


CITY OF SUN VALLEY
REPORT TO THE CITY COUNCIL

To: Honorable Mayor and City Council
From: *MH* Mark Hofman, Community Development Director
Meeting Date: June 10, 2014
Agenda Item: Lane Meadows Annexation and Development Applications

SUBJECT: Review of and action on draft Resolution No. 2014-13, draft ordinance No. 470, and draft Findings of Fact, Conclusions of Law, and Decisions for the Lane Meadows development applications, including: Annexation request to incorporate into the City of Sun Valley from unincorporated Blaine County; Comprehensive Plan/Future Land Use Map Amendment (CPA 2013-02) for a Low Density Residential land use designation; Zoning Map Amendment (REZ 2013-03) to zone the property to the Single-Family Residential (RS-1) Zoning District; Master Plan/Planned Unit Development (CUP 2013-01) for single family residential development, including a private street and an open park parcel; Preliminary Plat (SUBPP 2013-11) for a ten lot single family residential subdivision with associated improvements; and, Development Agreement for a single phase residential development. **Applicant:** Scott Thompson for Evergreen Ventures, LLC. **Application Filing Date:** November 4, 2013. **Location:** 12671 and 12673 Highway 75; Tax Lots 5994 and 6790, Blaine County.

BACKGROUND: The City Council held a noticed site visit and continued public hearing for the Lane Meadows development applications on June 2, 2014. After the public hearing and Council discussion, motions to approve the Annexation, Comprehensive Plan/Future Land Use Map Amendment, Zoning Map Amendment, Master Plan Development/Planned Unit Development, and Preliminary Plat were adopted by the City Council. Staff was directed to prepare the required Findings of Fact documents, a draft Resolution, and a draft Ordinance for review and approval at the meeting of June 10, 2014. The applicant and staff are drafting a Development Agreement for review by the City Council at the meeting of June 17, 2014.

LIST OF ATTACHED EXHIBITS:

- Exhibit "CC-1" Draft Sun Valley City Council Findings of Fact, Conclusions of Law and Decision for approval of the Lane Meadows Annexation Application No. ANNEX 2013-01.
- Exhibit "CC-2" Draft Resolution 2014-13 for approval of the Lane Meadows Comprehensive Plan/Future Land Use Map Amendment Application No. CPA 2013-02.
- Exhibit "CC-3" Draft Ordinance No. 470 for approval of the Lane Meadows Development

Zoning Map Amendment Application No. REZ 2013-03.

Exhibit "CC-4" Draft Sun Valley City Council Findings of Fact, Conclusions of Law and Decision for approval of the Lane Meadows Master Plan Development/Planned Unit Development Application No. CUP 2013-01.

Exhibit "CC-5" Draft Sun Valley City Council Findings of Fact, Conclusions of Law and Decision for approval of the Lane Meadows Preliminary Plat Application No. SUBPP 2013-11.

** The administrative records for all project applications are available for review in the Community Development Department at City Hall.

**(DRAFT) FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION
SUN VALLEY CITY COUNCIL**

LANE MEADOWS ANNEXATION

Project Name: Lane Meadows Annexation and Development

Applicant: Scott Thompson for Evergreen Ventures, LLC.

Application Filing Date: November 4, 2013.

Location: 12671 and 12673 Highway 75;
Tax Lots 5994 and 6790, Blaine County.

Annexation

Site Area: Two existing lots totaling approximately 7.16 acres – all project area is to be annexed into the City of Sun Valley from unincorporated Blaine County.

Land Use

Designation: The Annexation Request is associated with Development Application No. CPA 2013-02 for a Comprehensive Plan/Future Land Use Map Amendment for a Low-Density Residential Land Use Designation to be applied to the subject property upon annexation to the City of Sun Valley.

Zoning District:

The Annexation Request is associated with Development Application No. REZ 2013-03 for a Zoning Map Amendment for a Single Family Residential (RS-1) Zoning District to be applied to the subject property upon annexation to the City of Sun Valley.

Master Plan

Development: The Annexation Request is associated with Development Application No. CUP 2013-01 for a Master Plan Development/Planned Unit Development for single family residential development, including a private street and an open park parcel, for the subject property upon annexation to the City of Sun Valley.

Preliminary Plat:

The Annexation Request is associated with Development Application No. SUBPP 2013-11 for a Preliminary Plat for a ten (10) lot single family residential subdivision with associated site improvements for the subject property upon annexation to the City of Sun Valley.

Development

Agreement: The Annexation Request is associated with a proposed Development Agreement request for a single phase residential development for the subject property upon annexation to the City of Sun Valley.

Project Description: A request to voluntarily annex into the incorporated limits of the City of Sun Valley and associated development applications were submitted by Evergreen Ventures, LLC for two tax lots in unincorporated Blaine County that are accessed directly from Highway 75 south of the Elkhorn Road intersection. The two tax lots are contiguous with the City limit and are surrounded on

three sides by the existing Lane Ranch Subdivision.

Procedural History: The Planning and Zoning Commission of the City of Sun Valley reviewed the request for annexation and the associated development applications beginning with a presentation by the applicant at a noticed public hearing on Thursday, January 23, 2014. A publicly noticed site visit by the Planning and Zoning Commission was conducted at the February 13, 2014 regular meeting. The public hearing was continued to the February 27, 2014 meeting of the Commission. The applicant voluntarily amended the project at the February 27, 2014 meeting to a ten (10) lot residential subdivision. The project review was completely re-noticed for the amended design and a new public hearing was held for the Annexation request and the associated development applications on April 3, 2014. The Commission passed motions for the Annexation request and for each of the associated development applications and continued each item date certain to the April 23, 2014 meeting for review and adoption of Findings of Fact representative of the Commission's discussion and conclusions.

The Planning and Zoning Commission is the recommending body for such requests and the project was reviewed in an additional public hearing by the City Council on May 19, 2014. The City Council requested a formal site visit to view existing conditions and project design and the public hearing was continued date certain to June 2, 2014. After the site visit, the City Council passed a motion to approve the annexation request, subject to conditions of approval, and directed staff to return on June 10, 2014 with draft Findings of Fact, Conclusions of Law, and Decision reflective of the Council's discussion and directive.

Public Notice: The City Council public hearings for these six associated applications were properly publicly noticed by: 1.) publication in the Mtn. Express on April 30, 2014; 2.) posting in two places on the project site; 3.) mailing of notice to all property owners within a minimum 300 foot radius of the site; 4.) posting of notice in five prominent public places in the City, including Sun Valley City Hall, Sun Valley Post Office, Elkhorn Springs Store Post Office, St. Thomas Episcopal Church and the Elkhorn Fire Station; 5.) electronic notification to all parties who have notified the City of interest to receive agendas and notices; and, 6.) posting of the notice on the City's web site.

