilities be provided to accommodate the proposed use?

Conclusion: Adequate facilities and utility systems will be provided to accommodate the residential uses at the time of development.

Findings: (1) The following adequate facilities can be provided and demonstrated at the time of development:

- Wells/Septic Systems: The property is located within the Caldwell Area of City Impact. City services are not available to the subject parcel at this time. Therefore, the gas station with convenience store and seasonal farmer's market will be required to meet all applicable Idaho Department of Water Resources, Idaho Department of Environmental Quality, and Southwest District Health requirements, as conditioned (Attachment A, Condition 1).
- Irrigation and Drainage: The property is located within the Boise Project Board of Control Irrigation District and has a valid water right (Exhibit 5b). Future development must ensure existing water users are not cut off from irrigation services (Exhibit 5b; Attachment A, condition 1). As conditioned, the City of Caldwell will require adequate landscaping which will require irrigation water usage and planning (Exhibit 5a & Attachment A).
- Utilities: The parcel is located adjacent to Idaho power lines and other utilities (Exhibit 4a; 8). Future development shall work with utility agencies and meet all applicable requirements, as conditioned (Attachment A, Condition 1).

- (2) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2022-0007.

F. Does legal access to the subject property for the development exist or will it exist at the time of development?

Conclusion: Legal access to the property exists. Future development will be required to meet Canyon Highway District #4 and Idaho Transportation Department access requirements.

Findings: (1) Legal access will be granted via a single-point driveway on Farmway Road and another single-point driveway on Highway 55 (Exhibit 5c). *See ITD and Canyon Highway District #4 access and improvement details in Criteria G.*

- (2) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2022-0007.

G. Does the proposed conditional rezone require road improvements to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?

Conclusion: The request will require improvements to prevent undue interference with existing or future traffic patterns as proposed. Conditions from ITD and CHD4 have been incorporated into the development agreement (Attachment A). Applied conditions will mitigate impacts to be less than significant.

Findings: (1) The applicant commissioned a Traffic Impact Study (TIS) by TO Engineers which was completed in March 2022 (Exhibit 7). The proposed development is expected to generate a total of 1,770 net-new daily trips. Based upon the analysis contained within the TIS the following recommendations were provided:

- Farmway Road at Driveway A: Per standards outlined in the *ITD Traffic Manual*, a northbound right-turn lane should be constructed concurrently with Driveway A which will provide full access with no turning restrictions.

- State Highway 55 at Driveway B: Per standards outlined in the *ITD Traffic Manual*, a westbound turn lane should be constructed concurrently with Driveway B, providing right-in, right-out access only.
- (2) Canyon Highway District #4 commented on the request and TIS (Exhibit 5c). The comment letter does not oppose the request subject to conditions of approval which include a final traffic study addressing the full buildout, improvements to Farmway frontage per Transportation Impacts and Frontage Improvements section of the TIS, Driveway approach location, connection plan directly across from Drake Lane, and dedication. All required conditions have been added to the development agreement (Attachment A).
- (3) The Idaho Transportation Department (ITD) requires (Exhibit 5d):
 - Approach shall be moved to the east so it is between Sta 758+00 and 759+00.
 - Developer shall provide funding for ITD to design and construct a right-turn lane and raised median to be included in ITD Project KN22715 (SH-44 Improvements from Indiana to Pear Lane).
 - Developer shall provide dedication right-of-way from the access location to the easterly property boundary to accommodate the future right-turn lane.
 - ITD shall approve any site plan prior to County approval(Exhibit 5di).

As a development agreement condition (Attachment A), the development shall adhere to the comments, conditions, improvements, and financial contributions required by Canyon Highway District/City of Caldwell Engineering and ITD shall be met/approved prior to commencement of use (Condition No. 2d).

- (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2022-0007.

H. Will the proposed zone change amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

Conclusion: Essential services and facilities, such as schools, police, fire, and emergency medical services are not anticipated to be impacted by the request.

- Findings:**
- (1) All affected essential services were notified on April 26, 2022, August 30, 2022, and April 12, 2023. As a condition of the development agreement (Attachment A), the City of Caldwell requires the development to comply with applicable Caldwell Fire Department requirements and standards (Exhibit 5a). All comments received do not oppose the request or find the request impactful to essential services subject to conditions.
 - (2) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2022-0007.

CANYON COUNTY CODE §09-01-21 - CALDWELL AREA OF CITY IMPACT ORDINANCE

Conclusion: The property is located within the Caldwell Area of City Impact. A notice was sent to the City of Caldwell per Canyon County Code Section 09-01-21. The conditions applied to the development agreement (Attachment A) require future development to work with the City of Caldwell.

