

Commissioners Minutes

December 2, 2024 – 3:01 p.m. to 3:08 p.m., and 3:28 p.m. to 3:33 p.m.

CONTINUATION OF PUBLIC HEARING: CONSIDER THE PRELIMINARY PLAT AND AN IRRIGATION AND DRAINAGE PLAN FOR ALYSON MEADOWS SUBDIVISION, CASE NO. SD2021-0039

Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek

DSD Planning Supervisor Carl Anderson

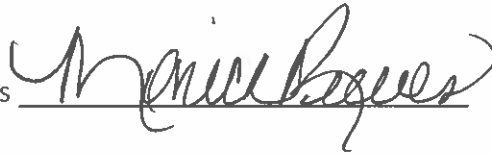
DSD Principal Planner Michelle Barron

Deputy PA Zach Wesley

Elwin Butler

Other interested citizens

Deputy Clerk Monica Reeves

A handwritten signature in black ink, appearing to read 'Monica Reeves', is written over a horizontal line.

CONTINUATION OF PUBLIC HEARING: CONSIDER THE PRELIMINARY PLAT AND AN IRRIGATION AND DRAINAGE PLAN FOR ALYSON MEADOWS SUBDIVISION, CASE NO. SD2021-0039

The Board met today at 3:01 p.m. for a continuation of the public hearing in the matter of a request by Elwin Butler, PE for Cory Swain, CS2, LLC, for approval of a preliminary plat and irrigation and drainage plan for Alyson Meadows Subdivision, Case No. SD2021-0039. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Michelle Barron, Deputy PA Zach Wesley, Elwin Butler, other interested citizens, and Deputy Clerk Monica Reeves. Today's hearing was continued from November 19, 2024 where the Board asked for additional information relating to the development agreement and the City of Caldwell's subdivision improvement requirements.

Today, DSD Principal Planner Michelle Barron gave a recap noting there are several subdivisions ordinance requirements that the City of Caldwell would like the applicant to follow. Originally, they wanted them to connect to city services for water, and there are requirements for putting in a dryline for future septic expansion, curb and gutter. During the rezone process there was a condition that stated the applicant will comply with the proposed conditions of the City of Caldwell Engineering and the Director of the City of Caldwell P&Z Department letters, with the exception of the requirement connecting to the public water system which is waived. At the time, the applicant was only asking for a waiver of the connection to city water. During the subdivision process, there was a new applicant who is represented by Elwin Butler and they asked for a waiver of the subdivision requirements and the P&Z Commission agreed and recommended that all city requirements would be waived.

Deputy PA Zach Wesley said if the Board approves the application and waives the city conditions on the plat it would be out of compliance with the development agreement and someone could come forward and trigger a complaint and we'd have to go through a public hearing process where the zoning could be revoked. The options are to either table the plat and come back for an

amendment on the development agreement which could be done at one hearing and we could also have the plat tabled to that point and do both at the same time; or, the developer can go forward and meet the requirements of the development agreement and get the plat approved under those conditions today.

Commissioner Brooks wants to go into Executive Session and discuss his questions with legal counsel. The Executive Session was held as follows:

EXECUTIVE SESSION – COMMUNICATE WITH LEGAL COUNSEL REGARDING
PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Brooks made a motion to go into Executive Session at 3:08 p.m. pursuant to Idaho Code, Section 74-206(1) (f) to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Leslie Van Beek, and Zach Brooks, Deputy PA Zach Wesley, DSD Planning Supervisor Carl Anderson, and DSD Principal Planner Michelle Barron. The Executive Session concluded at 3:28 p.m. and the hearing resumed in open session.

Commissioner Holton said we cannot work around the development agreement so the Board will give the applicant three months to file an application to modify it and if nothing happens in six months the Board will hold a final hearing and make a decision with the information it has. Elwin Butler said they are agreeable to that. The applicant will be required to have a neighborhood meeting as part of the public hearing requirements. Commissioner Van Beek said the modification request will come to the Board, not the P&Z Commission, and the merits of the modification will be deliberated by Board at that time with no guarantee. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing and give the applicant three months to apply for a development agreement modification, and in six months this hearing will be continued if nothing else has happened then the Board will finish the business and make a final decision. The hearing concluded at 3:33 p.m. An audio recording is on file in the Commissioners' Office.

Commissioners Minutes

November 19, 2024 – 1:31 p.m. to 3:44 p.m.

PUBLIC HEARING: CONSIDER THE PRELIMINARY PLAT AND AN IRRIGATION AND DRAINAGE PLAN FOR ALYSON MEADOWS SUBDIVISION, CASE NO. SD2021-0039

Commissioners Brad Holton, Zach Brooks and Leslie Van Beek

Deputy P.A. Zach Wesley (arrived at 3:00 p.m.)

DSD Principal Planner Michelle Barron

DSD Planning Supervisor Carl Anderson

Elwin Butler from Matrix Engineering

Gary Beers

Greg Bullock

Sarah Lawrenson

Other interested citizens

Deputy Clerk Monica Reeves



PUBLIC HEARING: CONSIDER THE PRELIMINARY PLAT AND AN IRRIGATION AND DRAINAGE PLAN FOR ALYSON MEADOWS SUBDIVISION, CASE NO. SD2021-0039

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Elwin Butler, PE for Cory Swain, CS2, LLC, for approval of a preliminary plat and irrigation and drainage plan for Alyson Meadows Subdivision, Case No. SD2021-0039. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Michelle Barron, DSD Planning Supervisor Carl Anderson, Elwin Butler from Matrix Engineering, Gary Beers, Greg Bullock, Sarah Lawrenson, other interested citizens, and Deputy Clerk Monica Reeves.

Elwin Butler, with Matrix Engineering, testified the plat consists of 18 residential lots with a minimum buildable lot size of 2 acres, with each to be served by individual wells and septic systems. The Linden Street right-of-way will be widened to the required width and includes a 20-foot buffer strip along the frontage of the property. Access will be via private road and they have received approval to use Birchwood Lane. It covers the minimum 26-foot wide requirements of the fire department. Drainage will be along the swales of the private roads and collected into an infiltration swale; the easements are provided on the plat. Irrigation will be pressurized and the irrigation water will be tiled and a head gate will be placed at the head of the cul-de-sac to provide diversion to Rhett's Acres, Pleasant Ridge, and to Alyson Meadows so they can easily control irrigation water. The development compliments the surrounding area of small acreages and all the surrounding properties are rural residential lots with wells and septs. There was a concern about access to Tranquil Road and during the plat reviews they discovered: 1. The frontage of Alyson Meadows that fronts Tranquil Place was not provided an access easement on Rhett's Acres; 2. the turnaround for Tranquil Place was on the Alyson Meadows property; and 3. The irrigation main to Rhett's Acres went across Alyson Meadows without an easement. They have worked with Rhett's Acres to correct these items and they are addressed on the plat. The Caldwell Fire Dept., did not require a second access with the cul-de-sac as designed but having a second access

provided to both Rhett's Acres and Alyson Meadows is a win-win for both projects. There was concern about having the access open and the developers have agreed to gate that so that EMS and service vehicles can access irrigation and emergencies and still keep it a non-public use. Tranquil Place and Birchwood Lane will be private roads and will be maintained by the HOA. There was concern from neighbors that they did not want this subdivision to be a city development with streetlights, sidewalks, and utilities. Item No. 6 in the conditions of approval was recommended by the P&Z Commission to waive all city requirements and the developers support this in the fact that these lots are served by their own wells and septic tanks and they are surrounded by rural lots that provide their own utilities. In order for the city to annex this property they have to have a direct line for annexation and without the small properties annexing to the city first they cannot annex Alyson Meadows. If the developers had to put in sewer and water lines in addition to wells and septic tanks it would be 30 years before they could be annexed and those lines would be halfway through their useful life before they would be utilized so the developers support the idea of keeping this a rural development. Following his testimony, Mr. Butler responded to questions from the Board regarding the road maintenance, ingress/egress, the road users' maintenance agreement, the irrigation system, and accessory dwelling units.

DSD Principal Planner Michelle Barron gave the oral staff report. The development consists of 18 residential lots and 4 common lots, including a private road lot on approximately 40.84 acres. The subject property, parcel number R35590, is located at 0 Linden Road. The property will take access off Linden via new private road, Birchwood Lane. There is an easement that will provide access to irrigation structures for this subdivision and to Rhett's Acres to the east, and it will also be available for a secondary access for emergency services that will remain gated unless needed. The applicant has requested a waiver of the city's requirement to install a 10-inch dry water main and the Board of Commissioners had previously waived the city's recommended requirements to connect to city water services at the time of the rezone. Sewer is not available at this time and the subdivision will be serviced by individual septic systems. The city is requesting some buildout of sewer structures. The property is zoned rural residential and is located in the Caldwell's area of city impact and has a future land use designation of residential estates. On August 15, 2024, the Planning & Zoning Commission recommended approval with conditions, and recommended all of the city's requirements for this plat be waived by the Board. The preliminary plat was approved by Keller & Associates acting as the County engineer, with an updated review by Centurion Engineers on January 8, 2024 with conditions. The City of Caldwell wishes to require the developer to provide funds to construct a forced pressure sewer line from Birchwood Lane to the east boundary of the frontage. The city is requiring the developer to place a 12-inch water main along the frontage of the property for future hookup to the city water after annexation. The Board waived the requirements to connect to city water during the conditional rezone process and made it part of the development agreement. At the time of annexation into the city there will be a transfer of irrigation water rights to the city. The City of Caldwell is requiring ribbon curb and marked walkways on the pavement but that does not include curb and sidewalks. Principal Planner Barron reviewed the conditions of approval, including a potential additional condition that a gate be installed with a lock that is only accessible by emergency services at the property line for the Rhett's Acres Subdivision. It probably needs to be accessible for irrigation purposes as well. Following her report, Principal Planner Barron responded to questions from the Board regarding the City of Caldwell's requirements and future annexation of the property.

Public testimony was offered as follows:

Gary Beers, who lives on West Linden Street directly north of the proposed subdivision, testified that he supports the P&Z Commission's recommendation and requests the Board approve Condition No. 6, which is the waiving of the City of Caldwell requirements. The record includes a neighborhood petition with 22 signatures also in support of the waiver which is in keeping with the rezoning plat requirements previously approved by the Board for Tranquil Place Subdivision located east of Alyson Meadows. He appreciated that during the rezoning hearing for Alyson Meadows, Commissioner Brooks raised a concern about placing city requirements on the Alyson Meadows Subdivision that were not placed on Tranquil Place, and Mr. Beers agrees with that concern. Both subdivisions are in the impact zone and he understands the desire to enhance the area; however, the existing properties already have a rural aesthetic that is enjoyed by current residents and many have worked in good faith with the developers of Tranquil Place and now Alyson Meadows to support development of the properties in keeping with the current rural residential aesthetic. Mr. Beers testified that he coordinates irrigation with the residents of Birchwood and in partnership with the ditch rider for Pioneer Irrigation.

Greg Bullock testified about his involvement with the Rhett's Acres project and his knowledge of the development on Tranquil Lane. As part of the development he was working on he became acquainted with the neighbors who were opposed to bringing in a new subdivision, but understanding that there would be much higher density with a city development the neighbors supported a rural 2-acre subdivision. He is not surprised that the P&Z Commission recommended denial of the City of Caldwell's requirements because it does not fit the rural area. They needed an easement across the Alyson Meadows property for irrigation purposes, which they granted and they requested that Rhett's Acres give an easement for emergency vehicles only. Neither Rhett's Acres nor those who had lived there for a while wanted the connectivity to another subdivision. The easements are inclusive of maintenance and improvements, and they will put gates at both ends of the emergency areas.

Sarah Lawrenson lives on Tranquil Place at the end of the Rhett's Acres development and her concern deals with the future development connecting to the private road, Tranquil Place. She has submitted a letter for each hearing regarding this development and she does not feel that her concerns have been seriously considered. Tranquil Place is a private road that each lot owner is mutually responsible for the maintenance and upkeep of and they are all tied to the RUMA and it's tied to their deeds. Tranquil Place services 18 possible lots and she wants to know why can't Alyson Meadows simply have a hammerhead like Tranquil Place has or use the culdesac as designed and eliminate all of the concerns for possible extra traffic use and burden on Tranquil Place and those financially responsible for the maintenance. It's not just vehicle traffic, there will also be more people and bicycles, kids, etc. Regarding irrigation, she said when Rhett's Acres was being developed part of the requirement was the irrigation had to go through her property to get irrigation to Rhett's Acres and in doing that there is no easement. In the State of Idaho you do not have to have an easement for irrigation purposes so there doesn't need to be an easement for

irrigation for Rhett's Acres to get their water and she doesn't think it needs to have road/vehicle access because people can walk through the nine acres to get to their head gate for Rhett's Acres. Back when she appeared in support of the Rhett's Acres development it was an oversight that the hammerhead area was not property of Rhett's Acres, that it was property of Alyson Meadows and she feels like that was a backdoor deal between the developers and she would have fought harder back then to make sure that was not going to be accessible for this new development. Her concern is that it will increase traffic, people and activity whether there is a locked gate there or not. She would like the connection in between to be removed and Alyson Meadows do the same as Rhett's Acres and have just a hammerhead or the culdesac that is shown as their emergency turnaround. The Board had follow-up questions for Ms. Lawrenson and for staff.

During rebuttal testimony Elwin Butler said if they proceed to meet city annexation requirements, an agreement will be required for each lot that when the city is able to annex they will have to annex and pay annexation and connection fees at that point. Personally, he has a difficult time with that because if he is putting in a well and septic and has to abandon those and connect to city water/sewer and pay those fees that will be a heavy burden on a rural lot. He addressed the head gate on Tranquil Place and said once the new road is put in with a culdesac it will end by the head gate so it will reduce requirements to service it from Tranquil Place. He said he widened the easement to 60 feet and after objections from neighbors he reduced it to 30 feet, which is what the highway district originally required for that secondary access. It will be gated. He would like the Board to uphold the P&Z Commission's recommendation excluding the city's annexation requirement. In order for a developer to annex they will have to have 40 acres to justify bringing water/sewer, putting in lift stations, and updating easements through properties to do that and with all of the small rural lots it's not practical for annexation to happen.

Principal Planner Barron said when the rezone was approved the development agreement states the application will comply with the proposed conditions of the City of Caldwell Engineering Department and the Director of the City of Caldwell P&Z Department letters, with the exception of the requirement of connecting to the public water system which is waived. If the Board were to waive the other improvements it would be through the decision for the subdivision through the preliminary plat. Planning Supervisor Anderson spoke about the noticing requirement under Canyon County Ordinance Section 09-01-19 that talks about waivers of city of Caldwell ordinance provisions. He response to the request for waiver, the City of Caldwell sent an email dated 11/01/24, stating in part, because of this the city will not waive the condition for requiring the subdivision to be developed under city standards. Those items, 7F and 7G, with the exception of the water component, were part of the development agreement; however, that waiver request would have been part of this subdivision with the preliminary plat as recommended by the P&Z Commission.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. The Board's deliberation was as follows:

Commissioner Van Beek likes the proposal for connectivity and future development, and said a 60-foot road could allow for the vacation of residences if there was an emergency. Where the 60-foot easement on the dogleg goes down to 30 feet she would like that brought across all the way to 60 feet. Commissioner Holton agrees. Commissioner Van Beek spoke of her preference to have the road be a public road in terms of maintenance. Commissioner Holton said it would be outside of the scope today to discuss the potential for it to be a public road. There was discussion about limiting secondary residences or additional dwelling units on the properties given their size and the concern for the potential of the project doubling in size. Commissioner Brooks said it is unreasonable to expect this to go from 18 units to 36 units and if we want to plan for this be city in the future why condition it to prevent it from being city-level density by restricting additional dwelling units. Commissioner Van Beek noted that Sarah Lawrenson wants to make sure the gates are installed. The Board reviewed the draft findings of fact and there was discussion about the City of Caldwell being unwilling to waive their requirements. Planning Supervisor Anderson the requirements in the Caldwell ordinance may be waived by the Board of Commissioners; the applicant bears the burden of persuasion in that regard. Those items were listed in the development agreement that was approved as part of the rezone last year and staff is unclear on how to amend a development agreement through a platting process.

Deputy PA Wesley addressed the question of what is the proper notice to the City of Caldwell using our area of impact waiver. The waiver to the city implies that we have an application for a waiver and that sounds like it's separate than the preliminary plat application. Has the County explicitly told the city that we are considering a waiver and asked for comment, or has it come through the applicant? Planning Supervisor Anderson said we do not have an application in place. Principal Planner Barron said it's her understanding that the applicant has to contact the city and request a waiver. Deputy PA Wesley said it sounds like that has been our process and they have met our regular routine process. Supervisor Anderson said it may be a process we want to look at because it uses the word *application* but that can be informal. Deputy PA Wesley said the development agreement has a condition that says the applicant will comply with the proposed conditions of the City of Caldwell Engineering and the Director of the City of Caldwell P&Z Department letters as seen in Exhibit D, Attachments 7F and 7G, with the exception of a public water system which is waived. If we override the conditions of approval on the development agreement with the preliminary plat someone could later challenge the agreement and say they didn't comply and we would have to go through a process to either amend it or void it so it creates a technical problem for us. If the Board wants to change the development agreement you have an application to amend it that's separate from this preliminary plat application. They should be separate entitlements processes and they should work together and one shouldn't override the other at a later stage is how our system is built, but it could very much depend on what is said in those exhibits because they may say we will follow the City of Caldwell's Engineering and Director of the Caldwell P&Z Department's instructions but those may include the option for a waiver, although he doesn't know since he hasn't seen the letters. Commissioner Brooks asked what in the development agreement the Board is looking to amend? He thought in the decision on the rezone

we wholesale waived Caldwell's requirements. Commissioner Holton said we did not. The P&Z Commission wanted to wholesale waive that, but they didn't take into consideration that we have a development agreement on the change in zone. Commissioner Brooks wants to see that because he has no idea why he would make the comment that he is in substantial approval of the application without making it adhere to standards that we didn't make some other subdivision adhere to, but yet we passed it anyways? That doesn't sound right to have subdivision requirements on one but not the other. DSD Planning Supervisor provided clarification on the documents identified as Exhibits 7F and 7G, which are referenced as part of the condition, but he is unable to find those documents in the current record for today's consideration. DSD Principal Planner Barron said they are part of the record but they are referenced as Exhibit 6H and 6I, under Exhibit III. Upon review Commissioner Brooks said the second bullet point states development shall comply with the City of Caldwell subdivision requirements within the City of Caldwell, and he asked if that is saying it needs curb and sidewalk? Because if it is, he cannot believe the Board approved the rezone one year ago with those intact. Commissioner Holton would like DSD and Legal to do some research and give advice to the Board. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to December 2, 2024 at 3:00 p.m. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 3:44 p.m. An audio recording is on file in the Commissioners' Office.



Planning and Zoning Commission

Alyson Meadows Subdivision Preliminary Plat SD2021-0039

FINDINGS, CONCLUSIONS LAW, AND ORDER

Findings of Fact

1. The applicant, Cory Swain, CS2, LLC and representative Elwin Butler, PE, are requesting approval of a preliminary plat and irrigation plan for the Alyson Meadows Subdivision. This proposed subdivision will consist eighteen (18) residential lots and one (4) common lots.
2. The subject property was rezoned from "AG" agricultural to "CR-RR" rural residential in case RZ2021-0047 approved on October 3, 2023.
3. The subject property is also known as parcel R35590 and is located at 0 Linden Street, Caldwell and located in the NW ¼ of section 32 Township 4N 3W Canyon County, Idaho.
4. The property is located within the Caldwell Area of City Impact. The City of Caldwell Director of Planning and Zoning and the City of Caldwell Engineering department provided comment and recommended conditions for the development. (Exhibits 6f, 6g, 6h and 6i)
5. The subject property is located within Pioneer Irrigation District jurisdiction. The district provided comment on the Cooper drain located on the West border of the development. (Exhibits 6d and 6e)
6. The development will be served by individual wells and septic systems.
7. Access to the public road system will be via Linden Road from a private road named Wolverine Lane. A private road application has been submitted with this preliminary plat application.
8. The subject property is located within Highway District Number 4 jurisdiction. Comments and requirements were provided by the highway district. (Exhibits 6a, 6b and 6c)
9. Stormwater runoff shall be conveyed to the roadside ditches along the private road and contained within the stormwater retention easements. All stormwater facilities are the responsibility of the Homeowner's Association. If no homeowner's association exists maintenance both routine and non-routine maintenance will be the responsibility of the property owner.
10. The development is not located in a floodplain (Flood Zone X).
11. Notice of the public hearing was provided in accordance with CCZO §07-05-01. The impact agencies and City of Caldwell were notified on September 10, 2021. Agencies were noticed again on July 16, 2024. A newspaper notice was published on July 16, 2024. Property owners within 600' were notified by mail on July 12, 2024. The property was posted on July 16, 2024.
12. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2021-0039.
13. Due to the character of the area and the indefinite annexation timeline, the additional infrastructure required by the City of Caldwell may not be in compliance with City standards at the time of annexation.

Conclusions of Law

Pursuant to CCZO §07-17-09(4): Commission Action:

"The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the Commission's minutes. The reasons for action taken shall specify:

- 1. The ordinance and standards used in evaluating the application;*
- 2. Recommendations for conditions of approval that would minimize adverse conditions, if any;*
- 3. The reasons for recommending the approval, conditional approval, modification, or denial; and*
- 4. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision."*



Planning and Zoning Commission Alyson Meadows Subdivision Preliminary Plat SD2021-0039

Standard of Review for Subdivision Plat:

- A. Idaho Code, Sections 67- 6513 (Subdivisions);
- B. Idaho Code, Section 31-3805 & 67-6537 (Water Rights/Irrigation Water Delivery);
- C. Idaho Code, Section 22-4503 (Right-to-Farm Act);
- D. Idaho Code, Sections 50-1301 through 50-1329 (Platting);
- E. Canyon County Code of Ordinances (CCCO), Article 17 (Subdivision Regulations).
 - a. The preliminary plat was found to be complete by Centurion Engineering (Exhibit 6p) subject to conditions of approval.
- F. Canyon County Code Section 09-01-01, Caldwell – Area of City Impact Agreement.
 - a. The property is located within the Caldwell Area of City Impact. Pursuant to CCZO Section 09-01-01, Caldwell – Area of City Impact Agreement, the city had the opportunity to review the plat application and render an opinion and recommendation to the County. On April 17, 2023, the City of Caldwell was noticed regarding the plat application which included a copy of the plat. The City of Caldwell responded with recommended conditions for the proposed preliminary plat. (Exhibits 6f, 6g, 6h and 6i).

Conditions of Approval

- 1. Plat shall comply with Canyon County Code of Ordinances Article 17 (Subdivision Regulations). Conditions shall be complied with per County Engineer letter, Exhibit 6p.
- 2. Update the revision block.
- 3. All subdivision improvements and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
- 4. Historic irrigation lateral, drain, ditch flow patterns, and easements shall be maintained unless approved in writing by the local irrigation entity.
- 5. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved (Exhibit 6p).
- 6. The City of Caldwell requirements for this plat will be waived.
- 7. Plat shall comply with the requirements of Highway District No. 4. Evidence of compliance shall be Highway District No. 4 signature on the final plat.
- 8. The development shall comply with Southwest District Health requirements. Evidence of compliance shall be Southwest District Health's signature on the final plat.
- 9. An Irrigation Water User's Maintenance Agreement for all lots within the development shall be recorded with the Canyon County Recorder's Office prior to the Board signing the final plat.
- 10. Prior to the Board signing the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service.
- 11. The Final Plat shall comply with the International Fire Code as administered through Caldwell Rural Fire District. Evidence of compliance shall be written approval from the Caldwell Rural Fire District to be submitted to DSD prior to signing of the final plat.
- 12. A Road User's Maintenance Agreement (RUMA) shall be recorded in accordance with CCZO Section 0-10-03(1)B3 prior to the signing of the final plat. All parties using Birchwood Lane shall be



Planning and Zoning Commission
Alyson Meadows Subdivision Preliminary Plat SD2021-0039

subject to a RUMA or a new RUMA that includes all users for the construction and maintenance of the shared access/private road, including repairs, and necessary improvements to accommodate additional accesses in the future.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2021-0039, the Planning and Zoning Commission **recommends approval** of the preliminary plat for Alyson Meadows Subdivision subject to conditions of approval as enumerated herein.

APPROVED this 5 day of Sept, 2024.



PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

Handwritten signature of Robert Sturgill in blue ink.

Robert Sturgill, Chairman

State of Idaho)

) SS

County of Canyon County)

On this 5th Day of September in the year of 2024, before me Amber Lewter, 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 executed the same.

Notary: Amber Lewter

My Commission Expires: 10/20/2029



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, August 15, 2024
6:30 P.M.

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

Commissioners Present : Robert Sturgill, Chairman
Miguel Villafana, Commissioner
Patrick Williamson, Commissioner
Harold Nevill, Commissioner
Geoff Mathews, Commissioner
Brian Sheets, Commissioner

Staff Members Present: Jay Gibbons, Assistant Director of Development Services
Michelle Barron, Principal Planner
Dan Lister, Principal Planner
Amber Lewter, Hearing Specialist

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

Commissioner Villafana read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1A:

Case No. SD2022-0005 / Bad River– Approve revised FCO's.

MOTION: Commissioner Nevill moved to approve & sign the revised Findings of Facts, Conclusions of Law and Order. Motion seconded by Commissioner Mathews. Chairman Sturgill and Commissioner Villafana abstained. Voice vote, motion carried.

Item 2A:

Case No. CR2022-0022 / Vermaas: The applicant, KM Engineering representing owner Bonnie Vance Vermaas, is requesting a conditional rezone of Parcels R37517 & R37519 from an "A" (Agricultural) Zone to an "R-1" (Single Family Residential) Zone subject to a development agreement restricting development to 13 residential lots. The subject property is located at 9713 Galloway Road, Middleton; also referenced as a portion of the NW ¼ of Section 28, T5N, R2W, Canyon County, Idaho.

Staff proposed to be tabled to a date certain of October 17, 2024.

Commissioner Nevill asked if the applicant asked to postpone after seeing the recommendation of denial. Planner Dan Lister stated that Staff sent an email saying they thought a different zone would be more appropriate but if they didn't hear back from the applicant they would schedule the hearing. The applicant had some questions about rural residential zoning but never gave a solid answer about the hearing. The hearing was scheduled and then the applicant asked for a postponement so they could work on the application to a different zone. Planner Dan Lister explained if it gets heard as is and goes in front of the Board of County Commissioners then more than likely it will get remanded back to Planning and Zoning to be reheard. Commissioner Nevill asked how many people are present for the case. Chairman Sturgill advised there is the applicant and 12 in opposition.

Commissioner Williamson asked if the case is going off the 2020 Comp Plan or the 2030 Comp Plan. Planner Dan Lister advised it is the 2020 Comp Plan.

MOTION: Commissioner Sheets moved to postpone Case CR2022-0022 to a date certain of October 17, 2024. Motion seconded by Commissioner Villafana.

Discussion on the Motion:

Commissioner Nevill is not in favor because they often see the recommendation of denial and then want to change the application. He believes the best application should be brought forward first.

Commissioner Mathews agrees with Commissioner Nevill.

Roll call vote: 3 in favor, 3 opposed, motion failed.

Planner Dan Lister reviewed the Staff report for the record.

Commissioner Nevill asked if the applicant does change the zoning to RR where would they get the irrigation water. Planner Dan Lister advised each lot would have a half acre through their domestic well they could irrigate with or they would work with IDWR to get additional water rights. Commissioner Nevill asked about exhibit 2A if it would be more appropriate to call it developed for agriculture instead of undeveloped. Planner Dan Lister stated the applicant could better answer.

Commissioner Williamson asked about exhibit 3D if those subdivisions were approved before having to change the zoning maps. Planner Dan Lister stated a lot of the lots are still zoned agricultural and the subdivisions in question happened with conditional use permits in the past. Planner Dan Lister referred to exhibit 3E showing the decision years for the surrounding area.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Stephanie Hopkins (Representative) – IN FAVOR – 5725 N Discovery Way, Boise, ID 83713

Ms. Hopkins stated the neighborhood meeting happened in 2022 and in the last 2 years there has been coordination with engineering a few others for changes to the preliminary plat, the first comments she remembers seeing about the zoning was this year in early July. It was her opinion that the hearing date was talked about but not scheduled and thought she had time to revise the preliminary plat. Ms. Hopkins stated at the time of submitting the applications rezones were being heard at the same time as the preliminary plats. Her client wanted to pursue the R1 zone because of the Kelley rezone approved in 2021. Ms. Hopkins stated they want to work with staff and that was the reason for asking for the continuance so they can revise the preliminary plat to fit a rural residential zoning. Ms. Hopkins responded to Commissioner Nevill's question and stated the term undeveloped just means the lot is undeveloped from homes. Ms. Hopkins stated the owner used to raise and train horses but has aged so her son is now trying to help her develop the property so she can live in her current lot and have money for retirement. Ms. Hopkins stated staff is recommending 2.5 acre lots which is above what RR zoning states so they are going to look at the preliminary plat design and see what they can do. Ms. Hopkins provided details on the current proposal of the preliminary plat.

Commissioner Williamson asked why they were focusing on the plat before the rezone. Ms. Hopkins stated in general they focus on the layout of the lots to see if it will work for the zone and that is how

clients will see if their project is viable.

Commissioner Nevill asked what the agricultural use is on the lot. Ms. Hopkins stated it hasn't been irrigated for about 20 years and is not prime farm ground. Commissioner Nevill asked if they have considered providing a school bus stop. Ms. Hopkins stated they haven't considered that yet. She believes this is a small project and the subdivisions to the west may be better suited to put one up but is willing to have those conversations.

Commissioner Sheets asked if it is her intent to rework the application and resubmit it after the hearing. Ms. Hopkins stated she was working with Staff to revise the preliminary plat to align with a rural residential zone. Her intent is to change the zoning request. Commissioner Sheets asked about the excess water rights. Ms. Hopkins stated she would need to speak with her engineer.

