



**CITY OF SUN VALLEY  
PLANNING AND ZONING COMMISSION  
AGENDA REPORT**

**To:** Planning and Zoning Commission  
**From:** *mh* Mark Hofman, Community Development Director  
**Meeting Date:** April 3, 2014  
**Agenda Item:** **Lane Meadows Annexation and Development**

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**SUBJECT:** Renoticed public hearing for the revised 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:** A request to 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 Blaine County that are accessed directly from Highway 75 south of the Elkhorn Road intersection. The Planning and Zoning Commission began a review of the requests/applications with a presentation by the applicant at a noticed public hearing on January 23, 2014. On February 13, 2014 the Commission completed a noticed site visit of the proposed development and viewed adjacent properties and existing conditions. After the site visit the Commission adjourned back to City Hall for the continued public hearing and discussion. The Commission indicated their preliminary thoughts and direction on the Annexation, Comprehensive Plan Amendment, and Zoning Map Amendment applications before continuing the public hearing date certain.

At the February 27, 2014 continued public hearing, in discussion with the Commission, the applicant formally proposed a revised project description, including a reduced number of proposed lots, and explored remaining project issues. The Commission directed staff to renotify the development applications for a revised project and continued the public hearings to Thursday, April 3, 2014 for further review and discussion. The applicant has since submitted a revised preliminary plat for review, comment, and discussion by the public and the Commission.

**ANALYSIS:** The revised project design is depicted in the attached Lane Meadows Alternative Plan Exhibit (**Exhibit "PZ-M"**) for a ten (10) residential lot proposal. The total number of proposed lots was reduced from 12 to 10, the property line layout was amended, building zones and setbacks were modified accordingly, an access sidewalk along the eastern portion of the Highway 75 right-of-way is included, and a single story maximum height (22 feet max) limitation applies to proposed Lots 6 and 7 to address bulk and view issues for adjacent Lane Ranch parcels. A revised draft Development Agreement from the project applicant, reflective of the amended project design and proposed sidewalk access, is attached as **Exhibit "PZ-I"** for Commission review. A Draft Declaration Establishing Covenants, Conditions, and Restrictions for Lane Meadows from the project applicant is attached as **Exhibit "PZ-J"**. Additionally, the required findings of fact listing for each of the individual proposed development applications, as detailed in the February 13, 2014 Lane Meadows Planning and Zoning Commission Staff Report, are attached as **Exhibit "PZ-H"**.

**Public Comment-** Seven new public comment letters and emails have been received by the City after the February 27, 2014 meeting and prior to the writing of this Report. These comment letters and emails are attached as **Exhibits "PZ-A" through "PZ-G"** for review and consideration by the Planning and Zoning Commission throughout the public hearing process to address the concerns of those commenting.

**Highway 75 Striping Design-** At a March staff meeting with the Idaho Transportation Department (ITD) to discuss the planned Highway 75 bridge replacement project the Lane Meadows design was reviewed. Overall, the Lane Meadows design does not conflict with the bridge replacement design or ITDs construction phasing and staging. However, a representative reviewing the proposed Highway 75 striping design for Lane Meadows made a comment that the proposed ten (10) foot wide center turn lane for traffic into and out of the proposed subdivision appeared substandard (too narrow). In follow up discussion by staff with CH2MHill, the City has learned that the ASHTO standard for highways is fourteen (14) feet with potential for reductions to 12 or 10 feet. The applicant was informed of this issue and asked to provide review and comment to the Commission to ensure that safe access can be provided to the proposed development.

**Sidewalk Access-** The applicant added an off-site access sidewalk design connecting the project entrance with the existing paved path system on Elkhorn Road to mitigate for a lack of internal pedestrian and bicycle access through the Lane Ranch private street system. The proposed sidewalk design (**Exhibit "PZ-L"**) is within the existing Highway 75 right-of-way and is forwarded to the Commission at this time for review and comment though a completed review by the City's engineer, CH2MHill, and any comments by ITD are forthcoming.

**Drainage Plan-** At previous public hearing meetings for the project, the Commission requested additional information regarding site drainage and proposed infrastructure improvements. The March 2014 draft Preliminary Surface Water Runoff Report from Benchmark Associates, P.A. for the Lane Meadows Subdivision is attached as **Exhibit "PZ-K"**.

**Public Notice-** The revised project design and the individual development applications were completely renoticed to the public by: 1.) publication in the Mtn. Express on March 19, 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.

**RECOMMENDATION:** The Commission should disclose all information and contacts received outside the public hearings on this project upon which the recommending decisions will be based. The Commission should receive and review the attached project comment and review materials, including the new public comment emails, hold the renoticed public hearing, and discuss the revised project design and elements to make recommendations to the City Council.

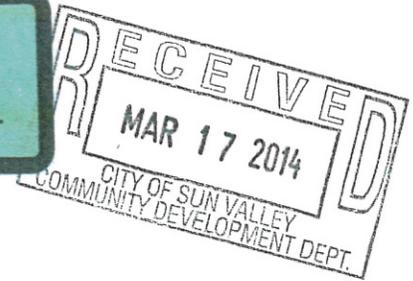
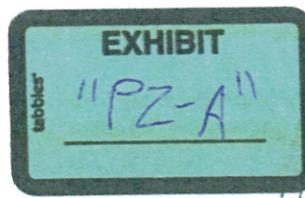
**LIST OF ATTACHED EXHIBITS:**