- Findings:**
- (1) Pursuant to Canyon County Code §09-01-21 – Zoning Ordinance Amendment Proposals within the Caldwell Area of City Impact Agreement, a notice was provided to the City of Caldwell on April 26, 2022, August 30, 2022, and April 12, 2023.
 - (2) A comment letter was received from the City of Caldwell identifying the request is consistent with their comprehensive plan subject to the following (Exhibit 5a):

- A. Development meets applicable regulations within Caldwell’s Landscaping Ordinance;
- B. Development connect to city services (water and sewer); and
- C. Development meets Caldwell Fire comments and conditions.

As conditioned by the development agreement (Attachment A), the request shall comply with Caldwell’s landscaping requirements and Fire District Conditions. The agreement requires the developer to connect to city services prior to Phase 3. The applicant shall work with the City of Caldwell on a pre-annexation/services connection deferral agreement. Based on the conditions, the Board finds that the request does not impact Caldwell’s future land use plan or ability to annex the property in the future.

- (3) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2022-0007.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **approve** Case # RZ2022-0007, a conditional rezone of a 12.6-acre portion of parcel R32686 from an “A” zone (Agricultural) to a “CR-C-2” zone (Conditional Rezone – Service Commercial) subject to development agreement conditions (Attachment A).

Pursuant to Section 67-6535 of the Idaho Code, the applicant or affected persons have 14 days from the date of the final decision to seek reconsideration prior to seeking judicial review.

DATED this _____ day of _____, 2023.

CANYON COUNTY BOARD OF COMMISSIONERS

- _____ Motion Carried Unanimously
- _____ Motion Carried/Split Vote Below
- _____ Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
_____ Commissioner Leslie Van Beek	_____	_____	_____
_____ Commissioner Brad Holton	_____	_____	_____
_____ Commissioner Zach Brooks	_____	_____	_____