Public Comment: The numerous public comment emails and letters received by the City of Sun Valley for this project were entered into the public record via inclusion as an attachment in the staff reports for each meeting or by directly reading them into the record at the public hearings.

Discussion: Municipal Code Section 9-5B-9, Zoning Map Amendment and Annexation, contains criteria, regulations, and required findings for requests to annex land into the City of Sun Valley. The Lane Meadows Annexation Master Plan Narrative, stamped received by the City on December 31, 2014, and all associated application materials includes the required elements for submittal and review as per Code Sections 9-5A-4 and 9-5B-9.

FINDINGS OF FACT

1. As per the required Annexation Findings stated in City Code Section 9-5B-9G, in order to annex lands into the City, it must be found that the proposed annexation of land is in the best of interest of the city, balances the cost of public services and facilities with anticipated municipal revenues, and complies with the procedures as set forth in Idaho Code section 50-222. (Ord. 387, 6-21-2007)

The request to voluntarily annex into the incorporated limits of the City of Sun Valley and associated development applications were submitted by Evergreen Ventures, LLC (Applicant) for two tax lots in unincorporated Blaine County that are accessed directly from Highway 75 south of the Elkhorn Road intersection. The two tax lots are contiguous with the City limit, are surrounded on three sides by the existing Lane Ranch Subdivision, and are contained in the City of Sun Valley Area of City Impact.

All private landowners (Evergreen Ventures, LLC.) for the subject property have consented to annexation. The Applicant and City have complied with applicable procedures as set forth in Idaho Code Section 50-222 for a Category A annexation request.

The Sun Valley City Council held a properly noticed public hearing and site visit, reviewed the application materials and the Planning and Zoning Commission denial recommendation, and finds that the proposed annexation of the Lane Meadows property into the incorporated limits of the City of Sun Valley is in the best interest of the City because the project and surrounding Lane Ranch area are best served under the processes and land use regulations of the City of Sun Valley. The City Council finds that the annexation of the Lane Meadows land into the City assures the orderly development of the property.

The infill project's design, as specified and conditioned in the associated Development Agreement, and density is consistent and compatible with the surrounding Lane Ranch neighborhood. As stated previously, the subject 7.16 acre Lane Meadows property is surrounded on three sides by the existing Lane Ranch Subdivision. The subject land and the Lane Ranch Subdivision were once under common ownership and used for agriculture and ranching activity prior to development. When the land that comprises Lane Ranch was sold for development the owners of the Lane Meadows property desired to not be a part of the new surrounding subdivision nor annexation into the City. The larger Lane Ranch area was annexed, subdivided, and developed around the two relatively smaller Lane Meadows parcels. The two Lane Meadows parcels will now come under City jurisdiction just like surrounding Lane Ranch.

The annexation request is to develop the Lane Meadows lands for low density residential use. The annexation was analyzed for fiscal impact and found by the City Council to be relatively revenue and service cost neutral. As described and conditioned in the Development Agreement, the development design and associated density is appropriate for the infill site because the project was significantly amended by the applicant to adequately address privacy, setback, view, noise, building zone, bulk and mass, and access issues to minimize or eliminate impacts on surrounding existing development. The infill development will have vehicular access onto Highway 75 and bicycle/pedestrian access through to the existing path system on Elkhorn Road via a new connecting sidewalk within the Idaho Transportation Department easement area. Low density residential is an appropriate land use for the infill development of the site.

CONCLUSIONS OF LAW

Based upon the entire record by the Applicant, staff and individuals who spoke at the public hearings, the Sun Valley City Council concludes that the Lane Meadows Annexation Request does meet the standards for approval under Section 9-5B-9G of the City of Sun Valley Municipal Code.

DECISION

Therefore, the Sun Valley City Council approves the subject Annexation Request No. ANNX 2013-01 for the Lane Meadows Development, subject to the following specific conditions of approval.

CONDITIONS OF APPROVAL

1. This annexation approval is conditioned upon the applicant entering into a satisfactory Development Agreement and a Waiver Agreement with the City by June 17, 2014, or as may be extended by the City. The project's amendments, mitigation measures, and conditions shall be included in the Development Agreement.

2. This Annexation application approval is specific to and contingent upon City approval of associated applications including: Comprehensive Plan/Future Land Use Map Amendment Application (CPA 2013-02) for a Low Density Residential land use designation; Zoning Map Amendment Application (REZ 2013-03) to zone the property to the Single-Family Residential (RS-1) Zoning District; Master Plan/Planned Unit Development Application (CUP 2013-01) for single family residential development, including a private street and an open park parcel; Preliminary Plat Application (SUBPP 2013-11) for a ten lot single family residential subdivision with associated improvements; and, a Development Agreement request (DA 2013-01) for a single phase residential development. The applicant shall satisfy all applicable conditions and requirements of these associated application approvals in addition to the conditions contained herein.

Dated this 10th day of June, 2014.

Dewayne Briscoe, Mayor
City of Sun Valley

Date Findings of Fact signed

ATTEST:

Hannah Stauts, City Clerk
City of Sun Valley

EXHIBIT "CC-2"

(DRAFT) RESOLUTION 2014-13

**A RESOLUTION AMENDING CITY OF SUN VALLEY 2005 COMPREHENSIVE
PLAN UPDATE/FUTURE LAND USE MAP**

LANE MEADOWS DEVELOPMENT

WHEREAS, Idaho State Code 67-6508 sets forth the duty of the Planning and Zoning Commission ("Commission") to conduct a comprehensive planning process designed to prepare, implement, review and update a Comprehensive Plan; and

WHEREAS, Idaho State Code 67-6509 sets out the manner in which the Future Land Use Map may be amended and allows the Commission to recommend changes to the land use map component of the Comprehensive Plan whenever appropriate; and

WHEREAS, pursuant to such authority, the City adopted Resolution 2005-12, updated its Comprehensive Plan on September 8, 2005, and titled it the *City of Sun Valley 2005 Comprehensive Plan Update (Comprehensive Plan)*; and

WHEREAS, Scott Thompson, for Evergreen Ventures, LLC., submitted a complete application for a Future Land Use Map Amendment (Application No. CPA 2013-02) to the City on November 4, 2013 in association with Annexation Request No. ANNX 2013-01, Zoning Map Amendment No. REZ 2013-03, Master Plan Development/Planned Unit Development Application No. CUP 2013-01, Preliminary Plat Application No. SUBPP 2013-11, and Development Agreement request No. DA 2013-01; and