- |                |   |
|----------------|---|
| Exhibit "PZ-A" | Public comment letter stamped received by the Community Development Department on March 17, 2014 from Mary Malkmus, 9 Meadow Road, Lane Ranch.  |
| Exhibit "PZ-B" | Public comment letter stamped received by the City on March 24, 2014 from James Coons, 48 Lane Ranch Road East, Lane Ranch.   |
| Exhibit "PZ-C" | Public comment letter stamped received by the City on March 25, 2014 from Kimberly and Charles Ellwanger, Lot 42, Lane Ranch.   |
| Exhibit "PZ-D" | Public comment letter stamped received by the City on March 25, 2014 from Patricia and Richard Mouldton, 10 Meadow Road, Lane Ranch.  |
| Exhibit "PZ-E" | Public comment email stamped received by the Community Development Department on March 27, 2014 from Tim Hogan, 11 Meadow Road, Lane Ranch.   |
| Exhibit "PZ-F" | Public comment email stamped received by the Community Development Department on March 27, 2014 from Jan Mead, 11 West Lane Ranch Road, Lane Ranch.   |
| Exhibit "PZ-G" | Public comment letter stamped received by the Community Development Department on March 28, 2014 from Jan Lassetter Mead, 11 West Lane Ranch Road, Lane Ranch.  |
| Exhibit "PZ-H" | Required Findings of Fact listing as detailed in the February 13, 2014 Lane Meadows Planning and Zoning Commission Staff Report.  |
| Exhibit "PZ-I" | Revised draft Development Agreement from the project applicant reflective of the amended project design and proposed sidewalk access, stamped received by the Community Development Department on March 13, 2014. |
| Exhibit "PZ-J" | Draft Declaration Establishing Covenants, Conditions, and Restrictions for Lane Meadows from the project applicant and stamped received by the Community Development Department on March 13, 2014.                |

- Exhibit "PZ-K" Draft Preliminary Surface Water Runoff Report for the Lane Meadows Subdivision, dated March 2014, prepared by Benchmark Associates, P.A. and stamped received by the Community Development Department on March 12, 2014.
- Exhibit "PZ-L" Draft sidewalk access design exhibits from the project applicant and consisting of three (3) 11" by 17" sheets stamped received by the Community Development Department on March 25, 2014.
- Exhibit "PZ-M" Lane Meadows Alternative Plan Exhibit, consisting of three (3) 11" by 17" sheets stamped received by the Community Development Department on March 13, 2014, from the project applicant for a ten (10) residential lot project design.

\*\*The entire administrative record for this development is available for review in the Community Development Department at City Hall.

Planning and Zoning, Sun Valley, Idaho

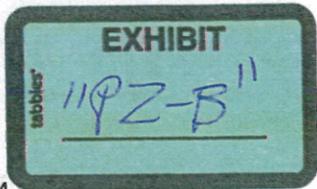


I am writing to express my concerns over the proposed development of Lane Meadows. I feel that the density of housing requested should be consistent with the surrounding area. Crowding homes on smaller lots would also mean more traffic in and out of Highway 75. I have noticed, as I try to enter Highway 75 from Elkhorn Road, that the curbside lane is more often than not used as a passing lane, with the cars going very fast. The entry and exit from this site will be difficult and dangerous to all drivers coming and going, especially during the high traffic hours. Please consider these points when making your final decision.

Sincerely,

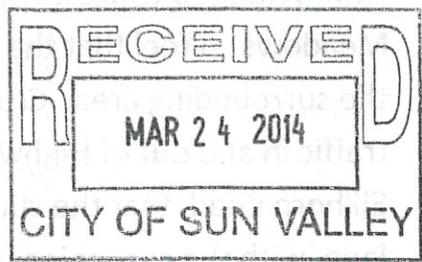
*Mary Malkmus*

Mary Malkmus  
9 Meadow Road  
Sun Valley, Idaho 83353  
(208) 622-3949



March 21, 2014

Mark Hofman  
City of Sun Valley Community Development  
Regarding proposed Lane Meadows development



Members of the Sun Valley P&Z

My name is James Coons and I live at 48 Lane Ranch Rd. East. I am a current Lane Ranch Board member and a past president. Although my home is not adjacent to the proposed Lane Meadows development, I am impacted indirectly by the potential of reduced real estate values throughout all of Lane Ranch caused by the Lane Meadows development

I would like to address several topics. The access to and from highway 75, the proposed pathway adjacent to the highway and Lane Ranch, the history of the property through annexation in 1989 and again in early 2013, and finally the compatibility of the development with the surrounding properties.

Highway access to the proposed Lane Meadows development

Mr. Thomson in a letter dated April 10, 2013 to the Lane Ranch Board of Directors stated that his access to Highway 75 was dangerous (copy of letter attached). At that time he wanted to build a family compound and was attempting to gain access to Lane Ranch via the utility easement adjacent to Willow Road. Most certainly, if it was dangerous for the existing two homes on the property to access highway 75, it would be more dangerous for the number of homes in his proposed development. In an earlier letter to the P&Z, I questioned the validity of his traffic study. I continue to share the dangerous access conditions that were stated by Mr. Thomson in his letter.

Pedestrian / Bicycle pathway to link Lane Meadows to the Sun Valley path system

In previous meetings there has been discussion as to how the Lane Meadows residents would be able to gain access to the Sun Valley trail system. I would agree that this is a pretty important consideration for the safety of those residents. Lane Ranch streets are private and there is no pedestrian access available from the Lane Meadows development. The berm adjacent to the highway is actually in the backyard of Lane Ranch lots #64, #65 and #66. There are three easements on those Lane Ranch properties. The 100 foot building and landscape easement in their backyard includes a 20 foot easement for water and sewer to serve the Lane Meadows property. Also included in the 100 foot easement is 17 feet reserved for future highway expansion (see attached partial map). I question the right of the Lane Meadows developer to place a pathway in the aforementioned resident's backyards. Questions also remain as to how the path will be maintained, particularly in the winter, who accepts liability for any accidents on the pathway, how will the pathway merge into the tunnel at the intersection of Elkhorn Rd. and HWY 75, and lastly the security of the owners of those adjacent properties.

