



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Ave., Ste. 310, Caldwell, ID 83605 | Office: 208-454-7458

Fax: 208-454-6633 | www.canyoncounty.org/dsd.aspx

AGENCY NOTIFICATION – RESPONSE REQUESTED

Case No.:	<u>RZ2021-0061</u>	Hearing Date:	<u>TBD</u>
Address:	<u>9145 Hwy 44, Middleton</u>	Hearing Body:	<u>HE/P&Z</u>
Applicant:	<u>AG Development LLC</u>	Transmission Date:	<u></u>
Planner:	<u>Jenna Petroll</u>	Phone :	<u>208-454-6632</u>

RESPONSE DEADLINE: 2/7/2023

Your agency is hereby notified that Canyon County Development Services has accepted an application:

Case No. RZ2021-0061: AG Development LLC is requesting a conditional rezone of parcel R33952010 from an "A" (Agricultural) zone to a "CR-C-2" (Conditional Rezone - Service Commercial). The request includes a development agreement limiting the types of uses that will be allowed on the property. The applicant is proposing to have a mixed-use storage facility and a business/retail complex on the subject property. The 11.41-acre parcel is located at 9145 Hwy 44, Middleton; also referenced as a portion of the NE¼ of Section 09, Township 4N, Range 2W; BM; Canyon County, Idaho.

The property is located within a Floodplain and/or Floodway. Flood Hazard Zone: AE/X

Your agency response is critical to the evaluation of this proposal. A copy of the letter of intent and other applicable documents are enclosed for your review. If you need further information please send an email request or phone call to the planner of record listed below. Your response will be forwarded to the hearing body for consideration and will be incorporated into the staff review and report.

Please reference the Case No. listed above in responses and/or correspondence regarding this case. You may respond in the following formats:

- Mail: 111 North 11th Ave., Ste. 310, Caldwell, ID 83605
- Email: jenna.petroll@canyoncounty.id.gov

At a minimum, please address the following questions specific to your agency listed below and any additional concerns regarding the requested use. Information submitted will be a part of the record as evidence for the Findings of this case:

SOUTHWEST DISTRICT HEALTH DEPARTMENT

- ✓ Will adequate sewer systems be provided to accommodate the use?

HIGHWAY DISTRICTS/ITD

- ✓ Does legal access to the property exist for the requested use?
- ✓ Will there be any undue interference with existing or future traffic patterns created by the requested use?

IRRIGATION DISTRICTS

- ✓ Will adequate irrigation be provided to accommodate said use?
- ✓ Will any of the services provided by the irrigation district be negatively impacted by the requested use or require additional public funding to meet the needs created by the requested use?

IDAHO DEPARTMENT OF WATER RESOURCES

- ✓ Will adequate water be provided to accommodate said use?

SCHOOL FACILITIES

- ✓ Will essential services be provided to accommodate the requested use?
- ✓ Will any school services be negatively impacted by the requested or require additional public funding in order to meet the needs created by the requested use? (For example, what is the school’s existing capacity and will it meet the demand of any additional growth created from the requested use?)

POLICE, FIRE, AND EMERGENCY MEDICAL SERVICES

- ✓ Will essential services be provided to accommodate said use?
- ✓ Will services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?
- ✓ What is the estimated response time to the subject property? Is this response time adequate for life safety concerns?

DEPARTMENT OF ENVIRONMENTAL QUALITY

Air Quality

- ✓ Will the use have a negative impact on air quality?

Waste Water & Drinking Water

- ✓ Will essential services accommodate said use?

Surface Water

- ✓ Will the use impact any nearby surface water sources?

Hazardous Water & Ground Water Contamination

- ✓ Will the use negatively impact ground water?
- ✓ Is there a hazardous waste concern?

If you have questions regarding the application and/or materials received, you may contact the planner assigned to the case, Jenna Petroll at jenna.petroll@canyoncounty.id.gov or by phone (208) 454-6632.

Idaho Code 37-6509(a) requires notice of a public hearing to be sent to political subdivisions of the state that provided services within the planning jurisdiction at least fifteen (15) days prior to the public hearing.