WHEREAS, the Lane Meadows application (No. CPA 2013-02) for a Future Land Use Map Amendment requests to redraw the City boundary and apply a land use designation for Low Density Residential to two parcels of land at 12671 and 12673 Highway 75 (Tax Lots 5994 and 6790 in Blaine County); and

WHEREAS, the Planning and Zoning Commission duly met the provision of Idaho Code 67-6509 and a properly noticed public hearing was held on January 23, February 13, February 27, and April 3, 2014 to conduct a site visit and review, take public comment, and make a recommendation on the proposed amendment to the Future Land Use Map of the *Comprehensive Plan*; and

WHEREAS, the Planning and Zoning Commission made a motion for a specific finding that the public hearing for the recommendation was properly noticed for January 23, February 13, February 27, and April 3, 2014, in accordance with the Idaho Land Use Planning Act and the adopted City of Sun Valley Development Code; and

WHEREAS, the Planning and Zoning Commission passed a motion recommending denial of the Future Land Use Map amendment, as depicted in attached Exhibit A, to the Sun Valley City Council and forwarded its recommendation to the Council on April 23, 2013; and

WHEREAS, the City Council duly met the provision of Idaho Code 67-6509 and a properly noticed public hearing was held on May 19 and June 2, 2013 to conduct a site visit and review and gather public input on the amendment to the Future Land Use Map of the *Comprehensive Plan*.

FINDINGS OF FACT/CONCLUSIONS OF LAW

Based upon the site visit and the entire record by the applicant, staff and individuals who spoke at the public hearings, the City Council makes the following Findings of Fact/Conclusions of Law:

The amendment to the Future Land Use Map for a revision to the City boundary and to apply the Low Density Residential land use designation to two parcels annexed into the City at 12671 and 12673 Highway 75 (Tax Lots 5994 and 6790) is in accordance with the purpose, goals, and objectives of the *Comprehensive Plan* as well as the purpose of the Idaho Local Land Use Planning Act as stated in Idaho State Code 67-6502. The amendment to apply the Low Density Residential land use designation to the annexed parcels is consistent with, conforms to and complies with all applicable duties, provisions, and requirements of Idaho State Code Sections 67-6507, 67-6508 and 67-6509.

Pursuant to Idaho State Code 67-6509, the Planning and Zoning Commission and City Council met the burden of providing for citizen meetings, hearings and other methods to obtain advice on the planning process. The Commission allowed the applicant to present and the Commission and Council considered information both written and oral, provided by Staff and provided an opportunity for public comment by posting notice of and holding a site visit and public hearing. At the site visits and public hearings the Applicant, Staff and members of the public were allowed to present information for consideration by the Commission and Council.

The amendment to the Future Land Use Map has no adverse impacts on the natural environment, including but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The need for an amendment was caused by annexation of the property into the City of Sun Valley from unincorporated Blaine County. The City boundary and land use designation amendment is not materially detrimental to the public health, safety, and welfare because no significant impacts requiring mitigation have been identified by the Planning and Zoning Commission or City Council for the proposed residential use of the land. Essential public facilities and services, including but not limited to sewer, water, utilities, emergency services, private street maintenance, and schools, are available to support the proposed residential use and density or intensity without creating significant additional requirements at public costs for such public facilities and services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUN VALLEY, IDAHO:

1. Amendments to the Future Land Use Map of the *Comprehensive Plan*, in the form attached hereto as Exhibit A, are hereby approved and adopted by the City Council of the City of Sun Valley, Idaho.

2. The production of this amendment should be consistent with the format, colors and style of the Future Land Use Map of the *Comprehensive Plan*, but shall not alter the text, map boundaries or any other factual element otherwise than stated in Exhibit A; and shall be incorporated into the *Comprehensive Plan*.
3. This amendment to the Future Land Use Map of the *Comprehensive Plan* is conditioned upon the applicant entering into a satisfactory Development Agreement and a Waiver Agreement with the City by June 17, 2014, or as may be extended by the City. The project's amendments, mitigation measures, and conditions shall be included in the Development Agreement.
4. This amendment to the Future Land Use Map of the *Comprehensive Plan* for a land use designation of Low Density Residential is specific to and contingent upon City approval of associated applications including: Annexation Request No. ANNX 2013-01 to incorporate the two existing lots totaling approximately 7.16 acres into the City of Sun Valley from unincorporated Blaine County; Zoning Map Amendment Application (REZ 2013-03) to zone the property to the Single-Family Residential (RS-1) Zoning District; Master Plan/Planned Unit Development Application (CUP 2013-01) for single family residential development, including a private street and an open park parcel; Preliminary Plat Application (SUBPP 2013-11) for a ten lot single family residential subdivision with associated improvements; and, a Development Agreement request (DA 2013-01) for a single phase residential development. The applicant shall satisfy all applicable conditions and requirements of these associated application approvals in addition to the conditions contained herein.

PASSED AND ADOPTED this 10th day of June, 2014.

Dewayne Briscoe, Mayor
City of Sun Valley

Attest:

Hannah Stauts, City Clerk
City of Sun Valley

EXHIBIT "CC-3"

(DRAFT) ORDINANCE NO. 470

**LANE MEADOWS DEVELOPMENT
ZONING MAP AMENDMENT**

AN ORDINANCE OF THE CITY OF SUN VALLEY, IDAHO, PROVIDING FOR CERTAIN FINDINGS AND AMENDING THE SUN VALLEY OFFICIAL ZONING MAP; BY DESIGNATING THE ZONE DISTRICT BOUNDARIES FOR TWO PARCELS ANNEXED INTO THE CITY TO SINGLE FAMILY RESIDENTIAL (RS-1) AS DESCRIBED HEREIN; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Sun Valley has adopted the *2005 Comprehensive Plan Update (Comprehensive Plan)* by Resolution 2005-12, on September 8, 2005, and subsequent amendments; and

WHEREAS, the *Comprehensive Plan* is the primary document to guide and balance future development within the City of Sun Valley and establishes a general framework for use in making decisions about the physical, social, economic, and environmental development of the Community; and

WHEREAS, Evergreen Ventures, LLC., as property owner, submitted six (6) associated development applications in total that annex the property into the City, designate the property as Low Density Residential, zone the property as single family residential, and develop the site with a ten (10) lot single family development; and

WHEREAS, this Zoning Map Amendment Application (No. REZ 2013-03) is specific to and contingent upon City approval of associated applications including: Annexation Application No. 2013-01 to annex two parcels of land into the City; Comprehensive Plan/Future Land Use Map Amendment Application (CPA 2013-02) for a Low Density Residential land use designation; Master Plan/Planned Unit Development Application (CUP 2013-01) for single family residential development, including a private street and an open park parcel; Preliminary Plat Application (SUBPP 2013-11) for a ten lot single family residential subdivision with associated improvements; and, a Development Agreement request (DA 2013-01) for a single phase residential development; and