Lyle Zufelt – IN OPPOSITION – 9965 Grand Tarahee, Middleton, ID 83644

Mr. Zufelt stated he lives in the Grand Estates Subdivision to the west of the proposed development. His subdivision is zoned RR and would have no problem if this project was zoned RR. His current concern is there is a property to the east of the 18 acres and believes this to be a first phase to a two-part phase development. Mr. Zufelt stated his subdivision attempt to keep the watering to a half acre and the other acreage has natural grasses or goats. He knows of other locations where wells are running dry because houses are too close together and that is why he would be ok with an RR zone.

Joe Strongone – IN OPPOSITION – 9617 Golden Willow St, Middleton, ID 83644

Mr. Strongone stated his property is adjacent directly south of the proposed development. He moved to the area because of the master plan saying this is an area for Ag and open country and he would like to keep it that way. Mr. Strongone stated during the neighborhood meeting most of the neighbors expressed wanting a minimum of 2.5 acres. Mr. Strongone stated it would be unfair for him to say he wants no development so he would be comfortable with 2.5 acres because it would then be consistent with the area. Mr. Strongone agrees with all of Staff's recommendation. He is against using well water for landscaping and is concerned about the neighborhood needing to drop their wells in the future.

Commissioner Nevill asked how long Mr. Strongone has lived there. Mr. Strongone advised he has lived there for 3 years. Commissioner Nevill asked if the larger lots preserve the agricultural way of life. Mr. Strongone stated they do for example there is lots with cows, goats, sheep, and llamas.

John McComb – IN OPPOSITION – 9612 Golden Willow, Middleton, ID 83644

Mr. McComb stated he is in agreement with Staff's recommendation. He is mostly concerned about the impact the schools will have. There is also concern with the water wells running dry and where the water drainage will go.

Ted Todd – IN OPPOSITION – 9564 Golden Willow St, Middleton, ID 83644

Mr. Todd stated the schools are full, the fire department is tapped and the area is left without paramedic services almost on a daily basis. Mr. Todd stated the irrigation water is less than adequate for the existing homes.

Commissioner Williamson asked for more information on the irrigation water. Mr. Todd stated Black Canyon Water Irrigation is who supplies the area and almost on a daily basis there is pressurization problems where they have to stagger watering times.

Chairman Sturgill asked if a Rural Residential with 2-acre minimum lots is better than 1 acre lots. Mr. Todd

stated people have the right to develop their property but the property should fit the area which are all 2 acres or more with livestock.

Richard Trudeau – IN OPPOSITION – 9810 Grand Teton Trail, Middleton, ID 83644

Mr. Trudeau stated he reviewed the application, staff report and comprehensive plan and knows that it doesn't meet two criteria. One the proposal doesn't meet the comprehensive plan and secondly it isn't consistent with the surrounding area. Mr. Trudeau is also concerned about the water. Recently there has been more intrusion on the aquifer than in the past. Mr. Trudeau stated he believes the rural residential zone would be acceptable in the area.

Stephanie Hopkins (Representative) – REBUTTAL – 5725 N Discovery Way, Boise, ID 83713

Ms. Hopkins stated she believes if the revision is made to the project changing it to rural residential the project will meet the surrounding area. Ms. Hopkins stated the irrigation concerns are related to the preliminary plat.

Commissioner Williamson asked if there was consideration for a communal water well for the development. Ms. Hopkins stated there wasn't for this development because that is usually considered for larger developments. Ms. Hopkins stated after speaking with her engineer it is her understanding that the wells will be dug deeper to not affect the surrounding wells.

MOTION: Commissioner Nevill moved to close public testimony on Case CR2022-0022, seconded by Commissioner Sheets, voice vote, motion carried.

DELIBERATION:

Commissioner Mathews stated there is already overcrowding of the schools in the area and he is concerned if they approve smaller developments they aren't helping the problem they would be exasperating it. Commissioner Mathews is in favor for denial and doesn't believe a change in zoning would change his mind.

Commissioner Nevill stated he agrees with staff's recommendation, that the proposal doesn't fit the surrounding area for question 4 and for question 8 the proposal would negatively impact the schools. Commissioner Nevill is in favor of denial.

Commissioner Mathews stated for question 8 the word not needs to be deleted in the first sentence.

Commissioner Williamson stated there was testimony about EMS services being rerouted and might want to add that in the findings. As well as the fire department being stretched.

Chairman Sturgill invited consideration to continue the case to allow the applicant to come back with what they plan to ultimately present to the Board of County Commissioners.

MOTION: Commissioner Williamson moved to table Case CR2022-0022 to a date certain of October 17, 2024. Seconded by Commissioner Sheets.

Discussion on the Motion:

Commissioner Sheets stated based upon the testimony and the intent of the applicant he doesn't see any other reasonable way to handle the case other than to continue it.

Roll call vote: 5 in favor, 1 opposed, motion passed.

Item 2B:

Case No. SD2021-0039 / Alyson Meadows Subdivision: A request by Elwin Butler, PE for Cory Swain, CS2, LLC, for approval of a Preliminary Plat, irrigation and drainage plan for Alyson Meadows Subdivision. The development consists of 18 residential lots and 4 common lots, including a private road lot on approximately 40.84 acres. The average lot size is 2.00 acres. The subject property, parcel number R35590, is located at 0 Linden Road in the NW ¼ of Section 32, T4N, R3W, BM, Canyon County, Idaho.

Commissioner Villafana disclosed he farms near the parcel but has had no contact with the owners.

Planner Michelle Barron reviewed the Staff report for the record.

Chairman Sturgill asked what events would have to occur before the parcel gets annexed into the City of Caldwell. Planner Michelle Barron stated it has to be touching the city, it would then be up to the City and the owner to work out the details. Chairman Sturgill asked currently how far away from the city is the property. Planner Michelle Barron stated she doesn't currently have that information. Chairman Sturgill asked if the water infrastructure was available could they connect to the city immediately. Planner Michelle Barron stated if the structures are available and a pre-annexation agreement was signed she believes they could.

Commissioner Williamson asked if the EMS access is granted if the property to the east has an easement recorded to have EMS go in and out. Planner Michelle Barron stated the property to the east, Tranquil Place does have a turn around.

Commissioner Nevill asked about condition 6. Planner Michelle Barron stated in the rezone process the city requested they put in the infrastructure and connect to city water, they will not be connecting to city water yet but they will be putting in the infrastructure.

Commissioner Sheets asked if the annexation in the future could be involuntary. Planner Michelle Barron stated she is unsure. Commissioner Sheets asked if there is an HOA planned for the project. Planner Michelle Barron deferred to the applicant. Commissioner Sheets asked who will be owning the private road lot. Planner Michelle Barron stated it will be maintained by the people on the Road User's Maintenance Agreement (RUMA). Commissioner Sheets asked who will own the private road lot. Planner Michelle Barron deferred to the applicant.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Elwin Butler (Representative) – IN FAVOR – 3122 Suntree St, Caldwell, ID 83605

Mr. Butler stated he understands the neighbors are concerned with the project looking like city streets. The closest city utilities are located at Farmway Road which is still far away and would cost about \$500,000 to get the water lines to the property. Mr. Butler showed the future water lines from the City of Caldwell. Mr. Butler stated he wants to keep the project as a rural residential and to look rural. He has been working with the City of Caldwell to not require all the subdivision requirements such as putting in the dry line for the water. There is a ditch that feeds Pheasant Ridge Subdivision and he plans to pipe that line and the city will require that to be on a separate easement. Mr. Butler showed the location where the easement goes onto the property. There is an agreement with Rett's Acres to allow emergency vehicles onto Tranquil Place.

Chairman Sturgill asked for clarification on why the city would need to sign off. Mr. Butler stated he understands the City of Caldwell is on the final plat.

Commissioner Nevill asked if Mr. Butler agrees with the conditions of approval. Mr. Butler stated he does but would like to limit the amount of say the city has over the development. Commissioner Nevill asked who will own the road lot. Mr. Butler stated the plat says the HOA will own it.

Commissioner Williamson asked if the open ditch will be maintained by the irrigation district or privately maintained. Mr. Butler stated it will be privately maintained. Commissioner Williamson asked if the city has an idea of when they will have services there or will annex that area. Mr. Butler stated it is going to take a significant amount of effort.

Chairman Sturgill asked the estimated cost to install the dry lines. Mr. Butler stated roughly 1700 feet at about \$175 per feet.

Commissioner Sheets asked if the RUMA is going to be filed with the County or separate documentation. Mr. Butler stated it is a separate documentation.

Gary Beers – IN FAVOR– 16840 W Linden St, Caldwell, ID 83607

Mr. Beers stated he is in support of the proposed plan. Mr. Beers is wondering at what point during the process is the irrigation schedule done for joint responsibility and an enforcement process made. He is against the sewer extension requirement, the 12-inch water main, and the sidewalks. There are no sidewalks, sewer, water or anything down Linden Street. Mr. Beers feels like putting the city requirements on this project will make it stand out differently than the surrounding area. Mr. Beers doesn't see the area getting annexed for years.

Commissioner Nevill asked about the water lines. Mr. Beers stated he would like something in writing that says who is responsible for working with him and his subdivision on turning the water lines on and the water distribution between the proposed subdivision and his. Commissioner Williamson recommended speaking with a ditch rider. Commissioner Nevill asked if Mr. Beers is ok with the striping instead of sidewalks. Mr. Beers stated he just doesn't think sidewalks should be required. Commissioner Nevill confirmed it is striping and not sidewalks that is proposed.

Elwin Butler (Representative) – REBUTTAL – 3122 Suntree St, Caldwell, ID 83605

Mr. Butler stated he will deliver the water to the edge of his property at the same volume that historically been delivered and the HOA will be responsible for maintaining the pipeline and delivering the water to the property lines.

Chairman Sturgill asked about condition 6. Planner Michelle Barron explained the Board of County Commissioners previously waived the requirement to connect to city water. Chairman Sturgill asked for the list of what the city is asking from the developer. Commissioner Williamson found some information on exhibit 6G.

MOTION: Commissioner Williamson moved to close public testimony on Case SD2021-0039, seconded by Commissioner Villafana, voice vote, motion carried.

DELIBERATION:

Commissioner Sheets stated he would be supportive of the waivers on condition 6.

Chairman Sturgill suspects it would remain a rural area for a long period of time.

Commissioner Nevill believes they should recommend waiving the cities' requirements on water, sewer, irrigation and landscaping.

Planner Michelle Barron provided the ordinance for city requirements. Assistant Director of Development Services Jay Gibbons stated the ordinance is an agreement with the city and county in 2005. The city has had updates in their ordinance since then. Conversation ensued between Commissioners and Assistant Director of Development Services Jay Gibbons in regards to the waivers.

Commissioner Sheets recommends that the Commissioner recommend to the Board of County Commissioners that they waive the City of Caldwell requirements.

Conversation ensued between Commissioners in regards to the waiver condition and findings.

MOTION: Commissioner Sheets moved to recommend approval for Case SD2021-0039 with revised condition number 6 and an additional finding number 13. Seconded by Commissioner Mathews.

Roll call vote: 6 in favor, 0 opposed, motion passed.

ACTION ITEM – APPROVAL OF MINUTES

MOTION: Commissioner Nevill moved to approve July 11, 2024 minutes. Seconded by Chairman Mathews. Commissioner Sheets abstained. Voice vote, motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Assistant Director of Development Services Jay Gibbons stated they are finalizing updated staff reports and should start seeing them in September.

ADJOURNMENT:

MOTION: Commissioner Williamson moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 9:38 PM.

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

Approved this 19th day of September, 2024



Brian Sheets, Acting Chairman

ATTEST



Amber Lewter – Hearing Specialist



Planning and Zoning Commission
Canyon County Development Services Dept.
Alyson Meadows Preliminary Plat: SD2021-0039

HEARING DATE: Thursday, August 15, 2024

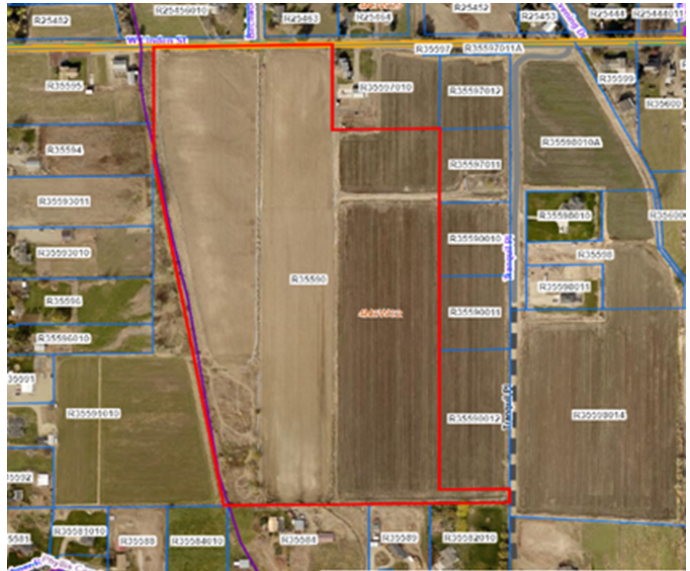
OWNER: CS2, LLC, Cory Swain

APPLICANT/REP: Elwin Butler, PE,
Matrix Engineering

PLANNER: Michelle Barron
Principal Planner

CASE NUMBER: SD2021-0039

LOCATION: R35590
0 Linden Road, Caldwell
(40.84 acres)



PROJECT DESCRIPTION:

- A request by Elwin Butler for Cory Swain, CS2, LLC, for approval of a Preliminary Plat for Alyson Meadows Subdivision and irrigation plan (Exhibit 3g and 3h). The development consists of 18 residential lots and 4 common lots, including a private road lot on approximately 40.84 acres. The subject property, parcel number R35590, is located at 0 Linden Road in the NW ¼ of Section 32, T4N, R3W, BM, Canyon County, Idaho.

PARCEL INFORMATION: Exhibit 1 (*Parcel Tool Info*)

PROJECT OVERVIEW

- The applicant had submitted the Preliminary Plat to run concurrently with the Conditional Rezone. Staff separated the two applications and proceeded with the Conditional Rezone (RZ2021-0047, approved 10/3/23) under the applicant Bob Unger. The Preliminary Plat has been transferred to applicant Elwin Butler of Matrix Engineering per the owner/developer's request.
- The applicant is requesting approval for a Preliminary Plat on the subject parcel to create 18 buildable lots in the Rural Residential (R-R) Zone.
- The subject parcel is "CR-RR" and is located in Caldwell's Area of City Impact.
- The RR (Rural Residential) zoning designation for this parcel was approved on October 3, 2023 (RZ2021-0047). (Exhibit 4)
- A Development Agreement (Exhibit 5) was entered into at the time of rezone with the following conditions:
 1. *The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the property.*
 2. *The subject parcel shall be in subjection to the Canyon County Zoning Ordinance Chapter 7, Article 17 for platting with a maximum of 18 buildable lots with an average lot size of 2.00 acres.*

3. *The applicant will comply with the proposed conditions of the City of Caldwell Engineering and the Director of the City of Caldwell Planning and Zoning Department letters as seen in Exhibit D, Attachment 7f and 7g with the exception of the requirement connecting to the Public Water System, which is waived.*
 4. *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."*
- Conditions 1, 2, and 4 from the Development Agreement have been met and the applicant is working with the City of Caldwell on compliance with condition number 3 (Exhibit 6f).
 - There is a Private Road application running concurrently with this Preliminary Plat for RD2024-0003 for Wolverine Lane. The application is being reviewed by the GIS department for compliance.
 - The original submission of the Preliminary Plat was submitted along with the Conditional Rezone and was reviewed by the designated County Engineer, Keller Associates on March 8, 2022. (Exhibit 6o)
 - Changes were made by the project engineer (applicant) to address comments from the County Engineer and from various agencies.
 - The County Engineer, Centurion reviewed two further versions of the Preliminary Plat, with the last review for the plat with drainage and irrigation plans dated February 8, 2024 that has conditions that must be met for the Preliminary Plat to be approved. (Exhibit 6p).
 - The applicant responded with a letter dated March 5, 2024 and an updated Preliminary Plat reflecting changes required by the highway district, fire district and the irrigation district. There was information on the emergency access and the turnaround for the adjoining Rhett's Acres subdivision. (Exhibit 3e)
 - There has been no further review by the County Engineer completed on the most up to date Preliminary Plat that was submitted by the applicant dated March 29, 2024. The recommendation by staff is to approve with the conditions provided by the County Engineer in their February 8, 2024 review letter. (Exhibit 3p)

The Alyson Meadows Subdivision (Exhibit 3e) Summary:

Zoning: "CR-RR" (Rural Residential, 2-acre average minimum)

Acreage: 40.84 acres

Average residential lot size: 2.00 acres

Number of Residential lots: 18

Comprehensive Plan Alignment:

- The Future Land Use from the 2020 Comprehensive Plan Future Land Use Map is Residential.

Access and Traffic:

- Access to the public road system will be via a Private Road (Wolverine Lane) off of Linden Road.
 - Highway District No. 4 submitted a comment letter dated January 12, 2023, (Exhibit 6c) with proposed conditions. These have been updated and addressed by the applicant since then and resubmitted to Highway District No. 4.
 - Highway District No. 4 approved the preliminary plat design on May 9, 2023 (Exhibit 6b) with a follow up email confirming approval still stands on April 10, 2024. (Exhibit 6a)

- Idaho Transportation Department commented that they have no concerns for this project. (Exhibit 6l)
- Several residents that live on Tranquil Place, a private road that has a hammerhead turn around on lot 12 of Alyson Meadows has concerns of the possible connection of the two private roads. There concerns are regarding the maintenance of Tranquil Place and the fact that the land owners within the Alyson Meadows subdivision will not be a part of the Tranquil Place Road Users Maintenance Agreement (RUMA) and therefore would have no cost share in repairing the road.

Facilities:

- Individual septic systems are requested for each lot. This parcel is within the Ada Canyon Nitrate Priority area. Sanitary Restrictions will be satisfied when Southwest District Health signs the final plat.
- Southwest District Health is requiring a Nitrate-Pathogen Study. (Exhibit 6q)
- The City of Caldwell is requiring the developer to provide funds to construct a force pressure sewer main from Birchwood Lane to the east boundary of the frontage, this is approximately 250 feet. (Exhibit 6f)
- Individual wells are requested for each lot. Notice was given to the Idaho Department of Water Resources of this Preliminary Plat, but no comments were received.
- The City of Caldwell is requiring the developer to place a 12" water main along the frontage of the property for future hook up to the City water after annexation. (Exhibit 6f) The Board of County Commissioners waived the requirement to hook up to City water during the Conditional Rezone process and made that part of the Development Agreement. See signed FCO's. (Exhibit 4)
- Irrigation facilities are proposed and have been approved by the irrigation district. (Exhibit 6d) At the time of annexation into the City of Caldwell, there will be a transfer of irrigation water rights to the city. (Exhibit 6f)
- The City of Caldwell is requiring a ribbon curb and marked walkways on the pavement but does not include curb and sidewalks. (Exhibit 6f)

Essential Services:

- All essential services were notified of the proposed subdivision.
- The parcel is served by Caldwell School District and Caldwell Rural Fire District.
- Caldwell School District did not comment.
- Caldwell Rural Fire submitted a comment letter dated April 17, 2023 with conditions of approval. (Exhibit 6n)
- Caldwell Rural Fire submitted a comment that the addition of plat note 15 will satisfy their requirements for flow rates and sprinklers. (Exhibit 6m)

POTENTIAL IMPACTS:

- Traffic will increase, but is not expected to reduce the Level of Service at nearby intersections or roadways below an acceptable level according to Highway District No. 4. They will not require a traffic impact study. (Exhibit 6b)

COMMENTS:

- Public:
Property owners within 600 feet of the parcel were noticed on July 12, 2024.
 - Six residents that live on Tranquil Place submitted concerns regarding Alyson Meadows possible access to Tranquil Place. (Exhibit 7b)

- Gary Beers submitted comments regarding the Rural Residential nature of the request. (Exhibit 7a)
- Agencies:
Agencies were noticed originally on September 10, 2021, they were noticed for the rezone application and again for this hearing on July 16, 2024.

RECOMMENDATION:

Staff is recommending approval of the application as conditioned and has provided draft findings of fact and conclusions of law for the Planning and Zoning Commission's consideration found in Exhibit 2.

DECISION OPTIONS:

- The Planning and Zoning Commission may recommend **approval** of the Preliminary Plat to the Board of County Commissioners as conditions and/or amended;
- The Planning and Zoning Commission may recommend **denial** of the Preliminary Plat to the Board of County Commissioners and direct staff to return with findings that support the decision; or
- The Planning and Zoning Commission may **continue the discussion** and request additional information on specific items.

ATTACHMENTS/EXHIBITS:

Exhibit 1: Parcel Tool

Exhibit 2: Draft FCOs for Planning and Zoning Commission

Exhibit 3: Application

- a. Original Letter of Intent
- b. Letter reflecting some updates requested and new applicant information
- c. Vicinity Map
- d. Land Use Worksheet/Irrigation Plan Worksheet
- e. Updated letter from applicant with most current Preliminary Plat with drainage and irrigation plan dated March 5, 2024
- f. Alyson Meadows Subdivision Preliminary Plat with drainage and irrigation plan dated January 26, 2024 (last Centurion County Engineer reviewed plat)
- g. Email regarding PP addressing emergency access between Alyson Meadows and Rhett's Acres
- h. City proposed sewer lift station and typical City street sections from applicant.

Exhibit 4: Signed FCOs for RZ2021-0047

Exhibit 5: Signed Development Agreement for RZ2021-0047

Exhibit 6: Agency Comments

- a. Highway District No. 4 dated April 10, 2024 (sent from applicant on June 27, 2024)
- b. Highway District No. 4 dated May 9, 2023
- c. Highway District No. 4 dated January 12, 2023
- d. Pioneer Irrigation District dated May 15, 2024
- e. Pioneer Irrigation District dated April 18, 2023
- f. City of Caldwell dated August 5, 2024
- g. City of Caldwell dated July 17, 2024
- h. City of Caldwell dated June 9, 2023

- i. City of Caldwell Engineering dated March 9, 2022
- j. City of Nampa
- k. Idaho Department of Environmental Quality
- l. Idaho Transportation Department
- m. Caldwell Rural Fire (Caldwell Fire Department) dated April 15, 2024
- n. Caldwell Rural Fire (Caldwell Fire Department) dated April 17, 2023
- o. Keller Associates – County Engineer dated March 8, 2022 and Preliminary Plat review was based on from Unger Enterprises
- p. Centurion – County Engineer dated January 8, 2024 (3rd review by Centurion)
- q. Southwest District Health and email re: test pits from applicant

Exhibit 7: Public Comments

- a. Gary Beers
- b. Tranquil Place residents

R35590

PARCEL INFORMATION REPORT

8/5/2024 2:27:01 PM

PARCEL NUMBER: R35590

OWNER NAME: SWAIN CORY

CO-OWNER:

MAILING ADDRESS: 1584 S LAKECREST WAY EAGLE ID 83616

SITE ADDRESS: 0 W LINDEN ST

TAX CODE: 0200000

TWP: 4N **RNG:** 3W **SEC:** 32 **QUARTER:** NW

ACRES: 40.84

HOME OWNERS EXEMPTION: No

AG-EXEMPT: Yes

DRAIN DISTRICT: NOT In Drain Dist

ZONING DESCRIPTION: CR-RR / CONDITIONAL REZONE - SINGLE FAMILY
RESIDENTIAL

HIGHWAY DISTRICT: HIGHWAY DISTRICT #4

FIRE DISTRICT: CALDWELL RURAL FIRE

SCHOOL DISTRICT: CALDWELL SCHOOL #132

IMPACT AREA: CALDWELL

FUTURE LAND USE 2011-2022 : Res

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: Res

IRRIGATION DISTRICT: PIONEER IRRIGATION DISTRICT

FEMA FLOOD ZONE: X **FLOODWAY:** NOT In **FLOODWAY FIRM PANEL:** 16027C0240F

WETLAND: Riverine

NITRATE PRIORITY: ADA CANYON

FUNCTIONAL Classification: Minor Arterial

INSTRUMENT NO. : 2021022480

SCENIC BYWAY: NOT In Scenic Byway

LEGAL DESCRIPTION: 32-4N-3W NW TX 21065 IN NW

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERIFFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM
THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.



Planning and Zoning Commission

Alyson Meadows Subdivision Preliminary Plat SD2021-0039

FINDINGS, CONCLUSIONS LAW, AND ORDER

Findings of Fact

1. The applicant, Cory Swain, CS2, LLC and representative Elwin Butler, PE, are requesting approval of a preliminary plat and irrigation plan for the Alyson Meadows Subdivision. This proposed subdivision will consist eighteen (18) residential lots and one (4) common lots.
2. The subject property was rezoned from "AG" agricultural to "CR-RR" rural residential in case RZ2021-0047 approved on October 3, 2023.
3. The subject property is also known as parcel R35590 and is located at 0 Linden Street, Caldwell and located in the NW ¼ of section 32 Township 4N 3W Canyon County, Idaho.
4. The property is located within the Caldwell Area of City Impact. The City of Caldwell Director of Planning and Zoning and the City of Caldwell Engineering department provided comment and recommended conditions for the development. (Exhibits 6f, 6g, 6h and 6i)
5. The subject property is located within Pioneer Irrigation District jurisdiction. The district provided comment on the Cooper drain located on the West border of the development. (Exhibits 6d and 6e)
6. The development will be served by individual wells and septic systems.
7. Access to the public road system will be via Linden Road from a private road named Wolverine Lane. A private road application has been submitted with this preliminary plat application.
8. The subject property is located within Highway District Number 4 jurisdiction. Comments and requirements were provided by the highway district. (Exhibits 6a, 6b and 6c)
9. Stormwater runoff shall be conveyed to the roadside ditches along the private road and contained within the stormwater retention easements. All stormwater facilities are the responsibility of the Homeowner's Association. If no homeowner's association exists maintenance both routine and non-routine maintenance will be the responsibility of the property owner.
10. The development is not located in a floodplain (Flood Zone X).
11. Notice of the public hearing was provided in accordance with CCZO §07-05-01. The impact agencies and City of Caldwell were notified on September 10, 2021. Agencies were noticed again on July 16, 2024. A newspaper notice was published on July 16, 2024. Property owners within 600' were notified by mail on July 12, 2024. The property was posted on July 16, 2024.
12. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2021-0039.

Conclusions of Law

Pursuant to CCZO §07-17-09(4): Commission Action:

"The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the Commission's minutes. The reasons for action taken shall specify:

- 1. The ordinance and standards used in evaluating the application;*
- 2. Recommendations for conditions of approval that would minimize adverse conditions, if any;*
- 3. The reasons for recommending the approval, conditional approval, modification, or denial; and*
- 4. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision."*



Planning and Zoning Commission

Alyson Meadows Subdivision Preliminary Plat SD2021-0039

Standard of Review for Subdivision Plat:

- A. Idaho Code, Sections 67- 6513 (Subdivisions);
- B. Idaho Code, Section 31-3805 & 67-6537 (Water Rights/Irrigation Water Delivery);
- C. Idaho Code, Section 22-4503 (Right-to-Farm Act);
- D. Idaho Code, Sections 50-1301 through 50-1329 (Platting);
- E. Canyon County Code of Ordinances (CCCO), Article 17 (Subdivision Regulations).
 - a. The preliminary plat was found to be complete by Centurion Engineering (Exhibit 6p) subject to conditions of approval.
- F. Canyon County Code Section 09-01-01, Caldwell – Area of City Impact Agreement.
 - a. The property is located within the Caldwell Area of City Impact. Pursuant to CCZO Section 09-01-01, Caldwell – Area of City Impact Agreement, the city had the opportunity to review the plat application and render an opinion and recommendation to the County. On April 17, 2023, the City of Caldwell was noticed regarding the plat application which included a copy of the plat. The City of Caldwell responded with recommended conditions for the proposed preliminary plat. (Exhibits 6f, 6g, 6h and 6i).

Conditions of Approval

- 1. Plat shall comply with Canyon County Code of Ordinances Article 17 (Subdivision Regulations). Conditions shall be complied with per County Engineer letter, Exhibit 6p.
- 2. Update the revision block.
- 3. All subdivision improvements and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
- 4. Historic irrigation lateral, drain, ditch flow patterns, and easements shall be maintained unless approved in writing by the local irrigation entity.
- 5. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved (Exhibit 6p).
- 6. Plat shall comply with the City of Caldwell requirements. Evidence of compliance shall be signature on the final plat by the City of Caldwell.
- 7. Plat shall comply with the requirements of Highway District No. 4. Evidence of compliance shall be Highway District No. 4 signature on the final plat.
- 8. The development shall comply with Southwest District Health requirements. Evidence of compliance shall be Southwest District Health's signature on the final plat.
- 9. An Irrigation Water User's Maintenance Agreement for all lots within the development shall be recorded with the Canyon County Recorder's Office prior to the Board signing the final plat.
- 10. Prior to the Board signing the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service.
- 11. The Final Plat shall comply with the International Fire Code as administered through Caldwell Rural Fire District. Evidence of compliance shall be written approval from the Caldwell Rural Fire District to be submitted to DSD prior to signing of the final plat.
- 12. A Road User's Maintenance Agreement (RUMA) shall be recorded in accordance with CCZO Section 0-10-03(1)B3 prior to the signing of the final plat. All parties using Birchwood Lane shall be subject to a RUMA or a new RUMA that includes all users for the construction and maintenance of



Planning and Zoning Commission
Alyson Meadows Subdivision Preliminary Plat SD2021-0039

the shared access/private road, including repairs, and necessary improvements to accommodate additional accesses in the future.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2021-0039, the Planning and Zoning Commission **recommends approval** of the preliminary plat for Alyson Meadows Subdivision subject to conditions of approval as enumerated herein.

APPROVED this ____ day of _____, 2024.

**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 of 2024, 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 executed the same.

Notary: _____

My Commission Expires: _____

UNGER ENTERPRISES

Exhibit 3a

TO: Canyon County Development Services
111 N. 11th Ave.
Caldwell, Idaho 83605

DATE: July 14, 2021

RE: Alyson Meadows Subdivision

On behalf of CS2, LLC, we are submitting this Preliminary Plat Application and Zoning Amendment (Map) Application for Alyson Meadows Subdivision. The site is 40 acres in size and located on Linden Street, Caldwell, Idaho parcel # R35590.