October 6, 2022

Canyon County
Development Services Department
111 North 11th Avenue #140
Caldwell, ID 83605

RE: Conditional Rezone Application for 9145 ID-44, Middleton, ID 83644

Dear Commissioners and Staff,

On behalf of AG Development LLC, an Idaho Limited Liability Company and its Managers, Andrew Peterson and Greg Marshall, EVstudio is submitting an application for a Conditional Rezone for 9145 ID-44 in Middleton.

Project Information:

Parcel #: R33952010
Site Area: 11.413 acres
Flood Zone: Yes, 780 Flood Control District #10
Existing Zone: Agricultural
Proposed Zone: C2 – Commercial
Existing Use: Agricultural/Residential
Proposed Uses: *Retail* Approximately 17 units totaling 65,000 sf *Commercial* Industrial Flex Space (Office/Warehouse), approximately 250 units totaling 137,000 sf Self-Serve Storage, and a 1,200 sf Management Office and Dump/Wash Station

Project Location:



Proposed Site Plan:



Project Summary:

AG Development, LLC is proposing to demolish a mobile home and storage shed on the site to provide new construction. There will be two types of buildings that will provide facilities and business opportunities for the immediate area:

- Flex Industrial Multi-Tenant at the north portion of the property (roughly 65,000 sf of usable space)
- RV, Boat, and Self-Storage at the south portion of the property (roughly 137,000 sf of usable space)

A Conditional Rezone is required to continue the development of the property.

Canyon County's Comprehensive Plan calls for commercial uses along the frontage of ID-44. The City of Middleton's Future Land Use Map depicts a mixed-use corridor along ID-44 with Special Residential Areas on both sides. The "Special Area" designation requires a mandatory public-record disclosure stating: "Cost of development and flood hazard insurance may be higher because land is now, or in the future may be, in flood areas and/or high ground water areas." We have been working closely with the City of Middleton to provide a proposal to support both the County's and Middleton's overall goals.

Part of our long-term goal is to become integrated with Middleton's community. We are currently in talks with the City regarding tying into City sewer, water, and utility services. Middleton has requested a Pre-Annexation Agreement from AG Development, LLC, and we have agreed based upon their verbal approval of our Proposed Site Plan. Additionally, our Proposed Site Plan has located future utility corridors based on input from Middleton's City Engineer. Future buildings have been positioned in a manner to support the infrastructure needed to sustain our development.

Our team has also been working closely with Idaho Transportation Department (ITD) to provide sufficient access to our property. An existing driveway entrance will be updated and enhanced to better serve our property and the adjacent. We will continue to work with ITD to further develop the improvements to the existing driveway during the next phases of the project.

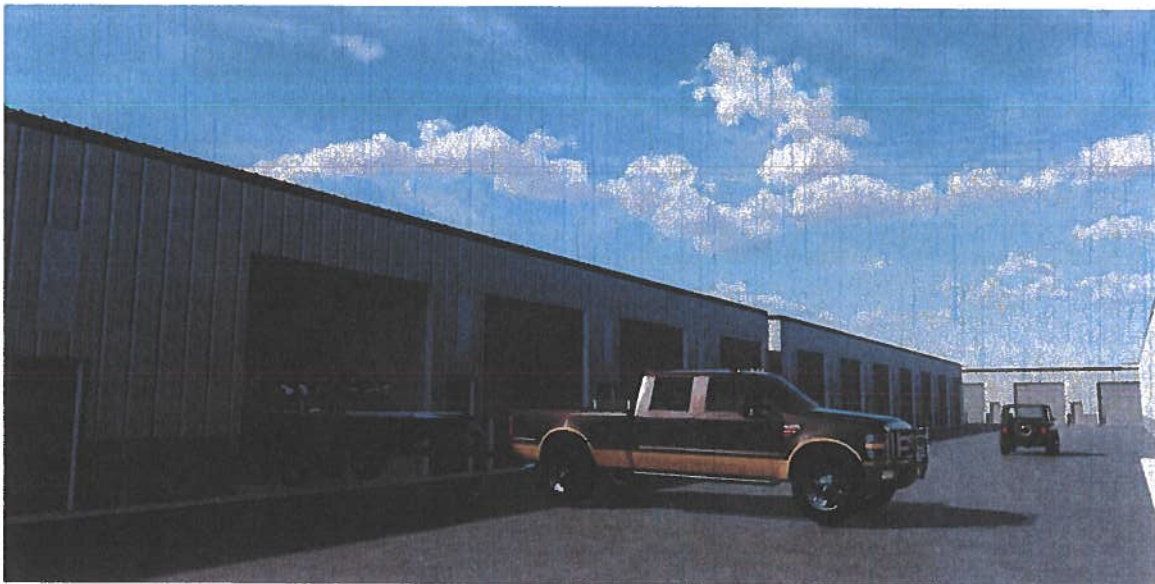
Along the ID-44 frontage on the east side and within the center of the property, approximately 4.5 acres will be dedicated for Industrial Flex Space. Up to four buildings totaling roughly 65,000 square feet will provide flexible space for tenants requiring both office and warehouse areas. These types of buildings offer multi-functional use under one roof. Building construction may vary from Pre-Engineered Metal Buildings to conventional steel frame structures.





