



City of Ketchum

March 16, 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 West Ketchum Residences Townhome Preliminary Plat

Recommendation and Summary

Staff recommends the Ketchum City Council hold a public hearing and approve the Townhouse Preliminary Plat for the West Ketchum Residences, a proposed 10-unit townhouse (five two-unit buildings) to be located at 150 Bird Drive.

Recommended Motion: "I move to approve the Onyx at Leadville Residence: Phase 1 Final Plat subject to the issuance of a Certificate of Occupancy for unit 203."

The reasons for the recommendation are as follows:

- The request to subdivide meets all applicable standards for Townhouse Preliminary Plats contained in Ketchum Municipal Code's Subdivision (Title 16) regulations.
- The Ketchum Planning and Zoning Commission previously reviewed and gave Design Review approval (P19-140) for the development.
- The Ketchum Planning and Zoning Commission reviewed and recommended approval of the Preliminary Plat at their March 9, 2020 meeting. The Preliminary Plat is consistent with the Design Review approval.
- City Council previously reviewed and approved a Lot Line Shift (P19-142) for the subject property; the Lot Line Shift removed the prior lot lines that had divided the property into four parcels. The Preliminary Plat replats the parcel with townhouse sublots. Each townhouse unit will be located on an individual sublot.

Financial Impact

None at this time. However, upon approval and recording of the Final Plat the townhome units will be able to be sold separately. Recording the Final Plat signals to the Blaine County Assessor's Office that the condominium building, which is new construction, has been completed and may be added to the tax rolls.

Attachments

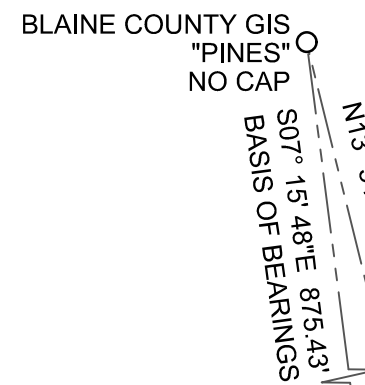
- West Ketchum Townhomes Preliminary Plat
- Draft Findings of Fact, Conclusions of Law, and Decision

A PLAT SHOWING WEST KETCHUM RESIDENCES

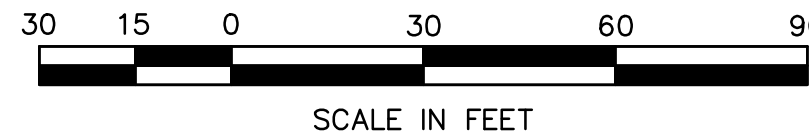
WHEREIN LOT 5AA, BLOCK 1, BAVARIAN VILLAGE SUBDIVISION IS REPLATTD INTO TOWNHOMES AS SHOWN
LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

DECEMBER 2019

SCALE: 1" = 30'