We are proposing to develop 20 single family lots. The property is currently zoned A. We are proposing to amend the zoning to a R-1 Zoning. The gross density for the project is .5 dwelling units per acre. Uses and zoning surrounding the site are; a 3 lot subdivision to the east zoned R-1 and agricultural land to the north, west, and south zoned A.

Access to the site is via Linden Street. Anticipated new traffic is 140 vehicle trips per day. All utilities are available to the site. We are proposing individual septic and wells with the approval of Southwest District Health and Department of Water Resources.

The property has surface water irrigation rights from the Pioneer Irrigation District, located on the southern boundary of the property, which will continue to be utilized. A pump station and pressurized irrigation system will be installed to meet the standards of The City of Caldwell.

A public street is proposed to access all lots with an Emergency Services access from Tranquil Place to the east.

Zoning Amendment

We are requesting to be rezoned to R-1. The zoning to the west is A with large acre lots. The zoning to the east is R-1 with 2+ acre lots. Our proposal of 2 acre lots is compatible with the surrounding land uses and zones and the County Land Use Map and City Comprehensive Plan.

We look forward to working with you and your staff on this project and request your approval. If you have any questions or concerns please contact me at (208) 861-5220.

Sincerely,



Robert C. Unger
Manager

Handwritten notes in blue ink:
See Amended letter
in R2 file
R2 zone

**UNGER
ENTERPRISES**

TO: Canyon County Development Services
111 N. 11th Ave.
Caldwell, Idaho 83605

DATE: December 22, 2022

RE: Alyson Meadows Subdivision

On behalf of CS2, LLC, we are submitting this Conditional Zoning Amendment (Map) Application for Alyson Meadows Subdivision. The site is 40 acres in size and located on Linden Street, Caldwell, Idaho parcel # R35590.

We are proposing to develop 18 two acre single family lots. The property is currently zoned A. We are proposing to amend the zoning to RR Zoning. The gross density for the project is 2.22 dwelling units per acre. Uses and zoning surrounding the site are; a 3 lot subdivision to the east zoned RR and agricultural land to the north, west, and south zoned A.

Access to the site is via Linden Street. Sewer and water are not available to the project. We are proposing individual wells and individual septic with the approval of Southwest District Health and Idaho Department of Water Resources.

The property has surface water irrigation rights from the Pioneer Irrigation District, located on the southern boundary of the property, which will continue to be utilized. A pump station and pressurized irrigation system will be installed to meet County standards.

A private street is proposed to access all lots with an Emergency Services access from Tranquil Place to the east.

Conditional Zoning Amendment

We are requesting a Conditional Zoning to RR subject to conditions of a development agreement identifying 18 building lots. We would also request that any recommendations from The City of Caldwell pertaining to extension and connection to Caldwell water and public roads built to City of Caldwell standards not be imposed. The zoning to the west is A with large acre lots. The zoning to the east is RR with 2+ acre lots. Our proposal of 2 acre lots is compatible with the surrounding land uses and zones and the County Land Use Map.

We look forward to working with you and your staff on this project and request your approval. If you have any questions or concerns please contact me at (208) 861-5220.

Sincerely,



Robert C. Unger
Manager



Development Services Department

Canyon County, 111 North 11th Ave. Suite 310, Caldwell, ID 83605

(208) 454 7458 ▪ zoninginfo@canyoncounty.id.gov ▪ www.canyoncounty.id.gov

Memo

To: SD2021-0039 Alyson Meadows file
From: Michelle Barron
Date: July 15, 2024
Re: Change of Representative for Alyson Meadows

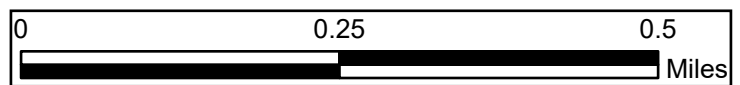
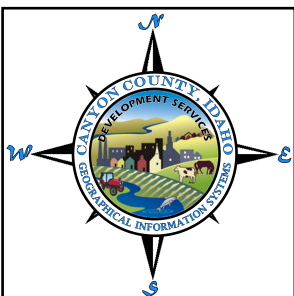
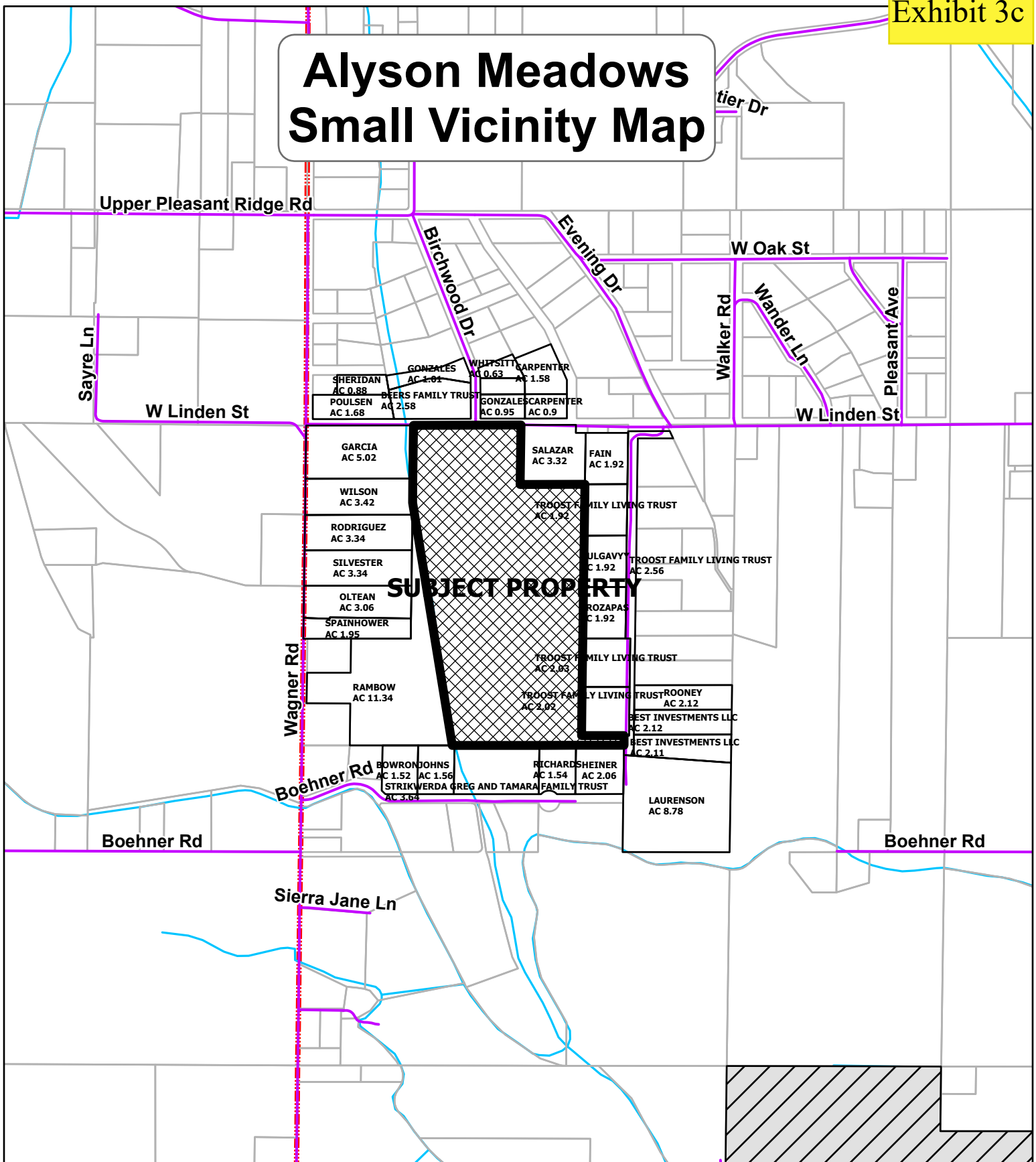
In October of 2023, at the time of the Rezone approval, the representative Bob Unger informed me that he would be handing off this case to a different Engineer as he has moved to France.

In January of 2024, I was informed by the applicant over the phone that the new contact will be Elwin Butler of Matrix Engineering.

Planning • Zoning • Building • Code Enforcement

Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of County Ordinances.

Alyson Meadows Small Vicinity Map



SUBDIVISION WORKSHEET**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633

**GENERAL****1. HOW MANY LOTS ARE YOU PROPOSING?**Residential 20 18 Non-buildable 0 Common 4**2. AVERAGE LOT SIZE OF THE RESIDENTIAL PARCELS**2 ACRES**IRRIGATION****1. IRRIGATION WATER IS PROVIDED VIA:**☐ Irrigation Well ☒ Surface Water Pressurized Irrigation system to be installed**2. WHAT PERCENTAGE OF THE PROPERTY HAS WATER? 100 %****3. HOW MANY INCHES OF WATER ARE AVAILABLE TO PROPERTY? _____****4. HOW DO YOU PLAN TO RETAIN STORM AND EXCESS WATER ON EACH LOT?**Storm water will be retained in barrow ditches. With pressurized irrigation system and sprinklers, there should be no excess water.**5. HOW DO YOU PLAN TO PROCESS STORM WATER / EXCESS IRRIGATION WATER PRIOR TO IT ENTERING THE ESTABLISHED DRAINAGE SYSTEM?**See #4 above.**ROADS****1. ROADS WITHIN THE DEVELOPMENT WILL BE:**☒ Public ☐ Private ☐ N/A*** Private Road names must be approved by the County and the private road application submitted with the Preliminary Plat*****HILLSIDE DEVELOPMENT****1. OF THE TOTAL LOTS REQUESTED, HOW MANY OF THE LOTS WILL CONTAIN SLOPES GREATER THAN 15%?**Residential 7 Partial 0 Non-Buildable 0 Common 0**2. WILL THE PROPOSED ROAD (S) BE LOCATED WITHIN ANY AREA THAT HAS SLOPES GREATER THAN 15%?**☐ YES ☒ NO***If YES, a grading plan is required.**

SUBDIVISION WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



SUBDIVISIONS WITHIN AN AREA OF CITY IMPACT

1. **WILL YOU BE REQUESTING WAIVERS OF SUBDIVISION IMPROVEMENT REQUIREMENTS FROM THE CITY?**
☒ YES ☐ NO
2. **IF YES, WHICH WAIVERS WILL YOU BE REQUESTING?**
☒ CURBS ☒ GUTTERS ☒ SIDEWALKS ☒ STREETLIGHTS ☒ LANDSCAPING

IRRIGATION PLAN APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



Applicant(s) Robert Unger 208-861-5220
Name Daytime Telephone Number
9662 W Arnold Road, Boise, Idaho 83714
Street Address City, State Zip

Representative Name Robert Unger, Unger Enterprises, LLC 208-861-5220 bunger@ulcmanagement.com
Daytime Telephone Number / E-mail Address
9662 W Arnold Road, Boise, Idaho 83714
Street Address City, State Zip

Location of Subject Property: Linden Street & Wagner Road, Caldwell
Two Nearest Cross Streets or Property Address City

Assessor's Account Number(s): R 35590 Section 32 Township 4N Range 3W

This land:

- ☒ Has water rights available to it.
- ☐ Is dry and has no water rights available to it. If dry, please sign this document and return to the Development Services Department representative from whom you received it.

Idaho Code 31-3805 states that when all or part of a subdivision is "located within the boundaries of an existing irrigation district or canal company, ditch association, or like irrigation water delivery entity ... no subdivision plat or amendment to a subdivision plat or any other plat or may recognized by the city or county for the division of land will be accepted, approved, and recorded unless:"

- a. The appropriate water rights and assessment of those water rights have been transferred from said lands or excluded from an irrigation entity by the owner; or
- b. The owner, person, firm, or corporation filing the subdivision plat or amendment to a subdivision plat or map has provided underground tile or conduit for lots of one (1) acre or less, or a suitable system for lots of more than one (1) acre which will deliver water to those land owners within the subdivision who are also within the irrigation entity with the appropriate approvals:
 1. For proposed subdivisions located within negotiated area of city impact, both city and county zoning authorities must approve such irrigation system in accordance with Idaho Code Section 50-1306. In addition, the irrigation entity charged with the delivery of water to said lands must be advised regarding the irrigation system.

2. For proposed subdivisions outside of negotiated areas of city impact, the delivery system must be approved by the Planning and Zoning Commission and the Board of County Commissioners with the advice of the irrigation entity charged with the delivery of water to said lands.

To better understand your irrigation request, we need to ask you a few questions. A list of the map requirements follows the short questionnaire. **Any information missing information may result in the delay of your request before the Planning and Zoning Commission and ultimately the approval of your irrigation plan by the Board of County Commissioners.**

1. Are you within an area of negotiated City Impact? ☒ Yes ☐ No
If yes, please include a copy of approvals by the City Planning & Zoning Commission and City Council of your Irrigation Plan.

2. What is the name of the irrigation and drainage entities servicing the property?

Irrigation: Pioneer Irrigation District

Drainage: None

3. How many acres is the property being subdivided? 40

4. What percentage of this property has water? 100%

5. How many inches of water are available to the property? 40"

6. How is the land currently irrigated? ☒ Surface ☐ Irrigation Well
☐ Sprinkler ☐ Above Ground Pipe ☐ Underground Pipe
7. How is the land to be irrigated after it is subdivided? ☐ Surface ☐ Irrigation Well
☒ Sprinkler ☐ Above Ground Pipe ☐ Underground Pipe

8. Please describe how the head gate/pump connects to the canal and irrigated land and where ditches and/or pipes go.

Head gate and pump will be located on the southern property at current head gate.

9. Are there irrigation easement(s) on the property? ☒ Yes ☐ No

10. How do you plan to retain storm and excess water on each lot?

The subdivision will have a pressurized irrigation with all lots sprinklered. As such there should be no excess water from irrigation on the lots.

Storm drain retention will be in barrow ditches.

11. How do you plan to remove the storm water /excess irrigation water prior to it entering the established drainage system? (i.e. oil, grease, contaminated aggregates)

See # 10 above.



Date: March 5, 2024

TO: Canyon County Development Services
 Stephanie Hailey, CFM
 208 454-7254

From: Matrix Engineering
 Elwin T Butler, PE
 208 739-8668

Re: Alyson Meadows,
 Case Number: SD2021-0039, Parcel R35590, 40.84 Acres
 By: J. Canning, PE/PLS
 Centurion Engineers, Inc. - 208.343.3381
 Preliminary Plat Review #3, Alyson Meadows Subdivision,
 Below are the comments provided by Centurion Engineers, Inc.,
 Dated January 8, 2024.
 Received from the County February 9th, 2024

Comment black text below by Mr. Jone Canning, PE/PLS, Centurion Engineers, Inc.

"Comments 1, 3, 4, 5, 8, 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9J, 9K, 9L, 9M, 9N, 11 and 13 Pending".

***Comment Actions by Elwin T. Butler, PE, Matrix Engineering, Inc. (red text)**

Summary of Actions:

Below is an effort to bridge the gaps between Centurion Engineers, Inc., Canyon County, Canyon Highway District 4, Pioneer Irrigation District, Caldwell Fire District, and Rhetts Acres. Many comments on this review deal with easements.

The revised plat clearly defines each easement providing priority to the different use easements and beneficiaries.

The revised plat shows an ingress/egress and utility easement on Lot 12 as shown on the approved and recorded Rhetts Acres final plat.

Lot 11 provides 30-foot easement as originally shown on the first preliminary plat review as required by Canyon County District 4. Lot 11 now shows the same type of easement as shown on Lot 12 and by Rhetts Acres approved final plat.

Rhetts Acres, Tranquill Place hammerhead turnaround is on Alyson Meadows property, Parcel R35590. In addition, there appears to be an error in the Tranquill Place private road application stating, "...providing access to all parcels fronting Tranquill Place..." but failed to include Parcel R35590.

This plat submittal includes easements granting access to Rhetts Acres for their private road, Tranquill Place, end of road turnaround located on parcel R35590 as well as to their irrigation main constructed

the spring of 2023 also located on Parcel R35590. **The Owner, CS2, LLC, is currently working with Rhetts Acres to provide documentation for recording these easements and access to Parcel R35590 from Tranquill Place.** It is hoped that Canyon County will not continue to delay Alyson Meadows preliminary plat approval due to oversites of Rhetts Acres.

Bold text within the comments below is specific to this review. (Red text following each comment is the action and comment regarding this review.

General Comments

1. The original submittal we reviewed contained a review dated 10 November 2021 from the Canyon Highway District No. 4 (District). That review included a recommendation to provide them with a revised preliminary plat including revisions included in their letter. Has the revised preliminary plat been provided to them? **Please provide comments from the District when received. Will provide comments to the County as received. Revised plat and comments has been sent to the District.**
2. We also note that in the original submittal we reviewed, the internal road was to be public. The revised material for the road has been changed to a private road. Please provide the reason for the change. **Apparently, the original intent was for private roads. The county has no objection.**
3. The original review by Canyon County staff indicated the road name of "Birchwood Lane" was not available. Please address this comment. **Please provide an approval/acceptance of the new road name when received. Road name will be provided as soon as received, until then "TBD" is used.**
4. Has Pioneer Irrigation District provided comment on the project? **Please provide comments from the District when available. An acceptance of the plat email from District has been sent to the County. Revised plat has been sent to the District.**
5. Has the applicable fire entity provided comment on the project? **Per the comment response letter, the entity has provided comments and they have been addressed. Please provide the original comments and any updated responses to the revised preliminary plat. Comments have been addressed and notes added to the plat per the discussion with Fire District. Plat updates has been provided to the District for review.**

Preliminary Plat Comments

6. Some of the lot numbers are difficult to read due to close conflicts with other text. Please revise the preliminary plat. **Addressed**
7. What are the boundaries, courses and distances of Lot 12? The lot label appears to be outside of the plat boundary. Please revise. **The response letter notes that Lot 12 is entirely in the subdivision boundary. That was not clear as the subdivision boundary line type/weight is very similar to the lot lines on the plat. This comment is addressed.**
8. Please add the overall and parts of the large delta curve of the culdesac. **The plat appears to contain the curves for each part of the curve for each lot, but not the overall curve for the entire curve around the culdesac. Additionally, the curve for the access easement to Lot 12 needs to be added. C16 appears to include the frontage of Lot 11 and does not address**

the access easement location. It seems the curve in Lot 11 should be three curves. The overall curve should be the sum of parts (C15, C16 and C17). The curve tag/identifier for the lots should be moved to the inside of the lots and then the overall curve may be placed on the inside of the culdesac.

1) Curve tags C15, C16, & C17 are lot curves and have been moved to the lot side of the curve.

2) Curve tags C4 & C5 are both road and lot curves and are located on the roadside of the curve.

3) Curve Tag C18 has been added to the roadside of the curve for the sum of curves C15, C16, & C17.

4) Lot 11 easement lines and curve tags have been added to the inside of the easements.

Lot 11 easement has been edited based on what has been understood from:

a) Fire Marshal, Alan Perry, emergency access not required by Fire District

b) Canyon Highway District 4, access is required as approved on original plat review.

c) Centurion Engineers, Inc., emergency access to Tranquill Place may not be granted to Alyson Meadows.

The revised easement width is shown as the original plat submittal, 30 feet wide. Emergency Services, and EMS has been removed from the easement to match the approved Rhetts Acres final plat wording of “ingress/egress and utility easement.”

9. Please review the preliminary plat notes from the version compiled by Unger Enterprises. Some of the notes on the original version may need to be carried over to the new version. **Addressed, however please see new comments for clarification. Notes have been reviewed and edited based on the following comments. Easement notes have been defined, prioritize, and beneficiary provided for each easement.**

9A. New Comment: Preliminary plat note 1 uses the word “including” for the easements along the private road. We would suggest that could be inferred to mean the internal roads are public. We suggest the word be changed to “and”. **Added an “and” in place of “including”. However, edited entire note to define easements.**

9B. New Comment: Preliminary plat note 2 identifies side lot easements. Please advise on where the terminate at the rear lot lines. Do they continue across the Cooper Drain to the west and the drainage and irrigation easement to the east? **Revised line work and edited note easement text providing definition to easement priority. Cooper Drain (“now “D” Drain) easement, cannot be encroached upon.**

Irrigation easement east has been removed and is the same type of easement as the interior lot lines. The irrigation easement is not required.

9C. New Comment: Preliminary plat note 3 refers to the Cooper Drain. Please be sure to provide the beneficiary of the easement as the Pioneer Irrigation District when the final plat is prepared. **Added Pioneer Irrigation District as beneficiary and changed name per District’s request to “D” Drain.**

9D. New Comment: Preliminary plat, Note 4 calls out an “irrigation” easement. The text in Lots 7 and 8 also calls out “drainage”. Does the plat note need to be revised? **Changed to standard 10-foot utility and fence**

easement.

- 9E. New Comment: Regarding preliminary plat note 4, who is the beneficiary of the easement? **Plat Note 4 has been removed. Boundary easements are traditional utility and fence easements as described in Note 2.**
- 9F. New Comment: The easement on the north boundary of Lot 3 is not identified as to its purpose. Is it a continuation of the easement along the lot's east boundary? What is the width of this easement? Is it intended to connect to the side lot easement on the north side of the lot extending from the road? What are its terminus points? **The purpose of easement, width and terminus points have been clearly addressed on plat.**
- 9G. New Comment: The easement on the south boundary of Lot 13 is 20 feet wide but is not identified as to its purpose. It is a continuation of the easement along the lot's west boundary. It intersects the Cooper Drain easement. Should the Cooper Drain easement be extended to the south boundary of the subdivision? And then where would the 20-foot-wide easement terminate? **This easement has been changed to 10 feet and is defined in Note 2, Boundary easements. The Cooper drain easement has been extended to the parcel boundaries. Agencies, Lot Owners, and Utilities are required to obtain a permit to encroach upon the Cooper Drain easement.**
- 9H. New Comment: The easement along the north boundary of Lot 11 intersects the access easement accessing Lot 12. The use of the two easements is not the same. Does the drainage and irrigation easement extend across Lot 11 or terminate at the west boundary of the access easement? **See Note 2 for Boundary lot line easement definition. Lot 12 is defined the same as defined in the Rhetts Acres approved final plat.**
- 9J. New Comment: As the internal roads are private, please add "Canyon County" to plat note 7. Canyon County will now also be reviewing the road drainage. **Canyon County added to Note.**
- 9K. New Comment: Plat note 8 states that the pressure irrigation system will be owned/operated by the HOA. Please be sure to include a pressure irrigation design report and pump station design when construction plans are submitted to the county for review. **Understood.**
- 9L. New Comment: There are easements shown on Lots 1 and 21 that are common lots. What are the easements for? Who is the beneficiary? Are they necessary? Could they be blanket easements? **These are typical utility easements required along public roads. A beneficiary has been provided.**
- 9M. New Comment: There are 10-foot-wide easements shown on the north side of Lots 2 and 20. What are the easements for? Who is the beneficiary? **These are typical interior lot line easements. Lines have been corrected to 5 feet wide as they are interior lot line easements. See Note 2.**
- 9N. New Comment: There is an easement along the east side of Lot 2. What is the easement for? Who is the beneficiary? What is the width? **This is a typical boundary lot line 10 feet wide easement. See Note 2.**
10. The preliminary plat includes "Retention Easements". Please

describe/define what these are to retain. **Addressed**

Wells/Septic Comment

11. We note specific locations on sheet PP101 for wells and septic drainfields. Have these locations been shown based upon field testholes? **Based upon the comment response, is an approval from the Southwest District Health available? No, reports and approvals are in progress. These are 1st steps toward completing this process.**

EMS Access Comments

12. EMS access, is that also available to fire and police services? **Addressed Please note, access note has been changed based on the Fire Marshal's review, Centurion Engineers comments concerning no access rights on Tranquill Place, and the requirement by Canyon Highway District 4 of retaining this access. Access note now matches the approved Rhetts Acres final plat note for Lot 12. See Comment 13.**
13. Part of the EMS access route to Tranquill Place is outside of the boundary of Alyson Meadows. Is there an off-site easement available to make the connection? **Our comment was also intended to include the portion of the easement in Tranquill Place. More specifically, does the easement in Tranquill Place allow an "expansion" of use to include Alyson Meadows? Or was it only intended to serve Rhetts Acres? We want to be sure the access connection will be allowed. In regard to this comment:**

1) An existing ingress/egress and utility easement existed prior to the Tranquill Place private road application. This existing easement text is shown on the approved final plat of Rhetts Acres. Not sure why the private road application was approved without providing access for Parcel R35590? This should be historical access. The County should require Rhetts Acres to correct this error providing access to Parcel R35590.

2) It appears in the language of the private road RUMA, the intent was to provide access to all lots fronting Tranquill Place. The application failed to acknowledge Parcel R35590 which does front Tranquill Place.

3) Fire Department does not require this second access, this access would only be required if development is over 30 lots.

4) The Tranquill Place end of road hammer head turn-a-round is located on Parcel R35590. At this point in time documented permission to build the hammerhead on Parcel R25590 has not been given. This version of the preliminary plat provides this easement to Rhetts Acres, however, until the final plat is recorded, emergency access turnaround for Tranquill Place is no located on Rhetts Acres property and does not have an access easement.

Alyson Acres will provide a gated easement for lot 12 and the easement of Lot 11.

Matrix Engineering has reached out to the Engineer and Surveyor of Rhetts Acres to attempt to resolve these concerns. The Owner CS2, LLC has also reached out to Rhetts Acres negotiating access from Tranquill Place private road.

Matrix Engineering requests conditional approval of the preliminary plat of Alyson Acres requiring the access and easement documents to be recorded prior to final plat submittal.

This will also allow Rhetts Acres to negotiate, if they desire, to have their turnaround on Parcel R35590, Alyson Meadows or to move the turnaround to a different location located on their property. Alyson Meadows' progress will not be stalled while Rhetts Acres addresses the oversites of placing their road turn around on others property and placing their irrigation main on others property without an easement.

Again, this preliminary plat version corrects these oversites except access to Parcel R35590 from Tranquill Place.

Above are written responses to each comment as well as additional concerns addressed by oversites of Rhetts Acres.

Items included with this submittal are:

- 1) PP100, preliminary plat, and.
- 2) PP101, Engineering Concept Plat.

Please contact me at 208 739-8668 if you have any questions, comments, or need additional information associated with the Alyson Meadows Subdivision project.

Regards,
Elwin T. Butler, PE

PRELIMINARY PLAT ALYSON MEADOWS SUBDIVISION NW 1/4 SECTION 32, T4N, R3W, BM CANYON COUNTY, IDAHO 2024

Latest plat/not reviewed by Centurion

OWNERS/DEVELOPERS
CS2, LLC
3363 E. PRESIDENTIAL DRIVE
MERIDIAN, IDAHO 83642
(208) 629-7333

PLANNER
BOB UNGER
UNGER ENTERPRISES, LLC
901 N 29TH STREET
BOISE, IDAHO 83702
(208) 861-5220

SURVEYOR
SKINNER LAND SURVEY
17842 SANDHOLLOW ROAD
CALDWELL, IDAHO, 83607
(208) 459-0933
www.skinnerlandsurvey.com

ENGINEER
ELWIN T. BUTLER, PE
MATRIX ENGINEERING, INC.
1020 W MAIN, SUITE 100J
BOISE, IDAHO 83702
(208) 739-8668
ebutler@mat-eng.com

PRELIMINARY PLAT DEVELOPMENT FEATURES

TOTAL ACRES..... 40.84 ACRES
TOTAL LOTS..... 22
SINGLE-FAMILY LOTS..... 18
COMMON LOTS..... 4
MINIMUM LOT SIZE..... 87,159 SF
AVERAGE LOT SIZE..... 89,328 SF
TOTAL SINGLE FAMILY DENSITY 2.27 UNITS/AC.
PROPOSED ZONING..... CR-RR
PHASING..... ONE PHASE
SETBACKS RR ZONE
FRONT 20'
REAR 20'
SIDE 10'
CORNER 20'

CURVE TABLE

CURVE #	RADIUS	LENGTH	DELTA	CH BEARING	CH DISTANCE
C1	200.00'	35.07'	10°02'50"	S4°14'16"E	35.03'
C2	170.00'	29.81'	10°02'50"	S4°14'16"E	29.77'
C3	230.00'	40.33'	10°02'50"	N4°14'16"W	40.28'
C4	28.00'	25.13'	51°24'59"	S34°58'11"E	24.29'
C5	28.00'	25.14'	51°26'37"	N16°27'37"E	24.30'
C7	100.00'	172.64'	98°54'31"	S40°34'26"E	151.98'
C15	65.00'	100.10'	88°14'10"	N16°33'36"W	90.50'
C16	65.00'	136.11'	119°58'42"	N87°32'51"E	112.57'
C17	65.00'	84.65'	74°36'55"	S4°50'45"W	78.79'
C18	65.00'	320.86'	282°49'58"	S80°44'19"W	81.08'
C19	70.00'	120.84'	98°54'44"	S40°34'23"E	106.39'
C20	65.00'	32.23'	28°24'24"	S61°16'17"E	31.90'
C21	65.00'	16.57'	14°36'16"	N39°45'56"W	16.52'

SCALE:

HORIZONTAL: 1 IN. = 100 FT.

