



CITY OF MIDDLETON Planning and Zoning Commission

In Re:

Dewey Avenue Business Park
March 12, 2018 Application
April 9, 2018 Hearing

**Findings of Fact,
Conclusions of Law,
and Recommendation**

SUMMARY OF THE REQUEST

A request by Hopkins Mortgage Fund LLC for preliminary plat approval to replat Lots 1-10 Block 6 of Foote Addition to Middleton Subdivision at the southeast corner of N. Dewey Ave and E. 1st St., Middleton, Idaho.

FINDINGS OF FACT

1. **APPLICANT:** The applicant is Hopkins Mortgage Fund LLC.
2. **APPLICATION:** The application was received and accepted by the City on March 12, 2018.
3. **NOTICE OF PUBLIC HEARING:** Notice of the public hearing before the Planning and Zoning Commission was published, mailed and posted as follows:

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|--|----------------|
| Published notice Idaho Press Tribune: | March 24, 2018 |
| Letters mailed to property owners within 300': | March 23, 2018 |
| Letters mailed to agencies providing services: | March 23, 2018 |
| Property posted in four locations: | March 30, 2018 |
4. **APPLICABLE CODES AND STANDARDS:** The ordinances and standards used in evaluating the application are:
 - Idaho Code Title 67, Chapter 65
 - Middleton City Code, Title 5, Chapters 2, 3 and 4
 - Middleton City Code, Title 6, Chapters 1, 2, 3 and 4
 - Middleton Supplement to the ISPWC



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5. The property is currently zoned C-3 (Heavy Commercial). The purpose of C-3 (Heavy Commercial) zone is to accommodate commerce which is more intensive in character (noise, odor, light, vibration, dust, traffic, etc.) than in other commercial zones and which may be semi-industrial in character.
6. The request is consistent with the following policies in the Comprehensive Plan: Economic Development Goal 6: Promote a strong and diverse local economy in the City. Objective A: Invite commercial and industrial development that provides employment opportunities, higher-paying jobs, and allows residents to remain in the City for employment. Strategy 1: Encourage business and industries that match residents' education and skills, and that provide profitable employment for residents. The request will help promote a strong and diverse local economy in Middleton by providing employment opportunities and allowing residents to remain in the City for employment.
7. A neighborhood meeting was held on March 15, 2018. The only attendee stated that he would like to see the property remain the same use/zone and that Middleton needs more commercial.
8. A letter from Sawtooth Law Offices was received on April 2, 2018 stating that Drainage District No. 2 claimed an easement applicable to N. Middleton Drain. Staff provided a copy of the letter to the applicant.
9. Three neighbors commented on the request. They had concerns about noise, odor, light, vibration, dust, traffic, and the turn around on E. 1st Street. These concerns were addressed by the applicant and city staff.

CONCLUSIONS OF LAW

Notice of the application and public hearing was given according to law. The Planning and Zoning Commission's public hearing was conducted according to law, and the City has kept a record of the application and related documents.



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RECOMMENDATION

The Planning & Zoning Commission recommends that the City Council approve the preliminary plat with the following conditions:

- Vacating the right-of-way between Lots 1 and 2;
- Make changes based the April 3, 2018 letter from the City Engineer.

WRITTEN DECISION APPROVED ON: April 17th, 2018.



Lary Sisson, Chairman
Planning and Zoning Commission

Attest:



Randall Falkner
Planning and Zoning Official