Attest: Chris Yamamoto, Clerk

By: _____
Deputy

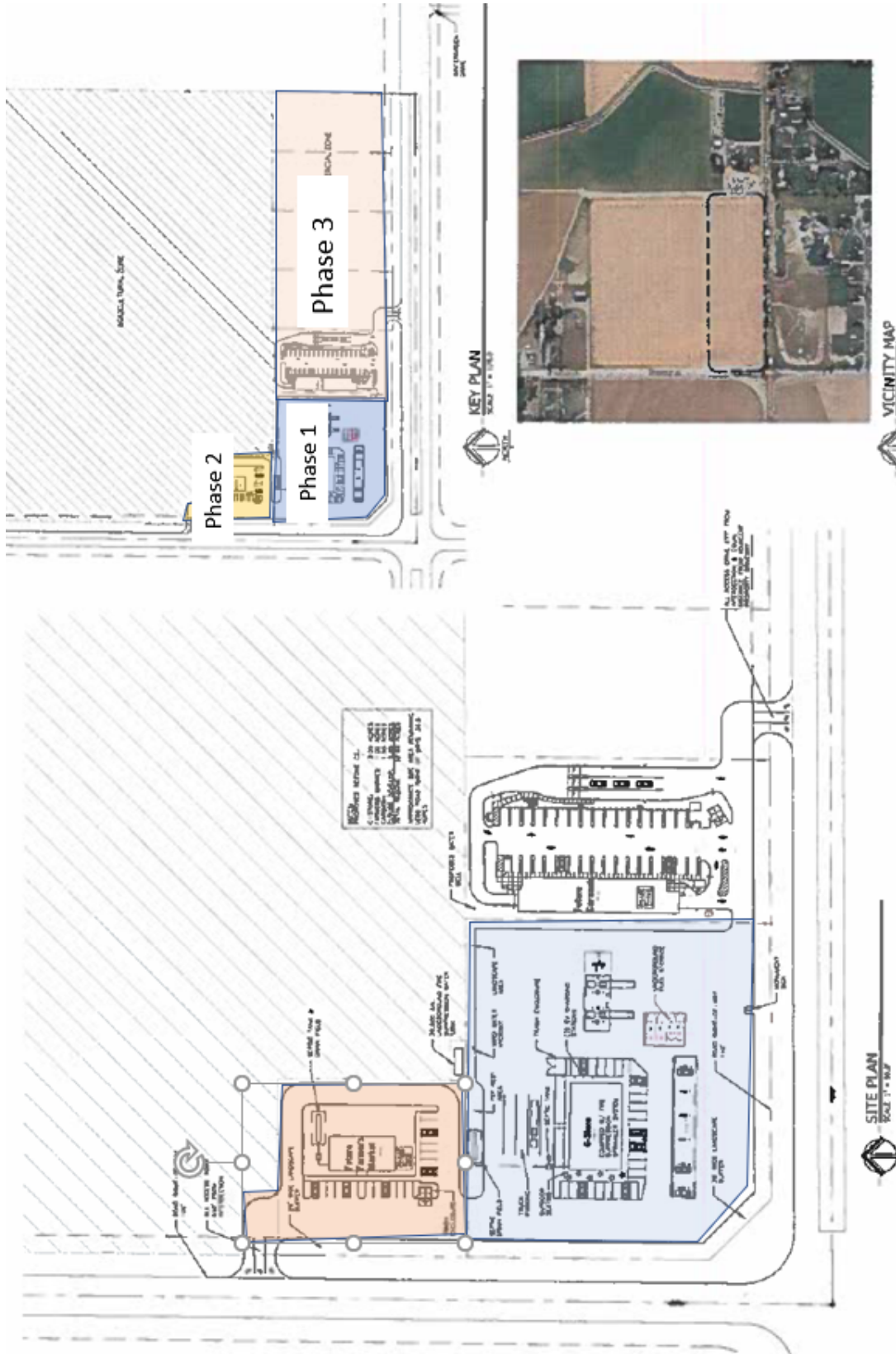
Date: _____

ATTACHMENT A

DEVELOPMENT AGREEMENT - CONDITIONS OF APPROVAL

1. Prior to the commencement of use, development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations.
2. Development shall only occur within the approximate 12.6 acres described in Exhibit "A" of the development agreement and shown in the conceptual site plan (Attachment B) on Parcel R32686 zoned "CR-C-2". The remaining acreage shall remain zoned "A" (Agricultural). Development is subject to the following conditions:
 - a. The development shall be phased in substantial compliance with the conceptual site plan (Attachment B) as follows:
 - i. Phase one shall consist of a fueling station to include 12 passenger vehicle pumps and 4 diesel pumps for commercial vehicles and, a 6,000 sq. foot convenience store with second-floor caretaker residence.
 - ii. Phase two shall consist of a 3,000-square-foot farmers market/shop and is to include a paved parking lot.
 - iii. Phase three, consisting of a 7,000-square-foot carwash and commercial development, shall not occur until Caldwell city services can accommodate the use.
 - b. The development of Phases one and two shall be designed in substantial compliance with the conceptual site design (Attachment C). Any associated division of land shall comply with Chapter 7, Article 17 of the Canyon County Zoning Ordinance.
 - c. The development shall comply with the following City of Caldwell requirements (Exhibit 5a of the staff report):
 - i. Development shall comply with City Landscaping Ordinance;
 - ii. The development shall comply with applicable Caldwell Fire Department requirements and standards; and
 - iii. A pre-annexation agreement/city services deferral agreement shall be completed by the development and the City of Caldwell.
 - d. A Final Traffic Study is required and is subject to review and acceptance by Canyon Highway District 4, City of Caldwell – Engineering and Idaho Transportation Department. All improvements unless other measures are identified and approved by Canyon Highway District 4, City of Caldwell – Engineering and Idaho Transportation Department, shall be completed and approved prior to commencement of use. The development shall comply with the following:
 - i. Requirements and conditions stated in the Canyon Highway District #4 letter dated July 14, 2022 (Exhibit 5c of the staff report).
 - ii. Requirements and conditions stated in the Idaho Transportation Dept. letter dated December 19, 2022 (Exhibit 5d of the staff report) and E-mail dated May 5, 2023 (Exhibit 5di of the staff report).
3. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezone for a land use shall commence within two (2) years of the approval of the board."

ATTACHMENT B CONCEPTUAL SITE PLAN



ATTACHMENT C
CONCEPTUAL SITE DESIGN















CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

1115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458

Fax: (208) 454-6633 • www.canyoncounty.org/dsd

DEVELOPMENT AGREEMENT BETWEEN CANYON COUNTY AND APPLICANT

Agreement number: _____

THIS AGREEMENT, made and entered into this _____ day of _____, 2023, by and between Canyon County, Idaho, a political subdivision of the state of Idaho, hereinafter referred to as "COUNTY" and Gregory R Obendorf and Ann Obendorf, hereinafter referred to as "Applicant."