SCALE for 24" X 36" SHEET

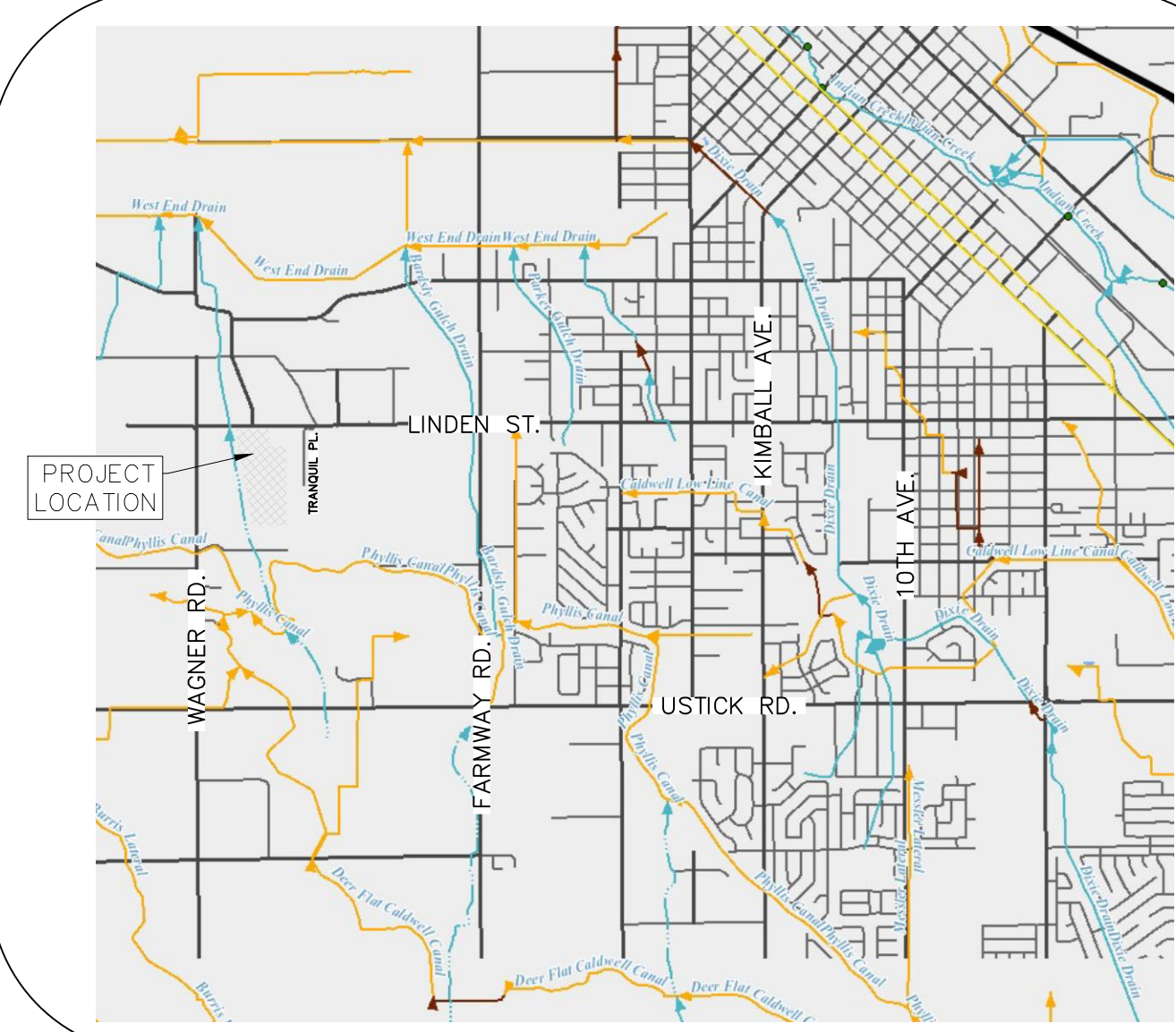
(FEET)

1 INCH = 100 FT

PRELIMINARY PLAT NOTES:

IN THE FOLLOWING NOTES THE WORD "UTILITY" SHALL INCLUDE IRRIGATION AS A UTILITY. IF IRRIGATION IS MENTIONED IT IS TO EMPHASIZE THIS UTILITY. EASEMENT WITH THE HIGHEST PRIORITY OR RIGHTS EXTEND TO THE BOUNDARY. EASEMENT WITH EQUAL PRIORITY OR RIGHTS END AT THE EASEMENT INTERSECTION.

- LOT LINES COMMON TO LINDEN ROAD HAVE A 10' UTILITY EASEMENT. UTILITY AGENCIES SHALL NOT LIMIT OR RESTRICT USES FOR IRRIGATION STRUCTURES, DRAINAGE, OR LANDSCAPE BUFFER. LOT LINES COMMON TO LOT 22, A PRIVATE ROAD, HAVE A 10' UTILITY, AND DRAINAGE EASEMENT. THE UTILITY EASEMENTS IN THIS NOTE ARE FOR THE BENEFIT OF ALYSON MEADOWS SUBDIVISION.
- UNLESS OTHERWISE NOTED, INTERNAL LOT LINES HAVE A 5' UTILITY AND FENCE EASEMENT. UNLESS OTHERWISE NOTED, BOUNDARY LOT LINES HAVE A 10' UTILITY AND FENCE EASEMENT. THESE UTILITY AND FENCE EASEMENT ARE FOR THE BENEFIT OF THE SUBJECT AND ADJACENT LOT OWNERS OF EACH EASEMENT.
- WEST BOUNDARY OF LOTS 13 THROUGH 21 HAVE A PIONEER IRRIGATION DISTRICT 25' WIDE "D"-DRAIN EASEMENT STARTING AT THE FROM TOP OF BANK, ANY ENCROACHMENT OF THIS EASEMENT REQUIRES WRITTEN PERMISSION FROM PIONEER IRRIGATION DISTRICT PRIOR PER IDAHO CODE 42-1209. THIS EASEMENT IS FOR THE BENEFIT OF PIONEER IRRIGATION DISTRICT.
- ALL LOTS ARE SINGLE FAMILY RESIDENTIAL EXCEPT LOTS 1, 12, 21, & 22 WHICH ARE COMMON LOTS MAINTAINED BY THE HOME OWNERS ASSOCIATION (HOA). LOTS 1 & 21 ARE LANDSCAPE BUFFER LOTS. LOT 12 IS AN INGRESS/EGRESS AND UTILITY EASEMENT FOR THE BENEFIT OF ALYSON MEADOWS, RHETTS ACRES, EMERGENCY, AND SERVICE VEHICLES. EASEMENT IS TO BE GATED. LOT 22 IS A PRIVATE ROAD LOT FOR INGRESS/EGRESS, UTILITIES, AND DRAINAGE FOR THE SOLE BENEFIT OF ALYSON MEADOWS.
- A 30 FOOT EASEMENT AT THE EAST BOUNDARY OF LOT 12 IS GRANTED FOR THE BENEFIT OF RHETTS ACRES FOR TRANQUILL PLACE, HAMERHEAD TURNAROUND. RHETTS ACRES HOA IS RESPONSIBLE FOR ALL MAINTENANCE AND COST OF TURNAROUND.
- SOUTH SIDE EASEMENTS OF LOT 11 ARE DESIGNATED INGRESS/EGRESS, UTILITIES, AND IRRIGATION FACILITIES EASEMENTS. IRRIGATION FACILITIES INCLUDE PUMPING STATION, DISTRIBUTION MAIN LINES, AND IRRIGATION DITCH. THIS EASEMENT IS FOR THE BENEFIT OF ALYSON MEADOWS, RHETTS ACRES, EMERGENCY, AND SERVICE VEHICLES. EASEMENT IS TO BE GATED.
- DRAINAGE SHALL BE REMOVED VIA ROADSIDE SWALES / SWALES / SUBSURFACE FACILITIES AND / OR DISCHARGING RUNOFF INTO EXISTING DRAINS AS HISTORIC RATES AS APPROVED BY THE HIGHWAY DISTRICT AND CANYON COUNTY.
- THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH THE IDAHO CODE SECTION 31-3805 CONCERNING IRRIGATION WATER. IRRIGATION WATER IS PROVIDED BY PIONEER IRRIGATION DISTRICT. THE HOA WILL BE SUBJECT TO DISTRICT ASSESSMENTS. EACH LOT WILL RECEIVE PRESSURIZED IRRIGATION WATER VIA A PUMPING STATION AND IRRIGATION FACILITIES MAINTAINED AND OPERATED BY THE HOA.
- EXISTING IRRIGATION OPEN DITCH DELIVERY TO PHEASANT RIDGE WILL BE PIPED.
- POTABLE WATER WILL BE PROVIDED BY INDIVIDUAL WELLS LOCATED ON EACH LOT AS APPROVED BY THE DEPARTMENT OF WATER RESOURCES.
- SANITARY SEWER WILL BE PROVIDED BY INDIVIDUAL SEPTIC AND DRAIN FIELDS ON EACH LOT AS APPROVED BY SOUTHWEST DISTRICT HEALTH.
- THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON-AGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION BEGAN; PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROVER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATION IN EFFECT AT THE TIME OF RE-SUBDIVISION.
- LOT DIRECT ACCESS ONTO LINDEN ROAD (A MAJOR COLLECTOR) IS PROHIBITED. LOT ACCESS SHALL BE ONTO PRIVATE OR LOCAL ROADS.
- NEPA 13 D (FIRE SPRINKLERS) SYSTEMS AND FIRE FLOW RATES FOR EACH SINGLE FAMILY DWELLING SHALL BE DETERMINED BY THE CALDWELL FIRE DEPARTMENT BASED ON THE CURRENT FIRE CODE AT THE TIME OF BUILDING PERMIT APPLICATION.

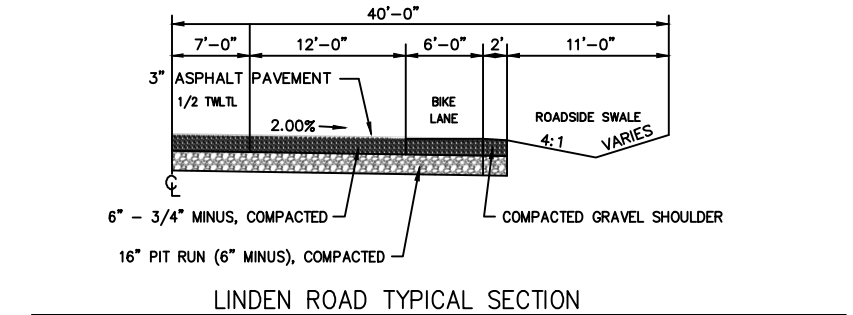
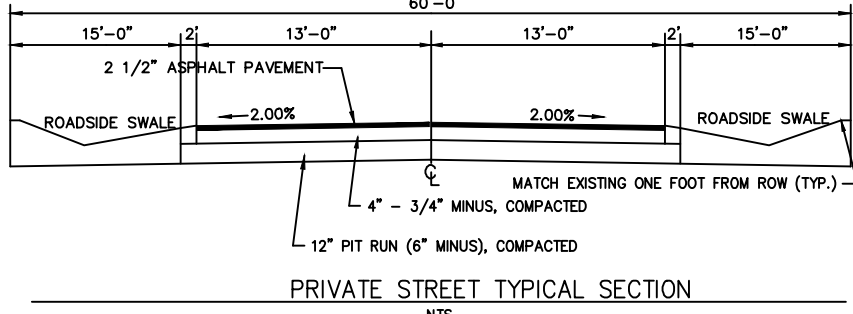


VICINITY MAP

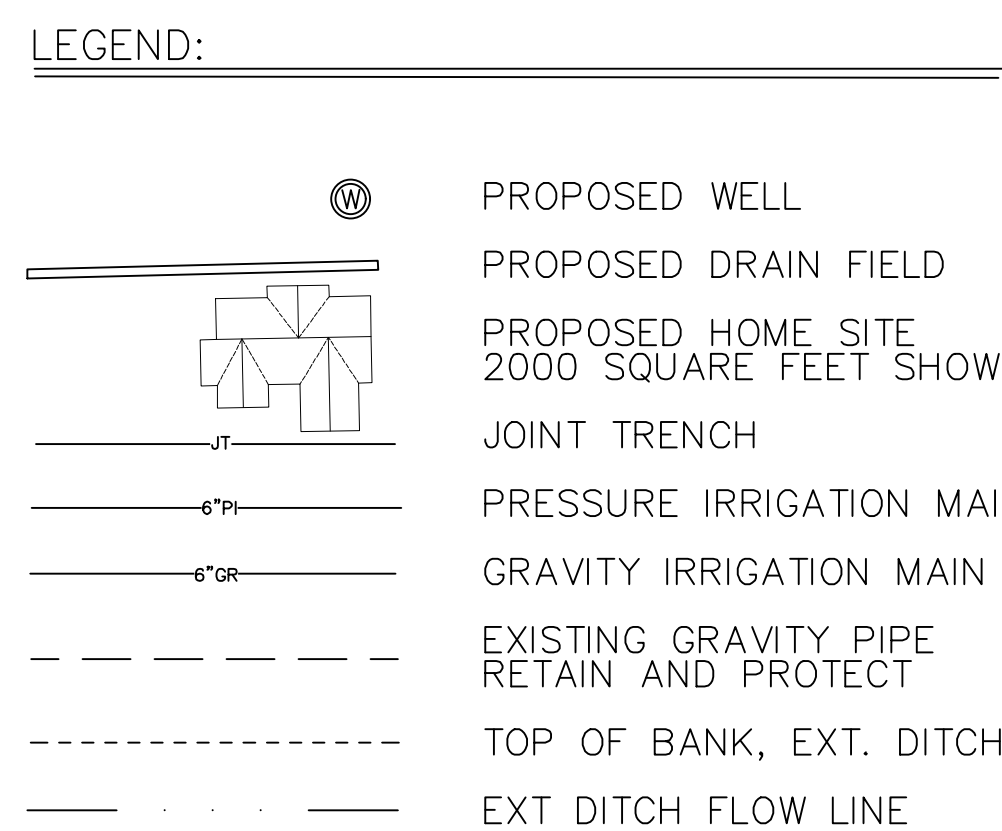
NTS

LEGEND:

- MONUMENT (FOUND)
- SECTION LINE
- PROPERTY BOUNDARY
- ROAD CENTER LINE
- ROW /ROAD EASEMENT
- EASEMENT
- PARCEL LINE (NOT SURVEYED)
- 15 PERCENT GRADE AREA



NW Section Corner
Section 32
CP&FR Inst. No.
2003072747



- ## ENGINEERING NOTES:
- 1) RETAIN AND PROTECT EXISTING IRRIGATION MAIN PROVIDING GRAVITY IRRIGATION TO RHETTS ACRES.
 - 2) REMOVE EXISTING DITCH PROVIDING OVERFLOW AND IRRIGATION TO PLEASANT RIDGE SUBDIVISION.
 - 3) NOT USED
 - 4) NOT USED
 - 5) NOT USED
 - 6) CONSTRUCT IRRIGATION STAND PIPE WITH DISCHARGE AND LID.
 - 7) CONSTRUCT 12" GRAVITY IRRIGATION MAIN PROVIDING OVERFLOW AND IRRIGATION TO PLEASANT RIDGE SUBDIVISION NO 2.
 - 8) CONSTRUCT PRESSURE IRRIGATION MAIN.
 - 9) CONSTRUCT PUBLIC & PRIVATE ROAD PER TYPICAL SECTIONS.
 - 10) CONSTRUCT ROADSIDE SWALES PER ACHD BMP 03 (SEE DETAIL THIS SHEET).
 - 11) RETAIN & PROTECT EXISTING VEGETATION ON SLOPES GREATER THAN 8 PERCENT AS SHOWN ON PLANS.
 - 12) CONSTRUCT IRRIGATION PUMP STATION WITH CLEARWATER SCREEN.
 - 13) PROVIDE PRESSURE IRRIGATION SERVICE TO EACH LOT (NOT SHOWN).
 - 14) CONSTRUCT 20-FOOT WIDE ALL WEATHER ROAD (PENDING AGREEMENT WITH RHETTS ACRES).
 - 15) CONSTRUCT GATES WITH LOCKS AT INGRESS/EGRESS ACCESS ENDS.
 - 16) POTABLE WATER WILL BE PROVIDED BY INDIVIDUAL WELL AS APPROVED BY THE DEPARTMENT OF WATER RESOURCES. 100-FOOT RADIUS FOR WELLS ARE SHOWN.
 - 17) SANITARY SEWER WILL BE PROVIDED BY INDIVIDUAL SEPTIC AND DRAIN FIELDS AS APPROVED BY SOUTHWEST DISTRICT HEALTH. DRAIN FIELDS LOCATIONS AND ALTERNATE DRAIN FIELDS LOCATIONS ARE SHOWN.
 - 18) JOINT TRENCH LOCATION SHOWN FOR UNDERGROUND POWER AND UTILITIES.
 - 19) TOPO LINES SHOWN AT 2-FOOT INTERVALS.
 - 20) GRADING AT PERIMETER TO MATCH EXISTING ELEVATION AND GRADES.
 - 21) RETAIN AND PROTECT ALL EXISTING BOUNDARY FENCES.

PAVEMENT

2' WIDE GRAVEL SHOULDER

GRASS BUFFER

2' COMPOST TILLED INTO 6' OF NATIVE SOIL

COLLECTOR DITCH (2' MAX.)

MATCH EXISTING


ROAD BALLAST

NATIVE SOIL


R/W ESM


2' 6' 16' 2' 6'

SCALE:
HORIZONTAL: 1 IN. = 100 FT.
SCALE for 24" X 36" SHEET

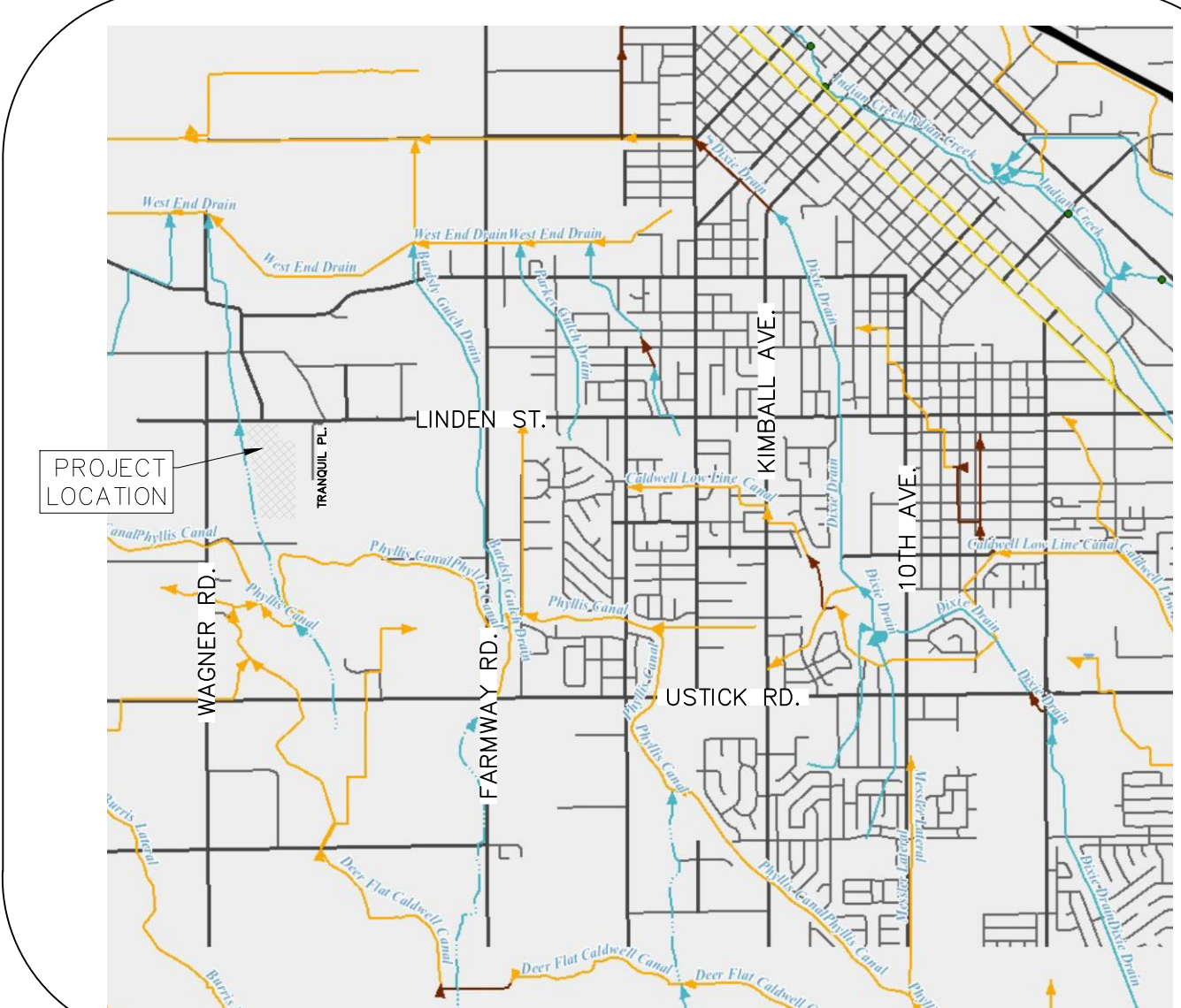


(FEET)
1 INCH = 100 FT



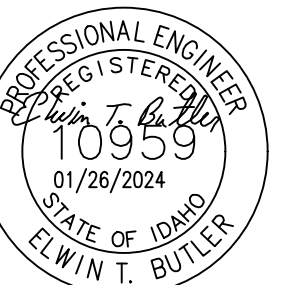
	MONUMENT (FOUND)
_____	SECTION LINE
_____	PROPERTY BOUNDARY
_____	ROAD CENTER LINE
_____	ROW /ROAD EASEMENT
_____	EASEMENT
_____	PARCEL LINE (NOT SURVEYED)
-----	15 PERCENT GRADE AREA

- 1) ALL LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY, INCLUDING LOT 22, HAVE A 10' UTILITY, DRAINAGE, IRRIGATION, LANDSCAPE, AND FENCE EASEMENT.
- 2) ALL SIDE YARD LOT LINES HAVE A 5' PROPERTY DRAINAGE, IRRIGATION, AND FENCE EASEMENT.
- 3) LOTS 13 THROUGH 21 INCLUDE A 25' WIDE COOPER DRAIN EASEMENT FROM TOP OF BANK, ANY ENCROACHMENT OF THE COOPER DRAIN REQUIRES WRITTEN PERMISSION FROM PIONEER IRRIGATION DISTRICT PRIOR PER IDAHO CODE 42-1209.
- 4) LOTS 3 THROUGH 11 INCLUDES A 20' WIDE IRRIGATION EASEMENT.
- 5) ALL LOTS ARE SINGLE FAMILY RESIDENTIAL EXCEPT LOTS 1, 21, & 22. LOTS 1 & 21 ARE LANDSCAPE BUFFER LOTS MAINTAINED BY THE HOME OWNERS ASSOCIATION (HOA). LOT 22 IS A PRIVATE ROAD LOT MAINTAINED BY THE HOA.
- 6) LOT 12 INCLUDES A DESIGNATED EASEMENT FOR AN EMERGENCY SERVICES ACCESS AND IRRIGATION FACILITIES EASEMENTS. IRRIGATION FACILITIES INCLUDE PUMPING STATION, MAIN LINE TO RHETTS ACRES, AND MAIN LINE FOR ALYSON MEADOWS.
- 7) DRAINAGE SHALL BE REMOVED VIA BARROW DITCHES / SUBSURFACE FACILITIES AS APPROVED BY THE HIGHWAY DISTRICT AND / OR DISCHARGING RUNOFF INTO EXISTING DRAINS AS HISTORIC RATES.
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- 11) SANITARY SEWER SHALL BE PROVIDED BY INDIVIDUAL SEPTIC AND DRAIN FIELDS ON EACH LOT AS APPROVED BY BUTWORTH'S DISTRICT HEALTH.
- 12) THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON AGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION BEGAN; PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROVER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
- 13) ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATION IN EFFECT AT THE TIME OF RE-SUBDIVISION.
- 14) LOT DIRECT ACCESS ONTO LINDEN ROAD (A MAJOR COLLECTOR) IS PROHIBITED. LOT ACCESS SHALL BE ONTO PRIVATE OR LOCAL ROADS.



MATRIX ENGINEERING, INC.
*(and) trading the market for which
 something originates or develops*

Alaska Building • 1020 W. Main St. Suite 100 • Base ID 83702-208.860.3120
 Doug Unger, P.E. Principal Engineer
 Email: dunger@mat-eng.com

[illegible]

PREPARED FOR:

ALYSON MEADOWS
SUBDIVISION
PARCEL R35590
CANYON COUNTY, ID


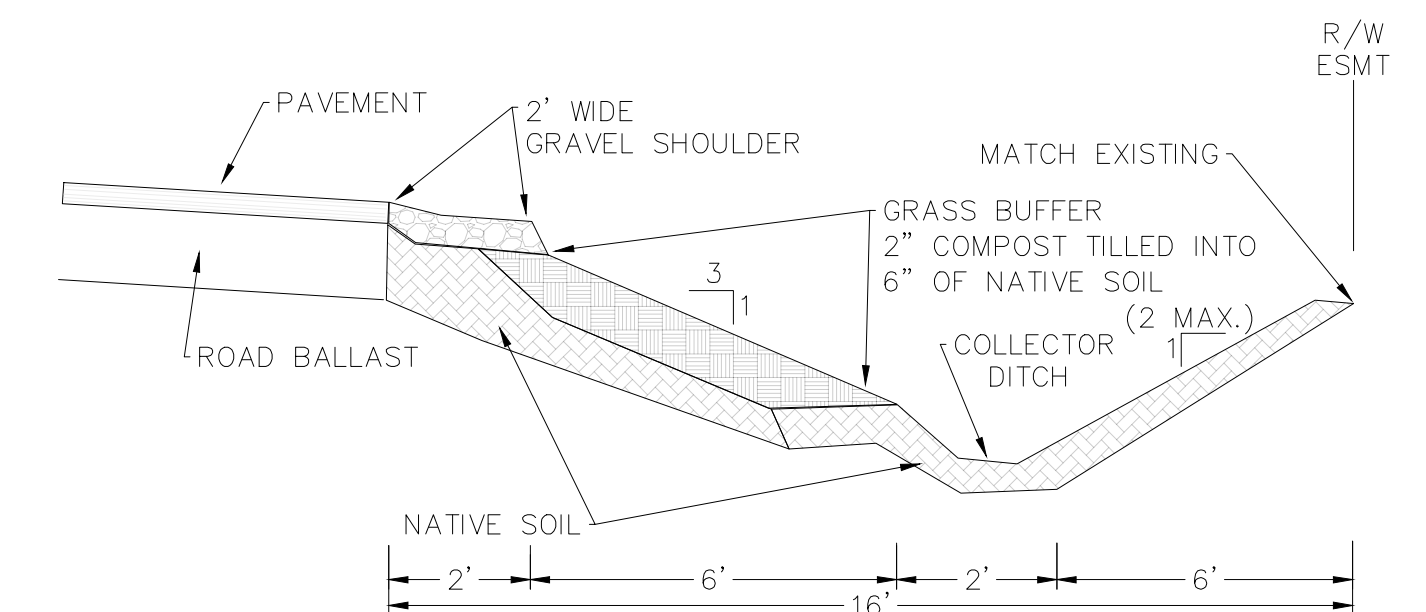
DATE
01/26/2024

SHEET
PP100



- ENGINEERING NOTES:

- BMP 03, ACHD DESIGN MANUAL:

[illegible]

CS2, LLC
3363 E. PRESIDENTIAL DRIVE
MERIDIAN, ID 83642
PARCEL R35590

ALYSON MEADOWS
SUBDIVISION
PARCEL R35590
CANYON COUNTY, ID

DATE
01/26/2024

SHEET
P101

Michelle Barron

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Friday, April 5, 2024 11:27 AM
To: Stephanie Hailey; Michelle Barron
Cc: jdcanning@centengr.com; kwartman@canyonhd4.org; Doug Unger; Bob Unger; Alan Perry; Dave Watkins; Kirk Meyers; Cory Swain
Subject: [External] Alyson Meadows Preliminary Plat, Version 3
Attachments: Alyson Meadows 3rd Comment Actions.pdf; AM-P-PLAT-3-PP-101.pdf; AM-P-PLAT-3-PP-100.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Stephanie and Michelle,

Attached are the revised preliminary plat drawings for Alyson Meadows, AM-P-Plat-3-PP-100, Engineering Concept, AM-P-Plat-3-PP-101, and the Comment/Action Narrative of Review 3. Matrix Engineering and CS2, LLC have been working the past month attempting to resolve access and easement issues related to Rhetts Acres. It is hoped that preliminary plat may be approved with the condition that access and the lack of easements for Rhetts Acres will be resolved prior to final plat submission.

Note: This version of the plat resolves easement concerns for Rhetts Acres for their irrigation main line and Tranquill Place end of road turnaround located on Parcel R35590. These easements may be recorded with the final plat of Alyson Meadows. The lack of access to Parcel R35590 appears to have been an oversight in the Road Maintenance Agreement not providing access to a parcel that fronts the private road. This is discussed in more detail in the attached narrative.

It is requested that each of the agencies, Canyon County Highway District 4, City of Caldwell Fire District, and Pioneer Irrigation District receiving this email verify their individual concerns are still met by this version of the preliminary plat by a return email.

