



CITY OF MIDDLETON Planning and Zoning Commission

West Highlands Ranch Subdivision
October 30, 2019 Application
January 13, 2020 Meeting

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

SUMMARY OF THE REQUEST

Consider an application by Toll Southwest LLC to Amend the Approved Preliminary Plat on 335 acres (which includes the already built out Phases 1 through 8). The amendments are included in the property North of Willis Rd., East of Emmett Rd. and West of Cemetery Rd., Middleton, Idaho. The amendments include allowing the developer to change sequencing of the phasing plan for phases 9 to 20. Additional residential lots above the originally approved 967 are not requested. Phases 9 to 20 are proposed to include approximately 558 residential lots. Additional changes include revising the sanitary sewer system in the phase 9 to 20 to take advantage of a sewer stub which was installed East of the high school. Reconfiguration of the lots at the Northwest corner of Willis Rd. and Hartley Ln. to accommodate the proposed roundabout at that intersection. Revise several of the internal streets within the subdivision to facilitate roadway and utility changes.

FINDINGS OF FACT

1. **APPLICANT:** The applicant is Toll Southwest LLC.
2. **APPLICATION:** The application was accepted by the City on October 30, 2019.
3. **APPLICABLE CODES AND STANDARDS:** The ordinances and standards used in evaluating the application are:
 - Idaho Code Title 67, Chapter 65
 - Middleton City Code (MCC) 1-14-5; 1-15-1; 2 and 5
 - Middleton City Code 5-4-3 and 4
 - Middleton Transportation, Schools and Recreation Map, Dec. 20, 2018 version
 - Idaho Standards for Public Works Construction (ISPWC)
 - Middleton Supplement to the ISPWC
5. The applicant very recently purchased the subject subdivision and has recently started construction on phases 9, 10, and 11 which were approved by the City in the summer of 2018.



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6. City staff is cognizant that with the recent sale and almost immediate start of construction thereafter that the new owners are progressing in the right direction with this project. Construction has been absent on this subdivision since the last building permit was pulled in the summer of 2018.
7. With additional phases being constructed local employment opportunities will be created, allowing City residents to remain in the City and work locally rather than commuting. Also, there is the spin off effects of local construction dollars spent in the community.
8. A neighborhood meeting was not required as it was held with the preliminary plat.
9. Development Agreement Revision No. 2 (Canyon County Recorder Instrument # 2009015525).
10. Parks Dedication Agreement (Canyon County Recorder Instrument # 2011049721).
11. West Highlands Impact Fee Agreement (Canyon County Recorder Instrument # 2011049722).
12. Addendum to Parks Dedication Agreement (Canyon County Recorder Instrument # 2016-044462).
13. A traffic impact study and development agreement on transportation improvements was previously completed and agreed upon to determine the applicant's construction requirements, pro-rata share of improvements and associated costs.
14. The City engineer provided comments on November 22, 2019. The applicant must adhere to and revise the plat to accommodate these comments.

CONCLUSIONS OF LAW

Notice of the application was given according to law. The Planning and Zoning Commission considered the application at a noticed, regularly scheduled meeting. The public meeting 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 and Zoning Commission recommends that the City Council approve the request for amending the preliminary plat for the area included in phases 9 to 20 of West Highlands Ranch subdivision with the following conditions of approval:

1. Acquire Middleton Rural Fire district approval.
2. Accommodate the traffic buffer, right of way requirements at the Northwest corner of Willis Rd. and Hartley Ln. for the proposed roundabout at that intersection as yet to be agreed with the City.
3. Extend sanitary sewer and domestic water to and through this subdivision to accommodate for future surrounding developments per City Code.
4. Set aside gross area for open space and park improvements per previous agreements with the City of Middleton.
5. Revise the amended preliminary plat per the City Engineer's requirements.
6. Fulfill all agreements as previously entered into with the City Of Middleton.

January 29, 2020.


Janet Gregory, Chairman
Planning and Zoning Commission

Attest:



Bruce Bayne
Planning and Zoning Official