RECITALS

WHEREAS, The Applicant has applied to the County for a conditional rezone of a 12.6-acre portion of parcel R32686 from an "A" (Agricultural) zone to a "CR-C-2" (Conditional Rezone - Service Commercial) zone (RZ2022-0007), which are legally described in the attached EXHIBIT "A," incorporated by reference herein (hereinafter referred to as "Subject Property"); and

WHEREAS, Parcels R32686, approximately 40.4 acres, is owned by the Applicant; and

WHEREAS, on the _____ day of _____, 2023, the Canyon County Board of Commissioners approved a conditional rezone with conditions of the Subject Property to a "CR-C-2" Zone, which was done with Applicant's approval. The conditions of the approval for the conditional rezone are attached hereto as EXHIBIT "B"; and

WHEREAS, the parties desire to enter into an agreement to comply with Canyon County Code of Ordinances §07-06-07(2) & 07-06-07(7), Canyon County Zoning Ordinance, or as amended, and to ensure the Applicants will implement and be bound by the conditions of the rezone order issued by the Canyon County Board of Commissioners; and

NOW THEREFORE, the parties hereto do hereby agree to the following terms:

SECTION 1. AUTHORIZATION.

This Agreement is authorized and required by Idaho Code §67-6511A; Canyon County Code of Ordinances 07-06-07 (Conditional Rezone).

SECTION 2. PROPERTY OWNER.

Applicants are the owner(s) of Subject Properties which is located in the unincorporated area of Canyon County, Idaho, more particularly described in EXHIBIT "A", attached hereto and incorporated herein, which real property is the subject matter of this Agreement. Applicants represent that they currently hold complete legal or equitable interest in the Subject Properties and that all persons holding legal or equitable interests in the Subject Properties or the operation of the business are to be bound by this Agreement.

SECTION 3. RECORDATION.

Pursuant to Idaho Code §67-6511A and Canyon County Code of Ordinances, this Agreement shall be recorded by the Clerk in the Canyon County Recorder's Office and will take effect upon the adoption, by the Board of County Commissioners, of the amendment to the zoning ordinance as set forth herein.

SECTION 4. TERM.

The parties agree that this Agreement shall run with the land and bind the Subject Property in perpetuity, and shall inure to the benefit of and be enforceable by the parties, and any of their respective legal representatives, heirs, successors, and assignees. Provided, however, this Agreement shall terminate if the Board of County Commissioners subsequently rezones the property to allow for a higher density use or if annexation of the Subject Property by a city occurs. In this event, however, the Agreement shall only terminate in regards to the portion of the Property that is actually rezoned or annexed, while the remainder of the Property shall remain subject to the Agreement.

If any of the privileges or rights created by this Agreement would otherwise be unlawful or void for violation of (1) the rule against perpetuities or some analogous statutory provision, (2) the rule restricting restraints on alienation, or (3) any other statutory or common law rules imposing time limits, then such provision shall continue until twenty-one (21) years after the death of the last survivor of the now living lawful descendants of George Herbert Walker Bush, former President of the United States, or for such shorter period as may be required to sustain the validity of such provision.

SECTION 5. MODIFICATION.

This Agreement may be modified only in writing signed by the parties, or their successors in interest, after complying with the notice and hearing procedures of Idaho Code §67-6509 and the requirements of Canyon County Code of Ordinances. The modification proposal must be in the form of a revised Development Agreement and must be accompanied by a statement demonstrating the necessity for the requested modification.

SECTION 6. APPLICATION OF OTHER LAWS TO THE SUBJECT PROPERTIES.

This Agreement shall not prevent the County in subsequent actions applicable to the Subject Properties from applying new rules, regulations, or policies that do not conflict with this Agreement.

SECTION 7. COMMITMENTS.

Applicants will fully and completely comply with the conditions of the approved conditional rezone of the Subject Properties from “A” (Agricultural) Zone to “CR-C-2” (Conditional Rezone – Service Commercial) Zone, which conditions are attached hereto as EXHIBIT “B”.

SECTION 8. USES, DENSITY, AND HEIGHT AND SIZE OF BUILDINGS

The density or intensity of use of the Subject Properties is specified in the commitments of Section 7 unless conditioned otherwise (see Exhibit “B”). The uses and maximum height and size of the buildings on the Subject Properties shall be those set pursuant to law, including those contained in the Canyon County Code of Ordinances, that are applicable to an “CR-C-2” (Conditional Rezone – Service Commercial) zone and those provisions of law that are otherwise applicable to the Subject Property.

SECTION 9. LIABILITY AND INDEMNITY OF COUNTY.

A. COUNTY REVIEW.

Applicants acknowledge and agree that the County is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the County’s review and approval of any plans or improvements, or the issuance of any approvals, permits, certificates or acceptances, relating to the use and development of the property described in EXHIBIT “A,” and that the County’s review and approval of any such plans and the improvements or the issuance of any such approvals, permits, certificates, or acceptances does not, and shall not, in any way, be deemed to insure or ensure Applicants or any of Applicants’ heirs, successors, assigns, tenants, and licensees, against damage or injury of any kind and/or at any time.