At the rear of the property, approximately 6.4 acres, totaling roughly 137,000 square feet will consist of upscale self-storage units designed to attract tenants to store their RVs, boats, classic cars, etc. A highly attractive and inviting Management Office Building will serve as a sales center for unit rentals as well as providing a hub for ancillary products and services. There will also be a maintenance garage and a small community space for the tenants. A convenient Wash/Dump Station will be a welcome amenity for its users.

A gated entry will separate the property between the two uses providing additional security for self-storage tenants. A detailed list of terms and conditions for tenants, appropriate hours of operation, and 24-hour video surveillance will ensure the proper use of the facilities and amenities being provided. The architecture will mimic the Industrial Flex look and feel and will comply with Design Requirements set forth in the municipal code.





Being cognizant and respectful of our neighbors, we will install fencing along our property line consistent with all codes and building standards. Additionally, our site lighting will be designed in a manner to shield adjacent properties from unnecessary light spreading onto their buildings. Our intent is to provide much needed commercial and industrial options to the community with little disruption to the surrounding neighborhood.

**Canyon County Municipal Code 07-06-07: Conditional Rezone:
Section (6) Conditional Rezone Approval:**

- A. Standards Of Evaluation: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:
1. Is the proposed conditional rezone generally consistent with the comprehensive plan?
 - a. Yes, Canyon County's comprehensive plan calls for commercial uses on our property; the City of Middleton's future land use plan calls for mixed use development on our property.
 2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?
 - a. Yes, our property is not currently being used as Agricultural and there are no plans to provide agricultural use on the property.
 3. Is the proposed conditional rezone compatible with surrounding land uses
 - a. Yes, per Canyon County's current zoning map, there are several C1 and C2 Commercially zoned properties within close vicinity to our property.
 4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
 - a. No, the proposed conditional rezone will enhance the character of the area with new construction and will spearhead the County's and Middleton's future growth consistent with the comprehensive plans.
 5. Will adequate facilities and services including sewer, water, drainage, irrigation, and utilities be provided to accommodate proposed conditional rezone?

- a. Yes, we have been working with the City Engineer from Middleton to locate and determine future facilities and services.
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?
 - a. No, public street improvements are not required to provide adequate access. The existing driveway will be updated to current ITD standards. Final design will be coordinated with ITD as required.
7. Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?
 - a. Legal access to the subject property currently exists and will remain.
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? (Ord. 16-007, 6-20-2016)
 - a. New construction will include fire life safety measures as well as security measures to minimize impact to local police, fire, and emergency services. Schools will not be affected with this development. Any required impact fees will be assessed and funded upon final building permit issuance(s).

We appreciate the opportunity to be part of both Canyon County's and Middleton's growing community and respectfully request approval of a Conditional Rezone as the first step in an ongoing relationship with both agencies.

Please don't hesitate to contact me at 208.884.2824 x 1018 or julie.miller@evstudio.com with any questions.