Thank you,
Elwin T. Butler, PE
Matrix Engineering, Inc.
208 739-8668

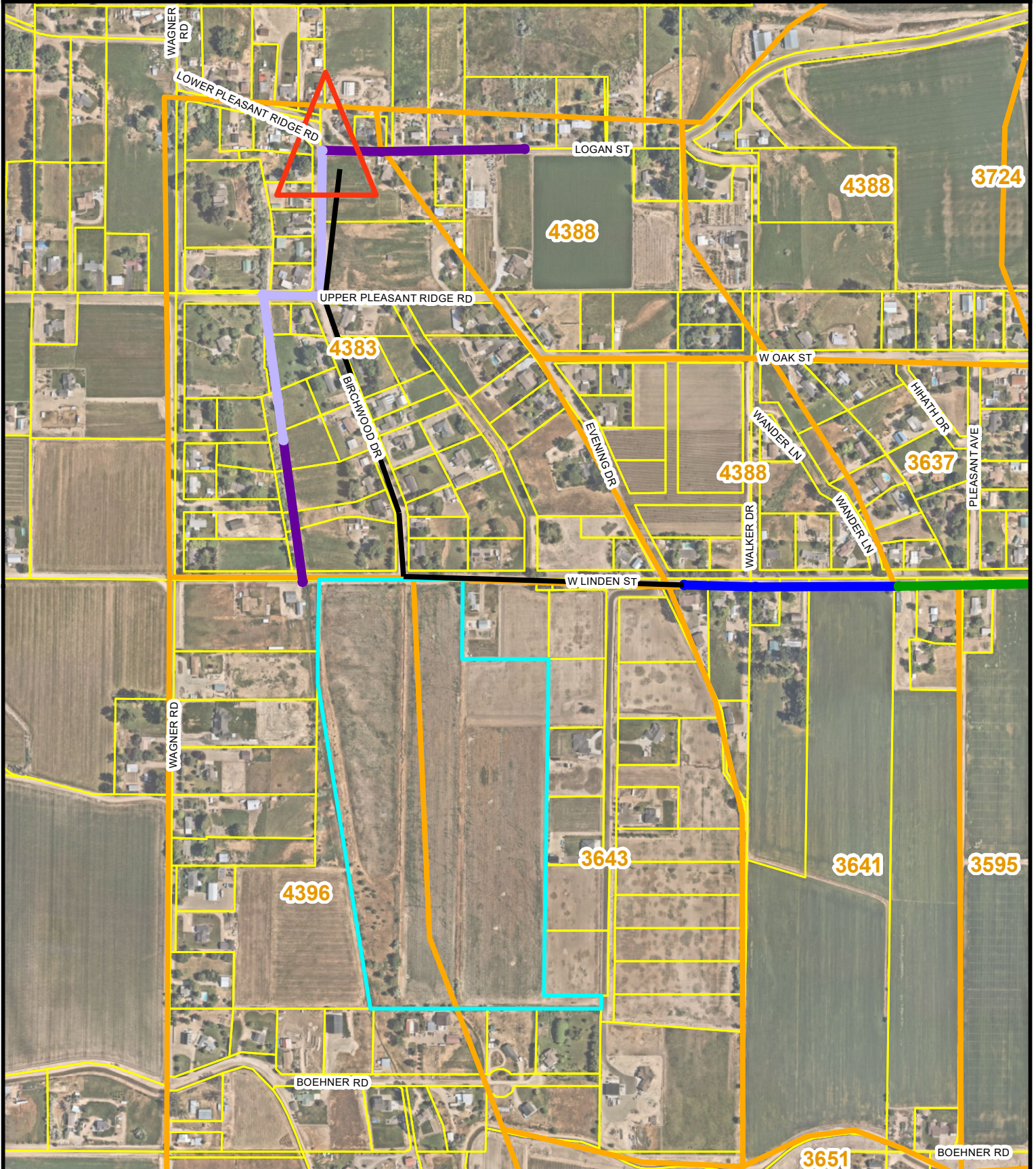
Michelle Barron

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Monday, August 5, 2024 4:04 PM
To: Michelle Barron
Subject: [External] Alyson Meadows
Attachments: PRR-2008-2024.pdf; Street Sections R810 Revis 6.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Michelle,
Attached are two files.
1) shows the City proposed sewer lift station in this area.
2) shows the typical City street section. We have specified to construct R-810E-3 keeping the street looking like a rural street.

Thank you,
Elwin



City
of
Caldwell

Legend

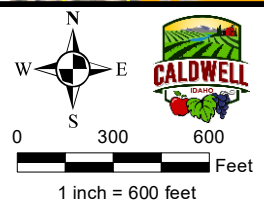
- Subject Property
- Service Area
- Taxlots

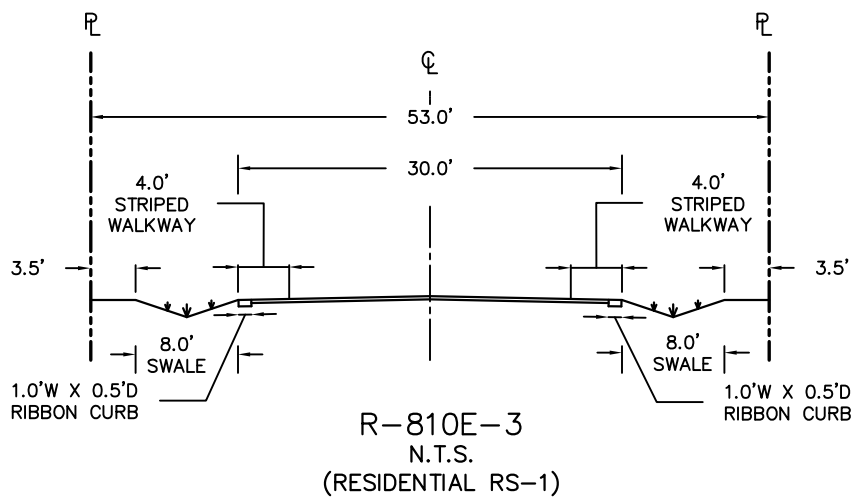
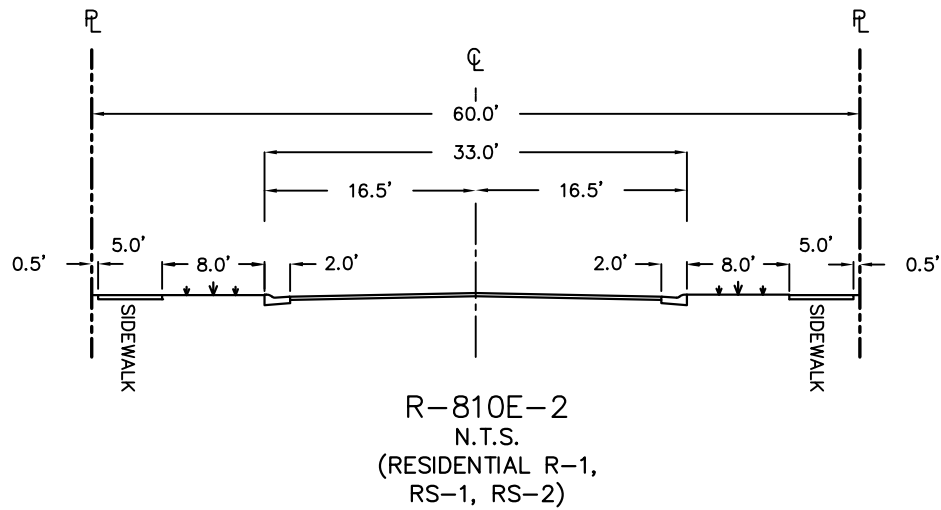
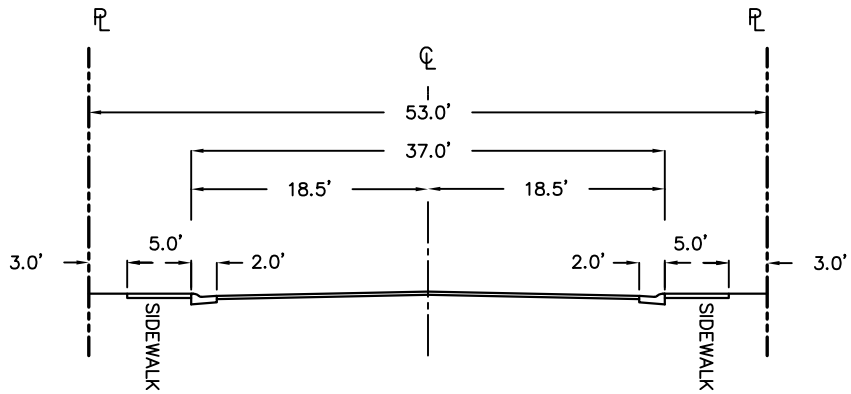
Master Plan Pipe Size

- 10-inch
- 12-inch
- 15-inch
- 18-inch
- Lift Station
- Force Main

DISCLAIMER

The information represented on this map results from the compilation of a variety of source materials. Its intended use is as a reference for the City of Caldwell Staff. The City of Caldwell makes no representation or warranty as to the accuracy of this product, and in particular, its accuracy as to labeling, dimensions, property boundaries, or placement or location of any map features thereon. THE CITY OF CALDWELL DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE FOR A PARTICULAR PURPOSE, EXPRESS OR IMPLIED, WITH RESPECT TO THIS PRODUCT. Any use of this product accepts the same AS IS, WITH ALL FAULTS, and assumes a responsibility for the use thereof.





DATE: 5/1/2018

SCALE: AS SHOWN

STANDARD STREET SECTIONS RESIDENTIAL

STANDARD DRAWING NO.

R-810 E



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

In the matter of the application of:

CS2 LLC – Case RZ2021-0047

The Canyon County Board of County Commissioners considers the following:

- Conditional Rezone of the subject parcel, approximately 40.84 acres, from A (Agricultural) zone to CR-RR (Conditional Rezone - Rural Residential) zone, and
- Development Agreement with conditions that restricts the development to 18 residential lots.

Case RZ2021-0047, 0 Linden Street, Caldwell (Parcel Number: R35590), a portion of the NW¼ of Section 32, T4N, 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 RZ2021-0047.

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), and Canyon County Code §09-01-25 (Area of City Impact Agreement).
 - a. Notice of the public hearing was provided per CCZO §07-05-01 and Idaho Code §67-6509.
 - 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 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. *See* CCZO §07-06-07(1).
 - c. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See* CCZO §07-06-07.
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. *See* I.C. §67-6504, §67-6511.
3. The Board has the authority to hear this case and make its own independent determination. *See* I.C. §67-6519, §67-6504, 67-6509 & 67-6511.
4. The Board can sustain, modify or reject the Planning and Zoning 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 RZ2021-0047 was presented at a public hearing before the Canyon County Board of Commissioners on October 3, 2023. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Board of County Commissioners decides as follows:

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

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

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

Findings: (1) The parcel's future land use in the 2020 comprehensive plan is residential.

(2) The proposed conditional rezone is consistent with the eight (8) policies and four (4) goals:

Chapter 1. Property Rights:

Policy 1. No person shall be deprived of private property without due process of law.

Policy 8. Promote orderly development that benefits the public good and protects the individual with a minimum of conflict.

Policy 11. Property owners shall not use their property in a manner that negatively impacts the surrounding neighbors or neighborhoods.

Chapter 2. Population:

Goal 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.

Policy 2. Encourage future high-density development to locate within incorporated cities and/or areas of city impact.

Policy 3. Encourage future populations to locate in areas that population for residential living and that do not pose an incompatible land use to other land uses.

Chapter 4. Economic Development:

Policy 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 in areas where agricultural uses are not diminished.

Chapter 5. Land Use:

Goal 4. To encourage development in those areas of the county which provide the most favorable conditions for future community services.

Goal 5. Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area.

Goal 8. Consider adjacent county land uses when reviewing county-line development proposals.

Policy 1. Review all residential, commercial and industrial development proposals to determine the land use compatibility and impact to surrounding areas.

Policy 2. Encourage orderly development of subdivisions and individual land parcels, and require development agreements when appropriate.

The applicant is being given due process of law through the hearing process. The conditions of the Development Agreement (Exhibit A) will limit the number of residential lots to 18.

- (3) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2021-0047.

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

Conclusion: As conditioned the requested is more appropriate than the current zoning designation.

- Findings:** (1) Per the 2020 Comprehensive plan the proposed project aligns with the future land use designation of the area (Exhibit D Attachment 6e) as well as being located within the City of Caldwell Area of City Impact.
- (2) Property Owners within the area show their support of the application via a Letter of Support as seen in Exhibit D Attachment 8c.
- (3) There are 29 platted subdivisions within the vicinity, see Exhibit D Attachment 6c.
- (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2021-0047.

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

Conclusion: The proposed development as conditioned, is compatible with the surrounding land uses.

- Findings:** (1) Per the 2020 Comprehensive plan the proposed project aligns with the future designation of the area (Exhibit D Attachment 6e) as well as the property is located within the City of Caldwell Area of City Impact.
- (2) Property Owners within the area show their support of the application via a Letter of Support as seen in Exhibit D Attachment 8c.
- (3) There are 29 platted subdivisions within a mile radius with the average lot size .84 acres, see Exhibit D Attachment 6c.
- (4) The applicant is proposing keeping the lots at an average of 2 acre minimum making it more compatible with surrounding land uses.
- (5) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2021-0047.

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

Conclusion: As conditioned, the request will not negatively affect the character of the area.

- Findings:** (1) The proposed zoning has a minimum average lot size of two acres. Property to the east have lots that are approximately 1.92 acres in size. The character of the area is primarily residential with 29 platted subdivisions within the vicinity (Exhibit D Attachment 6c)
- (2) The zoning in the surrounding vicinity is primarily "A" agricultural, however, the use is predominantly residential and the public support letter agrees that the rezone is aligned with the surrounding area (Exhibit D Attachments 6d and 8c)

- (3) Notice of the public hearing was provided per CCZO §07-05-01.
Affected agencies were noticed on August 23, 2023.
Newspaper notice was published on August 23, 2023.
Property owners within 600' were notified by mail on August 23, 2023.
Full political notice was provided on August 23, 2023.
The property was posted on August 31, 2023.
- (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2021-0047.

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

Conclusion: Adequate sewer, drainage, irrigation, and stormwater drainage facilities and utility systems will be provided to accommodate the proposed zoning map amendment at the time of any development.

- Findings:**
- (1) The subject parcel has communication with the City of Caldwell a Municipal Services agreement with the City of Caldwell would be required if the proposed development will connect to the City water source. The development will utilize individual septic systems until services can be provided. (Exhibit D Attachment 7f and 7g)
 - (2) Notice of the public hearing was provided per CCZO §07-05-01.
Affected agencies were noticed on August 23, 2023.
Newspaper notice was published on August 23, 2023.
Property owners within 600' were notified by mail on August 23, 2023.
Full political notice was provided on August 23, 2023.
The property was posted on August 31, 2023.
 - (3) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2021-0047.

6. 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?

Conclusion: Legal access exists and no public street improvements need to be made to provide adequate access to and from the subject property.

- Findings:**
- (1) The subject property has frontage off of Linden Rd, per Canyon Highway District comments in Exhibit D Attachment 7c, 7d, and 7e, the proposed development has legal access, and no concerns were stated by Idaho Transportation Department (Exhibit D Attachment 7k).
 - (2) Future Right of Way dedication along Linden Street will be required at time of platting. (Exhibit D, Attachment 7c)
 - (3) Notice of the public hearing was provided per CCZO §07-05-01.
Affected agencies were noticed on August 23, 2023.
Newspaper notice was published on August 23, 2023.
Property owners within 600' were notified by mail on August 23, 2023.
Full political notice was provided on August 23, 2023.
The property was posted on August 31, 2023.
 - (4) Evidence includes the application, support materials submitted by the applicant, public

testimony, and the staff report with exhibits found in Case No. RZ2021-0047.

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

Conclusion: The proposed development for the conditional rezone does have legal access.

Findings: (1) The subject property has frontage off of Linden Rd, per Canyon Highway District comments in Exhibit D Attachment 7c, Exhibit D Attachment 7d, and Exhibit D Attachment 7e the proposed development has legal access, and no concerns were stated by Idaho Transportation Department (Exhibit D Attachment 7k).

Notice of the public hearing was provided per CCZO §07-05-01.

Affected agencies were noticed on August 23, 2023.

Newspaper notice was published on August 23, 2023.

Property owners within 600' were notified by mail on August 23, 2023.

Full political notice was provided on August 23, 2023.

The property was posted on August 31, 2023.

(2) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2021-0047.

8. 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?

Conclusion: As conditioned, essential services will not be impacted.

Findings: (1) All affected agencies were notified per CCZO §07-05-01, and no comments of concern were received. The proposed development will be serviced by Caldwell School District, Canyon County Sheriff, Caldwell Rural Fire and Canyon Ambulance District.

Notice of the public hearing was provided per CCZO §07-05-01.

Affected agencies were noticed on August 23, 2023.

Newspaper notice was published on August 23, 2023.

Property owners within 600' were notified by mail on August 23, 2023.

Full political notice was provided on August 23, 2023.

The property was posted on August 31, 2023.

(2) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2021-0047.

Canyon County Code §09-01-25 Area of City Impact Agreement) - AREA OF CITY IMPACT AGREEMENT 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 09-01-25.

Findings: (1) The City of Caldwell was provided notice on June 08, 2023, pursuant to Canyon County Code Section 09-01-25. The City of Caldwell provided comments regarding the case and requested conditions be placed on this development that can be found in Exhibit D Attachment 7f and Attachment 7g.

- (2) The City would prefer this parcel be annexed into the City, however, the parcels are not contiguous to any incorporated parcels at this time. The conditions requested by the City are:
- The development shall comply with the City of Caldwell landscaping requirements within City of Caldwell Municipal Codes, Chapter 10, Article 7; and
 - The development shall comply with the City of Caldwell subdivision requirements within the City of Caldwell Municipal Codes, Chapter 11; and
 - A Municipal Services Agreement shall be required for if any city utilities will be provided to service the site (including water, sewer, and/or irrigation). (Exhibit D, Attachment 7g)
- (3) The proposed development does fit within the Comprehensive Plan for City of Caldwell as Residential Estates designation. (Exhibit D, Attachment 7g)
- (4) The City of Caldwell Engineering Department letter stated that water availability would be determined during review of improvement plans. They will require the development to comply with the Water Master Study and the 6 requirements listed in Exhibit D, Attachment 7h.
- (5) Sanitary sewer is currently unavailable. The City of Caldwell Engineering Department requests a Municipal Services Agreement when the City deems it appropriate to connect. (Exhibit D, Attachment 7h)
- (6) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2021-0047.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners recommends **approval** of Case #RZ2021-0047, a conditional rezone of R35590 subject to conditions of the development agreement (Attachment A).

CANYON COUNTY BOARD OF COMMISSIONERS

☒ Motion Carried Unanimously
☐ Motion Carried/Split Vote Below
☐ Motion Defeated/Split Vote Below


 Commissioner Leslie Van Beek


 Commissioner Brad Horton


 Commissioner Zach Brooks

Attest: Chris Yamamoto, Clerk

By: 
 Deputy

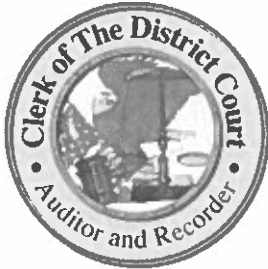
Yes	No	Did Not Vote
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date: 10-3-23

ATTACHMENT A

P & Z RECOMMENDED 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. The subject parcel shall be in subjection to the Canyon County Zoning Ordinance Chapter 7, Article 17 for platting with a maximum of 18 buildable lots with an average lot size of 2.00 acres.
3. The applicant will comply with the proposed conditions of the City of Caldwell Engineering and the Director of the City of Caldwell Planning and Zoning Department letters as seen in Exhibit D, Attachment 7f and 7g with the exception of the requirement connecting to the Public Water System, which is waived.
4. 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."



2023-033002

RECORDED

10/11/2023 11:50 AM



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CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=10 ZBLAKESLEE

NO FEE

AGR

CANYON COUNTY

**Canyon County
Recorder's Office
Document
Cover Sheet**





CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue #310 • Caldwell, Idaho • 83605 • Phone (208) 454-7458

www.canyoncounty.id.gov

DEVELOPMENT AGREEMENT BETWEEN CANYON COUNTY AND APPLICANT

Agreement number: 23-136

THIS AGREEMENT, made and entered into this 11 day of Oct., 2023, by and between Canyon County, Idaho, a political subdivision of the state of Idaho, hereinafter referred to as "COUNTY" and CS2, LLC, hereinafter referred to as "Applicant."

RECITALS

WHEREAS, The Applicant has applied to the County for a conditional rezone from an "A" (Agricultural) Zone to "CR-R-R" (Conditional Rezone – Rural Residential) Zone (RZ2021-0047), which are legally described in the attached EXHIBIT "A," incorporated by reference herein (hereinafter referred to as "Subject Property"); and

WHEREAS, Parcel R35590, approximately 40.84 acres, is owned by the Applicant; and

WHEREAS, on the 3 day of October, 2023, the Canyon County Board of Commissioners approved a conditional rezone with conditions of the Subject Property to a "CR-R-R" 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 Rezoning).

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 Property from "A" (Agricultural) Zone to "CR-R-R" (Conditional Rezone – Rural Residential) 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-R-R (Conditional Rezone – Rural Residential) 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 RZ2021-0047 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 rezone 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 rezone action, i.e., the Subject Properties conditionally rezoned from "A" (Agricultural) Zone designation to "CR-R-R" (Conditional Rezone – Rural Residential) 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, #310
Caldwell, Idaho 83605

Notices and communications required to be given to the Applicant shall be addressed to, and delivered at, the following addresses:

Name: CS2, LLC (Cory Swain)
Street Address: 3363 E Presidential Drive, Suite 201
City, State, Zip: Meridian, ID 83642

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**



Commissioner Leslie Van Beek



Commissioner Brad Holton



Commissioner Zach Brooks

ATTEST: Chris Yamamoto, Clerk

BY: 

Deputy

DATE: 10-11-23



APPLICANT



Cory Swain, CS2, LLC
Property Owner

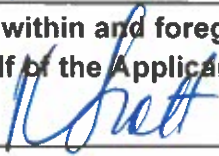
(All Applicants must sign and their signatures must be notarized)

STATE OF IDAHO)

) ss.

County of Canyon)

On this 4 day of October, 2023, before me, a notary public, personally appeared Cory Swain, 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: Meridian, Idaho

My Commission Expires: 05/16/2024

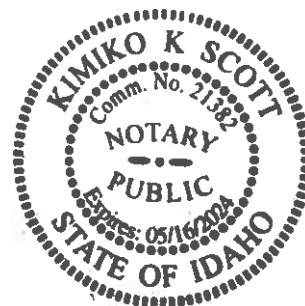


EXHIBIT "A"

LEGAL DESCRIPTION

This parcel is a portion of the Northwest $\frac{1}{4}$ of Section 32 in Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

Commencing at the Northwest corner of said Northwest $\frac{1}{4}$, (Northwest Section Corner, Section 32), a found brass cap monument; thence

North $89^{\circ}51'2r$ East, along the North boundary of the Northwest $\frac{1}{4}$ Northwest $\frac{1}{4}$, a distance of 664.27 feet to the TRUE POINT OF BEGINNING, said point being the Northwest corner of the East $\frac{1}{2}$ Northwest $\frac{1}{4}$ Northwest $\frac{1}{4}$, witnessed by a found $\frac{5}{8}$ inch diameter rebar bearing South $00^{\circ}45'45''$ West, a distance of 25.00 feet; thence

North $89^{\circ}51'2r$ East, along the North boundary of the East $\frac{1}{2}$ Northwest $\frac{1}{4}$ Northwest $\frac{1}{4}$, a distance of 664.35 feet to the Northeast corner of the East $\frac{1}{2}$ Northwest $\frac{1}{4}$ Northwest $\frac{1}{4}$, a found $\frac{5}{8}$ inch diameter rebar, thence

South $00^{\circ}46'24''$ West, along the East boundary of the East $\frac{1}{2}$ Northwest $\frac{1}{4}$ Northwest $\frac{1}{4}$, a distance of 368.06 feet to a found $\frac{1}{2}$ inch diameter rebar; thence

North $89^{\circ}51'27''$ East, parallel with the North boundary of the Northeast $\frac{1}{4}$ Northwest $\frac{1}{4}$, a distance of 400.62 feet to a found $\frac{1}{2}$ inch diameter rebar; thence

South $00^{\circ}47'09''$ West, a distance of 1554.62 feet to a point on a line that is sixty feet North of and parallel with the South boundary of the Northwest $\frac{1}{4}$ Southeast $\frac{1}{4}$ Northwest $\frac{1}{4}$, a $\frac{5}{8}$ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence

North $89^{\circ}58'15''$ East, along said parallel line a distance of 263.52 feet to a point on the East boundary of the Northwest $\frac{1}{4}$ Southeast $\frac{1}{4}$ Northwest $\frac{1}{4}$, a $\frac{5}{8}$ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence

South $00^{\circ}47'09''$ West, along said East boundary, a distance of 60.00 feet to the Southeast corner of the Northwest $\frac{1}{4}$ Southeast $\frac{1}{4}$ Northwest $\frac{1}{4}$, a $\frac{5}{8}$ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence

South $89^{\circ}58'15''$ West, along the South boundary of the Northwest $\frac{1}{4}$ Southeast $\frac{1}{4}$ Northwest $\frac{1}{4}$, a distance of 663.78 feet to a $\frac{5}{8}$ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence

South $89^{\circ}57'59''$ West, along the South boundary of the North $\frac{1}{2}$ Southwest $\frac{1}{4}$ Northwest $\frac{1}{4}$, a distance of 399.13 feet to a $\frac{5}{8}$ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence

North $9^{\circ}15'41''$ West, a distance of 1521.31 feet to a point on the West boundary of the East $\frac{1}{2}$ Northwest $\frac{1}{4}$ Northwest $\frac{1}{4}$, a found $\frac{5}{8}$ inch diameter rebar; thence

North $00^{\circ}45'45''$ East, along said West boundary, a distance of 478.84 feet to the TRUE POINT OF BEGINNING.

EXHIBIT "B"

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. The subject parcel shall be in subjection to the Canyon County Zoning Ordinance Chapter 7, Article 17 for platting with a maximum of 18 buildable lots with an average lot size of 2.00 acres.
3. The applicant will comply with the proposed conditions of the City of Caldwell Engineering and the Director of the City of Caldwell Planning and Zoning Department letters as seen in Exhibit D, Attachment 7f and 7g with the exception of the requirement connecting to the Public Water System, which is waived.
4. 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."

Michelle Barron

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Thursday, June 27, 2024 4:01 PM
To: Michelle Barron
Subject: [External] Fwd: Alyson Meadows Preliminary Plat, Version 3

Follow Up Flag: Follow up
Flag Status: Flagged

Highway District 4 confirmation and approval of the preliminary plat for Alyson Meadows.

Thanks,
Elwin

----- Forwarded message -----

From: **Kraig Wartman** <kwartman@hwydistrict4.org>
Date: Wed, Apr 10, 2024 at 3:55 PM
Subject: RE: Alyson Meadows Preliminary Plat, Version 3
To: Elwin Butler <ebutler@mat-eng.com>

HD4 does not need to review the preliminary plat. Our approval still applies.

Regards,

Kraig Wartman

Sr. Engineering Tech.

kwartman@hwydistrict4.org



Highway District No. 4

[Highway District No. 4 \(hwydistrict4.org\)](http://hwydistrict4.org)

15435 Hwy 44

Caldwell, ID 83607

Phone: (208) 454-8135

Fax: (208) 454-2008

HD4 Hours - Mon- Thurs 7 till 5:30

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Wednesday, April 10, 2024 1:03 PM
To: Kraig Wartman <kwartman@hwydistrict4.org>
Subject: Re: Alyson Meadows Preliminary Plat, Version 3

Yes, and Thank you

Sent from my iPhone

On Apr 10, 2024, at 10:51 AM, Kraig Wartman <kwartman@hwydistrict4.org> wrote:

Was this just a courtesy submittal, Not intended for review/approval?

I will verify it does not need to be re-presented to HD4 Board.

Regards,

Kraig Wartman

Sr. Engineering Tech.

kwartman@hwydistrict4.org

<image001.png>

Highway District No. 4

[Highway District No. 4 \(hwydistrict4.org\)](http://hwydistrict4.org)

15435 Hwy 44

Caldwell, ID 83607

Phone: (208) 454-8135

Fax: (208) 454-2008

HD4 Hours - Mon- Thurs 7 till 5:30

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Wednesday, April 10, 2024 10:45 AM
To: Kraig Wartman <kwartman@hwydistrict4.org>
Cc: Chris Hopper <chopper@hwydistrict4.org>
Subject: Re: Alyson Meadows Preliminary Plat, Version 3

Good Morning Kraig,

This plat has already been submitted, reviewed, and approved by the District board. We are addressing comments from the County. As you recall, there has been significant discussion about the easement to Tranquill Place. This plat provides the same easement as your Board has previously reviewed and approved. However, this plat has removed the words "EMS" from the plat as Tranquill Place, private road, did not list Parcel R35590, Alyson Acres, as having access, however, they did state that all properties fronting Tranquill Place did have access.

Please advise if you would like a full sized copy of the plat for this plat change and I will get it printed and delivered to you this week.

Thank you,

Elwin

208 739-8668

On Wed, Apr 10, 2024 at 9:34 AM Kraig Wartman <kwartman@hwydistrict4.org> wrote:

Elwin,

If you have not already submitted, we require a full-size hard copy of plans and final plat for review, in addition to the electronic copies of the same and any other project submittals.

We count the submittal as received and eligible to be placed in the review queue when the hard copy submittal has been delivered to our offices.

Please see HSDP **2030.060-.061.** submittal requirements, for HD4 to log this as an official submittal.

Once reviewed and acceptable the preliminary plat will be presented to our board of commissioners for acceptance Per ACCHD Policy

2010.070. Submittal and Time Requirements:

Regards,

Kraig Wartman

Sr. Engineering Tech.

kwartman@hwydistrict4.org

<image002.png>

Highway District No. 4

[Highway District No. 4 \(hwydistrict4.org\)](http://hwydistrict4.org)

15435 Hwy 44

Caldwell, ID 83607

Phone: (208) 454-8135

Fax: (208) 454-2008

HD4 Hours - Mon- Thurs 7 till 5:30

From: Elwin Butler <ebutler@mat-eng.com>

Sent: Wednesday, April 10, 2024 8:59 AM

To: Kraig Wartman <kwartman@hwydistrict4.org>

Subject: Fwd: Alyson Meadows Preliminary Plat, Version 3

Good Morning Kraig,

It appears that you changed your email and I did not update my addresses.

Attached are the revised Preliminary Plat, Comments by Mr. Canning and Actions by Matrix Engineering. Also included in the attachments is the Engineering Concept.

I am looking for an okay from you to the County so we may start submitting construction plans.

Please let me know if your received the attachments,

Thanks,

Elwin

208 739-8668

----- Forwarded message -----

From: **Elwin Butler** <ebutler@mat-eng.com>

Date: Fri, Apr 5, 2024 at 11:26 AM

Subject: Alyson Meadows Preliminary Plat, Version 3

To: Stephanie Hailey <stephanie.Hailey@canyoncounty.id.gov>, Michelle Barron

<michelle.barron@canyoncounty.id.gov>

Cc: <jdcanning@centengr.com>, <kwartman@canyonhd4.org>, Doug Unger <dunger@mat-eng.com>,

Bob Unger <ungerbob134@gmail.com>, Alan Perry <Aperry@cityofcaldwell.org>, Dave Watkins

<davew@pioneerirrigation.com>, Kirk Meyers <kirk@pioneerirrigation.com>, Cory Swain

<Cory.Swain@pmlrloans.com>

Stephanie and Michelle,

Attached are the revised preliminary plat drawings for Alyson Meadows, AM-P-Plat-3-PP-100, Engineering Concept, AM-P-Plat-3-PP-101, and the Comment/Action Narrative of Review 3. Matrix Engineering and CS2, LLC have been working the past month attempting to resolve access and easement issues related to Rhetts Acres. It is hoped that preliminary plat may be approved with the condition that access and the lack of easements for Rhetts Acres will be resolved prior to final plat submission.

