



CITY OF MIDDLETON Planning and Zoning Commission

In Re:

Stonehaven Subdivision
February 15, 2018 Application
April 9, 2018 Hearing

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

SUMMARY OF THE REQUEST

A request by WTW Development to approve a preliminary plat for Stonehaven Subdivision consisting of 222 residential lots and 11 common lots on approximately 78.25 acres west of Hartley Lane, south of Willis Road, east of Emmett Road, and mostly north of Canyon Hill Canal.

FINDINGS OF FACT

1. **APPLICANT:** The applicant is WTW Development LLC.
2. **APPLICATION:** The application was received and accepted by the City on February 15, 2018.
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:	February 24, 2018
Letters mailed to property owners within 300':	February 16, 2018
Letters mailed to agencies providing services:	February 16, 2018
Property posted in four locations:	March 2, 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 request is to approve a preliminary plat application for Stonehaven Subdivision consisting of 222 residential lots and 11 common lots on approximately 78.25 acres.
6. An updated traffic study was submitted to the city on April 5, 2018. The TIS is for the proposed Stonehaven subdivision and the general scope of this TIS is updating the original study for Canyon Creek, prepared by Thompson Engineers in 2006. Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, the development is estimated to generate approximately 2,087 trips per day, 164 trips during the AM peak hour and 219 trips during the PM peak hour.
7. The updated traffic study identifies the following intersections operate at a Level of Service (LOS) below A and B, which the city has set as a standard, with existing 2018 traffic, and with 2025 background traffic: Hartley Lane and Willis Road – LOS D, SH 44 and Emmett Road – LOS E, and SH 44 and Hartley Lane – LOS E.
8. The traffic study identifies the following improvements that will improve the level of service at intersections to meet the city's standard.
 1. A single lane roundabout at Wills Road/Hartley Lane.
 2. A right turn lane from southbound Hartley Lane on to SH 44.
 3. A signal or roundabout at SH 44/Emmett Road or SH 44/Hartley Lane.
8. The Future Land Use Map shows the subject site as residential. The applicant is requesting residential uses throughout the site.
9. The request does not comply with the Transportation, Schools and Recreation map for W. 9th Street alignment.
10. City staff examined the request with policies contained in the Comprehensive Plan.

The request meets the following policies:

 - Transportation Goal 2: Provide a variety of safe transportation services and



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facilities throughout the City for vehicles, pedestrians, bicycles and transit.

- Objective B: Reduce vehicle congestion and encourage walking and bicycling.
 - Strategy 3: Establish sidewalks in subdivision 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.
- Housing Goal 10: Allow dwelling types that match residents' lifestyles.
 - Objective A: Provide a variety of housing types and lot sizes for residents.
 - Objective B: Promote in-fill housing developments.
- Housing Goal 11: Prevent homelessness in Middleton.
 - Objective B: Promote affordable housing for residents with a range of income levels.

The request partially meets the following policy:

- Community Design Goal 19: Preserve and enhance the unique small-town character of Middleton.

The request does not meet Parks and Recreation Goal 9, Objective B, Strategy 4.

- Objective B, Strategy 3: When planning new development, aggregate open space in one large area rather than dispersing into smaller pieces.
11. The request does not meet Middleton City Code 6-3-9 regarding open space which states: "For developments that do not include parks as shown on the Middleton Connects master plan, developers shall include five percent open space in one location, agreed to with the city, with amenities identified in Middleton supplemental specifications."
 12. A neighborhood meeting was held on February 8, 2018 at the Heights Elementary School at 611 Cemetery Road from 6:00 – 7:00 p.m. A second neighborhood meeting was held on March 6, 2018 from 6:30 – 7:30 p.m. at the public hearing room at 6 N. Dewey Avenue.



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13. Letters of support for the request have been submitted to the city from Michro Investments LLC, Jordan Koyle and Jon Yorgason. An email encouraging pedestrian connections from Stonehaven subdivision to Middleton High School was submitted to the city from Dr. Josh Middleton, Superintendent of Middleton Schools.
14. Letters of opposition for the request have been submitted to the city from Joseph and LaDonna Carson and Carlene Thie. The city also received 136 signatures for a "I vote no on rezone petition"; however, the rezone to M-U zone is no longer requested as part of this application.
15. Two separate Planning and Zoning public meetings (March 12, 2018 and April 9, 2018) were held on the request. The first meeting (March 12, 2018) the applicant was requesting to rezone approximately 55.5 acres from C-1 (Neighborhood Commercial) and R-3 (Single Family Residential) to M-U (Mixed Use), as well as the request to approve a preliminary plat consisting of 253 residential lots and 16 multi-family and commercial lots on approximately 90 acres. The applicant significantly revised their application at the April 9, 2018 meeting, removing the rezone request to M-U and the commercial portion (12.5 acres) at the corner of Hartley Lane and Willi Road. The preliminary plat was also revised, requesting 222 residential lots and 11 common lots on approximately 78.25 acres.
16. Concerns from citizens attending both public meetings included the following: density, transportation, traffic, public safety, pedestrian safety, speeding, traffic calming, lack of east-west connections, public notice, setbacks, compliance with the Comprehensive Plan and City Code, lack of open space, tot lots, keeping the small town feel, future commercial, and growth in Middleton.

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

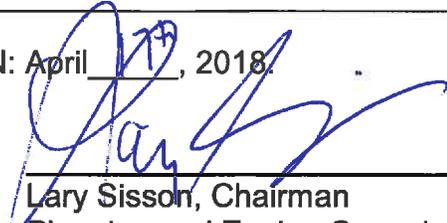
The Planning & Zoning Commission recommends that the City Council approve the preliminary plat with the following conditions:

1. The preliminary plat comply with existing R-3 zoning regulations as shown in Table 2, Height, Setback and Coverage Schedule (5-2-3): front setbacks of 25 feet, rear setbacks of 20 feet, side setbacks of 10 feet, side street setbacks of 20 foot, minimum interior lot area of 8,000 square feet, an minimum lot widths of 75 feet;
2. The preliminary plat comply with the Transportation, Schools and Recreation Map for W. 9th Street alignment;
3. The preliminary plat comply with open space requirement in City Code (6-3-9) that requires five percent open space in one location, agreed to with the city, with amenities identified in Middleton supplemental specifications;
4. Make changes as shown in the April 9, 2018 letter from City Engineer (attached);
5. Prior to the City issuing a building permit in the subdivision, construct a right turn lane from southbound Hartley Lane on to SH 44;
6. Before the City has issued building permits for 25% of the residential lots in the approved preliminary plat, construct a single lane roundabout at Wills Road/Hartley Lane; and
7. Pay to the City, before the City has issued building permits for 50% of the residential lots in the approved preliminary plat, 5.7% (applicant's proportionate share of traffic impact at SH 44/Hartley Lane) of \$500,000 (the city transportation engineer's estimate to construct a roundabout at SH 44/Hartley Lane, including right-of-way acquisition).



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WRITTEN DECISION APPROVED ON: April 17th, 2018.



Lary Sisson, Chairman
Planning and Zoning Commission

Attest:



Randall Falkner
Planning and Zoning Official