



CITY OF MIDDLETON Planning and Zoning Commission

In Re:

Sawtooth Subdivision
November 13, 2017 Application
December 11, 2017 Hearing

**Findings of Fact,
Conclusions of Law,
Decision and Order**

SUMMARY OF THE REQUEST

A request to approve a preliminary plat consisting of 102 residential lots on approximately 23 acres of vacant land in a mixed-use zone. The property is located west of Middleton Road, east of Crane Creek Way, and north of Sawtooth Lake Drive.

FINDINGS OF FACT

1. **APPLICANT:** The applicant is Premier Industrial, LLC and Baserri, LLC.
2. **APPLICATION:** The application was received and accepted by the City on November 13, 2017.
3. **NOTICE OF PUBLIC HEARING:** Notice of the public hearing before the Planning and Zoning Commission was published, mailed and posted as follows:

Published notice Idaho Press Tribune:	November 24, 2017
Letters mailed to property owners within 300':	November 27, 2017
Letters mailed to agencies providing services:	November 27, 2017
Property posted in four locations:	December 1, 2017
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 6, Chapter 2, 3 and 4
 - Idaho Standards for Public Works Construction (ISPWC)
 - Middleton Supplement to the ISPWC



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5. A neighborhood meeting was held on site along Sawtooth Lake Drive, halfway between Middleton Road and Crane Creek Way on November 17, 2017 at 6:00 p.m. There was no opposition to the project, according to the representative for the project.
6. The request is consistent with the following policies in the Comprehensive Plan: Transportation Goal 2: Provide a variety of safe transportation services and facilities throughout the City for vehicles, pedestrians, bicycles and transit. Objective A: Plan and develop a safe system of roads, bike lanes, sidewalks and pathways; Objective B: Reduce vehicle congestion and encourage walking and bicycling; Strategy 3: Establish sidewalks in subdivisions and provide pedestrian crossings at intersections; Parks and Recreation Goal 9: Locate and design parks, open spaces, recreational facilities and public facilities that encourage physical activity. Objective A: Improve and expand the recreational opportunities of all citizens; Housing Goal 10: Allow dwelling types that match residents' lifestyles; Objective A: Provide a variety of housing types and lot sizes for residents; Strategy 2: Encourage multifamily and higher density housing near schools, transit stations and commercial areas; Goal 21: Establish interesting gathering places that encourage walkability and promote good health and positive social interaction: Strategy 5: Locate places of residence near destinations such as parks, walking paths, trails and waterfront recreation areas to foster physical activity. The request is consistent with these policies because it provides a variety of transportation options, including roads, sidewalks, pathways, a pedestrian crossing, and connections to open spaces (shown as common lots) and waterfront recreation areas (the city plans to build a river district recreation area just north of the Boise river in the near future). The request also provides a variety of lot sizes and encourages higher density housing near commercial areas and transit stations. A future transit station and line is proposed in the area north of the subject site.
7. The applicant is requesting that side setbacks be reduced from 12 to 10 feet along the north boundary and along all pathways. Ten foot setbacks are currently what are required in the R-3 (Single Family Residential) zone. Middleton Lakes subdivision to the west is zoned R-3. In addition, the applicant is proposing all other internal side setbacks be reduced from 12 to 5 feet. The



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request for 5 foot side setbacks are not entirely consistent with the following policies in the Comprehensive Plan: Land Use Goal 3: Promote a quality of life based on the health, safety and general welfare of residents with minimal nuisances; Population Goal 13: Preserve a high quality of life and livability in Middleton; and Community Design Goal 19: Preserve and enhance the unique small-town character of Middleton. The request for a reduction to 5 foot setbacks is problematic because it put homes very close together and reduces privacy. Noise, odor, light, and vibrations are more intense when homes are closer together. In addition, the lot width of the majority of the lots is only 50 feet. The recommendation to reduce internal side setbacks from 12 to 5 feet could disturb the peace, quiet, comfort and well-being of future residents in this subdivision. City staff recommends internal side setbacks be reduced from 12 to 10 feet, instead of the requested 5 feet.

8. No comments from adjacent property owners have been received.

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.

DECISION

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

- Identify and label pedestrian pathway throughout the subdivision.
- Insert the word "micro" before the words "fiber mesh", so it reads "concrete sidewalk w/micro fiber mesh" on both the Local Roadway Typical Section – 44' ROW and City of Middleton Local Roadway Typical Section – 50' ROW.



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- The portion of Barron Lakes Way that is not 44 foot right-of-way should be identified and labeled with proposed right-of-way.
- Add the word "Lake" in between the words "Sawtooth" and "Drive" for Note number 6.
- Rename the street labeled "Alturus Lake Way" since there is already a street in the city named "S. Alturas Lake Place".
- Identify and label existing and proposed fire hydrants throughout the site.
- Ensure that a buffer is provided between residential and commercial land uses when the commercial lot along Middleton Road is developed in the future. The buffer can be a combination of the following: solid fence or wall, berm, and landscaping.
- Make changes as shown in letter from City Engineer, see attached letter.

WRITTEN DECISION APPROVED ON: December 11, 2017.



Lary Sisson, Chairman
Planning and Zoning Commission

Attest:



Randall Falkner
Planning and Zoning Official



December 6, 2017

TO: Randall Faulkner, Zoning Official

FROM: Civil Dynamics PC, Amy Woodruff, PE
City Engineer

RE: **Sawtooth Lake Subdivision - Preliminary Plat**

Thank you for the opportunity to review the above referenced preliminary plat submittal. Below is a summary of items noted during the review:

MCC 6-2-2:A.2.a Please show ties to corners and a complete boundary.

MCC 6-2-2:A.2.f. Please reference topography to an established bench mark with an elevation. If on the plat submitted, please add to legend or otherwise identify.

MCC 6-2-2:A.2.g. Please detail easement for Watkins Ditch and any other easements of record.

MCC 6-2-2:A.2.j. Please add zoning of adjacent parcels.

MCC 6-2-2:A.2.k. Please identify common lots per phase.

MCC 6-2-2:A.2.l We are not able to verify the boundary matches the deed(s) submitted. There is a land description included, Rob O'Malley PLS 13765. All ownership in the deed needs to be included in the subdivision.

MCC 6-2-2:A.2.n. Please show hydrants, street lights and fiber.

MCC 6-2-2:A.2.p. Designate all land to be dedicated to public and purpose. Designate purpose of common lots.

MCC 6-3-2:H.3 Label road radius. 125 ft minimum local roads.

MCC 6-3-2:J.2. Coordinate with City to correct road names.

MCC 6-3-2:M The pump station will be in the future River Street right of way. Confirm pump station location with City.

MCC 6-3-5:B.5. Side lot line easement of 5 ft required or confirmed not required. Please add note.

MCC 6-3-6.A. Dimension landscape buffer.

MCC 6-3-7.A. Pathway lots to be dedicated to the City. Please confirm with the City whether connection needs to be made to Middleton Road.

General comments:

1. Please address requested variances by note on the plat.
2. Please revise the street structural section to be in conformance with Middleton Supplemental 3/6/15.
3. Please confirm Sawtooth Lakes/Baserri can dedicate area of Middleton Lakes common lot to extend Alpine Lake Drive to Crane Creek.