Note: This version of the plat resolves easement concerns for Rhetts Acres for their irrigation main line and Tranquill Place end of road turnaround located on Parcel R35590. These easements may be recorded with the final plat of Alyson Meadows. The lack of access to Parcel R35590 appears to have been an oversight in the Road Maintenance Agreement not providing access to a parcel that fronts the private road. This is discussed in more detail in the attached narrative.

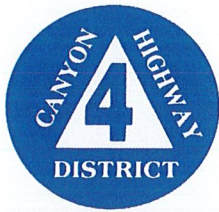
It is requested that each of the agencies, Canyon County Highway District 4, City of Caldwell Fire District, and Pioneer Irrigation District receiving this email verify their individual concerns are still met by this version of the preliminary plat by a return email.

Thank you,

Elwin T. Butler, PE

Matrix Engineering, Inc.

208 739-8668



May 9, 2023

Canyon County P&Z Commission and
County Commissioners
111 N. 11th Ave Suite 140
Caldwell, Idaho 83605
Attention: Samantha Hammond, Planner

Unger Enterprises, LLC
9662 W Arnold Road
Boise, ID 83714
Attention: Bob Unger

RE: RZ2021-0047/SD2021-0039
Alyson Meadows Subdivision
Parcel Number: R35590

Dear Commissioners:

Canyon Highway District No. 4 (CHD4) has received the agency notice for rezone and preliminary plat for Alyson Meadows Subdivision, approximately 40 acres lying south of Linden Rd in the NW ¼ Section 32, T4N R3W, and provides the following comments:

General

The subject property has approximately 665-feet of frontage on Linden Rd along the north boundary. Linden Rd is the only public highway or right-of-way adjacent to or within the subject property. Linden Rd is classified as a collector road on the functional classification maps adopted by CHD4 and Canyon County. Existing right-of-way width along the subject property is a 25-foot prescriptive easement, centered on the existing roadway. Ultimate right-of-way width for a collector is 40-foot half-width, measured from the section line. The development is proposing 20 residential lots, to be served by a single private road access located opposite existing Birchwood Lane on Linden Rd.

Access

The private road access (Birchwood Lane) proposed to serve the development is consistent with access spacing standards for a collector roadway, and the proposed location has adequate intersection sight distance. No direct lot access to collector roads is allowed. A 30-foot wide emergency access easement is proposed along the south boundary of the subject property connecting to

Traffic Impacts

The proposed 20 residential lots does not meet the minimum threshold of 500 trips/day or 50 peak hour trips to require a traffic impact study, and are not anticipated to reduce Level of Service (LOS) at nearby intersections or roadways below an acceptable level. Traffic impacts from the development will be mitigated through dedication of public right-of-way, frontage improvements to Linden Rd, and traffic impact fees if they are in effect for the area at the time of access permit issuance.

Preliminary Plat

Canyon Highway District No. 4 (CHD4) has reviewed the revised preliminary plat for Alyson Meadows Subdivision dated December 26, 2022 received from Canyon County. This plat appears to generally meet the requirements for development described in the Highway Standards and Development Procedures Manual (HSDP Manual), and may be recommended for consideration by the CHD4 Board of Commissioners subject to the following conditions:

1. Under Idaho Code Section 54-1215(3)(b), effective July 1, 2007, if prepared by a professional engineer or a professional land surveyor, Preliminary Plats and Preliminary Road Plans that are "intended to be

relied upon to make policy decisions important to the life, health, property or fiscal interest of the public" must be sealed, signed and dated.

2. Add a note to the preliminary plat: "No direct lot access to Linden Rd is allowed".

Roadway Improvements

1. Provide a 40-foot right-of-way for Linden Rd as shown.
2. Provide frontage improvements for Linden Rd to include pavement widening and drainage facilities to accommodate the south half of ACCHD SD-101A Three Lane Rural Road Section (20-ft paved half-width plus 7-foot gravel shoulder. This is less than the 27-foot paved width shown on the plat.
3. Structural section for Linden Rd to be a minimum of 3" plant mix pavement, 6" $\frac{3}{4}$ " crushed aggregate, and 19" pit run unless a lesser section is demonstrated to be adequate for a Traffic Index of 8.0 based on in-place subgrade R-value tests.
4. Construction and acceptance of Linden Rd frontage improvements is required prior to final plat approval.

All other platting and improvement requirements to be in accordance with the Highway Standards and Development Procedures Manual (HSDP Manual) available on at <https://www.canyonhd4.org/resources/forms-and-maps>.

CHD4 appreciates the opportunity to provide comment on this proposed development, and requests the Commission make all comments above conditions of approval for the project. Please feel free to contact me with any questions on this request.

Respectfully,



Chris Hopper, P.E.
District Engineer

File: Linden Rd- Alyson Meadows Subdivision

Michelle Barron

From: Chris Hopper <CHopper@canyonhd4.org>
Sent: Thursday, January 12, 2023 9:42 AM
To: Michelle Barron; Bob Unger
Cc: Kraig Wartman
Subject: FW: [External] Linden-Alyson Meadows Pre-Plat
Attachments: Preliminary Plat Base 12-16-22 Layout1 (1).pdf; Linden Rd- Alyson Meadows pplat
Conditional Approval 1.12.23.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Michelle & Bob-

After review of the prelim plat for Alyson Meadows dated 12/26/22 (attached), the revised layout including private streets is conditionally acceptable to CHD4, and may be brought to the CHD4 Board for final approval after the county completes its review. Please let us know if you will require any revisions that materially affect the plat or the Linden Rd right-of-way.

Respectfully,

Chris Hopper, P.E.
District Engineer

Canyon Highway District No. 4
15435 Hwy 44
Caldwell, Idaho 83607
208-454-8135

From: Michelle Barron <Michelle.Barron@canyoncounty.id.gov>
Sent: Wednesday, January 11, 2023 1:07 PM
To: Kraig Wartman <KWartman@canyonhd4.org>
Cc: Chris Hopper <CHopper@canyonhd4.org>
Subject: RE: [External] Linden-Alyson Meadows Pre-Plat

Kraig,

Glad you asked. I am having them go back to their original plan. I have talked to the client and told him to go with the original plan. I do have an updated plat that he has submitted if you would like me to send that over to you. It has changed significantly enough that we are requiring an additional review from our engineering department.

Let me know if you need anything else on this one.

If you would like to look at your list of items that you have for review and let me know what you have and a date that is on it, I can verify that you have current documents. I know there is another one that will be in the same boat with several changes. We are looking at processes to change that will keep that from continually happening, so hopefully it will be less time consuming.

Thanks,

Michelle Barron

Planner III

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-455-6033

DSD Office Phone: 208-454-7458

Email: Michelle.Barron@canyoncounty.id.gov

Website: www.canyonco.org/dsd

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

**We will not be closed during lunch hour **

From: Kraig Wartman <KWartman@canyonhd4.org>

Sent: Wednesday, January 11, 2023 12:53 PM

To: Michelle Barron <Michelle.Barron@canyoncounty.id.gov>

Cc: Chris Hopper <CHopper@canyonhd4.org>

Subject: [External] Linden-Alyson Meadows Pre-Plat

Michelle,

I have the Alyson Meadows pre-plat 3rd review revisions

The submitted has changed considerably from the initial two submittals, from a 20 lot sub with rural road section (swales) to a 33 lot sub with curb/gutter/sidewalk road section.

Is that consistent with what is submitted/reviewing at the county?

Do you have any additional comments other than the original(attached)

Regards,

Kraig Wartman

Sr. Engineering Tech.

kwartman@canyonhd4.org

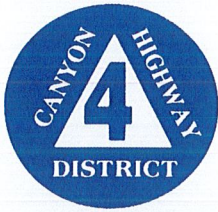
Canyon Highway District No. 4

15435 Hwy 44

Caldwell, ID 83607

Phone: (208) 454-8135

Fax: (208) 454-2008



CANYON HIGHWAY DISTRICT No. 4

15435 HIGHWAY 44
CALDWELL, IDAHO 83607

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

January 12, 2023

Canyon County Development Services
111 N. 11th Ave Suite 140
Caldwell, Idaho 83605
Attention: Michelle Barron, Planner

Unger Enterprises, LLC
9662 W Arnold Road
Boise, ID 83714
Attention: Bob Unger

RE: RZ2021-0047
Alyson Meadows Subdivision- 3rd Submittal
Parcel Number: R35590

Dear Michelle:

Canyon Highway District No. 4 (CHD4) has reviewed the revised preliminary plat for Alyson Meadows Subdivision dated December 26, 2022 received from Canyon County. This plat appears to generally meet the requirements for development described in the Highway Standards and Development Procedures Manual (HSDP Manual), and may be recommended for consideration by the CHD4 Board of Commissioners subject to the following conditions:

Preliminary Plat

1. Under Idaho Code Section 54-1215(3)(b), effective July 1, 2007, if prepared by a professional engineer or a professional land surveyor, Preliminary Plats and Preliminary Road Plans that are "intended to be relied upon to make policy decisions important to the life, health, property or fiscal interest of the public" must be sealed, signed and dated.

Roadway Improvements

1. Provide a 40-foot right-of-way for Linden Rd as shown.
2. Frontage improvements for Linden Rd to include pavement widening and drainage facilities to accommodate the south half of ACCHD SD-101A Three Lane Rural Road Section (20-ft paved half-width plus 7-foot gravel shoulder. This is less than the 27-foot paved width shown on the plat.
3. Structural section for Linden Rd to be a minimum of 3" plant mix pavement, 6" $\frac{3}{4}$ " crushed aggregate, and 19" pit run unless a lesser section is demonstrated to be adequate for a Traffic Index of 8.0 based on in-place subgrade R-value tests.

All other platting and improvement requirements to be in accordance with the Highway Standards and Development Procedures Manual (HSDP Manual) available on at <https://www.canyonhd4.org/resources/forms-and-maps> at time of improvement drawing submittal. Please provide CHD4 with an electronic copy of the preliminary plat once it is acceptable to Canyon County so that it may be placed on a Board agenda for final approval, and let me know if you have any questions on these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Hopper', is written over a horizontal line.

Chris Hopper, P.E.
District Engineer

File: Linden Rd- Alyson Meadows Subdivision

Michelle Barron

From: Dave Watkins <davew@pioneerirrigation.com>
Sent: Wednesday, May 15, 2024 3:48 PM
To: Elwin Butler; Stephanie Hailey; Michelle Barron
Cc: jdcanning@centengr.com; kwartman@canyonhd4.org; Doug Unger; Bob Unger; Alan Perry; Kirk Meyers; Cory Swain
Subject: [External] RE: Alyson Meadows Preliminary Plat, Version 3

Follow Up Flag: Follow up
Flag Status: Completed

Elwin,

Apologies for the delayed response.

Pioneer Irrigation District is satisfied with the "D" Drain Easement location and restriction of encroachment language included in the drawings. Please forward a recorded copy to PID when possible for inclusion into our records.

Please feel free to contact me if you have further questions.

Respectfully,

Dave Watkins
 Assistant Superintendent
 Pioneer Irrigation District
 Cell (208) 249-2509
 Office (208) 459-3617

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Friday, April 5, 2024 11:27 AM
To: Stephanie Hailey <stephanie.Hailey@canyoncounty.id.gov>; Michelle Barron <michelle.barron@canyoncounty.id.gov>
Cc: jdcanning@centengr.com; kwartman@canyonhd4.org; Doug Unger <dunger@mat-eng.com>; Bob Unger <ungerbob134@gmail.com>; Alan Perry <Aperry@cityofcaldwell.org>; Dave Watkins <davew@pioneerirrigation.com>; Kirk Meyers <kirk@pioneerirrigation.com>; Cory Swain <Cory.Swain@pmrloans.com>
Subject: Alyson Meadows Preliminary Plat, Version 3

Stephanie and Michelle,

Attached are the revised preliminary plat drawings for Alyson Meadows, AM-P-Plat-3-PP-100, Engineering Concept, AM-P-Plat-3-PP-101, and the Comment/Action Narrative of Review 3. Matrix Engineering and CS2, LLC have been working the past month attempting to resolve access and easement issues related to Rhett's

Acres. It is hoped that preliminary plat may be approved with the condition that access and the lack of easements for Rhetts Acres will be resolved prior to final plat submission.

Note: This version of the plat resolves easement concerns for Rhetts Acres for their irrigation main line and Tranquill Place end of road turnaround located on Parcel R35590. These easements may be recorded with the final plat of Alyson Meadows. The lack of access to Parcel R35590 appears to have been an oversight in the Road Maintenance Agreement not providing access to a parcel that fronts the private road. This is discussed in more detail in the attached narrative.

It is requested that each of the agencies, Canyon County Highway District 4, City of Caldwell Fire District, and Pioneer Irrigation District receiving this email verify their individual concerns are still met by this version of the preliminary plat by a return email.

Thank you,
Elwin T. Butler, PE
Matrix Engineering, Inc.
208 739-8668

Samantha Hammond

From: Kirk Meyers <kirk@pioneerirrigation.com>
Sent: Tuesday, April 18, 2023 9:46 AM
To: Samantha Hammond
Cc: Dave Watkins
Subject: [External] Agency Notice CS2 Alyson Meadows RZ2021-0047 SD2021-0039

Samantha,

Pioneer Irrigation District owns and operates the Cooper drain located on the West border of this development. The Cooper Drain has an easement of 25' from top of bank on both sides of the Drain.

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

Thanks,

Kirk Meyers
Superintendent
Cell (208) 250-8223
Office (208) 459-3617

Michelle Barron

From: Steve Pendleton <spendleton@cityofcaldwell.org>
Sent: Monday, August 5, 2024 8:44 AM
To: Elwin Butler
Cc: T.J. Frans; Doug Unger; Michelle Barron; Hallie Hart
Subject: [External] RE: Alyson Meadows Subdivision, County Development

Elwin,

Your understanding is correct for water and sewer for this site. Irrigation for this development will not be taken until this site is annexed to the city.

Thanks



205 South 6th Ave. Caldwell, ID 83605
P: (208) 455-4683 | F: (208) 455-3012
spendleton@cityofcaldwell.org

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Monday, August 5, 2024 8:35 AM
To: Steve Pendleton <spendleton@cityofcaldwell.org>
Cc: T.J. Frans <tjfrans@cityofcaldwell.org>; Doug Unger <dunger@mat-eng.com>; Michelle Barron <michelle.barron@canyoncounty.id.gov>; Hallie Hart <hhart@cityofcaldwell.org>
Subject: Re: Alyson Meadows Subdivision, County Development

Good Morning Steve,

From your last response, I am understanding the following:

- 1) that even though the County waived water, the City will not sign off unless a 12" main is installed along the frontage of the property. It is also my understanding that an internal main will not be required.
- 2) The Development will provide funds to construct a force pressure sewer main from Birchwood Lane to the east boundary of the frontage, this is approximately 250 feet. It is also my understanding that an internal sewer main will not be required.
- 3) It is my understanding that the City will accept the street section, R-810-3, (Residential RS-1). This does include ribbon curb and marked walkways on the pavement but does not include curb and sidewalks.
- 4) City requires all irrigation water to be transferred over to the City. We plan to build a pump station to provide the one inch per acre to the development, but have concerns about transferring water rights and maintenance over the the City until these properties are annexed. Please explain if the City is willing to wait for the transfer of water rights until annexation?

Please confirm my understanding of water, sewer, and street section, and help with our understanding of irrigation water rights.

Thank you,
Elwin
208 739-8668
Matrix Engineering, Inc.

On Fri, Aug 2, 2024 at 9:34 AM Steve Pendleton <spendleton@cityofcaldwell.org> wrote:

Elwin,

I have had a few discussions in our office with the City Engineer and Public Works Director about requirements for this development. Please see below for water and sewer requirements for this development below.

- Sewer: This development is to provided an estimated cost for the extension of the master planned sewer force main that is proposed to extend through the frontage of this development. This development shall provide monies in-lieu of construction for the cost of extending this through the frontage.
- Water: This development is not required to connect to City water at this time or install water lines within this development, however this development is required to install the 12" dry main line through the frontage of this development to comply with the Water Master plan for main line to be installed within all section and ¼ section lines. This particular roadway requires the 12" dry line be installed through the frontage at this time. This is a part of City code for all development within the City impact area.

If you have further questions please let me know.

Thanks



Steven Pendleton

Plans Examiner II

205 South 6th Ave. Caldwell, ID 83605

P: (208) 455-4683 | F: (208) 455-3012

spendleton@cityofcaldwell.org

From: Elwin Butler <ebutler@mat-eng.com>

Sent: Tuesday, July 23, 2024 4:45 PM

To: Steve Pendleton <spendleton@cityofcaldwell.org>

Cc: T.J. Frans <tjfrans@cityofcaldwell.org>; Doug Unger <dunger@mat-eng.com>; Michelle Barron <michelle.barron@canyoncounty.id.gov>

Subject: Re: Alyson Meadows Subdivision, County Development

Steve,

I received a one page map representing the Dixie Sewer Master Plan today. This project area is split between service area 3643 and 4396, per the note received from the City Mapping Superintendent, and is not included in either of these two services areas. It is very clear that the City does not have capacity at this time for this development and that this parcel is not included in the Sewer Master Plan service areas. It is also my understanding that once a City commits to annex a service area, the City is required to reserve treatment capacity. I assume that based on this information, there will be no requirements for sanitary sewer. Each lot will be provided with individual septic systems per Southwest District Health.

The County Commission passed the rezone “waiving requirement for the provision of city water.” Each lot will be provided water by individual wells per Southwest District Health and Idaho Department of Water Resources. Each building permit will be reviewed by the Caldwell Fire Department, providing sprinkler systems to homes as required by the Fire Department. I assume, based on this waiver, that installing future water mains is not required.

This is my current understanding of water and sewer requirements based on letters, emails, and the one page Dixie Sewer Master Plan received from the City. If this is not correct, then I suggest a face to face discussion to see if I can reach a better understanding.

Thank you,

Elwin

Elwin T. Butler, PE

208 739-8668

Matrix Engineering, Inc

On Thu, Jul 18, 2024 at 3:47 PM Steve Pendleton <spendleton@cityofcaldwell.org> wrote:

Elwin,

Dry line should be water line not sewer as stated in my first paragraph. I am hoping this is just a typo on your part. Sewer requirements were specified in the Staff report that you had attached to your original email. Once you receive the Master Plan information you can reach out with additional questions if you have some.

Thanks



Steven Pendleton

Plans Examiner II

205 South 6th Ave. Caldwell, ID 83605

P: (208) 455-4683 | F: (208) 455-3012

spendleton@cityofcaldwell.org

From: Elwin Butler <ebutler@mat-eng.com>

Sent: Thursday, July 18, 2024 3:22 PM

To: Steve Pendleton <spendleton@cityofcaldwell.org>

Cc: T.J. Frans <tjfrans@cityofcaldwell.org>

Subject: Re: Alyson Meadows Subdivision, County Development

Hi Steve,

Each 2 acre lot will be served with a well and septic system. I am revising the construction plans using Section R-810E-3 typical road section. I have completed the design of the sewer dry line on the property, are there any off site requirements? I have completed a public records request for the Dixie Sewer Master Plan, I assume, as you said, expansion requirements will be clearly spelled out in the master plan.

Will get back with you after reviewing the sewer master plan.

Thank you,

Elwin

208 739-8668

On Wed, Jul 17, 2024 at 10:26 AM Steve Pendleton <spendleton@cityofcaldwell.org> wrote:

Elwin,

Sorry for the delay getting back to you this week I have been trying to track down what requirements were waived. Yes, water extension requirement was waived. City engineer would like to know how each dwelling unit will be served if you do not extend water. Will each lot have a well or a community well? City engineer would still like dry water lines installed within the development with meter tub locations provided. This way the development can be connected to city water when it is available out here.

Please do a public records request for the Sewer Master plan lines in this location. The staff report is very clear on how this is to be done. Typically it would be monies in-lieu of construction but you may be required to build the dry line. This is to be determined at time of construction drawing submittal. Typically

it would be the first option and you will need to provide a cost estimate for that installation for approval by the City. This will need to be submitted and approved prior to issuance of any building permits. Please just provide a note on the front sheet of construction drawings stating the this.

Street sections for the site is to be per City Standard detail R-810 E for rural development. All other requirements for this site is to comply with City Code as this development is within the City impact area. Please let me know if you have more specific questions.

Thanks



Steven Pendleton

Plans Examiner II

205 South 6th Ave. Caldwell, ID 83605

P: (208) 455-4683 | F: (208) 455-3012

spendleton@cityofcaldwell.org

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Monday, July 15, 2024 1:50 PM
To: Steve Pendleton <spendleton@cityofcaldwell.org>
Cc: T.J. Frans <tjfrans@cityofcaldwell.org>
Subject: Alyson Meadows Subdivision, County Development

Good Afternoon Steve,

I attempted to call you last Friday to discuss if we could meet and discuss how The City sees Alyson Meadows Subdivision to look like based on the attached review letters by the City to Canyon County. I was understanding that the City requirements had been waved until last Friday. I now understand that only the water requirements were waved. I have several questions how to make a rural development with rural roads will look like and how the requirements of the sanitary sewer will look like. I have been on line to see if I could read the Dixie Sewer Master Plan but was unable to find it.

If possible let me know when we could meet to discuss what the City anticipates this rural subdivision in the County will look like.

Attached below are the City's letters to the County and the Proposed Preliminary Plat of Alyson Meadows.

Please email or call with a time we may briefly discuss.

Thank you,

Elwin

Elwin T. Butler, PE

208 739-8668

Matrix Engineering, Inc.

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This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.



JAROM WAGONER
Mayor

208.455.3011
(f) 208.455.3003

City Hall
205 South 6th Ave.
Caldwell, Idaho 83605

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

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

CITY OF *Caldwell, Idaho*

Exhibit 6g

July 17, 2024

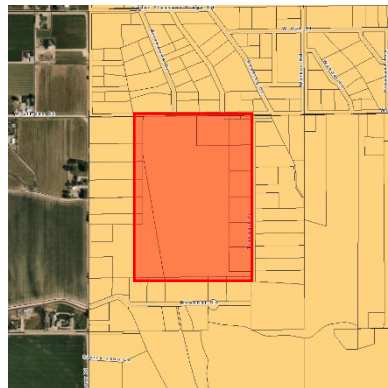
Michelle Barron
Staff Planner
Canyon County Development Services Dept.
111 North 11th Ave. Ste. 340
Caldwell, Idaho 83605

Re: CU2020-0004-RFE
SD2021-0039
R35590
Caldwell, Idaho

Dear Ms. Barron,

Our office received a notification regarding a Preliminary Plat (SD2021-0039) for Elwin Butler, PE on behalf of Cory Swain, CS2 LLC consisting of 18 residential lots on 40.84 acres. Our records do not indicate that the City of Caldwell has submitted comments on this application previously.

This parcel is located at the western edge of the City of Caldwell's Area of City Impact and is approximately 1-mile west from City of Caldwell's incorporated limits.



Map Legend:

Light Brown = Residential Estates
No Color = Unincorporated County Land

The subject parcel is currently designated as Residential Estates in the City of Caldwell's Comprehensive Plan. However, the City of Caldwell is in the process of updating its comprehensive plan and future land use map and the anticipated designation for this property may change to Neighborhood 1 which is equivalent to Low Density Residential/Residential Estates.

"The Treasure of the Valley"

Therefore, the City finds the proposed preliminary plat with an average lot size of 2 acres to be consistent with the existing and proposed future land use designations. In order to ensure consistent development patterns along classified roadways, the City requests that a landscape street buffer be installed along Linden in accordance with the City of Caldwell landscaping ordinances. This would include a minimum 15' foot wide landscape buffer located outside of the right-of-way along the Linden Road (collector street) frontage. The buffer should include a minimum of seventy percent (70%) grass sod, 2" caliper trees every thirty-five linear feet, and one shrub for every seven linear feet of buffer area.

Sincerely,

Joseph Dodson
Senior Planner
City of Caldwell Planning and Community Development Department



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*

June 9, 2023

Samantha Hammond
Case Planner
Canyon County Development Services Dept.
111 North 11th Ave. Ste. 340
Caldwell, Idaho 83605

Re: **Case No. RZ2021-0047** – CS2, LLC. is requesting a Rezone of approximately 40.84 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. The subject property, parcel no. R35590 is located on the south side of W. Linden St., approximately 673 ft. east of the intersection of Wagner Rd. and W. Linden St., Caldwell, ID, in a portion of the NW ¼ of Section 32, T4N, R3W, B.M., Canyon County, Idaho.

Dear Ms. Hammond,

Our office received your letter regarding the rezone application of approximately 40.84 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone.

This parcel is within the City of Caldwell’s Area of City Impact but is not contiguous to the City of Caldwell incorporated area.

The applicant’s proposed zone of R-R (Rural Residential) is consistent with the City of Caldwell’s 2040 Comprehensive Plan future land use designation of RE (Residential Estates), with the intent being to provide areas that protect and enhance single-family living areas that are rural in character, at the outer edge of the city or beyond the area of city impact, or otherwise transitional in relationship to the more urbanized residential areas of higher density.

The City would prefer this parcel be annexed into the City, however, the parcels are not contiguous to any incorporated parcels at this time.

The City would request the following conditions be placed on development:

- The development shall comply with the City of Caldwell landscaping requirements within City of Caldwell Municipal Codes, Chapter 10, Article 7; and

“The Treasure of the Valley”

- The development shall comply with the City of Caldwell subdivision requirements within the City of Caldwell Municipal Codes, Chapter 11; and
- A Municipal Services Agreement shall be required for if any city utilities will be provided to serve the site (including water, sewer, and/or irrigation).

Sincerely,

Robin Collins
Director
City of Caldwell Planning and Zoning Department

City of Caldwell Engineering Department
Staff Report

To: Jennifer Almeida
Canyon County Development Services

From: TJ Frans, Project Manager
Steven Pendleton, Plans Examiner II
City of Caldwell, Engineering Department

CC: Debbie Root, Senior Planner
City of Caldwell Planning and Zoning Department

Re: Alyson Meadows Subdivision (SD2021-0039)

Date: March 9, 2022

The City of Caldwell Engineering Department provides the following preliminary staff report on the proposed Alyson Meadows Subdivision. Said parcel R3559000000 is comprised of 40.84 acres. The proposed development lies within the City of Caldwell impact area, is not contiguous to City boundaries and cannot be annexed at this time.

All comments made within this staff report are intended to be in harmony with good development practices, meet all City of Caldwell development requirements, codes and policies and be in the best interest of Caldwell, Canyon County, and Canyon Highway District No. 4. The City of Caldwell recommends that the more stringent of any conflicting requirements be met by the developer.

Development Plans

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

h. Vertical Datum based on NAVD 88 Datum.

General

1. Easements for Public Utilities shall be 10 feet wide minimum along all dedicated rights-of-way. A minimum 10 feet wide easement (or larger if deemed necessary by the City Engineer in order to facilitate future maintenance operations of utilities) may be required.
2. Appropriate easements for emergency access, transmission lines and/or other utilities shall be clearly indicated, with recorded instrument numbers provided for said easements, on the civil infrastructure improvement drawings and on the face of the final plat (visually and in writing).
3. All utilities on and within the boundaries of the development shall be located and/or relocated underground.
4. All street, sewer, water, fire protection, and street light facilities must be dedicated to the City. Some conveyance facilities for storm water drainage may be eligible for dedication to the City.
5. Construction of facilities to be dedicated and/or within public right-of-way shall be performed by an appropriately licensed public works contractor and shall be inspected by and constructed to City of Caldwell specifications.
6. Prior to commencement of construction in any dedicated right-of-way, or construction of any improvement intended for dedication to the City or connected to a City facility, the City Engineering staff is to be notified. This preferably will take place in a pre-construction conference scheduled by the engineer of record in which all appropriate personnel and utilities are present. Appropriate City personnel are to be notified in advance of all testing (including compaction, pressure and coliform, etc.) and given opportunity to be present during conduct of the testing. The engineer of record or his designated representative is to witness all tests (not covered by City inspectors) and a log of inspection visits and testing results is to be kept by the engineer of record or his representative.
7. The developer is to employ a responsible design professional, preferably the engineer of record, to oversee and inspect construction, to perform and/or observe all requisite testing of completed facilities, and to certify that improvements have been constructed according to approved plans and in compliance with applicable City, County, State, and Federal standards.
8. The engineer of record shall be held responsible to ensure that development improvements are in substantial compliance with said engineer's design. Following the construction of the development improvements, the developer's engineer shall provide the City of Caldwell Engineering Department with electronic (.dwg) format record drawings spatially referenced to the Idaho State Plane Coordinate System-West Zone, North America Datum (NAD) 83. Vertical control shall be referenced to the North America Datum (NAVD) 88 for future reference and to establish that the engineer of record has caused construction to occur in substantial compliance with the design of said engineer of record.
9. Any note, item or drawing element on the construction drawings, engineering drawings and/or design drawings related to the property inconsistent with City Codes, Policies and/or

Ordinances shall not be construed as approved unless specifically addressed and granted by City Council.

Rights-of-Way

1. Linden Street is classified as a Collector Roadway. The applicant shall dedicate as public right-of-way a minimum thirty-five (35) foot half width right-of-way (from centerline) along the entire Linden Street alignment (per City Standard R-810C), or meet Canyon Highway District No. 4 right-of-way requirements, whichever is greater.
2. Applicant shall dedicate to Canyon Highway District No. 4 any right-of-way along Linden Street within 90 days of a written request for right-of-way from the City of Caldwell or Canyon Highway District No. 4.
3. All interior local streets classified as residential shall be dedicated to the City. The applicant shall dedicate as public right-of-way a minimum fifty-three (53) foot full width right-of-way (per City Standard R-810 E).
4. A note shall be placed on the final plat indicating that all rights-of-way are to be dedicated to the public.

