



City of Ketchum

February 18, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Hold a Public Hearing and Approve the Readjustment of Lot Lines Application for the West Ketchum Residences Project

Recommendation and Summary

Staff recommends the Ketchum City Council hold a public hearing and approve the West Ketchum Residences Readjustment of Lot Lines application to remove the property lines separating Lots 5A, 6A, 7A, and 8A to form Lot 5AA of Bavarian Village Subdivision.

Recommended Motion: "I move to approve the West Ketchum Residences Readjustment of Lot Lines application."

The reasons for the recommendation are as follows:

- The request to change the lot configuration within the Bavarian Village Subdivision meets all applicable standards for Readjustment of Lot Lines contained in Ketchum Municipal Code's (KMC) Subdivision (Title 16) regulations.
- The application meets the standards required for the Readjustment of Lot Lines procedure because: (1) Lot 5AA complies with the dimensional standards required for properties located within the General Residential High Density (GR-H) Zoning District, and (2) the proposal does not create additional lots or dwelling units.
- The application will combine 4 vacant lots to form the 1.09 acre project site for the West Ketchum Residences, a new 10-unit townhome development within 5 duplexes.

Analysis

Each townhome unit will have its own garage accessed from a snow-melted, private driveway. This application removes a recorded access easement that will be replaced by the shared private driveway. This proposed access includes a fire truck turnaround, which has been reviewed and approved by the Fire Department, Streets Department, and City Engineer. The townhome project received Design Review approval from the Planning & Zoning Commission on February 10th, 2020. The developer has submitted a Townhouse Subdivision Preliminary Plat application to subdivide Lot 5AA into 10 townhouse sublots.



Financial Impact

No financial impact as the application proposes a minor change to an existing plat of record.

Attachments

Draft Findings of Fact, Conclusions of Law, and Decision
Bavarian Village Subdivision: Block 1: Lot 5AA



City of Ketchum
Planning & Building

IN RE:)
)
West Ketchum Residences) KETCHUM CITY COUNCIL
Readjustment of Lot Lines Procedure) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: February 18, 2020) DECISION
)
File Number: P19-142)

PROJECT: West Ketchum Residences Readjustment of Lot Lines

APPLICATION TYPE: Readjustment of Lot Lines

FILE NUMBER: P19-142

ASSOCIATED PERMITS: Design Review P19-143

OWNERS: West Ketchum Residences, LLC

REPRESENTATIVE: Robert Parker & Galena Engineering

REQUEST: Readjustment of Lot Lines procedure to vacate the common boundary lines between Lots 5A, 6A, 7A, & 8A as well as the associated private access and public utility easement within Bavarian Village Subdivision to form amended Lot 5AA.

LOCATION: Bavarian Village Subdivision Lots 5A, 6A, 7A, & 8A (156 Wick Strasse & 150, 152, and 154 Bird Drive)

NOTICE: A public hearing notice was mailed to all property owners within 300 ft of the development site and political subdivisions on January 29, 2020. The public hearing notice was published in the Idaho Mountain Express on January 29, 2020.

ZONING: General Residential High Density (GR-H) Zoning District

OVERLAY: None

FINDINGS OF FACT

1. The Readjustment of Lot Lines procedure will vacate the common boundary lines between Lots 5A, 6A, 7A, & 8A as well as the associated private access and public utility easement within Bavarian Village Subdivision to form amended Lot 5AA.
2. The application will combine 4 vacant lots to form the 1.09 acre project site for the West Ketchum Residences, a new 10-unit townhome development within 5 duplexes.

3. Each townhome unit will have its own garage accessed from a snow-melted, private driveway. This application removes a recorded access easement that will be replaced by the shared private driveway. This proposed access includes a fire truck turnaround, which has been reviewed and approved by the Fire Department, Streets Department, and City Engineer.
4. Consistent with KMC §16.04.020, the proposal meets the definition of Readjustment of Lot Lines because: (1) Lot 5AA complies with the dimensional standards required for properties located within the General Residential High Density (GR-H) Zoning District, and (2) the proposal does not create additional lots or dwelling units.