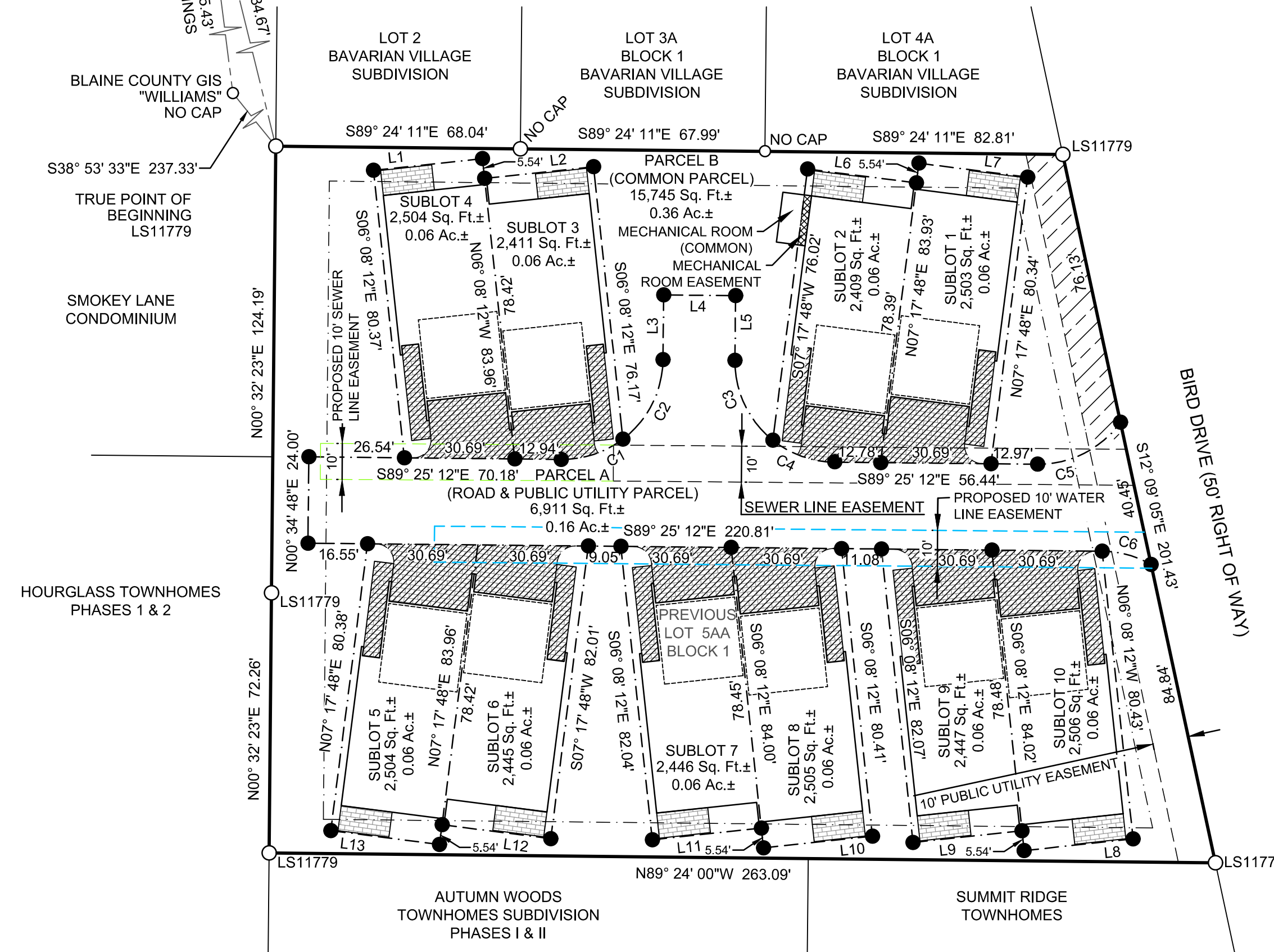
Curve Table						
Curve	Length	Radius	Delta	Tangent	Chord	Chord Direction
C1	18.35'	28.00'	37° 32' 57"	9.52'	18.02'	N71° 48' 20"E
C2	25.63'	28.00'	52° 27' 03"	13.79'	24.75'	N26° 48' 20"E
C3	25.44'	28.00'	52° 03' 15"	13.67'	24.57'	S25° 26' 49"E
C4	18.54'	28.00'	37° 56' 45"	9.63'	18.21'	S70° 26' 49"E
C5	26.85'	28.00'	54° 56' 31"	14.56'	25.83'	N63° 06' 33"E
C6	14.24'	28.00'	29° 08' 17"	7.28'	14.09'	N74° 51' 03"W



Line Table		
Line #	Length	Direction
L1	30.48	N83° 51' 48"E
L2	30.48	N83° 51' 48"E
L3	18.00	N00° 34' 48"E
L4	20.00	S89° 25' 12"E
L5	18.00	S00° 34' 48"W
L6	30.48	N82° 42' 12"W
L7	30.48	S82° 42' 12"E
L8	30.48	N83° 51' 48"E
L9	30.48	S83° 51' 48"W
L10	30.48	N83° 51' 48"E
L11	30.48	S83° 51' 48"W
L12	30.48	S82° 42' 12"E
L13	30.48	N82° 42' 12"W