#### Relationship between Lane Ranch and Lane Meadows

Throughout the P&Z hearings on Lane Meadows, some have questioned the Lane Ranch board as being uncooperative towards the development. We have been portrayed as being a bad neighbor. I would like to set the record straight in this matter with a little history of events that occurred.

In 1980 Mr. Edward Downe acquired the property now known as Lane Ranch. There were two parcels of land that were retained by individuals that were adjacent to what is now known as Lane Ranch. The Hastings property (acquired in October, 1980) adjacent to Lot 26 in Lane Ranch, later acquired by the Tunney family and the Lane / Moritz property now known as Lane Meadows.

The Tunney family negotiated a vehicle and utility easement between lots #25 and #26 with the Lane Ranch developer in 1989. In May of 1990 the Tunney family purchased lot #26 realizing that even though they had access through their easement to Lane Ranch Rd., they did not have the right to use the Lane Ranch roads. In 2008 the Tunney family reached an agreement with the Lane Ranch Board allowing them to use lot #26 for a driveway access, thereby contributing to the development infrastructure and giving them all the rights associated as a property owner. Provisions of the agreement with Lane Ranch restricted further development of the Tunney property.

In 1988 and 1989 there was extensive communication between the Sun Valley P&Z, The developer of Lane Ranch and Jeanne Moritz regarding annexation of the Lane / Moritz property into the City of Sun Valley. Jeanne Moritz opted out of the annexation but there was negotiated a utility easement granted at both the North and South ends of her property. The ITD agreed to allow vehicle access via highway 75 until such time as the Lane / Moritz property gained access through Lane Ranch and at that time the highway access was to be vacated. The problem here was that there was no agreement between the developers and Jeanne Moritz regarding access to or through the Lane Ranch development. It was noted that to obtain this access it would be necessary for the Moritz family to pay a proportionate amount of the Lane Ranch development costs. All of this information is extensively documented and in city records. One can't help but speculate that the peninsula of land protruding into the Lane Ranch development would eventually cause problems.

Sometime in the early 2000 time period, Cay Fortune, the mother of Scott Thomson acquired the property from the Moritz family and it remained undeveloped. In the spring of 2013 Mr. Thomson approached the Lane Ranch board about his "right" for vehicular access to his easement (stated as a utility easement) adjacent to Willow Rd. He was reluctant to pay any of the costs associated with the development to gain access, even though the documentation (at the time of annexation) clearly states this as a requirement. Lane Ranch consulted with Mr. Evan Robertson, the original attorney for the development who confirmed that Mr. Thomson had no right for vehicular access. Further the road that Mr. Thomson planned on using for access was limited in width to service only the immediately adjacent Lane Ranch homes. Mr. Thomson responded with his demand letter (attached) and created a bulldozer road that he demanded using effective April 25, 2013 (see attached picture). He insisted that the Lane Ranch association would be responsible for any damages / injuries that might be caused by his use of highway 75 for access. Lane Ranch responded through their attorney that it would be considered a trespass if he chose to access the road into Lane Ranch. It was unfortunate that there could not have been some dialog to work something out on this matter; however, the property owners on Willow Rd. were opposed to his gaining vehicle access through a utility easement. To grant Mr. Thomson access would require a vote of 80% of all of the Lane Ranch properties.

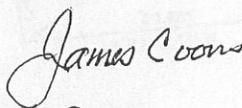
Compatibility of the proposed Lane Meadow development with surrounding properties

The last point I'd like to make is in regard to the lot size and proposed setback for individual lots that is being proposed for the Lane Meadows development. The adjoining Lane Ranch development is a total of 112 acres but out of this total only 87 acres are private lots with the remainder dedicated to landscape and water features. To be compatible with the neighborhood, Lane Meadows would need to dedicate 1.6 acres of their 7.16 acres for common usage. Lane Ranch lots that boarder the "peninsula of Lane Meadows" range in size from .51 to 1.12 acres with an average of .76 acres. Overall the Lane Ranch average lot size is .79 acres and they vary in size from .51 to 2.08 acres. The allowable building envelopes for Lane Ranch were established to maintain view corridors and appropriate setbacks for adjacent neighbor lots. The proposed subdivision has significantly smaller lot sizes and as platted will result in forcing the building zone in such a way as to severely impact view corridors of the adjacent Lane Ranch homes. The resulting homes will be smaller with not the open space feeling of Lane Ranch and this will also have an impact on property values of Lane Ranch homes. Not only for those homes immediately adjacent to Lane Meadows but for all of Lane Ranch.

I would urge Mr. Thompson to work with adjacent residents in Lane Ranch to put together a proposal with no more than 6 home sites with adequate setbacks and with a landscaped island and berming in the center. The increased lot size will enable building envelopes and setbacks that maintain Lane Ranch and Lane Meadows view corridors. This should help maintain property values that would benefit the whole community. I realize that having more lots for sale will result in a higher profit margin for Mr. Thompson but it should not be as a detriment to the Lane Ranch properties.