WHEREAS, the applicant applied for an amendment to the Official Zoning Map for the Single Family Residential (RS-1) Zoning District to be applied to Tax Lots 5994 and 6790 located at 12671 and 12673 Highway 75; and

WHEREAS, Title 9, Chapter 2, Section 1 of the Sun Valley Development Code establishes the Single-Family Residential (RS-1) Zoning District; and

WHEREAS, the applicant, Evergreen Ventures, LLC., has satisfactorily completed a pre-application conference with the Community Development Director of the City of Sun Valley, filed a complete and timely application, paid applicable fees, and given proper public hearing notice for a Zoning Map Amendment pursuant to Municipal Code Section 9-5B-9; and

WHEREAS, the Planning and Zoning Commission of the City of Sun Valley held a properly noticed site visit and public hearings for the purpose of reviewing the Zoning Map Amendment application at their January 23, February 13, February 27, and April 3, 2014 meetings and passed a motion recommending denial of the Lane Meadows Zoning Map Amendment to the City Council; and

WHEREAS, the City Council of the City of Sun Valley held a properly noticed site visit and public hearing at their meetings of May 19 and June 2, 2014 for the Zoning Map Amendment to review the application and administrative record, consider the Planning and Zoning Commission's recommendation, take public and applicant testimony and consider the required findings for taking action on the Amendment.

NOW, THEREFORE; THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SUN VALLEY, IDAHO, DO ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS- Based on the statements above the City Council for the City of Sun Valley adopts the following findings regarding the zoning designation of the two annexed Lane Meadows parcels:

- A. The Official Zoning Map amendment is in accordance with the Comprehensive Plan and Future Land Use Map and implements the applicable provisions of the Comprehensive Plan because the zoning change is consistent with the residential land uses and RS-1 zoning of the existing surrounding Lane Ranch development. The subject 7.16 acre Lane Meadows property is surrounded on three sides by the Lane Ranch Subdivision. The infill project's design, as specified and conditioned in the associated Development Agreement, and density is consistent and compatible with the surrounding Lane Ranch neighborhood. The subject land and the Lane Ranch Subdivision were once under common ownership and used for agriculture and ranching activity prior to development. When the land that comprises Lane Ranch was sold for development the owners of the Lane Meadows property desired to not be a part of the new surrounding subdivision nor annexation into the City. The larger Lane Ranch area was annexed, subdivided, and developed around the two relatively smaller Lane Meadows parcels. The two Lane Meadows parcels are now annexed and are now under City jurisdiction just like surrounding Lane Ranch; and
- B. This Zoning Map Amendment designates the two annexed parcels to single family residential which implements the Low Density Residential land use designation of the Comprehensive Plan. The project design and density is in accordance with the Comprehensive Plan and the Future Land Use Map because the area will remain single family residential, which is the appropriate land use for the infill development of the site. The subject property is currently zoned in the County as R-1, Low Density Residential, one (1) lot per acre. The City Council considered the density proposed by the project design (10 lots) and found that the proposed project is compatible with the surrounding neighborhood; and,
- C. The Official Zoning Map amendment complies with the regulations in effect for the proposed Single-Family Residential (RS-1) Zoning District, including the purpose statements, and is suitable for the proposed permitted uses because the site is surrounded by existing, platted single family residential lots and the public street (Highway 75) and utility infrastructure to serve single family development is already in place. The new single-family lots that will be formed via the associated

development applications for this project will conform to the standards and all applicable requirements of the new proposed zoning. The area subject to the rezone will be used for single-family detached development on individual lots, which is a by right land use in the RS-1 Zoning District; and

- D. The Official Zoning Map amendment has no adverse impacts on the natural environment, including but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The subject property is predominantly flat in topography and surrounded on three sides by existing single family residential development. This Zoning Map Amendment designates the zoning of the subject property to single family residential. The public street access (Highway 75) and related infrastructure are already in place to serve the rezone area and no major site changes are associated with the rezone; and
- E. The Official Zoning Map Amendment is not materially detrimental to the public health, safety, and welfare because the area will be developed as single-family residential similar to the surrounding Lane Ranch Subdivision. No significant impacts were identified by the Planning and Zoning Commission or City Council; and
- F. Essential public facilities and services, including but not limited to emergency services, transit, public street maintenance, workforce housing and schools, are available to support the proposed uses and density or intensity without creating significant additional requirements at public costs for such public facilities and services. The subject property is within the Sun Valley Water and Sewer District.

SECTION 2. ZONING MAP AMENDMENT- The subject area, including Tax Lots 5994 and 6790, legally described and depicted overall in attached **EXHIBIT "A"**, is hereby zoned, and the Official Zoning Map of the City of Sun Valley is hereby amended, to reflect the Single-Family Residential (RS-1) Zoning District, subject to the following specific conditions of approval.

- 1. This Zoning Map Amendment Application approval is conditioned upon the applicant entering into a satisfactory Development Agreement and a Waiver Agreement with the City by June 17, 2014, or as may be extended by the City. The project's amendments, mitigation measures, and conditions shall be included in the Development Agreement.
- 2. This Zoning Map Amendment application approval is specific to and contingent upon City approval of associated applications including: Annexation Application No. ANNEX 2013-01; Comprehensive Plan/Future Land Use Map Amendment Application (CPA 2013-02) for a Low Density Residential land use designation; Master Plan/Planned Unit Development Application (CUP 2013-01) for single family residential development, including a private street and an open park parcel; Preliminary Plat Application (SUBPP 2013-11) for a ten lot single family residential subdivision with associated improvements; and, a Development Agreement request (DA 2013-01) for a single phase residential development. The applicant shall satisfy all applicable conditions and requirements of these associated application approvals in addition to any conditions contained herein.

SECTION 3. SAVINGS AND SEVERABILITY- If any section, subsection, paragraph, subparagraph, item, provision, regulation, sentence, clause, or phrase is declared by a Court of competent jurisdiction to be invalid, such actions shall not affect the validity of this ordinance as a whole or any part thereof other than the part declared invalid.

SECTION 4. REPEALER CLAUSE- All City of Sun Valley Ordinances or parts thereof which are in conflict herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE- This Ordinance shall be in full force and effect from and after its approval, passage, and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF SUN VALLEY, IDAHO, AND APPROVED BY THE MAYOR OF THE CITY OF SUN VALLEY ON THIS 10th DAY OF JUNE, 2014.

