



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

To: Planning and Zoning Commission
From: *MH* Mark Hofman, Community Development Director
Meeting Date: December 12, 2013
Agenda Item: **Weld & Sun Valley Company Access Easement Elimination
Plat Amendment Application No. SUBPA 2013-08**

SUBJECT: Public Hearing for a plat amendment application proposing to eliminate a common driveway and grading access easement within Lot 8 in favor of Lot 7 and to eliminate an access easement over Parcel N to reflect future development and satisfy an approved design review condition for a new single family dwelling approved in the Rural Estate and Ranch (RA) Zoning District of the City of Sun Valley. **Applicant:** Benchmark Associates, P.A. for Sun Valley Company and Gregory S. and Gwen E. Weld. **Application Filing Date:** October 15, 2013. **Location:** 316 Diamond Back Road; Lot 8 and Parcel N of the White Clouds Corrected PUD Subdivision.

BACKGROUND: On October 10, 2013 the Planning and Zoning Commission held a noticed site visit and public hearing for a Design Review Application (DR 2013-29) proposing construction of a new 10,921 square foot single family dwelling with associated site improvements on Lot 8 of the White Clouds Corrected PUD Subdivision (316 Diamond Back Road). The Community Development Director's initial review of the Design Review Application identified issues that required clarification by the applicant prior to City action on the application. The applicant provided additional information to satisfy the identified issues at the hearing. However, one issue remained as follows:

- *The applicant shall identify and make provisions for the access easement in favor of adjacent Lot 7 to the south as shown and required on the recorded White Clouds Corrected PUD Subdivision. The easement shall not be physically impeded in a permanent way by the project design.*

Site improvements associated with the new dwelling on Lot 8 were planned for the easement and Parcel N areas. The easement was recorded with the White Clouds Corrected PUD Subdivision Plat to provide vehicular access from Diamond Back Road to Lot 7 lying adjacent to the south of subject Lot 8. Granted to the Sun Valley Company on the Subdivision Plat, Parcel N is an access and utility easement running between/along the side property lines of Lots 8 and 7. To allow physical improvements to be located in these easement areas the Plat would need to be modified.

The Planning and Zoning Commission placed a condition of approval on their adopting action for the new dwelling to require that, "11. *The applicant shall submit an application to the City for a plat amendment to eliminate the recorded plat access easement on Lot 8 in favor of Lot 7 prior to submittal of an excavation or building permit for the project.*" (**See attached Exhibit "PZ-C"**)

As required by the Commission's approval, the owners submitted this plat amendment application to satisfy the condition and remedy the potential easement impediment issue. Lot 7 is currently owned by Sun Valley Company, an alternative access location has been physically implemented from Diamond Back Road for Lot 7, and Sun Valley Company is a co-applicant on this subject plat amendment request. The proposed plat amendment exhibit (**Exhibit "PZ-D"**) details all existing property lines, easements, etc. and the proposed modifications.

ANALYSIS: The modification to the White Clouds Corrected PUD Subdivision Plat proposed by this plat amendment consists of elimination of an access easement over a southerly portion of Lot 8 and over a portion of Parcel N. An alternative access was constructed by Sun Valley Company to Lot 7 and the access easement is no longer needed. No other modifications to the Plat are included and the existing lots and building envelopes remain as designed. The plat amendment is to satisfy the condition of approval placed on Lot 8 development for a new single family dwelling. If the plat amendment is approved by the City the new dwelling and all associated site improvements can be constructed in conformance with the design approved by the Commission.

Application Review- The proposed plat amendment was reviewed by the City's contract engineer, CH2M Hill, and the November 6, 2013 review comment letter is attached as **Exhibit "PZ-B"**. The applicant has already modified the proposed plat amendment exhibit to address the CH2M Hill comments and submitted a revised plat amendment exhibit (stamped received by the City on November 12, 2013). No significant negative impacts to the area or City due to the elimination of the access easement have been identified by staff.

Public Notice and Comment- The project application was publicly noticed by: 1.) publication in the Mtn. Express on November 27, 2013; 2.) posting of the project site; 3.) mailing of notice to all property owners within a 300 foot radius of the Lot; 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.

No public email comments, phone calls or letters have been received by staff as of the writing of this Report.

Alternative Actions: Alternative actions available to the Commission include: (1) make the required findings and adopt the attached draft Findings of Fact and Conclusions of Law recommending approval of the plat amendment to the City Council; (2) Continue the hearing for further information and review; or (3) Close the public hearing, discuss the findings, vote to recommend denial of the application and direct staff to return on a date certain with a resolution of denial reflecting the comments and findings of the Commission.