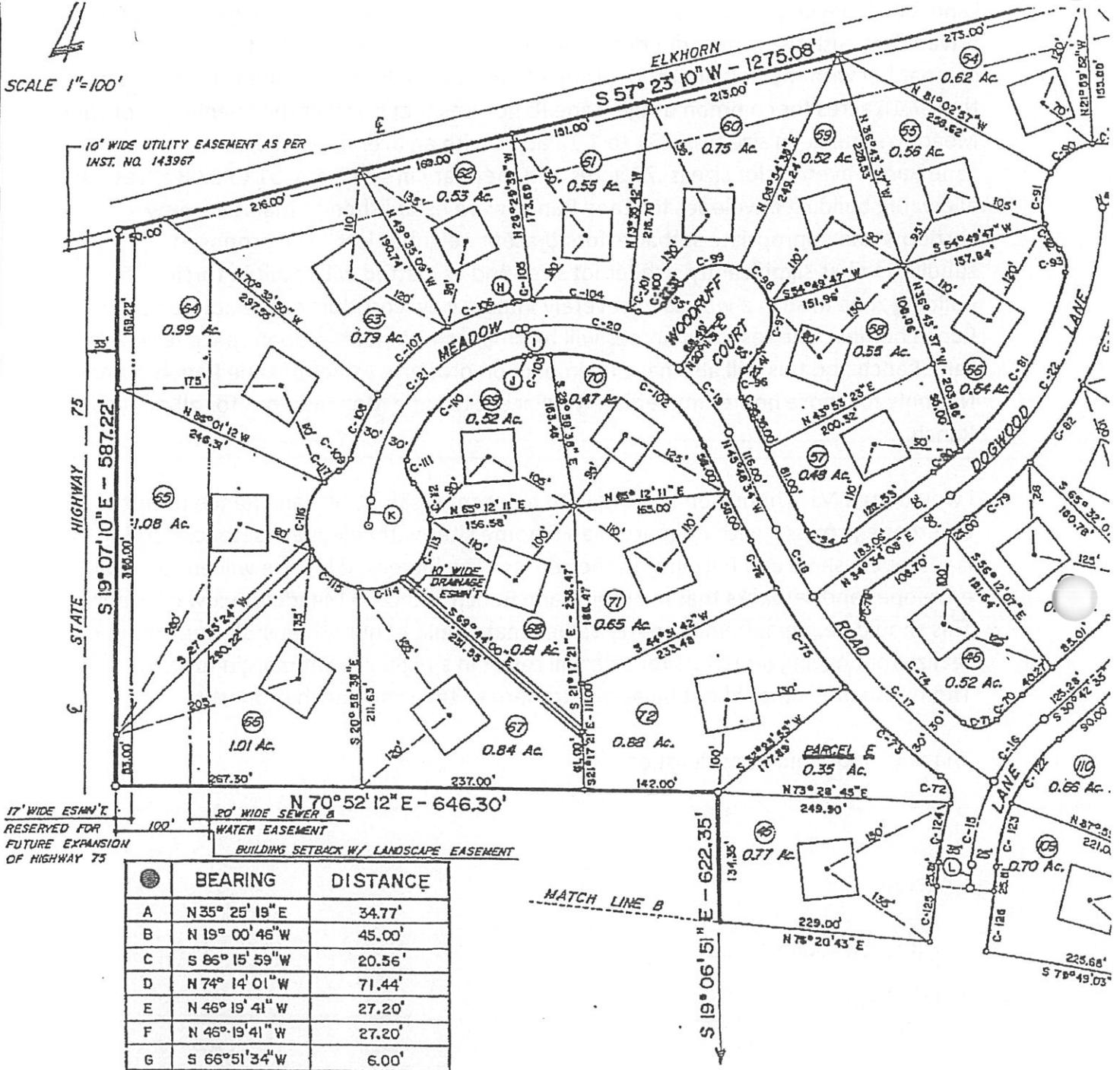
Thank you for your consideration.

Sincerely,



James Coons

SCALE 1"=100'



●	BEARING	DISTANCE
A	N 35° 25' 19" E	34.77'
B	N 19° 00' 46" W	45.00'
C	S 86° 15' 59" W	20.56'
D	N 74° 14' 01" W	71.44'
E	N 46° 19' 41" W	27.20'
F	N 46° 19' 41" W	27.20'
G	S 66° 51' 34" W	6.00'
H	S 58° 35' 23" W	5.65'
I	S 58° 35' 23" W	5.65'
J	S 58° 35' 23" W	5.65'
K	S 14° 57' 17" E	27.00'
L	S 14° 41' 50" E	25.81'
M	N 74° 14' 01" W	56.96'
N	N 74° 14' 01" W	25.00'
O	S 50° 59' 04" E	10.00'
P	N 55° 30' 14" W	20.00'
Q	S 39° 49' 43" E	26.30'
R	S 39° 49' 43" E	37.16'
S	N 12° 12' 02" E	11.86'

NOTE: Water course easements exist along various lots and adjacent to various lot lines. SEE NOTE 4, SHT. 2

Evergreen Ventures LLC  
PO Box 14001-363  
Ketchum, ID 83340

April 10, 2013

**VIA HAND DELIVERY**

Board of Directors  
Lane Ranch Association, Inc.  
c/o Ms. Laura Gvozdas  
Sun Country Management  
P.O. Box 1672  
Sun Valley, ID 83353

**RE: NOTICE OF INTENT TO ACCESS WILLOW ROAD FROM LANE HOUSES  
VIA RECORDED EASEMENT**

To Whom It May Concern:

We have provided you previous notice of our intent to access Willow Road from/to the Lane Houses lots via email of February 22, 2013 using the WATER/SEWER AND ACCESS EASEMENT recorded on the Lane Ranch Subdivision Second Phase Plat, recorded at Blaine County, ID in 1990 as document 319339 ("Recorded Easement"). This letter will constitute an additional formal notice of our plans to construct our driveway and use this Recorded Easement no later than April 25, 2013.