LEGEND

- Property Line
- Proposed Sublot & Parcel Lines
- Adjoiner's Lot Line
- Easements per Instrument Numbers 660648, 660804, 661177, & 661178 (See Note 4)
- Proposed Paver & Hydronic Heating Maintenance Easement (See Note 5)
- Easement, type & width as shown
- Proposed 10' Water Line Easement (See Note 16)
- Proposed 10' Sewer Line Easement (See Note 16)
- Mechanical Room Easement
- Building Setback per Site Plan, AS102
- Building Footprint
- Garage Footprint
- Proposed Paviers
- GIS Tie Line
- Found 1/2" Rebar
- Found 5/8" Rebar
- Set 5/8" Rebar



SURVEY NARRATIVE & NOTES

1. The purpose of this survey is to replat Lot 5AA, Block 1, Bavarian Village Subdivision, into townhomes as shown. The boundary shown is based on found monuments and the recorded plat of Lot 5AA, Block 1, Bavarian Village Subdivision, Instrument Number _____, records of Blaine County, Idaho. All found monuments have been accepted. Additional Documents used in the course of this survey include; Bavarian Village Subdivision: Lots 3A, 4A, 5A, 6A, 7A & 8A, Instrument Number 631181, and Bavarian Village Subdivision, Instrument Number 139821, both records of Blaine County, Idaho.
2. 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.
3. 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.
4. The 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.
5. A Paver & Hydronic Heating Maintenance Easement shall be created as shown hereon on all sublots, being the paver areas for garage accesses and front entry walkways. The HOA will maintain this system.
6. A Landscape Easement shall be created hereon between all sublot lines and the exterior footprints of each structure on said sublots.
7. The West Ketchum Residences Declaration of Covenants, Conditions and Restrictions and Party Wall Agreement are recorded under Instrument Number _____, records of Blaine County, Idaho.
8. 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.
9. The Current Zoning is GR-H. Refer to the City of Ketchum Zoning Code for more information about this zone.
10. Refer to the Engineering Base Drawing, prepared by Galena Engineering, Inc., for existing conditions and proposed improvements.
11. The Private Access Parcel (Parcel A) is designated as a fire lane. A clear zone of 20' shall be maintained at all times.
12. Parcel A is reserved for Common Access, Public Utilities and Snow Storage to benefit and be maintained by Lots within this subdivision. This area is unbuildable except for ingress/egress or utilities. Costs for utilities, snow removal, onsite street maintenance, and maintenance of Parcel A shall be shared on a pro rata basis between the lots.
13. Garage space shall not be converted to living space or uses other than parking of vehicles and household storage.
14. All Townhome unit owners shall have mutual reciprocal easements for existing and future water, cable tv, sewage, telephone, natural gas and electrical lines over, under, and across their townhomes and sublots for the repair, maintenance, and replacement thereof
15. All Townhome unit owners shall have mutual reciprocal easements for existing and future water, cable tv, sewage, telephone, natural gas and electrical lines over, under, and across their townhomes and sublots for the repair, maintenance, and replacement thereof.
16. The proposed 10' Water Line Easement and proposed 10' Sewer Line Easement shown hereon are intended to be centered on the to be constructed piping, with as-constructed location of piping controlling the centerline of said easements.

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

PROFESSIONAL LAND SURVEYOR
LICENSED
16670
STATE OF IDAHO
MARK E. PHILLIPS

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

WEST KETCHUM RESIDENCES
GALENA ENGINEERING, INC.
HAILEY, IDAHO
SHEET 1 OF 2
Job No. 7818



City of Ketchum
Planning & Building

IN RE:)
)
West Ketchum Residences) KETCHUM CITY COUNCIL
Townhouse Subdivision Preliminary Plat) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: March 16, 2020) DECISION
)
File Number: 19-141)

PROJECT: West Ketchum Residences Preliminary Plat

FILE NUMBER: P19-141

REPRESENTATIVE: Robert Parker, VP Companies

OWNER: West Ketchum Residences, LLC c/o Robert Parker, VP Companies

REQUEST: Preliminary Plat approval to subdivide a 47,338 square foot lot into ten (10) townhouse sublots

ASSOCIATED PERMITS: P19-140 – Design Review for the 10-unit development
P19-142 – Lot Line Shift to combine four exiting lots into one lot so parcel can be re-subdivided into townhouse sublots

LOCATION: 150 Bird Drive (Lot 5AA, Block 1, Bavarian Village Subdivision)

ZONING: General Residential High Density (GR-H)

OVERLAY: None

NOTICE: Public hearing was held with the Planning and Zoning Commission on March 9, 2020; Notice was mailed to properties within a 300 ft radius of the subject property and all political subdivisions on February 19th, 2020. Notice was published in the February 19th,2020 edition of the Idaho Mountain Express.