EFFECTIVE DATE OF PUBLICATION: June 18, 2014.

APPROVED:

Dewayne Briscoe, Mayor
City of Sun Valley

ATTEST:

Hannah Stauts, City Clerk
City of Sun Valley

EXHIBIT "A"

TOWNSHIP 4 NORTH RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

Section 19: A parcel of land in the SESE, more particularly described as follows:

Commencing at the Southeast corner of said Section 19, from which the S $\frac{1}{4}$ corner lies North 89°44'07" West, 2,668.40 feet distance; thence North 64°53'27" West, 942.35 feet to the True Point of Beginning; thence South 71°00'45" West, 646.50 feet to the Easterly boundary of State Highway 75; thence North 18°59'15" West, 300.00 feet along said highway boundary; thence North 71°00'45" East, 646.50 feet; thence South 18°59'15" East, 300.00 feet to the True Point of Beginning.

Also known as Tax Lot 6790

Sections 19 & 30: A parcel of land in the SESE of Section 19 and NENE of Section 30, more particularly described as follows:

Commencing at the Southeast corner of said Section 19, from which the S $\frac{1}{4}$ corner lies North 89°44'07" West, 2,668.40 feet distance; thence North 82°46'15" West, 754.36 feet to the True Point of Beginning; thence South 71°00'45" West, 366.50 feet; thence North 18°59'15" West, 322.50 feet; thence North 71°00'45" East, 366.50 feet; thence South 18°59'15" East, 322.50 feet to the True Point of Beginning.

Also known as Tax Lot 5994

**(DRAFT) FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION
SUN VALLEY CITY COUNCIL**

LANE MEADOWS MASTER PLAN DEVELOPMENT/PLANNED UNIT DEVELOPMENT

Project Name: Lane Meadows Annexation and Development

Applicant: Scott Thompson for Evergreen Ventures, LLC.

Application Filing Date: November 4, 2013.

Location: 12671 and 12673 Highway 75;
Tax Lots 5994 and 6790, Blaine County.

**Proposed
Master Plan**

Development/PUD: The subject Master Plan Development/Planned Unit Development Application (No. CUP 2013-01) is for a single family residential development, including a private street and an open park parcel, for the subject property upon annexation to the City of Sun Valley.

**Annexation
Request:**

The Master Plan Development/Planned Unit Development Application is associated with Annexation Request No. ANNEX 2013-01 to incorporate two existing lots totaling approximately 7.16 acres into the City of Sun Valley from unincorporated Blaine County.

Land

Use Designation: The Master Plan Development/Planned Unit Development Application is associated with Development Application No. CPA 2013-02 for a Comprehensive Plan/Future Land Use Map Amendment for a Low-Density Residential Land Use Designation to be applied to the subject property upon annexation to the City of Sun Valley.

Zoning District: The Master Plan Development/Planned Unit Development Application is associated with Development Application No. REZ 2013-03 for a Zoning Map Amendment for a Single Family Residential (RS-1) Zoning District to be applied to the subject property upon annexation to the City of Sun Valley.

Preliminary Plat: The Master Plan Development/Planned Unit Development Application is associated with Development Application No. SUBPP 2013-11 for a Preliminary Plat for a ten (10) lot single family residential subdivision with associated site improvements for the subject property upon annexation to the City of Sun Valley.

**Development
Agreement:**

The Master Plan Development/Planned Unit Development Application is

associated with a proposed Development Agreement request for a single phase residential development for the subject property upon annexation to the City of Sun Valley.

Project Description: A request to voluntarily annex into the incorporated limits of the City of Sun Valley and associated development applications were submitted by Evergreen Ventures, LLC for two tax lots in unincorporated Blaine County that are accessed directly from Highway 75 south of the Elkhorn Road intersection. The two tax lots are contiguous with the City limit and are surrounded on three sides by the existing Lane Ranch Subdivision. The subject Master Plan Development/Planned Unit Development Application (No. CUP 2013-01) is for a single family residential development, including a private street and an open park parcel, for the subject property upon annexation to the City of Sun Valley.

Procedural History: The Planning and Zoning Commission of the City of Sun Valley reviewed the request for a Master Plan Development/Planned Unit Development and the associated development applications beginning with a presentation by the applicant at a noticed public hearing on Thursday, January 23, 2014. A publicly noticed site visit by the Planning and Zoning Commission was conducted at the February 13, 2014 regular meeting. The public hearing was continued to the February 27, 2014 meeting of the Commission. The applicant voluntarily amended the project at the February 27, 2014 meeting to a ten (10) lot residential subdivision. The project review was completely re-noticed for the amended design and a new public hearing was held for the proposed Master Plan Development/Planned Unit Development Application and the associated development applications on April 3, 2014. The Commission passed motions for the Master Plan Development/Planned Unit Development request and for each of the associated development applications and continued each item date certain to the April 23, 2014 meeting for review and adoption of Findings of Fact representative of the Commission's discussion and conclusions.

The Planning and Zoning Commission is the recommending body for such requests and the project was reviewed in an additional public hearing by the City Council on May 19, 2014. The City Council requested a formal site visit to view existing conditions and project design and the public hearing was continued date certain to June 2, 2014. After the site visit, the City Council passed a motion to approve the Master Plan Development/Planned Unit Development request, subject to conditions of approval, and directed staff to return on June 10, 2014 with draft Findings of Fact, Conclusions of Law, and Decision reflective of the Council's discussion and directive.

Public Notice: The City Council public hearings for these six associated applications were properly publicly noticed by: 1.) publication in the Mtn. Express on April 30, 2014; 2.) posting in two places on the project site; 3.) mailing of notice to all property owners within a minimum 300 foot radius of the site; 4.) posting of notice in five prominent public places in the City, including Sun Valley City Hall, Sun Valley Post Office, Elkhorn Springs Store Post Office, St. Thomas Episcopal Church and the Elkhorn Fire Station; 5.) electronic notification to all parties who have notified the City of interest to receive agendas and notices; and, 6.) posting of the notice on the City's web site.

Public Comment: The numerous public comment emails and letters received by the City of Sun Valley for this project were entered into the public record via inclusion as an attachment in the staff reports for each meeting or by directly reading them into the record at the public hearings.

Discussion: Municipal Code Section 9-5B-6, Master Plan Development (MPD), and Section 9-5B-7, Planned Unit Development (PUD), contain criteria, regulations, and required findings in order for the City Council to approve a MPD/PUD. The Lane Meadows Annexation Master Plan Narrative, stamped received by the City on December 31, 2014, and all associated application materials includes the required elements for submittal and review as per Code Sections 9-5A-4, 9-5B-6, and 9-5B-7.