To the extent allowed by law and equity, this letter is intended to construct, demonstrate, and preserve our ability to counter-sue the Lane Ranch Association, Inc. for any and all damages if it brings suit or takes other action(s) against Evergreen Ventures LLC – blocking our access to the Recorded Easement and these suit(s) and/or action(s) cause, result in, or bring about construction delays, penalties, etc. or any other damages or injuries (including any injuries that result to the residents of the Lane Houses from temporarily having to use the dangerous Highway 75 access) that result from an attempt to prevent Evergreen Ventures LLC from accessing our Recorded Easement.

Evergreen Ventures LLC's address for legal notices is: 12673 Highway 75, Blaine County, Idaho.

Thank you for your consideration in these matters.

Sincerely,



Scott Thomson  
co-Manager

## James Coons

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**From:** Sun Country Management <sunco1007@cox-internet.com>  
**Sent:** Monday, April 29, 2013 4:17 PM  
**To:** 'Greg Lyle'; 'Jan Lowen'; 'Jim Coons'; 'Jim McComas'; Ken Herich; 'Patti Morrow'; 'Steve Malkmus'  
**Subject:** Access easement update  
**Attachments:** photo.JPG

Dear Lane Ranch Board:

Attached is a photo of work that Scott Thomson has just recently done on his property; as you can see, he has removed the sagebrush and created a road, which stops just short of our white fence on Willow Road. Subsequently, Evan send the following email to Scott (see below.)

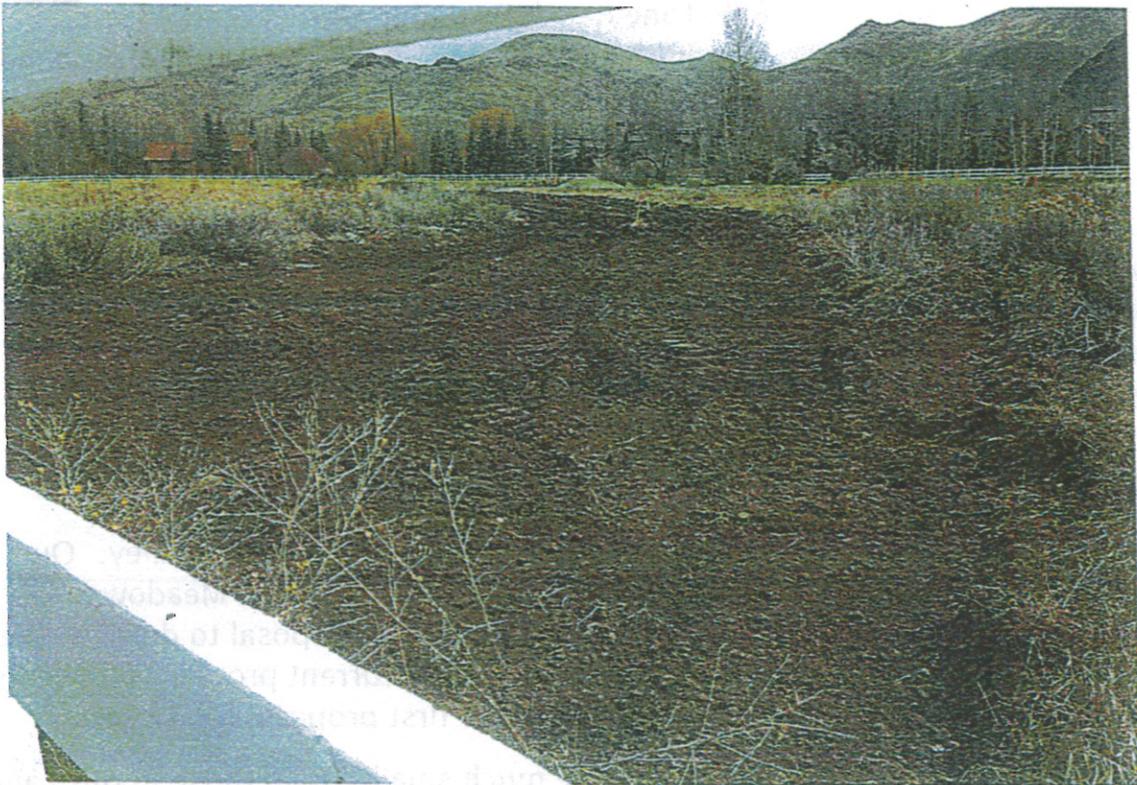
Thanks,  
Laura

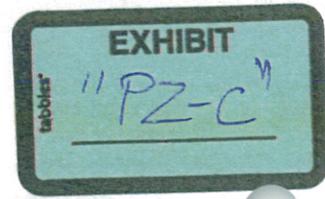
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**From:** Evan Robertson [<mailto:erobertson@rsidaholaw.com>]  
**Sent:** Monday, April 29, 2013 1:59 PM  
**To:** Scott Thomson  
**Cc:** Sun Country Management; [herich1@mindspring.com](mailto:herich1@mindspring.com)  
**Subject:** RE: Lane Ranch Access Easement - Evergreen Ventures LLC