B. COUNTY PROCEDURES.

Applicants acknowledge that notices, meetings, and hearings have been lawfully and properly given and held by the County with respect to Applicant’s conditional rezone application in Development Services Department Case Number RZ2022-0007 and any related or resulting development agreements, ordinances, rules and regulations, resolutions or orders of the Board of County Commissioners. Applicants agree not to challenge the lawfulness, procedures, proceedings, correctness or validity of any of such notices, meetings, hearings, development agreements, ordinances, rules, regulations, resolutions or orders.

C. INDEMNITY.

Applicants agree to, and do hereby, defend, hold harmless and indemnify the County, the Board of County Commissioners, all County elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any such parties in connection with (i) the County’s review and approval of any plans or improvements, or the issuance of any approvals, permits, certificates, or acceptances relating to the use and/or development of the Subject Properties; (ii) any actions taken by the County pursuant to Subsection 9(B) of this Agreement; (iii) the development, construction, and maintenance of the property; and (iv) the performance by County of its obligations under this Agreement and all related ordinances, resolutions, or other agreements.

D. DEFENSE EXPENSES.

Applicants shall, and do hereby agree, to pay, without protest, all expenses incurred by the County in defending itself with regard to any and all of the claims identified in Subsection 9 of this Agreement. These expenses shall include all out-of-pocket expenses, including, but not limited

to, attorneys' and experts' fees, and shall also include the reasonable value of any services rendered by any employees of the County.

SECTION 10. PERIODIC REVIEW.

The County's Development Services Department will administer the Agreement after it becomes effective and will conduct a review of compliance with the terms of this Agreement on a periodic basis, including, but not limited to, each time a development of the Property is platted. Applicants shall have the duty to demonstrate Applicants' compliance with the terms of this Agreement during such review.

SECTION 11. REQUIRED PERFORMANCE.

Applicants shall timely carry out all steps required to be performed and maintain all commitments set forth in this Agreement and as set forth in County laws, ordinances, rules and regulations as they pertain to the Subject Property including, but not limited to, those concerning the commencement of development, completion of development, preliminary platting and final platting.

SECTION 12. DEFAULT AND REMEDIES.

In the event of a default or breach of this Agreement or of any of its terms or conditions, the party alleging default shall give the breaching party not less than thirty (30) days, Notice of Default, in writing, unless an emergency exists threatening the health and safety of the public. If such an emergency exists, written notice shall be given in a reasonable time and manner in light of the circumstances of the breach. The time of the giving of the notice shall be measured from the date of the written Notice of Default. The Notice of Default shall specify the nature of the alleged default and, where appropriate, the manner and period of time during which said default may be satisfactorily cured. During any period of curing, the party charged shall not be considered in default for the purposes of termination or zoning reversion, or the institution of legal proceedings. If the default is cured, then no default shall exist and the charging party shall take no further action.

SECTION 13. ZONING REVERSION CONSENT.

The execution of this Agreement shall be deemed written consent by Applicants to change the zoning of the Subject Properties to its prior designation upon failure to comply with the terms and conditions imposed by the approved conditional rezoning and this Agreement. No reversion shall take place until after a hearing on this matter pursuant to Idaho Code §67-6511A. Upon notice and hearing, as provided in this Agreement and in Idaho Code §67-6509, if the properties described in attached EXHIBIT "A" are not used as approved, or if the approved use ends or is abandoned, the Board of County Commissioners may order that the property will revert to the zoning designation (and land uses allowed by that zoning designation) existing immediately prior to the rezoning action, i.e., the Subject Properties conditionally rezoned from "A" (Agricultural) Zone designation to "CR-C-2" (Conditional Rezone – Service Commercial) Zone designation shall revert back to the "A" (Agricultural) Zone designation.

SECTION 14. COMPLIANCE WITH LAWS.

Applicants agree that they will comply with all federal, state, county and local laws, rules and regulations, which appertain to the Subject Property.

SECTION 15. RELATIONSHIP OF PARTIES.

It is understood that this Agreement between Applicants and the County is such that Applicants are an independent party and are not an agent of the County.

SECTION 16. CHANGES IN LAW.

Any reference to laws, ordinances, rules, regulations, or resolutions shall include such laws, ordinances, rules, regulations, or resolutions as they have been, or as they may hereafter be amended.

SECTION 17. NOTICES.