FINDINGS OF FACT

1. On March 9th, 2020, the Planning and Zoning Commission considered a Townhouse Subdivision Preliminary Plat application for a 10-unit townhouse development to be located on the subject parcel and recommended approval to City Council.
2. On March 16th, 2020 the City Council considered the Commission’s recommendation, reviewed the application, and voted to approve the Preliminary Plat.
3. The subject property is located in the General Residential – High Density (GR-H) zoning district.

4. Townhouse subdivisions are a permitted use in the zoning district.
5. The townhouse subdivision preliminary plat application is consistent with the Design Review application approved by the Planning and Zoning Commission on February 10th, 2020.

Table 1: City Department Comments

City Department Comments				
Compliant			City Code	City Standards and City Department Comments
Yes	No	N/A		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire Department: No new comment. Design Review comments remain applicable.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Engineering/Streets Department: The same comments included with the Design Review approval apply:</p> <ol style="list-style-type: none"> 1. All drainage shall be retained on site (KMC §17.96.060.C.1). Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street (KMC §17.96.060C). 2. All construction for the project must comply with the standards set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards. The applicant shall submit a Construction Activity Plan addressing all applicable activities (KMC §15.06.030), including how materials will be off-loaded at the site, plan for coordinating with neighbors on temporary closures, temporary traffic control, and construction fencing with appropriate screening, to be reviewed and approved prior to issuance of a Building Permit for the project. Pursuant to KMC §15.06.030.A.2, the applicant shall provide notice of the project, construction schedule, and general contractor’s contact information to all neighbors with properties adjacent to the project site. 3. The Building Permit plans and construction drawings shall meet all applicable sections of Chapter 12 of Ketchum Municipal Code. 4. The plans for the ROW improvements must be prepared by a professional engineer licensed in Idaho (KMC §12.04.020. The adjacent ROW along Bird Drive must be improved to City standards for residential streets. Material shall be pervious/permeable to allow drainage. Surface must allow for vehicle parking and be consistent along the entire property frontage. Material within the first eight (8) feet from edge of asphalt shall be distinct from driveway and rest of property in order to visually appear to be available for parking. Grading and drainage improvements must meet the following standards: minimum 5% slope, no obstructions, such as boulders or berms, no buried irrigation systems within the first eight (8) feet from the edge of asphalt, and no subsurface irrigation lines are permitted beyond the first eight (8) feet, however popup heads are not permitted anywhere in the ROW. No live plant material within the first eight (8) feet from edge of asphalt. Low ground cover plant material, such as turf grass, is permitted beyond the first eight (8) feet. Drought-tolerant species is preferred. 5. Utility locations (electrical, gas) are not permitted in public ROW. If utility upgrades are necessary the applicant will need to coordinate upgrades with Idaho Power and Intermountain Gas. All utilities need to be shown on the plans including the location and size of water and sewer mains and services, gas, electric, TV and phone. 6. The applicant shall submit a Street and Alley Digging, Excavation, and Trenching (“DIG”) Permit application with an associated traffic control plan for all construction work within the City right-of-way to be reviewed and approved by the Streets Department. The use of City 	

			<p>right-of-way for construction including the closure of adjacent streets or sidewalks requires a Temporary Use of Right-of-Way Permit ("TURP").</p> <p>7. Final civil drawings for all associated ROW improvements shall be submitted with the Building Permit application to be verified, reviewed, and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Utilities:</p> <ol style="list-style-type: none"> All existing water services on the property will be cut and capped at the main. Any abandoned sewer service lines will be cut and capped at the property line. All water mains and services are private. Maintenance and repairs are the responsibility of the property owner or association. All townhomes will have separate service lines, individual meters, vaults, and own irrigation systems to be confined to the specific sub lot. A separate meter and tap will be needed for the common area for irrigation and billed through the association. Each subplot and common area will be assessed connection fees for both water and sewer. The exception is the common area will only pay a water connection fee. The sewer main will be public, placed in a utility easement no less than 10ft wide. Should repairs be required on any part of the public sewer main the City of Ketchum will not be responsible for repair or replacement of pavers, landscaping, or heating system. Plat notes depicting a public sewer main shall be shown on the final plat with the description listed in note 8. A description of the private water main shall be shown on the final plat as described in note 3.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Planning and Zoning:</p> <p><i>Comments are denoted throughout the Staff Report.</i></p>