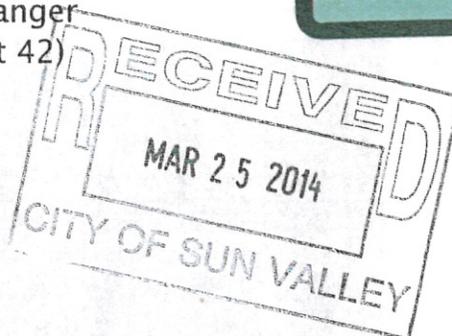
Mr. Thomson: As you are aware, I am legal counsel for The Lane Ranch Homeowner's Association and its Board of Directors. Last week the Board discussed and considered your assertion of an easement through its subdivision to access your property on Highway 75, which is sometimes referred to as the Lane/Moritz Parcel. It was the decision of the Board to reject your assertion on several legal and factual grounds, not only with respect to crossing the extension from the Willow Road, but also over the remaining portions of the private road system within Lane Ranch Subdivision, all of which are owned and maintained by the Association. Any attempt by you to utilize any of said roads will be considered a trespass, which the Association will prosecute and resist with appropriate legal and injunctive action.

Evan Robertson





Kimberly and Charles Ellwanger  
8 W. Lane Ranch Road (lot 42)  
Sun Valley, ID 83353  
PO Box 6453  
Ketchum, ID 83340  
22 March 2014



Mark Hofman  
Planning Director, City of Sun Valley  
PO Box 416  
Sun Valley, ID 83353

Dear Mr. Hofman:

We are owners of lot 42 in the Lane Ranch development in Sun Valley. Our home is adjacent to a proposed development known as Lane Meadows. We understand that the developer has submitted a new proposal to develop the property into 10 lots. We do not believe that this current proposal alleviates the concerns that we raised with regard to his first proposal for 12 lots:

1. The lot sizes and building zones are much smaller than those in our Lane Ranch community. We would like to see lots and homes that will be of a size and quality that are consistent with our adjacent neighborhood. This will protect the property values and aesthetics of all of our homes.
2. We are concerned that the ingress and egress from Highway 75 will create safety problems.
3. There is no walking or bike path to get to the Sun Valley trail system. The only path will be highway 75. If there is a sidewalk constructed alongside Highway 75, who will maintain it? How will this be coordinated with the highway expansion project? If those issues are not resolved, we are concerned that this may lead to trespass across Lane Ranch property.

A development of Lane Meadows that includes fewer lots would mitigate some of these concerns. Our goal is consistent with what we believe are the goals of the City of Sun Valley: projects that are sensitive and complementary to adjacent properties and respect natural scenic settings and views.

Thank you for considering our perspective.

A handwritten signature in black ink, appearing to read "Kimberly Ellwanger".

Kimberly and Charles Ellwanger

March 20, 2014

Patricia and Richard Moulton

10 Meadow Rd (Lot #63) Lane Ranch P.O. Box 2590

Sun Valley, Id 83353

Mark Hofman, Planning Director

Dear Mr. Hofman

As long time home owners in Lane Ranch, we are very concerned about the proposed development called "Lane Meadows". This proposal if approved would have 10 housing lots placed on a small area bounded by Lane Ranch with one small access leading to Highway 75. The lots are small and would block views and be very close to the houses in Lane Ranch. We have large lots and good access to the highway 75 and a network of private roads.

We are concerned that the Lane Ranch homes which border the proposed development would have their property values considerably reduced which would affect all of the homes in Lane Ranch.

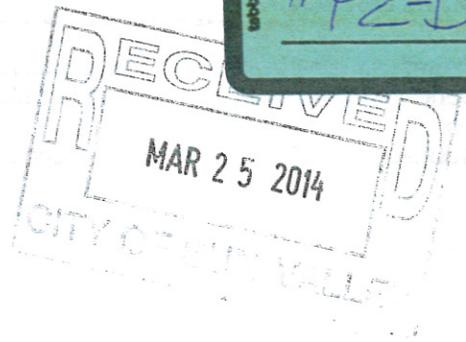
We are also concerned that the people who purchase the developed lots would use our private road system . I think Lane Meadows must be scaled down to fewer lots and work with the highway development to secure safe access to Highway 75.

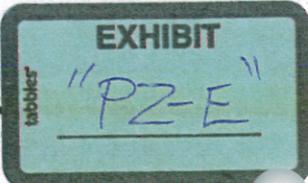
We have lived in the Sun Valley area for many years and enjoy the many good facets of living here.

Sincerely,



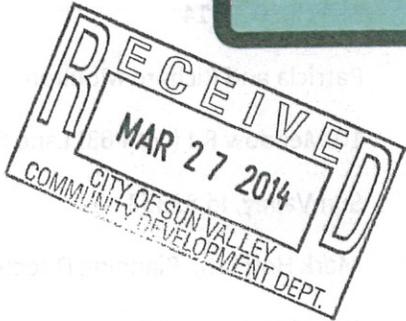
Patricia and Richard Mouldton





**Mark Hofman**

**From:** Tim Hogan [tim@hoganedgcomb.com]  
**Sent:** Thursday, March 27, 2014 10:22 AM  
**To:** Mark Hofman  
**Subject:** Lane Meadows



Tim and Mary Ann Hogan  
11 Meadow Road  
Sun Valley, ID 83353  
March 27, 2014

Mark Hofman  
Planning Director, City of Sun Valley  
81 Elkhorn Road  
Sun Valley, ID 83353

**SUBJECT** PROPOSED LANE MEADOWS DEVELOPMENT

Dear Mr. Hofman,

In order to fully understand the challenges of the proposed Lane Meadows development, a review of the adjacent Lane Ranch development is important. Lane Ranch is one of the best master plans in Sun Valley. This development, which surrounds Lane Meadows on three sides, has approximately one dwelling unit per acre. One of the best characteristics of this neighborhood is the amount of open space in the front, side and rear yards. In most cases, the front yards are 60 feet from the street and the rear yards are 60 feet or greater. This vast amount of separation between homes in the front, rear and side, creates a significant amount of open area and defines the Lane Ranch neighborhood. Rarely are the homes built along definitive boundaries, such as property lines. Instead, the homes are sited to fit between the streams, gullies, view corridors and other natural features of the property. The result is a community that works with the environment, not against it, as do so many tract home developments.