Except as otherwise provided in this Agreement and/or by law, all notices and other communications in connection with this Agreement shall be in writing and shall be deemed delivered to the addressee thereof, (1) when delivered in person on a business day at the address set forth below, or (2) in the third business day after being deposited in any main or branch United States post office, for delivery by properly addressed, postage paid, certified or registered mail, return receipt requested, at the addresses set forth below.

Notices and communications required to be given to County shall be addressed to, and delivered at, the following address:

Director
Development Services Department
Canyon County Administration
111 North 11th Avenue, #140
Caldwell, Idaho 83605

Notices and communications required to be given to the Applicant shall be addressed to, and delivered at, the following addresses:

Name: Gregory and Ann Obendorf
Street Address: 23299 Fargo Road
City, State, Zip: Parma, ID 83660

A party may change its address by giving notice, in writing, to the other party, in the manner provided for in this section. Thereafter, notices, demands, and other pertinent correspondence shall be addressed and transmitted to the new address.

SECTION 18. TERMINATION.

This Agreement may be terminated in accordance with the notice and hearing procedures of Idaho Code §67-6509, and the zoning designation upon which the use is based reversed, upon failure of Applicant(s), a subsequent owner, or other person acquiring an interest in the property described in attached EXHIBIT "A" to comply with the terms of this Agreement. Applicants shall comply with all commitments in this Agreement prior to establishing the approved land use.

SECTION 19. EFFECTIVE DATE.

The commitments contained in this Agreement shall take effect in the manner described in this Agreement upon the County's adoption of the amendment to the zoning ordinance as set forth herein.

SECTION 20. TIME OF ESSENCE.

Time is of the essence in the performance of all terms and provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

**BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO**

APPLICANT

Commissioner, Leslie Van Beek

Gregory R. Obendorf, Property Owner

Commissioner Brad Holton

Ann Obendorf, Property Owner

Commissioner Zach Brooks

ATTEST: Chris Yamamoto, Clerk

BY: _____
Deputy

DATE: _____

(All Applicants must sign and their signatures must be notarized)

STATE OF IDAHO)
) ss.
 County of Canyon)

On this _____ day of _____, 20____, before me, a notary public, personally appeared _____, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he/she executed the same on behalf of the Applicant.

 Notary Public for Idaho

Residing at: _____

My Commission Expires: _____

STATE OF IDAHO)
) ss.
 County of Canyon)

On this _____ day of _____, 20____, before me, a notary public, personally appeared _____, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he/she executed the same on behalf of the Applicant.

 Notary Public for Idaho

Residing at: _____

My Commission Expires: _____

EXHIBIT "A"**LEGAL DESCRIPTION**

A parcel of land, located in a portion of the SW1/4 of the SW1/4 of Section 9, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at a brass cap monument marking the West 1/16 Corner between Sections 9 and 16 from which an aluminum cap monument marking the Southwest Corner of said Section 9 bears S.89°33'50"W., 1327.52 feet; thence along the east boundary of said SW1/4 of the SW1/4,

A) N.00°38'01"E., 33.01 feet to the north right-of-way of Highway 55 (Karcher Road) and the **POINT OF BEGINNING**; thence parallel with and 33 feet north of the south boundary of said SW1/4 of the SW1/4,

1) S.89°33'50"W., 1226.22 feet; thence,

2) N.58°09'08"W., 79.84 feet to the east right-of-way of Farmway Road; thence parallel with and 33 feet east of the west boundary of said SW1/4 of the SW1/4,

3) N.00°37'57"E., 563.45 feet; thence,

4) N.89°33'50"E., 221.04 feet; thence,

5) S.00°37'57"W., 218.04 feet; thence,

6) N.89°33'50"E., 1073.48 feet to the east boundary of said SW1/4 of the SW1/4; thence along said east boundary,

7) S.00°38'01"W., 388.07 feet to the **POINT OF BEGINNING**.

CONTAINING: 12.603 acres, more or less.