City Code Section 9-5B-6E specifies the required findings for approving an MPD/PUD, as follows:

Required Findings: The commission shall make the following findings in order to recommend approval of an MPD or approval of an MPD amendment. In some cases, conditions of approval will be attached to the approval to ensure compliance with these findings. The commission, if denying an MPD application, shall state findings why such application does not comply with one or more of the following findings:

1. The MPD is consistent with the city comprehensive plan, as amended, including the future land use map and the land use planning area guidelines and land use designations, if applicable;
2. The MPD complies with each applicable element of the purpose of this section, as set out in subsection A of this section;
3. The MPD meets the minimum requirements of this chapter;
4. The MPD promotes the orderly planning and development of land, as set forth in the purpose for this process, subsection A of this section;
5. The MPD has been properly noticed and public hearing held in accordance with this code;
6. The MPD complies with all city zoning regulations and codes in effect at the time of the MPD application.

FINDINGS OF FACT

The City Council finds that the application for a Master Plan Development/Planned Unit Development by Evergreen Ventures, LLC. is in accordance with the Comprehensive Plan because the request and project design is for a single family residential development, including a private street and an open park parcel, for the subject property upon annexation to the City of Sun Valley. The subject 7.16 acre Lane Meadows property is surrounded on three sides by the existing Lane Ranch Subdivision, which is already in the City of Sun Valley. The Lane Meadows infill project's design, as specified and conditioned in the associated Development Agreement, and density is consistent and compatible with the surrounding Lane Ranch neighborhood. The subject land and the Lane Ranch Subdivision were once under common ownership and used for agriculture and ranching activity prior to development. When the land that comprises Lane Ranch was sold for development the owners of the Lane Meadows property desired to not be a part of the new surrounding subdivision nor annexation into the City. The larger Lane Ranch area was annexed, subdivided, and developed around the two relatively smaller Lane Meadows parcels. The two Lane Meadows parcels are now annexed and are under City jurisdiction just like surrounding Lane Ranch. The annexation of the Lane Meadows land into the City assures the orderly development of the property.

Consistent with the surrounding Lane Ranch Subdivision, the development is designated as Low Density Residential on the Future Land Use Map of the Comprehensive Plan and zoned Single Family Residential (RS-1) on the Official Zoning Map. Low density residential is an appropriate land use for the infill development of the site. Identified bicycle/pedestrian access limitations were addressed for the project by the inclusion of a sidewalk connecting to Elkhorn Road within the Idaho Transportation Department easement. As described and conditioned in the associated Development Agreement, the development design and associated density is appropriate for the infill site because the project was significantly amended by the applicant to adequately address privacy, setback, view, noise, building zone, bulk and mass, and access issues to minimize or eliminate impacts on surrounding existing development.

The Lane Meadows Master Plan Development/Planned Unit Development has no adverse impacts on the natural environment, including but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The single family residential infill development

is not materially detrimental to the public health, safety, and welfare because no significant impacts requiring mitigation have been identified by the Planning and Zoning Commission or City Council for the proposed residential use of the land. Essential public facilities and services, including but not limited to sewer, water, utilities, emergency services, private street maintenance, and schools, are available to support the proposed residential use and density or intensity without creating significant additional requirements at public costs for such public facilities and services.

The application for a Master Plan Development/Planned Unit Development by Evergreen Ventures, LLC. complies with Sun Valley City Code Section 9-5B-6 because the project develops the subject land in a manner that ensures neighborhood compatibility and provides for an integrated transportation system to the greatest extent practicable given that access to and through the adjacent Lane Ranch Subdivision's private street and path system is not obtainable. The development design and associated density is appropriate for the infill site and the project will not create significant negative privacy, setback, view, building zone, bulk and mass, and access impacts on surrounding existing development. The Sun Valley Planning and Zoning Commission and the City Council held properly noticed site visits and public hearings for the Master Plan Development/Planned Unit Development Application by Evergreen Ventures, LLC. and the residential development complies with the regulations in effect for the Single-Family Residential (RS-1) Zoning District, including the purpose statements, and is suitable for the proposed permitted uses.

CONCLUSIONS OF LAW

Based upon the entire record by the Applicant, staff and individuals who spoke at the public hearings, the Sun Valley City Council concludes that the Lane Meadows Master Plan Development/Planned Unit Development Application does meet the standards for approval under Section 9-5B-6 of the City of Sun Valley Municipal Code.

DECISION

Therefore, based on the information presented, the Sun Valley City Council makes the above Findings of Fact/Conclusions of Law and hereby approves the Master Plan Development/Planned Unit Development Application for the Lane Meadows Development, subject to the following specific conditions of approval.

CONDITIONS OF APPROVAL

1. This Master Plan Development/Planned Unit Development Application approval is conditioned upon the applicant entering into a satisfactory Development Agreement and a Waiver Agreement with the City by June 17, 2014, or as may be extended by the City. The project's amendments, mitigation measures, and conditions shall be included in the Development Agreement.
2. This Master Plan Development/Planned Unit Development Application approval is specific to and contingent upon City approval of associated applications including: Annexation Application No. ANNEX 2013-01; Comprehensive Plan/Future Land Use Map Amendment Application (CPA 2013-02) for a Low Density Residential land use designation; Zoning Map Amendment Application (REZ 2013-03) to zone the property to the Single-Family Residential (RS-1) Zoning District; Preliminary Plat Application (SUBPP 2013-11) for a ten lot single family residential subdivision with associated improvements; and, a Development Agreement request (DA 2013-01) for a single phase residential development. The applicant shall satisfy all applicable conditions and requirements of these associated application approvals in addition to the conditions contained herein.

Dated this 10th day of June, 2014.

Dewayne Briscoe, Mayor
City of Sun Valley

Date Findings of Fact signed

ATTEST:

Hannah Stauts, City Clerk
City of Sun Valley

**(DRAFT) FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION
SUN VALLEY CITY COUNCIL**

LANE MEADOWS PRELIMINARY PLAT

Project Name: Lane Meadows Annexation and Development

Applicant: Scott Thompson for Evergreen Ventures, LLC.

Application Filing Date: November 4, 2013.

Location: 12671 and 12673 Highway 75;
Tax Lots 5994 and 6790, Blaine County.

Proposed

Preliminary Plat: The subject Preliminary Plat Application (No. SUBPP 2013-11) is for a ten (10) lot single family residential subdivision with associated site improvements for the subject property upon annexation to the City of Sun Valley.

Annexation

Request: The Preliminary Plat Application is associated with Annexation Request No. ANNX 2013-01 to incorporate two existing lots totaling approximately 7.16 acres into the City of Sun Valley from unincorporated Blaine County.