READJUSTMENT OF LOT LINES: *A change or modification of the boundary lines between existing lots or parcels of land or between dwelling units which does not reduce the area, frontage, width, depth or building setback lines of each lot below the minimum zoning requirements and which does not create additional lots or dwelling units. "Readjustment of lot lines" includes other minor changes to a subdivision, condominium, or townhouse plat such as, but not limited to, notation changes, boundary shifts and removal of lot line(s), each of which do not reduce the area, frontage, width, depth or building setback lines of each lot below the minimum zoning requirements nor create additional lots or dwelling units (KMC §16.04.020).*

5. Consistent with KMC §16.04.060.B, the Readjustment of Lot Lines application was transmitted to City Departments including the City Engineer, Fire, Building, Utilities, and Streets departments for review. The City Departments had no comments or concerns regarding the proposal.
6. All land, condominium, and townhouse subdivisions in the City of Ketchum are subject to the standards contained in Ketchum Municipal Code, Title 16, Subdivision. Many standards are related to the design and construction of multiple new lots that will form new blocks and infrastructure, such as streets that will be dedicated to and maintained by the City. The standards for certain improvements (KMC §16.04.040) including street, sanitary sewage disposal, planting strip improvements are not applicable to the subject project as the application proposes to designate existing common area as limited common area. The proposed Fisher Condominiums: Units A & 2A Subdivision Plat meets the standards for Readjustment of Lot Lines under Title 16 of Ketchum Municipal Code subject to conditions of approval. The Readjustment of Lot Lines does not change the existing residential use or alter the existing development.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the Ordinances and regulations, which Ordinances are codified in the Ketchum City Code ("KMC") and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant's Readjustment of Lot Line application for the development and use of the project site.
2. The Council has authority to hear the applicant's Condominium Subdivision application pursuant to Chapter 16.04 of Ketchum Code Title 16.
3. The City of Ketchum Planning Department provided adequate notice for the review of this application.
4. The Readjustment of Lot Lines application is governed under Sections 16.04.010, 16.04.020, 16.04.30, 16.04.060, and 16.04.070 of Ketchum Municipal Code Chapter 16.04.

5. The proposed Bavarian Village Subdivision: Block 1: Lot 5AA Subdivision Plat meets the standards for approval under Title 16 of Ketchum Municipal Code subject to conditions of approval.

DECISION

THEREFORE, the Ketchum City Council **approves** this Condominium Subdivision Final Plat application this Tuesday, February 18th, 2020 subject to the following conditions:

CONDITIONS OF APPROVAL

1. The recorded plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the map.
2. An electronic CAD file shall be submitted to the City of Ketchum prior to final plat signature by the City Clerk. The electronic CAD file shall be submitted to the Blaine County Recorder's office concurrent with the recording of the Plat containing the following minimum data:
 - a. Line work delineating all parcels and roadways on a CAD layer/level designated as "parcel";
 - b. Line work delineating all roadway centerlines on a CAD layer/level designated as "road"; and,
 - c. Line work that reflects the ties and inverses for the Survey Control Monuments shown on the face of the Plat shall be shown on a CAD layer/level designated as "control"; and,
 - d. All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983 (1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a ".dwg", ".dgn" or ".shp" format and shall be submitted digitally to the City on a compact disc. When the endpoints of the lines submitted are indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units.
5. The applicant shall provide a copy of the recorded Final Plat and the associated condominium owners' documents to the Planning and Building Department for the official file on the application.
6. The Final Plat mylar shall contain all items required under Title 50, Chapter 13, Idaho Code as well as all items required pursuant to KMC §16.04.030J including certificates and signatures.
7. All governing ordinances and department conditions pertinent to the Fire Department, Building Department, Utilities Department, Street Department and Ketchum City Engineer shall be met.

Findings of Fact **adopted** this 18th day of February, 2020

Neil Bradshaw, Mayor

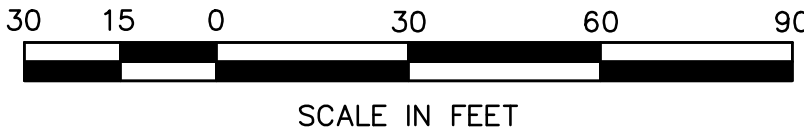
Robin Crotty, City Clerk

A PLAT SHOWING
LOT 5AA, BLOCK 1, BAVARIAN VILLAGE SUBDIVISION

WHEREIN THE COMMON BOUNDARY LINES OF LOTS 5A, 6A, 7A, & 8A, ARE VACATED AS SHOWN AND THE PRIVATE ACCESS & PUBLIC UTILITY
EASEMENT TO BENEFIT LOTS 5A, 6A, 7A, & 8A, IS VACATED AS SHOWN

LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

DECEMBER 2019



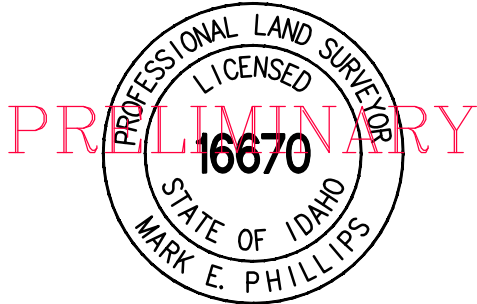
SCALE: 1" = 30'

LEGEND

- Property Line
- Adjoiner's Lot Line
- Lot Line to be Vacated Hereon
- Easement to be Vacated (See Note 4)
- Easements per Instrument Numbers 660648, 660804, 661177, & 661178 (See Note 4)
- Proposed Easement, type & width as shown
- GIS Tie Line
- Found 1/2" Rebar
- Found 5/8" Rebar
- [] Record Bearing & Distance, Bavarian Village Subdivision: Lots 3A, 4A, 5A, 6A, 7A, & 8A, Instrument Number 631181

SURVEY NARRATIVE & NOTES

- The purpose of this survey is to vacate the common lot lines to lots 5A, 6A, 7A, & 8A, Block 1, Bavarian Village Subdivision, creating Lot 5AA, Block 1, Bavarian Village Subdivision, as shown, vacate the Private Access & Public Utility Easement to benefit Lots 5A, 6A, 7A, & 8A, vacate Utility Easements per instrument Numbers 660803 & 661188, records of Blaine County, Idaho, and show the monuments found during the boundary retracement of the lots listed above. The boundary shown is based on found monuments and the recorded plat of Bavarian Village Subdivision: Lots 3A, 4A, 5A, 6A, 7A & 8A, Instrument Number 631181, records of Blaine County, Idaho. All found monuments have been accepted. Additional Documents used in the course of this survey include; Bavarian Village Subdivision, Instrument Number 139821, records of Blaine County, Idaho.
- Except as specifically stated or depicted on this map, this survey does not purport to reflect any of the following which may be applicable to subject real property: natural hazards, encroachments, wetlands, easements, building setbacks, restrictive covenants, subdivision restrictions, zoning or any other land-use regulations. An independent title search has not been performed by the surveyor for this project.
- An ALTA Commitment for Title Insurance for Lots 5A, 6A, 7A, & 8A, Bavarian Village Subdivision, has been issued by Stewart Title Guaranty Company, File Number 1921742, with a Commitment Date of August 1, 2019. Certain information contained in said title policy may not appear on this map or may affect items shown hereon. It is the responsibility of the owner or agent to review said title policy. Some of the encumbrances and easements listed in the title report are NOT plotted hereon. Review of specific documents is required, if further information is desired.
- A Proposed 10' Public Utility Easement, extending from the Northeast Corner of the subject property, along Bird Drive, to the Southeast Corner of the subject property will encompass Utility Easements per Instrument Numbers 660648, 660804, 661177, & 661178, records of Blaine County, Idaho. The Vacation of Utility Easements per Instrument Numbers 660803 & 661188, records of Blaine County, Idaho, will need to be done with a separate document recorded after coordination with Idaho Power Company, since said easements were not created on a plat.
- The owner/subdivider is West Ketchum Residences, LLC c/o Robert Parker, PO Box 284, Sun Valley, ID 83353. The surveyor/representative is Mark Phillips, Galena Engineering Inc., 317 N River Street, Hailey, ID 83333.
- The Current Zoning is GR-H. Refer to the City of Ketchum Zoning Code for more information about this zone.
- Refer to the Engineering Base Drawing, prepared by Galena Engineering, Inc., for existing conditions and proposed improvements.



HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date _____ South Central Public Health District

MARK E. PHILLIPS, P.L.S. 16670

LOT 5AA, BLOCK 1,
BAVARIAN VILLAGE
SUBDIVISION
GALENA ENGINEERING, INC.
HAILEY, IDAHO

SHEET 1 OF 2

Job No. 7818