SUBJECT TO: Record Documents



EXHIBIT "B"**CONDITIONS OF APPROVAL**

1. Prior to the commencement of use, development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations.
2. Development shall only occur within the approximate 12.6 acres described in Exhibit "A" of the development agreement and shown in the conceptual site plan (Attachment B) on Parcel R32686 zoned "CR-C-2". The remaining acreage shall remain zoned "A" (Agricultural). Development is subject to the following conditions:
 - a. The development shall be phased in substantial compliance with the conceptual site plan (Attachment B) as follows:
 - i. Phase one shall consist of a fueling station to include 12 passenger vehicle pumps and 4 diesel pumps for commercial vehicles and, a 6,000 sq. foot convenience store with second-floor caretaker residence.
 - ii. Phase two shall consist of a 3,000-square-foot farmers market/shop and is to include a paved parking lot.
 - iii. Phase three, consisting of a 7,000-square-foot carwash and commercial development, shall not occur until Caldwell city services can accommodate the use.
 - b. The development of Phases one and two shall be designed in substantial compliance with the conceptual site design (Attachment C). Any associated division of land shall comply with Chapter 7, Article 17 of the Canyon County Zoning Ordinance.
 - c. The development shall comply with the following City of Caldwell requirements (Exhibit 5a of the staff report):
 - i. Development shall comply with City Landscaping Ordinance;
 - ii. The development shall comply with applicable Caldwell Fire Department requirements and standards; and
 - iii. A pre-annexation agreement/city services deferral agreement shall be completed by the development and the City of Caldwell.
 - d. A Final Traffic Study is required and is subject to review and acceptance by Canyon Highway District 4, City of Caldwell – Engineering and Idaho Transportation Department. All improvements unless other measures are identified and approved by Canyon Highway District 4, City of Caldwell – Engineering and Idaho Transportation Department, shall be completed and approved prior to commencement of use. The development shall comply with the following:
 - i. Requirements and conditions stated in the Canyon Highway District #4 letter dated July 14, 2022 (Exhibit 5c of the staff report).
 - ii. Requirements and conditions stated in the Idaho Transportation Dept. letter dated December 19, 2022 (Exhibit 5d of the staff report) and E-mail dated May 5, 2023 (Exhibit 5di of the staff report).
3. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezone for a land use shall commence within two (2) years of the approval of the board."

