

STAFF REPORT

Middleton Planning and Zoning Commission

Development Agreement

A request by Robert Watson to amend that certain Development Agreement filed as instrument No. 2012-047137 in records of Canyon County, Idaho.

Applicants: Robert Watson

Representatives: Paul Watson (WTW Development LLC)

1. **APPLICATION:** The application was received and accepted by the City on March 16, 2018.
2. **NOTICE OF PUBLIC HEARING:**
Published notice Idaho Press Tribune: March 24, 2018
Letters to 300' Property Owners: March 23, 2018
Letters to Agencies: March 23, 2018
Property Posted: March 30, 2018
3. **APPLICABLE CODES AND STANDARDS:**
Middleton City Code, Title 5, Chapters 2, 3 & 4
Middleton City Code, Title 6, Chapters 1, 2, 3, 4 & 7
Idaho Code 67-6511A
4. **CITY STAFF COMMENTS:**

The applicant submitted a development agreement amendment on March 16, 2018. This development agreement is to amend the development agreement recorded as 2012-047137 on October 24, 2012 to include the terms in this amended development agreement.

5. **WRITTEN AGENCY RESPONSES RECEIVED TO DATE:** none.
6. **ADJACENT PROPERTY OWNERS RESPONSES RECEIVED TO DATE:** none
7. **STAFF RECOMMENDATIONS:**
City staff recommends that the Planning and Zoning Commission recommend that City Council not approve the proposed development agreement because the provisions seek to do the following:

1. Eliminate W. 9th Street intersection at Hartley Lane and are not in compliance with the Transportation, Schools and Recreation Map;
2. Do not comply with existing R-3 zoning regulations and reduce lot size for many of the lots (37 lots) below the city's 8,000 square foot minimum lot size, reduce lot widths (136 lots) below the city's 75 foot lot width, reduce setbacks for all lots including reducing side setbacks below the city's 10 foot standard, reducing rear setbacks below the city's 20 foot standard, reducing front and side street setbacks below their 25 and 20 foot standards; and
3. The 3.8 acre portion of proposed open space south of the canal is not in city limits and does not meet City Code 6-3-9 or City Comprehensive Plan Goal 9, Objective B, Strategy 4.