Street

1. Full frontage half street improvements shall be completed to all classified roads adjacent to the proposed preliminary plat in accordance with all City of Caldwell standards and specifications. Improvements shall include (but are not limited to) curb, gutter, sidewalk, asphalt, streetlights, joint trench, spare communication conduit along classified roadways, storm drainage facilities, etc.
 - a. If the development is phased, these frontage improvements should be completed with the first phase of development.
2. Linden Street lies within the Canyon Highway District No. 4 (CHD4) jurisdiction. Applicant shall comply with all requirements set forth by CHD4. Should CHD4 and City of Caldwell requirements conflict applicant is required to meet the more stringent of the two.
3. All private driveways or emergency access drive isles, if applicable, shall fully comply with City of Caldwell standards and be approved by the Caldwell Fire Marshall.
4. Applicant shall install street lighting per City of Caldwell standards.
5. No lot shall have direct access to/from Linden Street.

Water

1. The location of water service, including sizing of mains, providing of easements, frontage construction, and offsite construction are to be decided during review of improvement plans. This development will be required to comply with the Water Master Study and extend a 12" mainline to this development.
2. Applicant shall comply with the Water Master Study and shall construct a 12" water mainline in Linden Street from the intersection of Farmway Road and Linden Street to the proposed project site and along the entire project frontage.
3. Each buildable lot shall be supplied with potable water. If buildings/lots are constructed to include individual units that could feasibly or will be sold separately, each unit shall be serviced separately.
4. All on site internal mainline sizing and construction plan approval, will be dependent upon the availability of fire flow and shall be determined at the time of plan review. Minimum fire flow requirements shall be per Caldwell Fire Department standards in place at the time of construction (currently 1,500gpm).
5. Each home constructed within this development may be required to be equipped with a fire sprinkling system to be reviewed and approved by the Fire Marshall at the time of review of each individual building permit.
6. Developer may be required to extend a water stub to Tranquil Place located east of the development for future looping of the water main to provide a future redundant system to meet the needs of fire flow and water quality requirements.

Sanitary Sewer

1. Sanitary sewer is currently unavailable. An appropriate pathway for annexation is not in place at this time. Applicant shall enter into a Municipal Services Agreement with the City of Caldwell Said agreement shall obligate the development to connect to city sewer within 12 month of said service becoming available or, when the City of Caldwell deems it appropriate to connect. Said Municipal Services Agreement shall include a request to annex into the City of Caldwell city limits as soon as said property/ies become contiguous. Costs of annexation shall be borne by the development, or individual landowners owning properties at that time.
2. All buildings shall construct their sanitary sewer systems in a manner that facilitates a "ready connection" to the future City sewer system. Applicant shall demonstrate to the City Engineering Department how each building constructed will meet this requirement.
3. Applicant shall comply with the Dixie Sewer Master Plan. Said mainline shall be constructed with the first phase of development for this project.
 - a. Applicant *may* be able to, at the discretion of the City Engineer, enter into a deferral agreement for the construction of said sewer trunk line/s and provide the City with funds in lieu of construction (to be determined at the time of civil improvement drawing plan review)

Irrigation

1. Existing easements and/or right-of-ways for any irrigation facility shall be determined and clearly indicated on the construction plans (excluding prescriptive easements). Construction across or re-routing of these facilities is subject to approval by the governing Irrigation District and at their discretion, their assigns.
2. The Developer shall maintain any existing upstream drainage rights and downstream irrigation rights across the property. During the design phase of this project, the developer or his engineer is to contact the appropriate irrigation district to help ascertain these rights. Appropriate facilities shall be provided by the developer to convey irrigation and drainage water across the property to take care of these offsite needs. There is to be no discharge of gravity/pressure irrigation return water into the development storm water system.
2. The subdivision is to include a non-potable water pressure irrigation system. The design of this pressure irrigation system is to be reviewed and approved by the Caldwell Municipal Irrigation District prior to construction plan approval. It shall be required that the system will be operated and maintained by the Caldwell Municipal Irrigation District at the time of annexation.
3. Pressure irrigation pump stations shall be located within a platted common lot with a recorded perpetual easement sufficient for convenient access and maintenance of said pump station. The lot shall be owned and maintained by the home owners association.
4. Each platted lot shall be provided with a pressure irrigation service sized to deliver no more than that property's water right.
5. All pressure irrigation mainlines shall be located in the public right-of-way, and within a public utility easement of a minimum of 10 feet in width centered over said mainlines as per current City standards.
6. The subject parcel is within the Pioneer Irrigation District. Applicant shall ensure that an adequate continuous irrigation supply flow is available to meet the pressure irrigation system requirements of CMID. If surface water is not available (or inadequate to meet CMID requirements), applicant shall be required to provide/construct a secondary source of irrigation water per CMID specifications.
7. The applicant shall transfer a proportionate share of any existing water right(s), except those held in trust by an irrigation district, to the City of Caldwell for both irrigation and domestic water supply for the subject development. If this should occur, The City shall assist in registering the transfer.
8. All plans and construction drawings submitted to the City of Caldwell for review and approval for any out-of-season irrigation work to be performed shall be submitted to the Caldwell Engineering Department no later than August 15th. Submittal of plans after this date may result in Applicant not receiving plan approval in time to complete out-of-season work.

Storm Drain

1. As noted previously, provision is to be made for the disposal of storm water drainage in accordance with the City Storm Water Management Manual and any updates adopted subsequent to this application. It is to be noted that retention designs will be denied in most instances. A copy of this policy is available upon request. The engineer of record is to provide calculations, which indicate that the assumptions in his storm water drainage plan comply with the requirements of the storm water manual. In this case, if a storm water system is existing, the burden of proof is on the developer to verify the capacity is sufficient for the proposed subdivision.
2. The applicant shall identify and retain all historical drainage discharge points from the property for the purpose of draining on-site storm water detention facilities.
3. The construction drawing should indicate that storm water detention basins are to be placed in accordance with the referenced Storm Water Policy. A note should be placed on the drawings indicating that all areas designated as common areas are to be operated and maintained by the home owners association.
4. There is to be no discharge of storm water overflow into any irrigation water return/discharge facility/ditch/pipe/etc.
5. All storm water runoff from improved half street sections adjacent to this development shall be retained on site in a storage facility to be maintained by the home owners association.

Samantha Hammond

From: Doug Critchfield <critchfielddd@cityofnampa.us>
Sent: Friday, June 9, 2023 12:19 PM
To: Samantha Hammond
Cc: Rodney Ashby; Caleb Laclair
Subject: [External] RE: Legal Notice of Hearing Date CS2, LLC / RZ2021-0047

Samantha – Nampa Planning and Zoning has no comments about this proposal. Thanks - Doug

From: Bonnie Puleo <Bonnie.Puleo@canyoncounty.id.gov>
Sent: Thursday, June 8, 2023 2:04 PM
To: '3tjj@frontiernet.net' <3tjj@frontiernet.net>; Media - KBOI Radio News <670@kboi.com>; Addressing <Addressing@cityofnampa.us>; 'admin1@kunalibrary.org' <admin1@kunalibrary.org>; 'admin2@kunalibrary.org' <admin2@kunalibrary.org>; 'aflavel.bkirrdist@gmail.com' <aflavel.bkirrdist@gmail.com>; AJ Mondor <AJ.Mondor@canyoncounty.id.gov>; 'alicep@cityofhomedale.org' <alicep@cityofhomedale.org>; 'ann_jacops@hotmail.com' <ann_jacops@hotmail.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'Aubrie.hunt@dhw.idaho.gov' <Aubrie.hunt@dhw.idaho.gov>; Daniel Badger <BadgerD@cityofnampa.us>; 'BKINNEY@IDAHOPOWER.COM' <BKINNEY@IDAHOPOWER.COM>; 'bobw@gghd3.org' <bobw@gghd3.org>; Brandon Flack <brandon.flack@idfg.idaho.gov>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'brentc@brownbuscompany.com' <brentc@brownbuscompany.com>; Brian Graves Kuna SD <bgraves@kunaschools.org>; 'brian.mccormack@melbafire.id.gov' <brian.mccormack@melbafire.id.gov>; 'brock.cornell@isda.idaho.gov' <brock.cornell@isda.idaho.gov>; Bryce Farris - Drain District 2 <bryce@sawtoothlaw.com>; Canyon Highway District Land Division <Iriccio@canyonhd4.org>; Canyon Hill Irrigation District <office@idcpas.com>; 'CARL@BLACKCANYONIRRIGATION.COM' <CARL@BLACKCANYONIRRIGATION.COM>; 'cdillon@usbr.gov' <cdillon@usbr.gov>; 'cenww-rd@usace.army.mil' <cenww-rd@usace.army.mil>; Char Tim <timc@cityofnampa.us>; City of Greenleaf <amy@civildynamics.net>; 'cityclerk@cityofmelba.org' <cityclerk@cityofmelba.org>; 'clerk@greenleaf-idaho.us' <clerk@greenleaf-idaho.us>; 'clittle@achdidaho.org' <clittle@achdidaho.org>; Cortney Stauffer <cstauffer@nsd131.org>; 'craigbrown@cwidaho.cc' <craigbrown@cwidaho.cc>; Doug Critchfield <critchfielddd@cityofnampa.us>; Dan Everhart <dan.everhart@ishs.idaho.gov>; Danielle Horras (drhorras@kunaschools.org) <drhorras@kunaschools.org>; Darlene Leon <dleon@nsd131.org>; 'ddenney@homedaleschools.org' <ddenney@homedaleschools.org>; 'deb0815@yahoo.com' <deb0815@yahoo.com>; Destination Caldwell <info@destinationcaldwell.com>; 'dholzhey@marsingschools.org' <dholzhey@marsingschools.org>; Diana Little <Diana.Little@canyoncounty.id.gov>; 'djarrold@frontier.com' <djarrold@frontier.com>; dpopoff@rh2.com; Drainage District 2 <drain.dist.2@gmail.com>; 'eddy@heritagewifi.com' <eddy@heritagewifi.com>; 'eddy@nampahighway1.com' <eddy@nampahighway1.com>; 'edward_owens@fws.gov' <edward_owens@fws.gov>; Elections Clerk <electionsclerk@canyoncounty.id.gov>; Erika Olvera <eolvera@nmid.org>; 'facjhill@gmail.com' <facjhill@gmail.com>; 'farmerhouston@gmail.com' <farmerhouston@gmail.com>; 'farmers.union.ditch@gmail.com' <farmers.union.ditch@gmail.com>; 'fcdc1875@gmail.com' <fcdc1875@gmail.com>; 'GMPRDJENNIFER@GMAIL.COM' <GMPRDJENNIFER@GMAIL.COM>; 'gwatkins@nphd.net' <gwatkins@nphd.net>; Homedale Ambulance Service <tryska7307@gmail.com>; Homedale Fire District <homedalefd@gmail.com>; 'horner.marci@westada.org' <horner.marci@westada.org>; Joe Huff <huffj@cityofnampa.us>; ID Agricultural Aviation Assn <idahoooo@gmail.com>; 'IDL_jurisdictional@idl.idaho.gov' <IDL_jurisdictional@idl.idaho.gov>; 'info@parmacityid.org' <info@parmacityid.org>; 'info@snakerivercanyonscenicbyway.org' <info@snakerivercanyonscenicbyway.org>; 'irr.water.3@gmail.com' <irr.water.3@gmail.com>; 'irrigation.mm.mi@gmail.com' <irrigation.mm.mi@gmail.com>; ITD Division of Aeronautics <airport.planning@itd.idaho.gov>; 'ITDD3PERMITS@ITD.IDAHO.GOV' <ITDD3PERMITS@ITD.IDAHO.GOV>; 'jdillon@wilderschools.org' <jdillon@wilderschools.org>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'jgreen@marsingcity.com' <jgreen@marsingcity.com>; 'jlucas@achdidaho.org' <jlucas@achdidaho.org>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>; 'johnmcavoy48@yahoo.com' <johnmcavoy48@yahoo.com>;

Joseph Palmer <joseph.palmer@vallivue.org>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'jshoemaker@blm.gov' <jshoemaker@blm.gov>; 'kchamberlain.fcdc@gmail.com' <kchamberlain.fcdc@gmail.com>; Kenny Hoagland <kenny.hoagland@melbafire.id.gov>; 'khinkle@kunafire.com' <khinkle@kunafire.com>; 'krantza@notusschools.org' <krantza@notusschools.org>; Media - KTVB News <ktvbnews@ktvb.com>; 'kunacemetery@gmail.com' <kunacemetery@gmail.com>; Lacey Grooms <lgrooms@msd.134.org>; Caleb Laclair <laclairc@cityofnampa.us>; Lisa Boyd <lisa.boyd@vallivue.org>; 'lisaitano@me.com' <lisaitano@me.com>; 'lizardbuttelibrary@yahoo.com' <lizardbuttelibrary@yahoo.com>; Loretta Tweedy <Loretta.Tweedy@canyoncounty.id.gov>; 'mack@settlersirrigation.org' <mack@settlersirrigation.org>; Marc Gee <mgee@msd134.org>; 'marilyn.peoples@dhw.idaho.gov' <marilyn.peoples@dhw.idaho.gov>; Marsing Fire District <marsingfiredistrict@yahoo.com>; Marsing Rural Fire <marsingruralfire@gmail.com>; Mary Huff <mhuff@co.owyhee.id.us>; 'mayor@cityofmelba.org' <mayor@cityofmelba.org>; 'mayor@parmacityid.org' <mayor@parmacityid.org>; 'melbacemetery@gmail.com' <melbacemetery@gmail.com>; 'melvin.b.norton@usps.gov' <melvin.b.norton@usps.gov>; 'middletoncemdist13@gmail.com' <middletoncemdist13@gmail.com>; 'middletonexpress1@gmail.com' <middletonexpress1@gmail.com>; Mosquito Abatement <jlunders@2cmad.org>; Ron Johnson <johnsonrl@nampafire.org>; Media - KBOI TV News <news@kboi2.com>; Media - KIVI News <news@kivity.com>; Media - IPT Newsroom <newsroom@idahopress.com>; Nichole Schwend <Nichole.Schwend@canyoncounty.id.gov>; Nathan Haveman <havemann@cityofnampa.us>; 'nmid@nmid.org' <nmid@nmid.org>; 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'office@gghd3.org' <office@gghd3.org>; Parma Fire District <pfdchief33@gmail.com>; 'ParmaRuralFire@gmail.com' <ParmaRuralFire@gmail.com>; 'patricia.hoffman@ishs.idaho.gov' <patricia.hoffman@ishs.idaho.gov>; 'PERMITS@STARFIRERESCUE.ORG' <PERMITS@STARFIRERESCUE.ORG>; 'planning@parmacityid.org' <planning@parmacityid.org>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; Rob Johnson Nampa Fire <johnsonre@nampafire.org>; Robbie Reno Kuna SD <rreno@kunaschools.org>; 'roger@amgidaho.com' <roger@amgidaho.com>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'scott.hauser@usrtf.org' <scott.hauser@usrtf.org>; 'scott@fccnwi.com' <scott@fccnwi.com>; 'scott_sbi@outlook.com' <scott_sbi@outlook.com>; Robyn Sellers <sellersr@cityofnampa.us>; 'shayne.watterud@ziply.com' <shayne.watterud@ziply.com>; 'sheepmama25@gmail.com' <sheepmama25@gmail.com>; 'smm5156@gmail.com' <smm5156@gmail.com>; 'snickel@staridaho.org' <snickel@staridaho.org>; 'srule@middletoncity.com' <srule@middletoncity.com>; Stephanie Hailey <Stephanie.Hailey@canyoncounty.id.gov>; 'stevie.harris@isda.idaho.gov' <stevie.harris@isda.idaho.gov>; 'tate.walters@id.usda.gov' <tate.walters@id.usda.gov>; 'terri@nyid.org' <terri@nyid.org>; 'testrada@starswd.com' <testrada@starswd.com>; TJ Lawrence Kuna Fire <tlawrence@kunafire.com>; 'tkelly@parmaschools.org' <tkelly@parmaschools.org>; 'tobin.dixon@id.usda.gov' <tobin.dixon@id.usda.gov>; 'tottens@amsidaho.com' <tottens@amsidaho.com>; 'tricia.canaday@ishs.idaho.gov' <tricia.canaday@ishs.idaho.gov>; 'VISLAS@STARFIRERESCUE.ORG' <VISLAS@STARFIRERESCUE.ORG>; Kristi Watkins <watkinsk@cityofnampa.us>; 'webmaster@valleyregionaltransit.org' <webmaster@valleyregionaltransit.org>; Wilder Fire District <wfdchief@wilderfire.org>; 'wilders04@msn.com' <wilders04@msn.com>; 'wsevery@cityofwilder.org' <wsevery@cityofwilder.org>

Subject: Legal Notice of Hearing Date CS2, LLC / RZ2021-0047

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Dear Agencies:

Your agency is being notified pursuant to the Local Land Use Planning Act, Idaho Code 67-6509, to all political subdivisions providing services within the planning jurisdiction of Canyon County, including school districts and media.

No response is required from your agency unless you have input on the proposed project.

Contact the planner of record, Samantha Hammond at samantha.hammond@canyoncounty.id.gov with any questions or additional agency comments or concerns if applicable.

Thank you,



Bonnie Puleo

Hearing Specialist

Canyon County Development Services

111 No 11th Ave. Suite 310

Caldwell, ID 83605

bonnie.puleo@canyoncounty.id.gov

(208) 454-6631 *direct*

NEW public office hours **effective January 3, 2023**

Monday, Tuesday, Thursday and Friday

8 am – 5 pm

Wednesday

1 pm – 5 pm

****We will not be closed during lunch hour****

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STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 N Orchard Street, Boise, ID 83706
(208) 373-0550

Brad Little, Governor
Jess Byrne, Director

September 17, 2021

By e-mail: jalmeida@canyonco.org

Canyon County Development Services
111 North 11th Avenue, Suite 140
Caldwell, Idaho 83605

Subject: Alyson Meadows Subdivision, RZ2021-0047/SD2021-0039

Dear Ms. Almeida:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
- All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollution Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

Response to Request for Comment

September 17, 2021

Page 5

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,

A handwritten signature in black ink that reads "Aaron Scheff". The signature is written in a cursive, flowing style.

Aaron Scheff
Regional Administrator
DEQ-Boise Regional Office

EDMS#: 2021AEK189

Samantha Hammond

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Tuesday, April 18, 2023 3:29 PM
To: Samantha Hammond
Cc: Bonnie Puleo
Subject: [External] RE: Agency Notice CS2 Alyson Meadows RZ2021-0047 SD2021-0039

Hello Samantha –

After careful review of the transmittal submitted to ITD on April 17, 2023 regarding Alyson Meadows RZ2021-0047 SD2021-0039, the Department has no comments or concerns to make at this time. Due to only proposing 18 lots and being more than 2 miles away from a state facility, minor impact is anticipated.

Please let me know if you have any questions.

Thank you,



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: Monday, April 17, 2023 2:11 PM
To: Robin Collins <rcollins@cityofcaldwell.org>; Planning Team City of Caldwell <P&Z@cityofcaldwell.org>; 'dgeyer@cityofcaldwell.org' <dgeyer@cityofcaldwell.org>; Cheryl Sanderson Caldwell Schools <casanderson@caldwellschools.org>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'Alan Perry' <aperry@cityofcaldwell.org>; 'CHOPPER@CANYONHD4.ORG' <CHOPPER@CANYONHD4.ORG>; 'JESSICA.MANSELL@INTGAS.COM' <JESSICA.MANSELL@INTGAS.COM>; 'MONICA.TAYLOR@INTGAS.COM' <MONICA.TAYLOR@INTGAS.COM>; Idaho Power <easements@idahopower.com>; Megan Kelly <mkelly@idahopower.com>; Boise Project Board of Control <trithaler@boiseproject.org>; Gashley <gashley@boiseproject.org>; 'kirk@pioneerirrigation.com' <kirk@pioneerirrigation.com>; COMPASS <gis@compassidaho.org>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; 'mstowell@ccparamedics.com' <mstowell@ccparamedics.com>; 'Kent, Lori - NRCS-CD, Caldwell, ID' <Lori.Kent@id.nacdnet.net>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov>
Subject: Agency Notice CS2 Alyson Meadows RZ2021-0047 SD2021-0039

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good afternoon:

Please see the attached agency notice. You are invited to provide written testimony by **May 18, 2023**, although at this point, no hearing date has been set. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet – allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner Samantha Hammond at samantha.hammond@canyoncounty.id.gov

Thank you,



Bonnie Puleo

Hearing Specialist

Canyon County Development Services

111 No 11th Ave. Suite 310

Caldwell, ID 83605

bonnie.puleo@canyoncounty.id.gov

(208) 454-6631 *direct*

NEW public office hours **effective January 3, 2023**

Monday, Tuesday, Thursday and Friday

8 am – 5 pm

Wednesday

1 pm – 5 pm

****We will not be closed during lunch hour****

IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

Michelle Barron

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Thursday, June 27, 2024 3:59 PM
To: Michelle Barron
Subject: [External] Fwd: Alyson Meadows Preliminary Plat, Version 3

Follow Up Flag: Follow up
Flag Status: Flagged

Caldwell Fire Department "ok" for the Alyson Meadows preliminary plat .

----- Forwarded message -----

From: **Alan Perry** <aperry@cityofcaldwell.org>
Date: Mon, Apr 15, 2024 at 3:45 PM
Subject: RE: Alyson Meadows Preliminary Plat, Version 3
To: Elwin Butler <ebutler@mat-eng.com>

Thank you. That works

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Monday, April 15, 2024 3:30 PM
To: Alan Perry <aperry@cityofcaldwell.org>
Subject: Re: Alyson Meadows Preliminary Plat, Version 3

Afternoon Alan,

Please see Note 15, "NEPA 13 D Fire Sprinklers ". Per our previous conversation you wanted a note that would allow flow rates and sprinkler system to be determined at the time of building permit. Let me know if Note 15 addresses what is desired.

Thank you,

Elwin

208 739-8668

On Mon, Apr 15, 2024 at 10:24 AM Alan Perry <aperry@cityofcaldwell.org> wrote:

Greetings Mr. Butler,

I did not see a comment regarding "water supply". Can you clarify what you will be doing for fire suppression/hydrants?

-DC Perry

From: Elwin Butler <ebutler@mat-eng.com>

Sent: Friday, April 5, 2024 11:27 AM

To: Stephanie Hailey <stephanie.Hailey@canyoncounty.id.gov>; Michelle Barron <michelle.barron@canyoncounty.id.gov>

Cc: jdcanning@centengr.com; kwartman@canyonhd4.org; Doug Unger <dunger@mat-eng.com>; Bob Unger <ungerbob134@gmail.com>; Alan Perry <aperry@cityofcaldwell.org>; Dave Watkins <davew@pioneerirrigation.com>; Kirk Meyers <kirk@pioneerirrigation.com>; Cory Swain <Cory.Swain@pmrloans.com>

Subject: Alyson Meadows Preliminary Plat, Version 3

Stephanie and Michelle,

Attached are the revised preliminary plat drawings for Alyson Meadows, AM-P-Plat-3-PP-100, Engineering Concept, AM-P-Plat-3-PP-101, and the Comment/Action Narrative of Review 3. Matrix Engineering and CS2, LLC have been working the past month attempting to resolve access and easement issues related to Rhetts Acres. It is hoped that preliminary plat may be approved with the condition that access and the lack of easements for Rhetts Acres will be resolved prior to final plat submission.

Note: This version of the plat resolves easement concerns for Rhetts Acres for their irrigation main line and Tranquill Place end of road turnaround located on Parcel R35590. These easements may be recorded with the final plat of Alyson Meadows. The lack of access to Parcel R35590 appears to have been an oversight in the Road Maintenance Agreement not providing access to a parcel that fronts the private road. This is discussed in more detail in the attached narrative.

It is requested that each of the agencies, Canyon County Highway District 4, City of Caldwell Fire District, and Pioneer Irrigation District receiving this email verify their individual concerns are still met by this version of the preliminary plat by a return email.

Thank you,

Elwin T. Butler, PE

Matrix Engineering, Inc.

208 739-8668

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.



Date 4/17/2023

Caldwell City – Planning and Zoning
Re: Case No. Alyson Meadows Subdivision

Dear Bonnie Puleo, Hearing Specialist

Case No. RZ2021-0047 – CS2, LLC. is requesting a Rezone of approximately 40.84 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. Also requested is the approval of a Preliminary Plat, irrigation & drainage plan for Alyson Meadows Subdivision. The subject property, parcel no. R35590 is located on the south side of W. Linden St., approximately 673 ft. east of the intersection of Wagner Rd. and The Caldwell City Fire Department District has reviewed and can approve the application subject to compliance with all the following code requirements and conditions of approval. Any deviation from this plan is subject to Fire Department approval. Please note that unless stated otherwise, this memo represents the requirements of the 2018 International Fire Code (IFC) as adopted by the Idaho State Fire Marshal's Office.

Comments:

1. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).
2. Roadway serving a fire hydrant shall be a minimum of 26-feet in width. (IFC D103.1)
3. Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)
4. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)
5. Monument signage for addressing will be required at the entrance and at all intersections within the project. (IFC 505.1)
6. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)
7. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
8. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load



of fire apparatus weighing at least 75,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1)

9. Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)
10. For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8)

General Requirement:

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

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

Regards,

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

KELLER
ASSOCIATES100 E Bower Street, Suite 110
Meridian, ID 83642
(208) 288-1992

March 8, 2022

Ms. Jennifer Almeida
Canyon County Planner
Development Services Department
111 North 11th Ave. #140
Caldwell, Idaho 83605

Re: Alyson Meadows Preliminary Plat Application

Dear Ms. Almeida:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Alyson Meadows dated March 7, 2022. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17. We have the following comments in order for the applicant to satisfy the County's requirements:

1. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
3. Propose a short-term plan that will protect the roadside swales from disturbance as a result of home construction on individual lots. How will the swales be protected / repaired?
4. Prior to final plat approval, provide a long-term plan for protection and maintenance of roadside swales (i.e. planting of trees, filling / regrading swale, and damage as result of roadside parking).
5. Plat shall comply with requirements of the local highway district.
6. Plat shall comply with irrigation district requirements.
7. Plat shall comply with Southwest District Health requirements.

We recommend that the preliminary plat be **APPROVED with the conditions listed above**. Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above referenced preliminary plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,

KELLER ASSOCIATES, INC.



Mike Hickman
Engineering Technician

cc: File



CENTURION ENGINEERS, INC.

Consulting Engineers, Land Surveyors and, Planners
2323 S. Vista Ave, Suite 206 Boise, ID 83705
Telephone 208.343.3381 | www.centengr.com

To: **Stephanie Hailey, CFM**
Engineering Coordinator
Canyon County Development Services Department
Telephone: 208.454.7254
E-Mail: Stephanie.Hailey@canyoncounty.id.gov

From: **Joe Canning, PE/PLS**
Telephone: 208.343.3381
E-Mail: jdcanning@centengr.com

Date: 8 January 2024

Subject: **Alyson Meadows Subdivision**
SD2021-0039
Preliminary Plat Review #4

Pages: 5

Status: **Comments 1, 3, 4, 5, 8, 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9J, 9K, 9L, 9M, 9N, 11 and 13 Pending**

On behalf of Canyon County, as a consultant, we have completed a fourth review of the preliminary plat for the subject project. The project is a residential subdivision comprised of eighteen single-family home lots and four common lots on 40.84 acres of land.

The submittal information that our office received for our review under this file number applicable to our review is the following:

1. Comment response memo from Elwin T. Butler, PE and dated 26 January 2024
2. Preliminary plat sheets PP100 and PP101 signed by Elwin T. Butler, PE and dated 26 January 2024

Comments within this review are specific to infrastructure or engineering content and should not be considered all encompassing. Other reviews by county staff and by other review agencies will occur.

Professional of Record

Any suggestions for design modifications are not made to replace the position of the professional of record. We are simply making an observation that may impact the project or its review by county staff. The design professional may not necessarily be obligated to use the suggestion unless conformance to county requirements is an issue.

Format of Review

This style of review is being used for this submittal as information provided has notably changed from the prior submittal. The primary notable change is that the preliminary plat has changed from being compiled by Unger Enterprises to Matrix Engineering, Inc.

Status of Review – Change from Public Roads to Private Roads

Please note we have added new comments to this review. The status of the internal roads was recently resolved and its impacts resulted in a more complete review – particularly regarding easements.

Bold text within the comments below is specific to this review.