Thank you for your time and consideration.
Best Regards,



Julie Miller, Project Manager
EVstudio
208.884.2824 x 1018
julie.miller@evstudio.com

LAND USE 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



LAND USE WORKSHEET

Required for Conditional Use Permit, Comprehensive Plan and Zoning Ordinance Amendment Applications

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

- 1. DOMESTIC WATER:** Individual Domestic Well Centralized Public Water System City
For storage facility *For flex space*
- N/A – Explain why this is not applicable: _____
- How many Individual Domestic Wells are proposed? _____

- 2. SEWER (Wastewater)** Individual Septic Centralized Sewer system
For storage facility *For flex space*
- N/A – Explain why this is not applicable: _____

3. IRRIGATION WATER PROVIDED VIA:

- Surface Irrigation Well None

4. IF IRRIGATED, PROPOSED IRRIGATION:

- Pressurized Gravity

5. ACCESS:

- Frontage Easement Easement width 28.00' Inst. # 2004-12156

6. INTERNAL ROADS:

- Public Private Road User's Maintenance Agreement Inst # _____

7. FENCING

- Fencing will be provided (Please show location on site plan)

Type: CHAIN LINK OR CMU Height: 6'-0"

8. STORMWATER:

- Retained on site Swales Ponds Borrow Ditches
- Other: TBD

9. SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY: (i.e. creeks, ditches, canals, lake)

WATKINS DITCH, GRADE DITCH

CR

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

- Residential _____ Commercial _____ Industrial _____
 Common _____ Non-Buildable _____

2. FIRE SUPPRESSION:

- Water supply source: _____

3. INCLUDED IN YOUR PROPOSED PLAN?

- Sidewalks Curbs Gutters Street Lights None

NON-RESIDENTIAL USES

1. SPECIFIC USE: SELF-STORAGE UNITS, INDUSTRIAL FLEX WAREHOUSE/OFFICE _____

2. DAYS AND HOURS OF OPERATION: TBD

- Monday _____ to _____
 Tuesday _____ to _____
 Wednesday _____ to _____
 Thursday _____ to _____
 Friday _____ to _____
 Saturday _____ to _____
 Sunday _____ to _____

3. WILL YOU HAVE EMPLOYEES? Yes If so, how many? _____ No

4. WILL YOU HAVE A SIGN? Yes No Lighted Non-Lighted

Height: TBD ft Width: TBD ft. Height above ground: TBD ft

What type of sign: _____ Wall X Freestanding _____ Other _____

5. PARKING AND LOADING:

How many parking spaces? TBD

Is there is a loading or unloading area? TBD

CR

ANIMAL CARE RELATED USES NA

1. MAXIMUM NUMBER OF ANIMALS: _____

2. HOW WILL ANIMALS BE HOUSED AT THE LOCATION?

Building Kennel Individual Housing Other _____

3. HOW DO YOU PROPOSE TO MITIGATE NOISE?

Building Enclosure Barrier/Berm Bark Collars

4. ANIMAL WASTE DISPOSAL

Individual Domestic Septic System Animal Waste Only Septic System

Other: _____

CR

2023.07.01
 2023.07.01
 2023.07.01

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DATE: 07/01/23
 DRAWN BY: JRM
 CHECKED BY: JRM



