



# CITY OF MIDDLETON

## City Council

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### Stonehaven Amended Preliminary Plat

October 20, 2020 Application

November 9, 2020 P&Z Approval

November 18, 2020 CC Approval

December 2, 2020 CC FCO's

### Findings of Fact, Conclusions of Law, and Decision

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### SUMMARY OF THE REQUEST

A request by TBC Holdings, LLC and Todd Campbell Construction, Inc. for approval of an amended preliminary plat with a revised phasing plan and lot configuration consisting of eight phases and 239 single family residential lots, to accommodate Middleton City Code requirement for secondary vehicular access for Stonehaven Subdivision, located on approximately 78.17 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:** TBC Holdings, LLC  
P.O. Box 140298  
Boise, ID 83714
- 2. Application:** The application was accepted by the City on October 20, 2020
- 3. Applicable Codes and Standards:**  
Idaho Code Title 67, Chapter 65  
Middleton City Code (MCC) 1-14-5; 1-15-1; 5-4-4
- 4.** The Planning and Zoning Commission recommended that City Council approve the amended preliminary plat.
- 5. Written Agency Responses Received to Date:** none.
- 6. Written Property Owners Responses Received to Date:** none.
- 7. Preliminary Plat Standards:** Per City Code Section 5-4-4.



## CITY OF MIDDLETON City Council

### CONCLUSIONS OF LAW

Notice of the Application was given according to law. The City Council Public Meeting was conducted according to law, and the City has kept a record of the application and related documents.

### DECISION

Based on the Findings of Facts, and Conclusions of Law, the City Council hereby recommends approval of the preliminary plat with the following conditions:

1. City of Middleton municipal domestic water, fire flow and sanitary sewer services are extended to serve the subdivision.
2. Comply with MCC 5-4-10-10, open space requirement: Lot 3, Block 4, Phase 4 with an amenity as defined in MCC 1-3-1, together with Lot 30, Block 8, Phase 6 which must be annexed and remain as a natural preserve, unimproved with wildlife habitat and connected by a pedestrian bridge to Durness Bay Ave. Annexation to occur before the City will issue building permits for lots in Phase 6.

MOTION TO APPROVE BY CITY COUNCIL ON: November 18, 2020

### NOTICE

This decision is deemed by Idaho law to be a final decision. An affected person aggrieved by a final decision may within twenty-eight (28) days after all remedies have been exhausted under local ordinances seek judicial review as provided by title 67 chapter 65, Idaho Code. The applicant has a right to request to the City a regulatory taking analysis pursuant to section 67-8003, Idaho Code.

Signed: December 2, 2020.

  
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Steven J. Rule, Mayor

Attest:

  
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Bruce Bayne,  
Planning and Zoning Official