RECOMMENDATION: Before public comment is received, the Commission should disclose all information and contacts received outside the hearing on this item upon which the decision will be based, receive public testimony, and consider the facts and findings necessary to make a decision on the application. The Community Development Director recommends approval of the plat amendment application subject to the Conditions of Approval contained in the attached draft Findings of Fact (**Exhibit “PZ-A”**).

LIST OF ATTACHED EXHIBITS:

- | | |
|----------------|--|
| Exhibit "PZ-A" | Draft Findings of Fact, Conclusions of Law and Decision for Plat Amendment Application No. SUBPA 2013-08. |
| Exhibit "PZ-B" | CH2MHill review comment letter dated November 6, 2013. |
| Exhibit "PZ-C" | Approved and signed City of Sun Valley Planning and Zoning Commission Findings of Fact, Conclusions of Law and Decision for the Weld Residence Design Review, Application No. DR 2013-29. |
| Exhibit "PZ-D" | Proposed Plat Amendment Exhibit ("White Clouds, Corrected: Lot 8A and Parcel N Amended"), consisting of two (2) 11" by 17" sheets stamped received by the City of Sun Valley on November 12, 2013. |

***** The entire administrative record for the Plat Amendment application is available for review in the Community Development Department at City Hall.

Exhibit "PZ-A"

**(DRAFT) SUN VALLEY
PLANNING AND ZONING COMMISSION**

PLAT AMENDMENT)	FINDINGS OF FACT/CONCLUSIONS
LOT 8 AND PARCEL N)	OF LAW, DECISION
WHITE CLOUDS SUBDIVISION)	AND CONDITIONS
APPLICATION NO. SUBPA 2013-08)	

This matter came before the Sun Valley Planning and Zoning Commission for consideration on December 12, 2013 as a duly noticed public hearing for the proposed elimination of a common driveway and grading access easement within Lot 8 in favor of Lot 7 and to eliminate an access easement over Parcel N to reflect future development and satisfy an approved design review condition for a new single family dwelling approved in the Rural Estate and Ranch (RA) Zoning District of the City of Sun Valley. The Commission reviewed the Agenda Report, heard the comments of City staff, the applicant's representatives, and the public. Additionally, the Commission reviewed the approval recommendation document and suggested Findings of Fact, Conclusions of Law, and Conditions of Approval recommended by the Community Development Director. Based on the evidence presented, the Commission hereby recommends approval of the proposed plat amendment to the City Council with the following Findings of Fact and Conclusions of Law and subject to a specific condition of approval:

FINDINGS OF FACT/CONCLUSIONS OF LAW

1. The applicant is Benchmark Associates, P.A. on behalf of the Sun Valley Company and Gregory S. and Gwen E. Weld. The subject properties consist of Lot 8 and Parcel N of the White Clouds Subdivision. The sites are zoned RA, Rural Estate and Ranch Zoning District.
2. The application consists of a plat amendment map showing the proposed elimination of a common driveway and grading access easement within Lot 8 in favor of Lot 7 and to eliminate an access easement over Parcel N to reflect future development and satisfy an approved design review condition for a new single family dwelling.
3. The applicant has provided the information required for application, review, and action on a plat amendment as set forth in City of Sun Valley Municipal Code Section 9-5A-4, Required Application Information. Notice for the public hearing was properly completed by: 1.) publishing proper notice in the Idaho Mountain Express November 27, 2013; 2.) mailing notice to adjacent properties; 3.) posting at Sun Valley City Hall, Sun Valley Post Office, Elkhorn Springs Store Post Office, St. Thomas Episcopal Church and Elkhorn Fire Station; 4.) posting on site; 5.) posting on the City website; and, 6.) electronic transmittal to those wishing to receive such notices from the City.
4. The required findings for review of a proposed plat amendment are contained in Municipal Code Section 9-4B-1F.
5. The easement elimination application will not lower the dimensions of subject Lot 8 or Parcel

N below a minimum dimensional standard prescribed by Title 9. The plat amendment exhibit details all existing property lines, building envelopes, and easements for the subject properties as well as the proposed easement elimination modifications. The plat amendment will not increase or decrease the number of properties/lots. No new subdivision of land is proposed. The overall density of the project remains unchanged at thirty single family residential lots and the plat amendment only eliminates the recorded access easement to adjacent Lot 7.