Table 2: Preliminary Plat Requirements

Preliminary Plat Requirements				
Compliant			Standards and City Council Findings	
Yes	No	N/A	City Code	City Standards and <i>City Council Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C.1	<p>The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.</p>
			Findings	The application has been reviewed and determined to be complete.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J	<p>Application and Preliminary Plat Contents: The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application. The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') and shall show the following:</p>
			Findings	All required materials for the Preliminary Plat application have been submitted.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I.1	The scale, north point and date.
			Findings	This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .2	The name of the proposed subdivision.

			Findings	This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.3	The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.
			Findings	This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.4	Legal description of the area platted.
			Findings	This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .5	The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.
			Findings	This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.6	A contour map of the subdivision with contour lines and a maximum interval of two feet (2') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.
			Findings	Contours were indicated in the civil plans reviewed with the Design Review application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.7	The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.
			Findings	This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .8	Boundary description and the area of the tract.
			Findings	This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.9	Existing zoning of the tract.
			Findings	This standard has been met. Existing zoning is GR-H and is noted in plat note #9.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.10	The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.

			Findings	As conditioned by the utilities department, the following plat notes shall be added to the Final Plat: <ul style="list-style-type: none"> All water mains and services are private. Maintenance and repairs are the responsibility of the property owner or association. Should repairs be required on any part of the public sewer main the City of Ketchum will not be responsible for repair or replacement of pavers, landscaping, or heating system. All other standards have been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .11	The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.
			Findings	Common areas are indicated on the plat – Parcel B, common lawn area, and Parcel A – road and public utility parcel.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .12	The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.
			Findings	A complementary civil drawing package has been submitted with the Design Review application that was previously reviewed and approved by the Commission. This drawing set is attached for reference.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J .13	The direction of drainage, flow and approximate grade of all streets.
			Findings	Not applicable, the project abuts the existing street Bird Drive. The internal private drive and its drainage and grade was reviewed with the Design Review application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .14	The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.
			Findings	A complementary civil drawing package has been submitted with the Design Review application that was previously reviewed and approved by the Commission. This drawing set is attached for reference.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.15	Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials
			Findings	This application replats an existing lot within Bavarian Village Subdivision. The platted and recorded Bavarian Village Subdivision serves as the vicinity map.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.16	The boundaries of the floodplain, floodway and avalanche overlay district shall also be clearly delineated and marked on the preliminary plat or a note provided if the entire project is in the floodplain, floodway or
			Findings	N/A the property is not currently mapped to be in the floodplain/floodway. The property is not within the avalanche overlay.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030. J.17	Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.

			Findings	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .18	Lot area of each lot.
			Findings	Sublot sizes are indicated.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .19	Existing mature trees and established shrub masses.
			Findings	Existing trees and a landscaping plan indicating improvements to the site were included with the Design Review application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .20	To be provided to Administrator: 20. Subdivision names shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho and shall be approved by the Blaine County Assessor.
			Findings	This standard has been met. The proposed West Ketchum Residences subdivision name has not been used by another project.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030. J .21	All percolation tests and/or exploratory pit excavations required by state health authorities.
			Findings	N/A this project will connect to municipal services.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .22	A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.
			Findings	This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .23	A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.
			Findings	This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .24	A digital copy of the preliminary plat shall be filed with the administrator.
			Findings	This standard has been met.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.A	Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			Findings	This standard has been met. Some existing trees are being removed but a landscaping plan for the development, which includes installation of new trees, was approved with the Design Review application.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.B	Improvement Plans: Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.
			Findings	N/A at this time.
			16.04.040.C	Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.
			Findings	N/A at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.D	As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.
			Findings	N/A at this time.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.E	<p>Monumentation: Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows:</p> <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat. 3. All street corner lines ending at boundary line of final plat. 4. All angle points and points of curves on all streets. 5. The point of beginning of the subdivision plat description.
			Findings	N/A at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.F	<p>Lot Requirements:</p> <ol style="list-style-type: none"> 1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings. 2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for