Land

Use Designation: The Preliminary Plat Application is associated with Development Application No. CPA 2013-02 for a Comprehensive Plan/Future Land Use Map Amendment for a Low-Density Residential Land Use Designation to be applied to the subject property upon annexation to the City of Sun Valley.

Zoning District:

The Preliminary Plat Application is associated with Development Application No. REZ 2013-03 for a Zoning Map Amendment for a Single Family Residential (RS-1) Zoning District to be applied to the subject property upon annexation to the City of Sun Valley.

Master Plan

Development: The Preliminary Plat Application is associated with Development Application No. CUP 2013-01 for a Master Plan Development/Planned Unit Development for single family residential development, including a private street and an open park parcel, for the subject property upon annexation to the City of Sun Valley.

**Development
Agreement:**

The Preliminary Plat Application is associated with a proposed Development Agreement request for a single phase residential development for the subject property upon annexation to the City of Sun Valley.

Project Description: A request to voluntarily annex into the incorporated limits of the City of Sun Valley and associated development applications were submitted by Evergreen Ventures, LLC for two tax lots in unincorporated Blaine County that are accessed directly from Highway 75 south of the Elkhorn Road intersection. The two tax lots are contiguous with the City limit and are surrounded on three sides by the existing Lane Ranch Subdivision. The subject Preliminary Plat Application (No. SUBPP 2013-11) is for a ten (10) lot single family residential subdivision with associated site improvements for the subject property upon annexation to the City of Sun Valley.

Procedural History: The Planning and Zoning Commission of the City of Sun Valley reviewed the request for a Preliminary Plat and the associated development applications beginning with a presentation by the applicant at a noticed public hearing on Thursday, January 23, 2014. A publicly noticed site visit by the Planning and Zoning Commission was conducted at the February 13, 2014 regular meeting. The public hearing was continued to the February 27, 2014 meeting of the Commission. The applicant voluntarily amended the project at the February 27, 2014 meeting to a ten (10) lot residential subdivision. The project review was completely re-noticed for the amended design and a new public hearing was held for the proposed Preliminary Plat Application and the associated development applications on April 3, 2014. The Commission passed motions for the Preliminary Plat request and for each of the associated development applications and continued each item date certain to the April 23, 2014 meeting for review and adoption of Findings of Fact representative of the Commission's discussion and conclusions

The Planning and Zoning Commission is the recommending body for such requests and the project was reviewed in an additional public hearing by the City Council on May 19, 2014. The City Council requested a formal site visit to view existing conditions and project design and the public hearing was continued date certain to June 2, 2014. After the site visit, the City Council passed a motion to approve the Preliminary Plat Application, subject to conditions of approval, and directed staff to return on June 10, 2014 with draft Findings of Fact, Conclusions of Law, and Decision reflective of the Council's discussion and directive.

Public Notice: The City Council public hearings for these six associated applications were properly publicly noticed by: 1.) publication in the Mtn. Express on April 30, 2014; 2.) posting in two places on the project site; 3.) mailing of notice to all property owners within a minimum 300 foot radius of the site; 4.) posting of notice in five prominent public places in the City, including Sun Valley City Hall, Sun Valley Post Office, Elkhorn Springs Store Post Office, St. Thomas Episcopal Church and the Elkhorn Fire Station; 5.) electronic notification to all parties who have notified the City of interest to receive agendas and notices; and, 6.) posting of the notice on the City's web site.

Public Comment: The numerous public comment emails and letters received by the City of Sun Valley for this project were entered into the public record via inclusion as an attachment in the staff reports for each meeting or by directly reading them into the record at the public hearings.

Discussion: Municipal Code Section 9-4A-6, Preliminary Plat, contains criteria, regulations, and required findings for requests to subdivide land in the City of Sun Valley. The Lane Meadows Annexation Master Plan Narrative, stamped received by the City on December 31, 2014, and all associated application materials includes the required elements for submittal and review as per Code Sections 9-5A-4 and 9-4A-6.

City Code Section 9-4A-G specifies the required findings for the Commission to recommend a proposed subdivision, as follows:

2. Findings: In determining the acceptability or unacceptability of the proposed subdivision, the Commission shall consider the following:

- a. The conformance of the proposed subdivision and preliminary plat with the requirements of this title and all other applicable ordinances and provisions of this code.
- b. The conformance of the proposed subdivision with the comprehensive plan and this title.
- c. The availability of existing public services to accommodate the anticipated needs of the proposed development.
- d. The necessity for off site improvements to connect the proposed subdivision to existing public services and utilities.
- e. The financial capability of the city and other public agencies to provide required additional municipal services to the proposed development.
- f. Compliance of the proposed subdivision with the design and improvement standards specified in chapter 3 of this title and title 7 of this code.

FINDINGS OF FACT

Subject to appropriate conditions below, the subdivision conforms with all applicable requirements of Title 9, Development Code, and all other applicable ordinances and provisions of the City of Sun Valley City Code because the design of the ten (10) residential lots and associated improvements complies with all applicable lot size, width, depth, shape, orientation and use requirements. The lots are largely rectilinear in nature and range in size from 20,000 to 43,130 square feet, where the minimum lot size for the RS-1 Zoning District is 20,000 square feet. The RS-1 Zoning District requires a 100-foot minimum average lot dimension computed as an average of the length of the property lines and the individual lots are in compliance. Minimum street frontage for each lot is required to be 40 feet for RS-1 zone and each proposed lot design provides many times more than the minimum. The Preliminary Plat complies with all applicable regulations in effect for the proposed lots and parcels within the applicable zoning district, including the purpose statements, and is suitable for the proposed permitted land uses.

The Preliminary Plat, which allows use of the property for single-family residential land uses, is in accordance with the City of Sun Valley 2005 Comprehensive Plan Update and the approved Master Plan Development/Master Plan Development Amendment for the Lane Meadows Development which designates the area as Low Density Residential. Essential public facilities and services, including but not limited to emergency services, transit, public street maintenance, housing and schools, are available to support the proposed uses and density or intensity without creating significant additional requirements at public costs for such public facilities and services.

The proposed subdivision includes a private street that meets the minimum right-of-way requirements for private streets as specified by City Code Section 7-6-2 to provide adequate access. The new private street segment will provide direct access to Lots 1 through 10 of the subdivision without the need for any further construction of public streets or any additional right-of-way. The property is within the Sun Valley Water and Sewer District and the project will construct water and sewer infrastructure/improvements to adequately serve the new development. A Utility Exhibit submitted as part of the development application for the Lane Meadows Subdivision Plat depicts utility infrastructure and features and it has been determined that the project can easily be served. Snow plowing and clearing on the private street and associated public sidewalk will be provided by the Lane Meadows Home Owners Association. Fire and police service will be provided by the City. The development will have minimal impact on the financial capability of the City to provide Municipal services.