EXHIBIT "C" CONCEPTUAL SITE PLAN

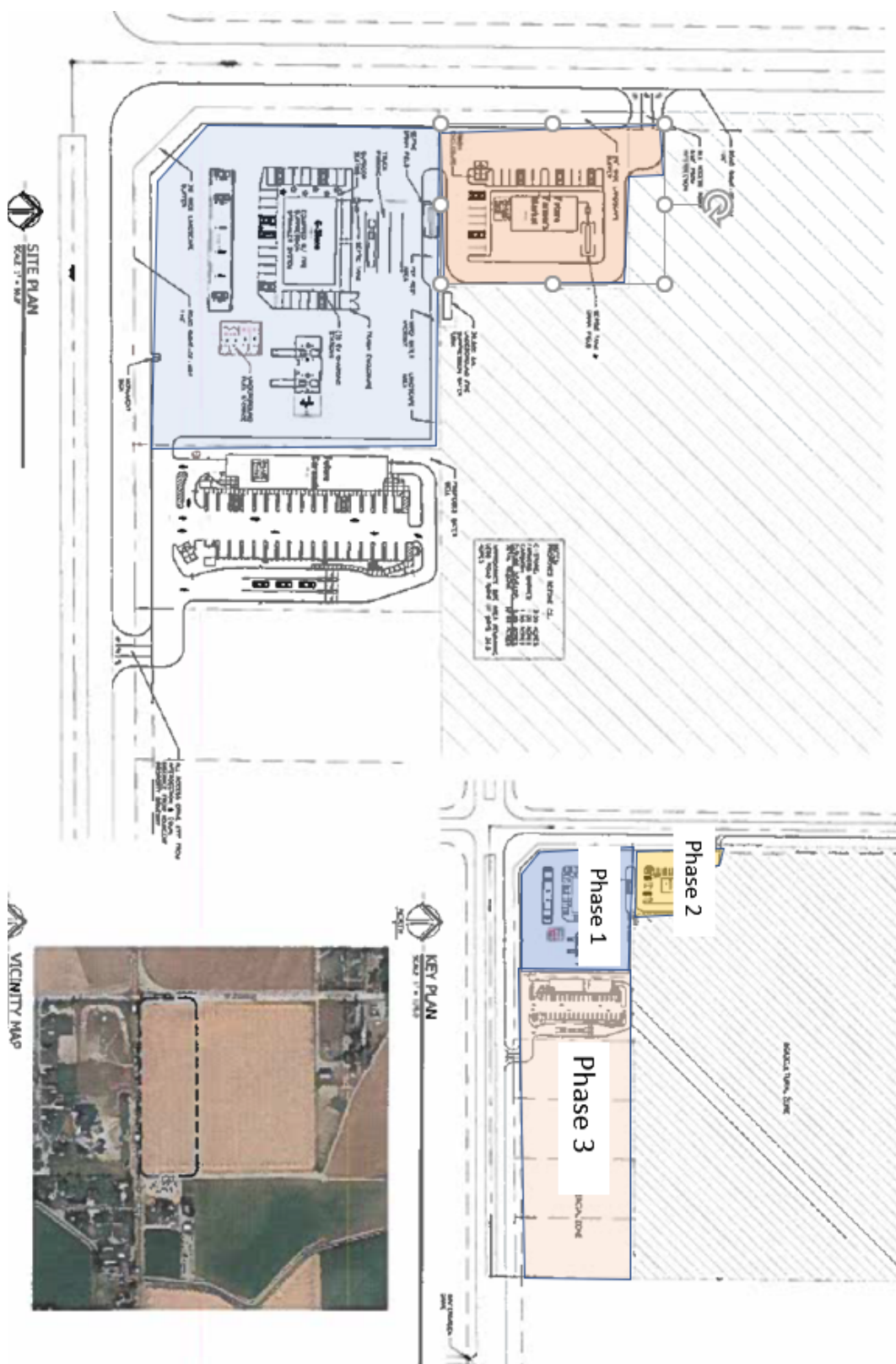


EXHIBIT “D”
CONCEPTUAL SITE DESIGN













ORDINANCE NO. _____

**ORDINANCE DIRECTING AMENDMENTS TO THE
CANYON COUNTY ZONING MAP
(Obendorf – Conditional Rezone – RZ2022-0007)**

An ordinance of Canyon County, Idaho directing amendments to the Canyon County Zoning Map (Ordinance No. 12-021); providing for title, structure, purpose, and authority clauses; rezone; severability; and an effective date.

Be It Ordained by the Board of County Commissioners of Canyon County, Idaho:

SECTION 1. TITLE.

This Ordinance shall be known as the “Ordinance Directing Amendments to Canyon County Zoning Map (for approximately 12.6 acres as described in Exhibit “A” of Parcel R32686).

SECTION 2. STRUCTURE.

Titles and subtitles of this Ordinance are only used for organization and structure and the language in each paragraph of this Ordinance should control with regard to determining the legislative intent and meaning of the Board of County Commissioners.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to authorize the rezone of the property described in Section 5 of this Ordinance from “A” (Agricultural) to “CR-C-2” (Conditional Rezone – Service Commercial). The purpose of this Ordinance also authorizes amendments to the Official Maps of Canyon County to reflect the rezone authorized by this Ordinance.

SECTION 4. AUTHORITY.

This Ordinance amending the Official Zoning Maps of Canyon County (is enacted pursuant to the authority conferred by Canyon County Zoning Ordinance 7, Chapter 7, Article 6; and Idaho Code § 67-6511, 67-6511A, 31-714, 31-801 and 31-828.

SECTION 5. REZONE.

The subject property shall be and is rezoned from “A” (Agricultural) to “CR-C-2” (Conditional Rezone – Service Commercial), as specifically identified and described in the attached Exhibit “A”, pursuant to the Findings of Fact, Conclusions of Law and Order issued on *May 23, 2023*, by the Board of Canyon County Commissioners as authorized by Canyon County Zoning Ordinance, Chapter 7, Article 6; the Idaho Constitution; and Idaho Code § 67-6511, 67-6511A.

SECTION 6. SEVERABILITY CLAUSE.

Should any provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance in whole or in part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall be in full force and effect on _____, 2023.

ADOPTED AND APPROVED this ____ day of _____, 2023.

**BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO**

	Yes	No	Did Not Vote
_____ Commissioner Leslie Van Beek	_____	_____	_____
_____ Commissioner Brad Holton	_____	_____	_____
_____ Commissioner Zach Brooks	_____	_____	_____

Attest: Chris Yamamoto, Clerk

By: _____
Deputy

Date: _____

Publication Date: _____ 2023, Idaho Press-Tribune

EXHIBIT "A"

A parcel of land, located in a portion of the SW1/4 of the SW1/4 of Section 9, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at a brass cap monument marking the West 1/16 Corner between Sections 9 and 16 from which an aluminum cap monument marking the Southwest Corner of said Section 9 bears S.89°33'50"W., 1327.52 feet; thence along the east boundary of said SW1/4 of the SW1/4,

- A) N.00°38'01"E., 33.01 feet to the north right-of-way of Highway 55 (Karcher Road) and the **POINT OF BEGINNING**; thence parallel with and 33 feet north of the south boundary of said SW1/4 of the SW1/4,
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 - 3) N.00°37'57"E., 563.45 feet; thence,
 - 4) N.89°33'50"E., 221.04 feet; thence,
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SUBJECT TO: Record Documents