In reviewing the revised 10 lot site plan, it is apparent that the developer, Scott Thomson, is seeking to maximize the number of homes that can be forced onto this property. To do that, he has to align building footprints that are parallel to property lines. The result will look much more like a tract home development than the type of community we enjoy so much. An examination of the Lane Meadows site plan shows that it has small front and side yards and variable rear yards.

The proposed Lane Meadows development is clearly a downgrade to this area based upon the following:

**1. Compatibility:**

Lane Meadows is not compatible with Land Ranch. In my letter dated February 5<sup>th</sup>, four Lane Ranch areas were analyzed showing that the average lot sizes are 35,000 sq. ft. Lane Meadows is seeking

approval for a minimum lot size of 20,000 sq. ft. The new plan has 10 lots that have an average of 25,200 sq. ft. (with most of the lots 20,000 – 21,000 sq. ft.). In order to be compatible with Lane Ranch, Lane Meadows needs to have larger lots.

2. **Setbacks:**

The proposed setbacks are too small. The revised plan of 10 lots still affects many of the surrounding homes regarding the location of the proposed building zones as to setbacks and view corridors. The setbacks are inconsistent with Lane Ranch as I described in my letter dated February 19<sup>th</sup>. The setback criteria should be focused on the orientation of the individual homes giving enough room to allow open areas. Also, the distances between the existing homes and the proposed building zones need to be consistent. In order to solve these problems, Lane Meadows needs to have larger setbacks.

3. **Traffic and pedestrian access:**

The safety issues relating to traffic and adjacent sidewalk on Highway 75 will continue to be a challenge. By reducing the density the impact will be less.

Accordingly, as I recommended at the last meeting, the Planning Commission should deny the annexation into the City of Sun Valley and request a revised application reflecting the following:

1. Compatibility
2. Maximum of 6 lots.
3. Average lot size of 35,000 sq. ft.
4. The rear setbacks will be increased up to 60 ft. depending upon the lot configuration and distance between homes.
5. The revised site plan that will incorporate the "lot siting issues" with the adjacent property owners.

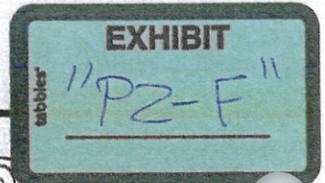
Tim Hogan

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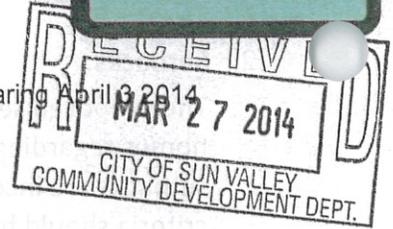
Tim Hogan  
Hogan Edgcomb Consulting  
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Newport Beach, CA 92660  
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**Mark Hofman**



**From:** Jan Lassetter [janlassetter@earthlink.net]  
**Sent:** Thursday, March 27, 2014 4:31 PM  
**To:** Mark Hofman  
**Subject:** Annexation Request/New Development/Evergreen Ventures/Hearing April 9, 2014



Jan Lassetter Mead  
11 West Lane Ranch Rd.  
Sun Valley, ID 83353  
208-725-2177

March 27, 2014

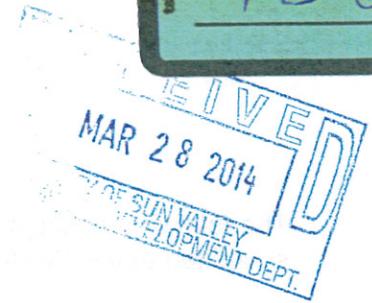
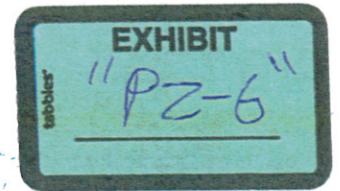
Gentlemen,

Upon review of the modified plans for the captioned project, the changes suggested seem to be cosmetically derived by the developer. Perhaps this is in agreement with the approving officials. However, the underlying objection by Lane Ranch residents does not seem to be addressed. i.e. the density of Lane Ranch vs. the density of this neighboring proposed project.

Perhaps, rearranging the lot pattern, considering a reduced number of structures, may help mitigate some of the density issue. Instead of just eliminating the two structures for the two lots at the entrance on highway 75, spread the square footage among the remaining lots, so that they are relatively the same square footage. It may also be more sensitive to the neighboring project, to reduce the number of structures and the footprint on the lots even further.

