



CITY OF MIDDLETON Planning and Zoning Commission

In Re:

Western Pines Subdivision
March 12, 2018 Application
April 9, 2018 Hearing

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

SUMMARY OF THE REQUEST

A request by Madison River Trust for preliminary plat approval to replat Lot 22 Block 1 of the Pines No. 1 at Meadow Park Subdivision into 18 lots on 11.19 acres on-half mile west of Middleton Road and approximately 1,000 feet south of Meadow Park Blvd at the south end of the existing Scotch Pine Dr., Middleton, Idaho.

FINDINGS OF FACT

- APPLICANT:** The applicant is Madison River Trust (Tim Kristovich).
- APPLICATION:** The application was received and accepted by the City on March 12, 2018.
- 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:	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
- 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



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Middleton Supplement to the ISPWC

5. The request proposes to replat Lot 22 Block 1 of the Pines No. 1 at Meadow Park Subdivision into 18 lots on 11.19 acres.
6. Sanitary sewer and domestic water were installed per the City approved plans during the original construction of Pines No. 1 at Meadow Park, and public utilities were installed in accordance with the Idaho Power Company joint utility trench requirements. Western Pines subdivision will use the existing sewer and water services to serve the proposed lots. The street improvements are proposed with rolled curb and stormwater retention
7. The future land use map shows the subject site as residential. The applicant is requesting residential uses throughout the site.
8. The request is consistent with the following policies in the Comprehensive Plan: Housing Goal 10: Allow dwelling types that match residents' lifestyles, Objective B: Promote in-fill housing improvements; and Land Use Goal 4, Objective A: Encourage orderly development of areas that can be easily provided with city utility services. The request will promote in-fill development in an area that is zoned R-3 and is appropriate for additional single-family homes. Orderly development is being encouraged in an area that can be easily provided with city utility services because sanitary sewer and domestic water have already been installed per the city approved plans during the original construction of the Pines subdivision.
9. A flood analysis for Willow Creek and Meadow Park was done on June 22, 2016. This report was prepared at the request of the City of Middleton floodplain coordinator and represents what would be used to determine Base Flood Elevations (BFE) on the subject property by the City of Middleton. The purpose of this report is to provide an estimate of the 1% (100-year) BFE for the project area to allow the developer to elevate the site above the expected 100-year floodplain. The analysis is not intended to become a regulatory FEMA map and is provided to establish a reasonable 1% (100-year) base flood elevation and to demonstrate that the development would not increase a 1% base flood elevation



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by more than 1-foot. Recommendations include the following: that fills for the property be above the base flood elevations shown on the figure consistent with the City of Middleton floodplain regulations, and that the City of Middleton has requirements for on-site storage of stormwater/drainage so it does not contribute to the 1% (100-year) flood event and the city should be contacted regarding their requirements.

10. For residential construction, City Code requires that the lowest finished floor elevation be elevated to a minimum of one foot above the base flood elevation, and that all building utility systems, including electrical, heating, ventilation, plumbing, air conditioning, ductwork and other facilities be elevated at least one foot above base flood elevation (4-3-8-5.A.2.a, b & c.). Note 15 on the preliminary plat states that all buildings within the local flood plain shall be raised above the flood plain and is in compliance with City Code.
11. A neighborhood meeting was held onsite at the south end of Scotch Pine Drive on March 9, 2018. A total of 17 people attended the meeting and concerns included the following: the irrigation district and that they run out of water and how the applicants' improvements would affect them, increase of traffic, and building in the low lying area. 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.

RECOMMENDATION

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



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- Lot 2, Block 1 (the narrow portion of the plat along the western boundary) to be deeded to adjacent property owners north of the Newman Lateral;
- 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