It is determined that the proposed subdivision design complies with the specific design and improvement standards specified in Chapters 3 (Design and Development Regulations) and 4 (Subdivision Regulations) of Title 9 (Development Code) and with Title 7 (Engineering Standards and Design Practices) of the City Code. No significant historical, natural, ecological, architectural, archeological or scenic special sites lie on or adjacent to the project site. No streams, lakes or other

natural bodies of water lie nearby nor do any significant ridges, summits or hilltops. The site is relatively flat in topography and no slope analysis was required. No significant view or hillside scaring will occur as a result of this single-family residential subdivision and no significant natural features or hilltops will be disturbed. No natural tree or shrub masses or unique rock or geological formations exist on or adjacent to the site and the area is not within an identified significant view corridor or skyline.

The City and its representatives have completed a comprehensive review of the development application and have determined that all required application materials have been satisfactorily submitted as per Development Code requirements. The proposed land subdivision is consistent with the surrounding land uses and the individual lots are congruent with the size, nature and character of existing development in the area. No significant negative impacts to the area or City due to the ten (10) lot residential subdivision have been identified on the natural environment, including but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The subdivision is not materially detrimental to the public health, safety, and welfare, and any significant impacts have been mitigated satisfactorily as a result of the project design as determined by the City Council.

The Lane Meadows infill project's design, as specified and conditioned in the associated Development Agreement, and density is consistent and compatible with the surrounding Lane Ranch neighborhood. Identified bicycle/pedestrian access limitations were addressed for the project by the inclusion of a sidewalk connecting to Elkhorn Road within the Idaho Transportation Department easement. As described and conditioned in the associated Development Agreement, the development design and associated density is appropriate for the infill site because the project was significantly amended by the applicant to adequately address privacy, setback, view, noise, building zone, bulk and mass, and access issues to minimize or eliminate impacts on surrounding existing development.

CONCLUSIONS OF LAW

Based upon the entire record by the Applicant, staff and individuals who spoke at the public hearings, the Sun Valley City Council concludes that the Lane Meadows Preliminary Plat Application does meet the standards for approval under Section 9-4A-6 of the City of Sun Valley Municipal Code.

DECISION

Therefore, based on the information presented, the Sun Valley City Council makes the above Findings of Fact/Conclusions of Law and hereby approves the subject Preliminary Plat Application for the Lane Meadows Development, subject to the following specific conditions of approval.

CONDITIONS OF APPROVAL

1. This Preliminary Plat Application approval is conditioned upon the applicant entering into a satisfactory Development Agreement and a Waiver Agreement with the City by June 17, 2014, or as may be extended by the City. The project's amendments, mitigation measures, and conditions shall be included in the Development Agreement.

2. This Preliminary Plat Application approval is specific to and contingent upon City approval of associated applications including: Annexation Application No. ANNX 2013-01; Comprehensive Plan/Future Land Use Map Amendment Application (CPA 2013-02) for a Low Density Residential land use designation; Zoning Map Amendment Application (REZ 2013-03) to zone the property to the Single-Family Residential (RS-1) Zoning District; Master Plan/Planned Unit Development Application (CUP 2013-01) for single family residential development, including a private street and an open park parcel; and, a Development Agreement request (DA 2013-01) for a single phase residential development. The applicant shall satisfy all applicable conditions and requirements of these associated application approvals in addition to the conditions contained herein.
3. The Preliminary Plat and all aspects of the subdivision design shall conform to the ten (10) lot residential design and project drawings dated received by the City of Sun Valley on March 13, 2014, reviewed by the Planning and Zoning Commission on April 3, 2014, and reviewed by the City Council on May 19 and June 2, 2014. Construction of improvements, facilities, private streets, and public utility improvements shall be completed to the satisfaction of the City.
4. To the satisfaction of the Community Development Director, in order to insure compliance with Title 7 of the City Code, the Developer shall provide, pay for, and install, or cause to be installed to City standards the following (as applicable) so as to insure that the City can provide necessary Municipal services and facilities:
 - a. Water distribution systems and appurtenances including fire hydrants, fire alarms and other fire control devices.
 - b. Sewer lines, pumps and appurtenant sewage collection and disposal devices, together with devices for the removal of materials and water from sewage not amenable to or capable of treatment or reduction by the sewer district's sewage treatment processes or prohibited by State or Federal laws or regulations.
 - c. Streets, curbs and gutters, street base coarse material, wearing coarse material, bridges, sidewalks, bicycle pathways, street signs, traffic control devices, intersection signals, vehicle turning and deceleration lanes (if applicable).
 - d. Storm drainage structures, lines and appurtenances, including culverts or other devices to enclose open ditches and to inhibit access to them by children, together with drainage easements sufficient to accommodate expected runoffs as determined according to generally accepted drainage accommodation principles.
 - e. Electrical distribution facilities, transformers and appurtenances, underground wiring, underground communication systems, wiring and underground cable television system and wiring. Gas distribution systems and appurtenances.
 - f. Gas distribution systems and appurtenances.
 - g. Preservation or replacement of trees, shrubs, ground cover and other vegetation, install soil stabilization improvements to prevent erosion or degradation of surface water quality and inhibit vegetative growth in impounded waters or streams.
 - h. Public easements shall be dedicated for all required utilities and improvements.
5. The drawing submitted for final plat application to the City shall be reviewed by the City's engineer and all public and private street, bicycle/pedestrian sidewalk, grading and drainage improvements shall conform to applicable standards. The drainage improvements shall be designed and constructed to be consistent with and compatible with the existing drainage improvements along the existing portions of Highway 75.
6. The private street and all related grading and drainage improvements shall be designed and constructed to City standards for private streets to the satisfaction of the City's contract engineer, the Streets Department, and the Community Development Director. No construction shall take place for the street improvements prior to City review and approval of a design and infrastructure plan.

7. A complete construction management plan for the ten (10) lot subdivision that addresses construction parking, material storage, site security, noise, hours of activity, and nuisance control (noise, music, animals, dust, site watering, trash, construction fencing, safety, and street cleaning) shall be submitted to the satisfaction of the Community Development Director and Chief Building Official prior to issuance for any grading or building permits for the development.

Dated this 10th day of June, 2014.

Dewayne Briscoe, Mayor
City of Sun Valley

Date Findings of Fact signed

ATTEST:

Hannah Stauts, City Clerk
City of Sun Valley