Table 3: Townhouse Preliminary Plat Requirements

Townhouse Preliminary Plat Requirements				
Compliant			Standards and City Council Findings	
Yes	No	N/A	City Code	City Standards and <i>City Council Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.B	<p>Townhouse Owners' Documents: The subdivider of the townhouse project shall submit with the preliminary plat application a copy of the proposed party wall agreement and any proposed document(s) creating an association of owners of the proposed townhouse sublots, which shall adequately provide for the control and maintenance of all commonly held facilities, garages, parking and/or open spaces. Prior to final plat approval, the subdivider shall submit to the city a final copy of such documents and shall file such documents prior to recordation of the plat, which shall reflect the recording instrument numbers.</p>
			Findings	The applicant has submitted the HOA articles of incorporation and proposed association bylaws.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.1	<p>Townhouse developments shall be administered consistent with the procedures and design and development regulations established in §16.04.030 and §16.04.040 and the standards of this subsection.</p> <p>1. All townhouse developments shall be platted under the procedures contained in the subdivision ordinance in effect and shall be required to obtain design review approval prior to building permit issuance.</p>
			Findings	This project is being reviewed for compliance with all applicable standards and is following the procedure for townhome platting.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.2	<p>The subdivider may apply for preliminary plat approval from the commission pursuant to subsection 16.04.030D of this chapter at the time application is made for design review approval pursuant to title 17, chapter 17.96 of this code. The commission may approve, deny or conditionally approve such preliminary plat upon consideration of the action taken on the application for design review of the project.</p>
			Findings	This Preliminary Plat application follows Design Review approval of the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.3	<p>The preliminary plat, other data, and the commission's findings may be transmitted to the council prior to commencement of construction of the project under a valid building permit issued by the City. The council shall act on the preliminary plat pursuant to subsection 16.04.030E and F of this chapter.</p>
			Findings	The Preliminary Plat is intended to be forwarded to Council prior to construction commencing.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.4	<p>In the event a phased townhouse development project is proposed, after preliminary plat is granted for the entirety of a project, the final plat procedure for each phase of a phased development project shall follow §16.04.030.G and comply with the additional provisions of §16.04.110 of this code.</p>
			Findings	N/A at this time.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67, of the Idaho Code the City has passed a subdivision ordinance, Title 16.
4. The Council has authority to review and approve the applicant's Preliminary Plat Application pursuant to Chapter 16.04 of Ketchum Code Title 16.
5. The project **does** meet the standards of approval under Chapter 16.04 of Subdivision Code Title 16.

DECISION

THEREFORE, the Ketchum City Council **approves** this Preliminary Plat application this Monday, March 16th, 2020 subject to the following conditions:

1. The following notes shall be added to the Final Plat:
 - a. All water mains and services are private. Maintenance and repairs are the responsibility of the property owner or association.
 - b. Should repairs be required on any part of the public sewer main the City of Ketchum will not be responsible for repair or replacement of pavers, landscaping, or heating system.
2. The Covenants, Conditions, and Restrictions (CC&R's) shall be simultaneously recorded with the final plat, and the City will not now, nor in the future, determine the validity of the CC&R's.
3. The failure to obtain Final Plat approval by the Council, of an approved preliminary plat, within two (2) years after approval by the Council shall cause all approvals of said preliminary plat to be null and void.
4. 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.
5. 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.
6. The applicant shall provide a copy of the recorded final plat to the Planning and Building Department for the official file on the application.
7. All requirements of the Fire, Utility, Building, Planning, and Public Works departments of the City of Ketchum shall be met. The applicant shall comply with all City Department conditions as described in Tables 1 & 2.

Findings of Fact **adopted** this 16th day of March, 2020.

Neil Bradshaw, Mayor, City of Ketchum