Yours truly,  
Jan Mead

JAN LASSETTER MEAD  
11 WEST LANE RANCH RD.  
SUN VALLEY, ID 83353  
208-725-2177



MARCH 27, 2014

RE: ANNEXATION REQUEST  
NEW DEVELOPMENT  
APPLICANT: SCOTT THOMPSON FOR EVERGREEN VENTURES LLC

GENTLEMEN,

UPON REVIEW OF THE MODIFIED PLANS FOR THE CAPTIONED PROJECT, THE CHANGES SUGGESTED SEEM TO BE COSEMETICALLY DERIVED BY THE DEVELOPER. PERHAPS THIS IS IN AGREEMENT WITH THE APPROVING OFFICIALS. HOWEVER, THE UNDERLYING OBJECTION BY LANE RANCH RESIDENTS WITH THIS PROJECT DOES NOT SEEM TO BE ADDRESSED IE, THE DENSITY OF LANE RANCH VS. THE DENSITY OF THIS NEIGHBORING PROPOSED PROJECT. PERHAPS, REARRANGING THE LOT PATTERN CONSIDERING A REDUCED NUMBER OF STRUCTURES MAY HELP MITIGATE SOME OF THE DENSITY ISSUE. INSTEAD OF JUST ELININATIONG THE 2 STRUCTURES FOR THE 2 LOTS BY HIGHWAY 75, SPREAD THE SQUARE FOOTAGE AMONG THE REMAINING LOTS, SO THAT THEY ARE REALITIVLY THE SAME SQUARE FOOTAGE. IT MAY ALSO BE MORE SENSITIVE TO THE NEIGHBORING PROJECT TO REDUCE THE NUMBER OF STRUCTURES AND THEIR FOOTPRINT ON THE LOTS EVEN FURTHER.

YOURS TRULY,

A handwritten signature in blue ink that reads "Jan Lassetter Mead". The signature is written in a cursive style and is positioned below the typed name "YOURS TRULY,".



## REQUIRED FINDINGS OF FACT

The following findings of fact are required for each of the individual Lane Meadows applications submitted to the City for review and action:

### **Annexation Findings- City Code Section 9-5B-9G**

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)

### **Comprehensive Plan/Future Land Use Map Amendment- Applicable Idaho Statutes 67-6502, 67-6508, and 67-6509.**

Idaho Code provides for and governs the City Council's duties and responsibilities regarding an application for a comprehensive plan amendment. Decisions by the City Council are based on the following governing provisions of Idaho Code. Title 67 Chapter 65 of the Idaho Code governs Local Land Use Planning (the "Act").

67-6502. Purpose. The purpose of this act shall be to promote the health, safety, and general welfare of the people of the state of Idaho as follows:

- (a) To protect property rights while making accommodations for other necessary types of development such as low-cost housing and mobile home parks.
- (b) To ensure that adequate public facilities and services are provided to the people at reasonable cost.
- (c) To ensure that the economy of the state and localities is protected.
- (d) To ensure that the important environmental features of the state and localities are protected.
- (e) To encourage the protection of prime agricultural, forestry and mining lands and land uses for production of food, fibre and minerals, as well as the economic benefits they provide to the community.
- (f) To encourage urban and urban-type development within incorporated boundaries.
- (g) To avoid undue concentration of population and overcrowding of land.
- (h) To ensure that the development on land is commensurate with the physical characteristics of the land.
- (i) To protect life and property in areas subject to natural hazards and disasters.
- (j) To protect fish, wildlife, and recreation resources.
- (k) To avoid undue water and air pollution.
- (l) To allow local school districts to participate in the community planning and development process so as to address public school needs and impacts on an ongoing basis.

### **Required Official Zoning Map Amendment Findings- City Code Section 9-5B-9F**

1. The official zoning map amendment is consistent with the comprehensive plan and future land use map and reasonably implements the applicable provisions of the comprehensive plan, a previously approved master plan development that is consistent with the comprehensive plan that existed at the time of approval, if applicable; and
2. The official zoning map amendment complies with the regulations in effect for the proposed zoning district, including the purpose statement, and is suitable for the proposed permitted uses; and
3. The official zoning map amendment has minimal or 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; and
4. The official zoning map amendment is not materially detrimental to the public health, safety, and welfare, or any significant impacts can be mitigated satisfactorily as determined by the planning and zoning commission or city council; and
5. Essential public facilities and services, including, but not limited to, emergency services, transit, work force housing and schools, are available to support the proposed uses and density or intensity without creating additional requirements at public cost for such public facilities and services.

### **Master Plan Development/Planned Unit Development- City Code Sections 9-5B-6 and 9-5B-7**

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.

## **Preliminary Plat Findings- City Code Section 9-4A-6G-2**

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.

## **Development Agreement- City Code Section 9-5B-9E and 9-5B-4E**

9-5B-9E The applicant may submit or the council may require a development agreement in conjunction with the annexation or official zoning map amendment pursuant to Idaho Code section 65-6711A and section 9-5B-4, "Development Agreement", of this article.

9-5B-4E Standards: The standards identified in this subsection shall apply to all annexations and rezones involving development agreements, unless otherwise specified.

1. Comprehensive Plan Compliance: Compliance with the goals and policies of city comprehensive plan shall be demonstrated in a written narrative.
2. Neighborhood:
  - a. There shall be compatible transition in scale, building form, and proportion between the proposed structure/use and existing structures and landscape.
  - b. All development within the project area shall comply with the standards and criteria as set forth in chapter 3, article A of this title. Conceptual approval is required prior to the approval of a development agreement and the zone change or annexation.
  - c. Alteration to the record grade shall be in compliance with this title.
  - d. The proposed use(s) and development of the subject property shall be appropriate for the location, the lot and the neighborhood.
  - e. The proposed use(s) and development shall not adversely affect the character, public health, safety, and/or general welfare of the neighborhood or the community.
3. Infrastructure:
  - a. The proposed use and development of the subject property shall not cause undue traffic congestion, or dangerous traffic conditions.
  - b. The proposed use(s) and development of the subject property shall not adversely impact other infrastructure such as, but not limited to, public utilities and communication systems, water, wastewater, and drainage systems, as well as snow storage and snow removal.