Our comments are as follows:

General Comments

1. The original submittal we reviewed contained a review dated 10 November 2021 from the Canyon Highway District No. 4. That review included a recommendation to provide them a revised preliminary plat including revisions included in their letter. Has the revised preliminary plat been provided to them? **Please provide comments from the District when received.**
2. We also note that in the original submittal we reviewed, the internal road was to be public. The revised material the road has been changed to a private road. Please provide the reason for the change. **Apparently, the original intent was for private roads. The county has no objection.**
3. The original review by Canyon County staff indicated the road name of “Birchwood Lane” was not available. Please address this comment. **Please provide an approval/acceptance of the new road name when received.**
4. Has Pioneer Irrigation District provided comment on the project? **Please provide comments from the District when available.**
5. Has the applicable fire entity provided comment on the project? **Per the comment response letter, the entity has provided comments and they have been addressed. Please provide the original comments and any updated responses to the revised preliminary plat.**

Preliminary Plat Comments

6. Some of the lot numbers are difficult to read due to close conflicts with other text. Please revise the preliminary plat. **Addressed**

7. What are the boundaries, courses and distances of Lot 12? The lot label appears to be outside of the plat boundary. Please revise. **The response letter notes that Lot 12 is entirely in the subdivision boundary. That was not clear as the subdivision boundary line type/weight is very similar to the lot lines on the plat. This comment is addressed.**
8. Please add the overall and parts of the large delta curve of the culdesac. **The plat appears to contain the curves for each part of the curve for each lot, but not the overall curve for the entire curve around the culdesac. Additionally, the curve for the access easement to Lot 12 needs to be added. C16 appears to include the frontage of Lot 11 and does not address the access easement location. It seems the curve in Lot 11 should be three curves. The overall curve should be the sum of parts (C15, C16 and C17). The curve tag/identifier for the lots should be moved to the inside of the lots and then the overall curve may be placed on the inside of the culdesac.**
9. Please review the preliminary plat notes from the version compiled by Unger Enterprises. Some of the notes on the original version may need to be carried over to the new version. **Addressed, however please see new comments for clarification.**
- 9A. **New Comment: Preliminary plat note 1 uses the word “including” for the easements along the private road. We would suggest that could be inferred to mean the internal roads are public. We suggest the word be changed to “and”.**
- 9B. **New Comment: Preliminary plat note 2 identifies side lot easements. Please advise on where the terminate at the rear lot lines. Do they continue across the Cooper Drain to the west and the drainage and irrigation easement to the east?**
- 9C. **New Comment: Preliminary plat note 3 refers to the Cooper Drain. Please be sure to provide the beneficiary of the easement as the Pioneer Irrigation District when the final plat is prepared.**
- 9D. **New Comment: Preliminary plat note 4 calls out an “irrigation” easement. The text in Lots 7 and 8 also call out “drainage”. Does the plat note need to be revised?**
- 9E. **New Comment: Regarding preliminary plat note 4, who is the beneficiary of the easement?**
- 9F. **New Comment: The easement on the north boundary of Lot 3 is not identified as to its purpose. Is it a continuation of the easement along the lot’s east boundary? What is the width of this easement? Is it intended to connect to the side lot easement on the north side of the lot extending from the road? What are its terminus points?**

- 9G. New Comment: The easement on the south boundary of Lot 13 is 20 feet wide, but is not identified as to its purpose. It is a continuation of the easement along the lot's west boundary? It intersects the Cooper Drain easement. Should the Cooper Drain easement be extended to the south boundary of the subdivision? And then where would the 20-foot-wide easement terminate?
- 9H. New Comment: The easement along the north boundary of Lot 11 intersects the access easement accessing Lot 12. The use of the two easements is not the same. Does the drainage and irrigation easement extend across Lot 11 or terminate at the west boundary of the access easement?
- 9J. New Comment: As the internal roads are private, please add "Canyon County" to plat note 7. Canyon County will now also be reviewing the road drainage.
- 9K. New Comment: Plat note 8 states that the pressure irrigation system will be owned/operated by the HOA. Please be sure to include a pressure irrigation design report and pump station design when construction plans are submitted to the county for review.
- 9L. New Comment: There are easements shown on Lots 1 and 21 that are common lots. What are the easements for? Who is the beneficiary? Are they necessary? Could they be blanket easements?
- 9M. New Comment: There are 10-foot-wide easements shown on the north side of Lots 2 and 20. What are the easements for? Who is the beneficiary?
- 9N. New Comment: There is an easement along the east side of Lot 2. What is the easement for? Who is the beneficiary? What is the width?
10. The preliminary plat includes "Retention Easements". Please describe/define what these are to retain. **Addressed**

Wells/Septic Comment

11. We note specific locations on sheet PP101 for wells and septic drainfields. Have these locations been shown based upon field testholes? **Based upon the comment response, is an approval from the Southwest District Health available?**

EMS Access Comments

12. The EMS access, is that also available to fire and police services? **Addressed**


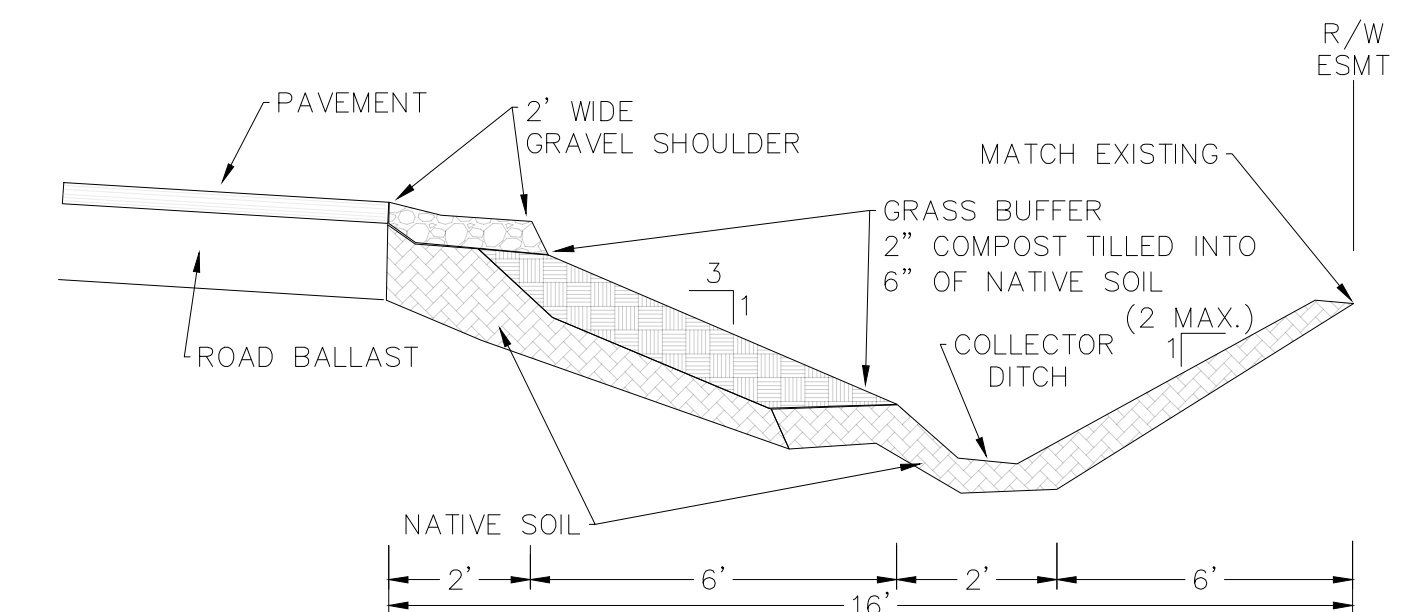
13. Part of the EMS access route to Tranquil Place is outside of the boundary of Alyson Meadows. Is there an off-site easement available to make the connection? **Our comment was also intended to include the portion of the easement in Tranquill Place. More specifically, does the easement in Tranquill Place allow an “expansion” of use to include Alyson Meadows? Or was it only intended to serve Rhetts Acres? We want to be sure the access connection will be allowed.**

Please provide a written response to each remaining comment and provide revised material to the county. Additional/revised comments may occur with the next review.



- ENGINEERING NOTES:

- BMP 03, ACHD DESIGN MANUAL:

[illegible]

CS2, LLC
3363 E. PRESIDENTIAL DRIVE
MERIDIAN, ID 83642
PARCEL R35590

ALYSON MEADOWS
SUBDIVISION
PARCEL R35590
CANYON COUNTY, ID

DATE
11/26/2024

SHEET
P101

Michelle Barron

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Thursday, January 4, 2024 10:58 AM
To: Elwin Butler
Cc: Patrick Naylor; Doug Unger; Michelle Barron
Subject: [External] RE: Alyson Meadows Subdivision Nitrate Study

Hi Elwin,

SWDH is requiring a Nitrate-Pathogen Study to be conducted as per our N-P Study Policy No: 3-001 as to meet the intend of IDAPA 58.01.03 and Idaho’s Groundwater Quality Rule IDAPA 58.01.11.

Let me know if you have any questions or need more clarification.

Thank you,



Check out our new online self-service portal here! [PORTAL](#)

Anthony Lee, BS/REHS | Land Development Senior | Southwest District Health
13307 Miami Lane | Caldwell ID 83607 | ph: 208.455.5384 | cell: 208.899.1285
Anthony.Lee@phd3.idaho.gov | **Healthier Together** | www.swdh.org



From: Elwin Butler <ebutler@mat-eng.com>
Sent: Thursday, January 4, 2024 9:20 AM
To: Anthony Lee <Anthony.Lee@swdh.id.gov>
Cc: Patrick Naylor <patrick.rmea@gmail.com>; Doug Unger <dunger@mat-eng.com>; Michelle Barron <michelle.barron@canyoncounty.id.gov>
Subject: Alyson Meadows Subdivision Nitrate Study

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Anthony,
Please see the request below concerning the Nitrate Study for Alyson Meadows. Please verify which study will best fit your requirements.

Michelle, Please insert any additional requirements at this point in time related to this study if any?

"Elwin, I need some clarification regarding the report that is required for Alyson Meadows before I can provide a proposal. This location is in a Nitrate Priority Area, which is I assume is the driver behind the SWDH requirement. But I need to be clear whether the client is being required to do a groundwater quality study similar to the one we performed for El Paso Investments in 2022, or whether they need a Nutrient-Pathogen Evaluation (NPE). They are somewhat similar but with important differences, and the NPE can require a greater effort. The NPE is generally required for sites in Nitrate Priority Areas in the state, whereas a groundwater quality study is generally more specific to the requirements

of the local P&Z board. We can provide either study. If you can indicate the source of this requirement (such as a letter from SWDH or IDEQ, or Canyon Co.), that will help us avoid any mixups."

Pat

I have included Mr. Patrick Naylor on this email string.

Thank you

Michelle Barron

From: Elwin Butler <ebutler@mat-eng.com>
Sent: Thursday, January 4, 2024 9:29 AM
To: Michelle Barron
Subject: Re: [External] Re: Allison Meadows--resubmit revisions
Attachments: AlysonMeadowsPP-101.pdf; AlysonMeadowsPP-100.pdf

Follow Up Flag: Follow up
Flag Status: Completed

With the attachment. I should still be on holiday!

On Thu, Jan 4, 2024 at 9:26 AM Elwin Butler <ebutler@mat-eng.com> wrote:
Michelle,

Please see the attached Preliminary Plat for Alyson Meadows with a corrected north arrow on both sheets. Sorry, all other items should have remained the same.

We have completed the SWDH exploratory holes for each lot and are ready to move forward with the construction drawings as soon as you provide an ok. I will verify with Pioneer Irrigation and Canyon Highway District during construction plans that they are still in agreement with their initial comments.

Is there any update from the County on this plat approval?

Thank you,
Elwin
208 739-8668

On Wed, Nov 22, 2023 at 8:29 AM Elwin Butler <ebutler@mat-eng.com> wrote:
Good Morning Michelle,

Attached is the preliminary plat, engineering concept, and action of changes made to the plat. I assume you have already received the record of survey of the boundary but I have included it as well just in case you have not. Hope you have a nice Thanksgiving.

Thank you,
Elwin
208 739-8668

On Tue, Nov 21, 2023 at 7:54 PM Michelle Barron <Michelle.Barron@canyoncounty.id.gov> wrote:

Elwin,

Digital is acceptable at this point. You can submit all of the information directly to me, as I am the planner on the case.

Thanks,

Michelle Barron

Principal Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-455-6033

DSD Office Phone: 208-454-7458

Email: Michelle.Barron@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Office Hours:

Monday, Tuesday, Thursday and Friday 8am – 5pm

Wednesday 1pm – 5pm

****We will not be closed during lunch hour ****

From: Elwin Butler <ebutler@mat-eng.com>

Sent: Monday, November 20, 2023 11:37 AM

To: Michelle Barron <Michelle.Barron@canyoncounty.id.gov>

Subject: [External] Re: Allison Meadows--resubmit revisions

Good Morning Michelle,

I am working with CS2, LLC concerning Alyson Meadows Subdivision Preliminary Plat. I have completed the review comments from agencies and Centurion Engineers, Inc., J. Canning, PE/PLS. For the re-submittal do you desire paper copies or digital files?

I plan to submit a preliminary plat, engineering concept sheet, Record of Survey for the property boundary, and a summary of changes made. Please let me know if you know of anything else that will be required.

I appreciate your assistance,

Thank you,

Elwin

Elwin T. Butler, PE

208 739-8668

Matrix Engineering, Inc.

On Mon, Nov 20, 2023 at 11:08 AM Debbie Root <Debbie.Root@canyoncounty.id.gov> wrote:

Elwin,

Please submit revisions for Allison Meadows (SD2021-0039) to Case Planner: Michelle Barron 208-455-6063

Her email is copied above.

Deb Root, MBA

Canyon County Development Services

debbie.root@canyoncounty.id.gov

208-455-6034

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

****We will not be closed during lunch hour ****

PRELIMINARY PLAT
ALYSON MEADOWS SUBDIVISION
NW 1/4 SECTION 32, T4N, R3W, BM
CANYON COUNTY, IDAHO 2023

PRELIMINARY PLAT DEVELOPMENT FEATURES

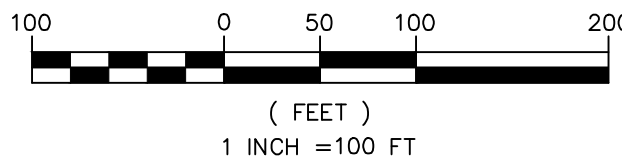
TOTAL ACRES..... 40.84 ACRES
TOTAL LOTS..... 22
SINGLE-FAMILY LOTS..... 18
COMMON LOTS..... 4
MINIMUM LOT SIZE..... 87,159 SF
AVERAGE LOT SIZE..... 89328 SF
TOTAL SINGLE FAMILY DENSITY 2.27 UNITS/AC.
PROPOSED ZONING..... CR-RR
PHASING..... ONE PHASE

SETBACKS RR ZONE

FRONT 20'
REAR 20'
SIDE 10'
CORNER 20'

SCALE:

HORIZONTAL: 1 IN. = 100 FT.
SCALE for 24" X 36" SHEET



LEGEND:

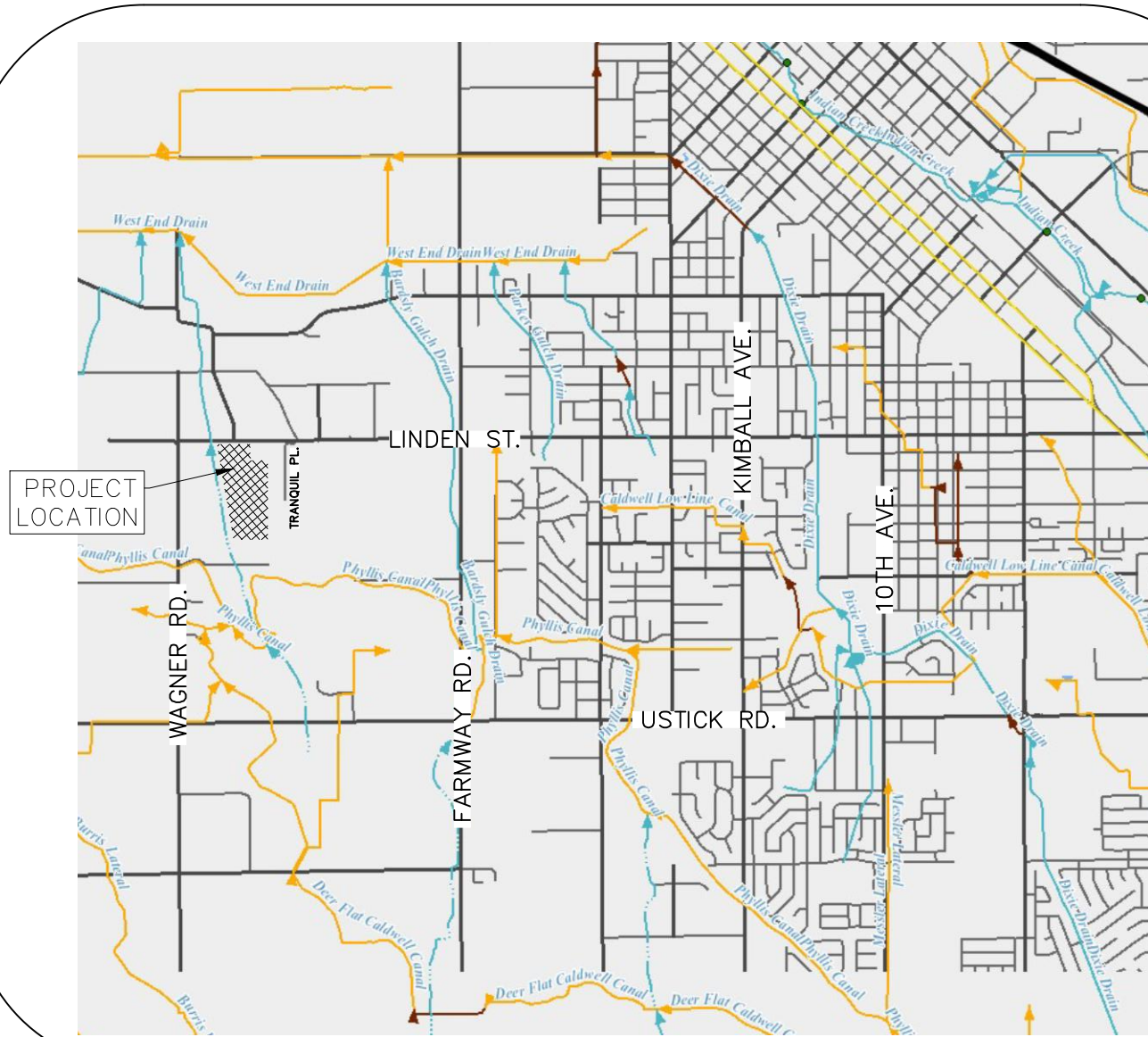
- MONUMENT (FOUND)
SECTION LINE
PROPERTY BOUNDARY
ROAD CENTER LINE
ROW /ROAD EASEMENT
EASEMENT
PARCEL LINE (NOT SURVEYED)
15 PERCENT GRADE AREA

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C6	69.05	40.00	98°54'44"	S40° 34' 23"E	60.79
C5	25.14	28.00	51°26'37"	N16° 27' 37"E	24.30
C4	25.13	28.00	51°24'59"	S34° 58' 11"E	24.29
C7	172.63	100.00	98°54'44"	S40° 34' 23"E	151.98
C1	35.07	200.00	10°02'50"	S4° 14' 16"E	35.03
C2	29.81	170.00	10°02'50"	S4° 14' 16"E	29.77
C3	40.33	230.00	10°02'50"	S4° 14' 16"E	40.28

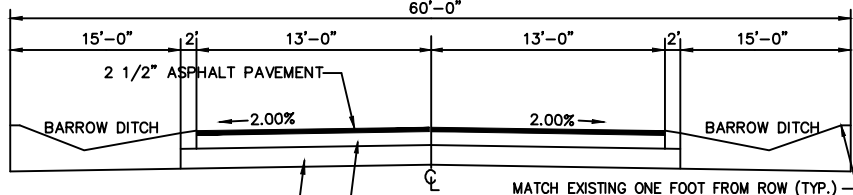
PRELIMINARY PLAT NOTES:

- ALL LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY, INCLUDING LOT 22, HAVE A 10' UTILITY, DRAINAGE, IRRIGATION, LANDSCAPE, AND FENCE EASEMENT.
- ALL SIDE YARD LOT LINES HAVE A 5' PROPERTY DRAINAGE, IRRIGATION, AND FENCE EASEMENT.
- LOTS 13 THROUGH 21 INCLUDE A 25' WIDE COOPER DRAIN EASEMENT FROM TOP OF BANK, ANY ENCROACHMENT OF THE COOPER DRAIN REQUIRES WRITTEN PERMISSION FROM PIONEER IRRIGATION DISTRICT PRIOR PER IDAHO CODE 42-1-209.
- LOTS 3 THROUGH 11 INCLUDES A 20' WIDE IRRIGATION EASEMENT.
- ALL LOTS ARE SINGLE FAMILY RESIDENTIAL EXCEPT LOTS 1, 21, & 22. LOTS 1 & 21 ARE LANDSCAPE BUFFER LOTS MAINTAINED BY THE HOME OWNERS ASSOCIATION (HOA). LOT 22 IS A PRIVATE ROAD LOT MAINTAINED BY THE HOA.
- LOT 12 INCLUDES A DESIGNATED EASEMENT FOR AN EMERGENCY SERVICES (EMS) ACCESS AND IRRIGATION FACILITIES EASEMENTS. IRRIGATION FACILITIES INCLUDE PUMPING STATION, MAIN LINE TO RHETTS ACRES, AND MAIN LINE FOR ALYSON MEADOWS.
- DRAINAGE SHALL BE REMOVED VIA BARROW DITCHES / SUBSURFACE FACILITIES AS APPROVED BY THE HIGHWAY DISTRICT AND / OR DISCHARGING RUNOFF INTO EXISTING DRAINS AS HISTORIC RATES.
- THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH THE IDAHO CODE SECTION 31-3805 CONCERNING IRRIGATION WATER. IRRIGATION WATER IS PROVIDED BY PIONEER IRRIGATION DISTRICT. THE HOA WILL BE SUBJECT TO DISTRICT ASSESSMENTS. EACH LOT WILL RECEIVE PRESSURIZED IRRIGATION WATER VIA A PUMPING STATION AND IRRIGATION FACILITIES MAINTAINED AND OPERATED BY THE HOA.
- POTABLE WATER WILL BE PROVIDED BY INDIVIDUAL WELLS LOCATED ON EACH LOT AS APPROVED BY THE DEPARTMENT OF WATER RESOURCES.
- SANITARY SEWER WILL BE PROVIDED BY INDIVIDUAL SEPTIC AND DRAIN FIELDS ON EACH LOT AS APPROVED BY SOUTHWEST DISTRICT HEALTH.
- THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON AGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION BEGAN; PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATION IN EFFECT AT THE TIME OF RE-SUBDIVISION.

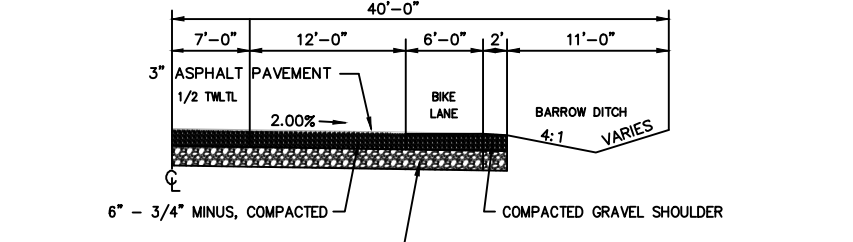


VICINITY MAP

NTS



PRIVATE STREET TYPICAL SECTION



LINDEN ROAD TYPICAL SECTION

NTS

OWNERS/DEVELOPERS

CS2, LLC
3363 E. PRESIDENTIAL DRIVE
MERIDIAN, IDAHO 83642
(208) 629-7333

PLANNER

BOB UNGER
UNGER ENTERPRISES, LLC
901 N 29TH STREET
BOISE, IDAHO 83702
(208) 861-5220

SURVEYOR

SKINNER LAND SURVEY
17842 SANDHOLLOW ROAD
CALDWELL, IDAHO, 83607
(208) 459-0933
www.skinnerlandsurvey.com

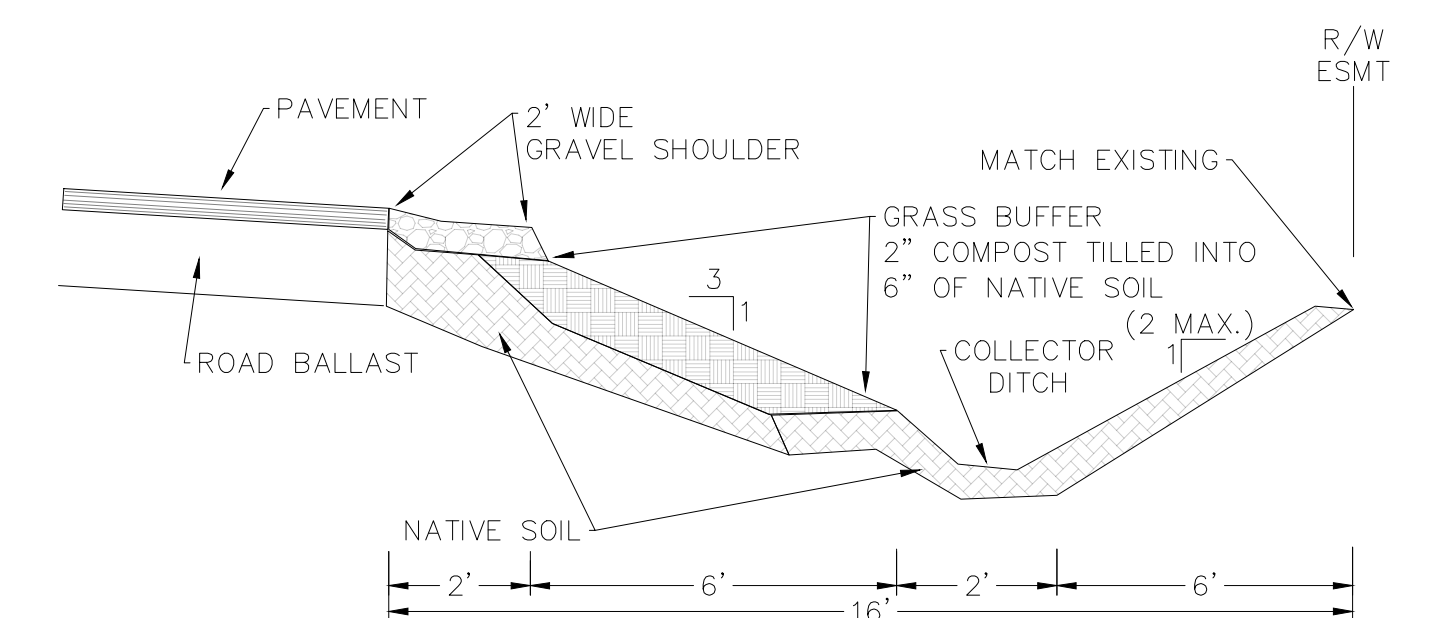
ENGINEER

ELWIN T. BUTLER, PE
MATRIX ENGINEERING, INC.
1020 W MAIN, SUITE 100J
BOISE, IDAHO 83702
(208) 739-8668
ebutler@mat-eng.com



- ENGINEERING NOTES:

- BMP 03, ACHD DESIGN MANUAL:

[illegible]

3363 E. PRESIDENTIAL DRIVE
MERIDIAN, ID 83642
PARCEL R35590

ALYSON MEADOWS
SUBDIVISION
PARCEL R35590
CANYON COUNTY, ID

DATE
1/15/2023

SHEET
PP101

Alyson Meadows Subdivision

Case: SD2020-0023

To whom it may concern,

I am writing seeking clarification regarding the prior and related RZ2021-0047 CS2, LLC Rezone Application. The Canyon County Board of Commissioners approved the rezoning to R-R on October 3rd, 2023.

During the Planning and Zoning public meeting, hearing date of July 20th, 2023 (I believe), staff stated that the application would proceed as a rezoning application only, and would not include items related to preliminary platting. Submitted at that time as Exhibit B Attachment 5c was a neighborhood petition in support of, and specifically stating, support for R-R rezoning. During my testimony, I further stated, “We understand that Mr. Unger has requested the rezoning as well as submitted a preliminary plat. I just wanted to be clear that those who signed the petition are in support of the rezoning. That’s not to say we’re unsupportive of the preliminary plat. It is our understanding that rezoning needs to be done first and that platting would follow after. Therefore, we focused the petition on rezoning. We look forward to an opportunity to meet with Mr. Unger to discuss a number of questions related to the proposed plat.”

In response, the board confirmed with staff that the scope of the application RZ2021-0047 was limited to rezoning. As I dialoged further with the board, we discussed topics of irrigation supply and runoff, access to water for the fire department, septic and wells for each plot. In the end, I stated that it was my understanding that such topics would be addressed during the platting process and that guidance and requirements for related items would come from those agencies who have governing authority. The board confirmed my understanding.

What I am trying to reconcile and seek clarification for is how the final ruling of The Canyon County Board of Commissioners (Findings of fact, Conclusions of Law and Order) contains in the Conclusion, Findings section, requirements from the City of Caldwell defined in items 1-5 that certainly impact, if not set requirements, on items I understood would be addressed during the platting process. This seems to prevent opportunity for public comment on the City of Caldwell’s requirements, and the reasonableness and appropriateness of such requirements for R-R zoning, as the platting process proceeds.

It is my desire that this property be developed in keeping with like-properties of the area. Similar requirements of The City of Caldwell were waived for the development of Tranquil Place (see case RZ2020-0029), which is contiguous with, and lies East of the proposed Alyson Meadows Subdivision. This was noted in the minutes (BOCC 10-3-23-1) from the Canyon County Board of Commissioners meeting, “Commissioner Brooks is in favor of the application, but he is not in favor holding this applicant to standards the City of Caldwell has requested because the Board recently approved a case next to this parcel and the City’s requirement for improvements were waived.”

Monday, August 5, 2024

I am concerned that the requirements of The City of Caldwell being attached to the rezoning was not done with clarity for public knowledge and will prevent reasonable and responsible development of this land in keeping with R-R zoning.

I feel it appropriate to state that I have no relationship with the owner of this property or with the developer. Nor do I have any financial interest in the development of this property. My sole desire is to work with my neighbors to see that this land is developed wisely, responsibly, and in keeping with the surrounding properties.

Thank you for your attention to this concern.

Sincerely,

Gary J. Beers
16840 W. Linden St.
Caldwell, ID 83607

Tranquil Place Letter of Concern

August 5, 2024

Michelle Barron
Case Planner
Canyon County Development Services Dept.
111 North 11th Ave. Ste. 340
Caldwell, Idaho 83605

Re: Case No.: SD2020-0023 Preliminary Plat by Elwin Butler , PE for Cory Swain, CS2, LLC.

Canyon County Planning and Zoning Commission,
Residents of Tranquil Place collaboratively write this letter to represent our concern specifically regarding Tranquil Place, a private road, providing access to the proposed development land for rezoning.

Tranquil Place is a private shared road maintained by current landowners. All current residents of Tranquil Place have a Road User's Maintenance Agreement (RUMA) in place that is tied to the deed of their property. If the proposed development were to gain access to this private road, costs for road improvement to support the proposed development would be exorbitant and should not be the burden of Tranquil Place homeowners who share maintenance of the existing road.

As you consider this proposed rezone and development, please recognize the validity of our concerns relating to wear and tear and eventual repair and update costs for maintaining this road. These costs would be an unnecessary and unwarranted burden to those who live along this road and bear the financial responsibility of its ongoing maintenance.

All individuals located on Tranquil Place request that the Canyon County Planning and Zoning Commission adequately consider this issue when reviewing the proposed development as filed. We request that a new application be filed with the county with the private road, Tranquil Place, as an access point for this development, not be included.

Lastly, we request that Tranquil Place remain a private road without access to this or any other future developments.

Sincerely,

Residents of Tranquil Place

Tim and Surine Greenway
18724 Tranquil Place

Bryan and Sarah Laurenson
18532 Tranquil Place

Steve and Jackie Smith
18986 Tranquil Place

Aleksandr and Liya Kulgavyy
18951 Tranquil Place

Vadym and Anastasiya Prozapas
18701 Tranquil Place