1 PROPOSED SITE PLAN
 1 of 4 SHEETS

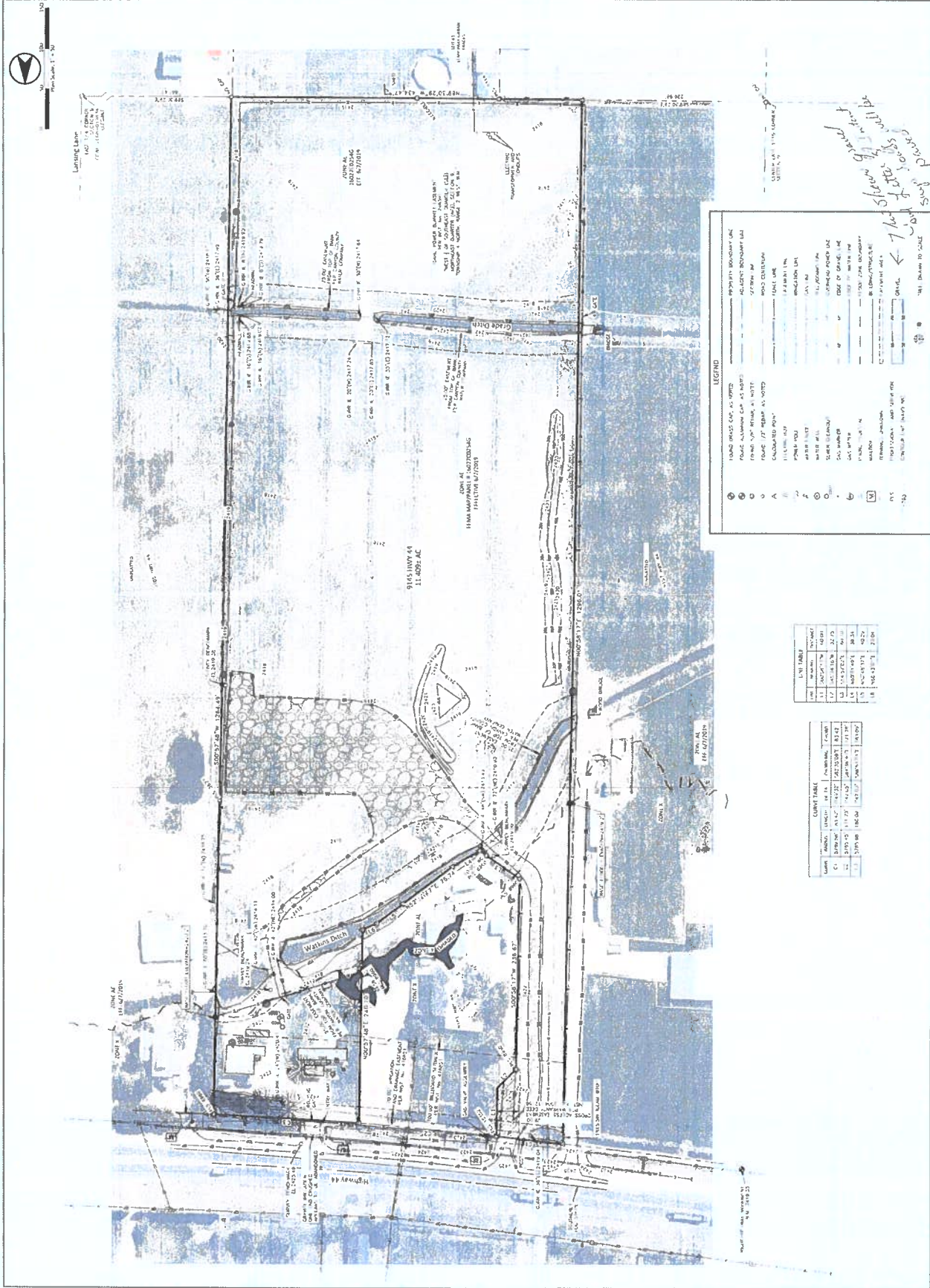


DATE	BY	REVISIONS

Topographic Survey
 9145 Highway 44, Middleton, Idaho 83644
 A portion of the West 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 9,
 Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho

km
 ENGINEERING
 1100 S. GARDEN BLVD.
 BOISE, IDAHO 83725
 PHONE: 476-1100
 FAX: 476-1101
 WWW.KMENGINEERING.COM

PROJECT NO. 11-001
 SHEET NO. 1 OF 1



LINE TABLE

LINE	START	END	TYPE
1	10000.00	10000.00	BOUNDARY
2	10000.00	10000.00	BOUNDARY
3	10000.00	10000.00	BOUNDARY
4	10000.00	10000.00	BOUNDARY
5	10000.00	10000.00	BOUNDARY
6	10000.00	10000.00	BOUNDARY
7	10000.00	10000.00	BOUNDARY
8	10000.00	10000.00	BOUNDARY
9	10000.00	10000.00	BOUNDARY
10	10000.00	10000.00	BOUNDARY

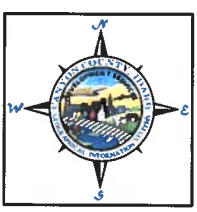
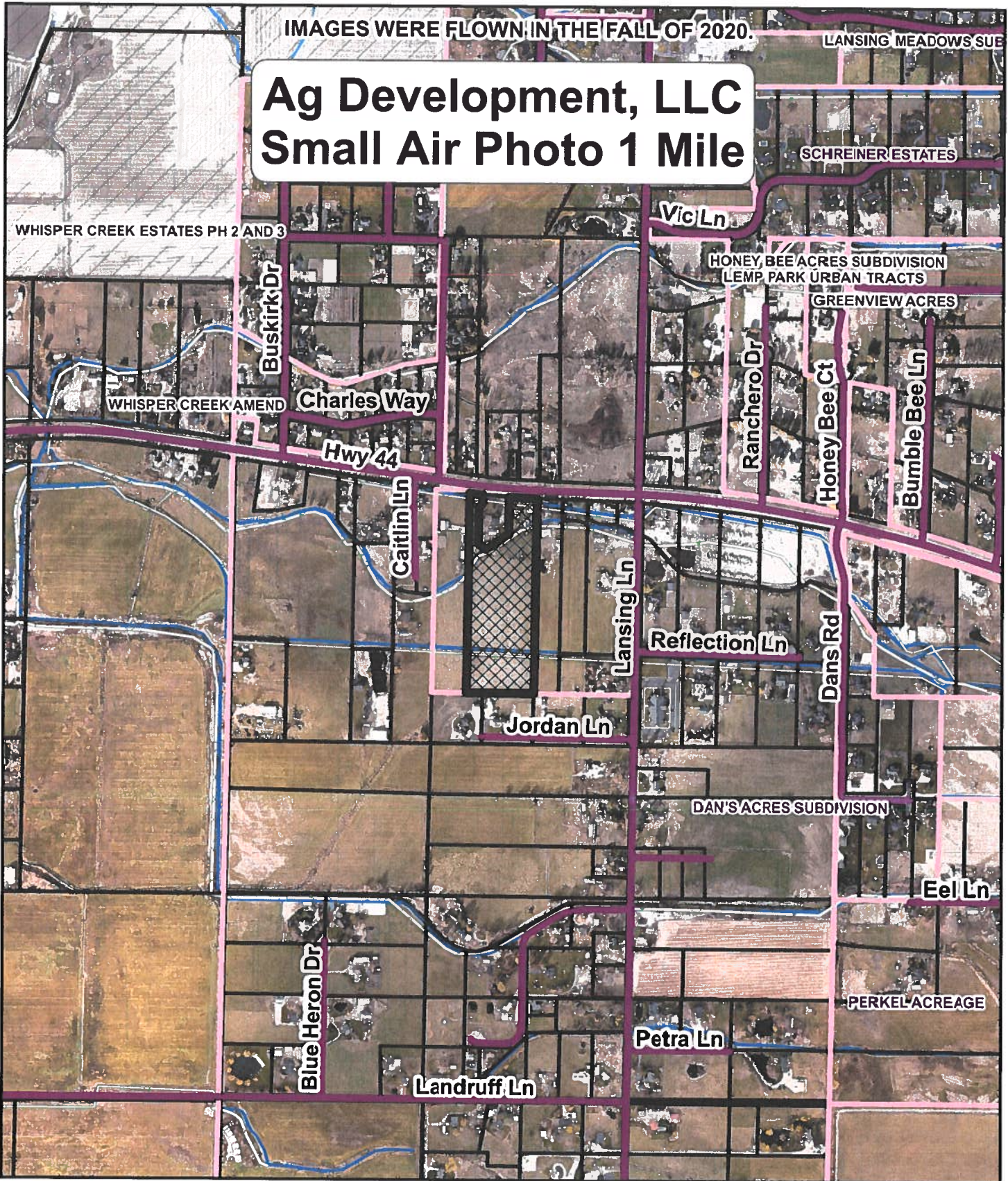
CURVE TABLE


LINE	START	END	TYPE
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4	10000.00	10000.00	BOUNDARY
5	10000.00	10000.00	BOUNDARY
6	10000.00	10000.00	BOUNDARY
7	10000.00	10000.00	BOUNDARY
8	10000.00	10000.00	BOUNDARY
9	10000.00	10000.00	BOUNDARY
10	10000.00	10000.00	BOUNDARY

Stops for Survey
Stops for Survey

IMAGES WERE FLOWN IN THE FALL OF 2020.

Ag Development, LLC Small Air Photo 1 Mile



City_Limits
 Wetlands