6. The plat adjustment for amendments to access easements on single family residential lot property is appropriate for the design and physical location of future structures on the site and surrounding single family development because adequate access will still be provided.
7. The easement elimination plat amendment is consistent with the Sun Valley Comprehensive Plan designation for Low Density Residential and does not significantly change the existing land use nor cause any conflict with the goals and policies of the Comprehensive Plan. There are no designated scenic, agricultural, recreational, or traditional sites identified for these parcels by the Comprehensive Plan.
8. The easement elimination plat amendment will not affect the character of the neighborhood in a materially adverse manner because adequate access to all properties will remain. Once recorded, the plat modifications will appear as though designed as part of the original development.
9. The easement elimination does not involve any area used for access to the overall White Clouds Subdivision nor any associated public or private parking areas. The easement elimination is consistent with all applicable easements and rights of way and with the original design of the access, traffic, circulation, and parking areas of the development.
10. The easement elimination is appropriate for the lots and the surrounding development, is consistent with the purposes and goals of the Comprehensive Plan, will not cause undue traffic congestion nor dangerous traffic conditions, and will not affect the character of the neighborhood in a materially adverse manner. No public comments were received as part of the properly noticed comment and review period for the project and no negative impacts were identified.
11. All aspects of the proposed elimination of the access easement comply with applicable provisions of the Development Code. The proposed easement elimination is consistent with the PUD provisions and with all other requirements and development approvals for the White Clouds Subdivision.

DECISION

Therefore, based upon the foregoing Findings of Fact/Conclusions of Law, the Sun Valley Planning and Zoning Commission hereby recommends to the City Council a conditional approval of the plat amendment to eliminate a common driveway and grading access easement within Lot 8 in favor of Lot 7 and to eliminate an access easement over Parcel N to reflect future development and satisfy an approved design review condition for a new single family dwelling, according to the plat amendment map, supporting plans, and documents submitted as part of the subject application, subject to the following specific condition of approval.

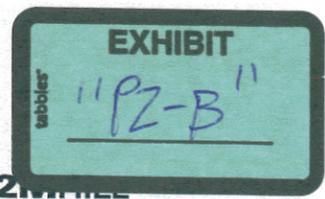
CONDITION OF APPROVAL

1. Upon approval of the plat amendment by City Council to eliminate the access easement, the applicant shall record the amended plat with the Office of the County Recorder and provide a copy of the recorded document to the Community Development Director.

Dated this 12th day of December, 2013.

Ken Herich, Chairman
City of Sun Valley P&Z

Date Findings of Fact Signed



Preliminary Plat: White Clouds, Corrected: Lot 8A and Parcel N Amended

TO: Mark Hofman

COPIES: Bill Whitesell
Cinda Lewis, Benchmark Associates

FROM: Betsy Roberts
Jennifer Bass

DATE: November 6, 2013

We received a copy of the Preliminary Plat sheet for White Clouds, Corrected: Lot 8A and Parcel N Amended, dated November 2013. This document meets the intent of a preliminary plat submittal and we find no fatal flaws. We recommend continuing with the project development.

We have the following general observations for this project at this time; these are not all inclusive:

1. Final Plat shall include Diamond Back Road's width, the closure report and certifications.
2. We understand that the Centerline Waterline Easement, shown west and southwest of Parcel N, is per the White Clouds, Corrected Plat (Inst. No. 571308). Is it possible to add a "W" to the linetype and in the Legend to make identification a little clearer? The "x" marks for the calculated, non-set points along the Centerline Waterline Easement also seem a little out of place without the associated line and curve data.

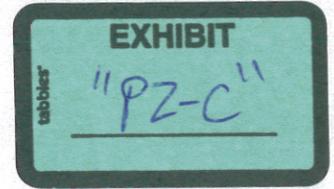
Attachment: White Clouds Corrected Lot 8A, Parcel N Preliminary Plat Table, Dated November 6, 2013

**CITY OF SUN VALLEY
PRELIMINARY PLAT CHECK LIST**

1	Subdivision Name:	White Clouds
2	Reviewer:	Jennifer Bass
3	Date:	November 6, 2013
4	Sheet Title and Preamble:	White Clouds, Corrected: Lot 8A and Parcel N Amended. Located within: Section 6, Township 4 North, Range 18 East, B.M., City of Sun Valley, Blaine County, Idaho. Wherein easements are eliminated within Lot 8 and Parcel N, "White Clouds, Corrected" (Inst. No. 571308). November 2013. Preliminary Plat.
5	Basis of Bearing:	OK. Shown on Plat and Note 1 indicates Basis of Bearing per Original Plat.
6	North Arrow:	OK
7	Scale and Legend:	OK
8	Plat Closure:	Shall be provided with Final Plat.
9	Total Area:	Individual lot areas shown.
10	Monuments:	OK
11	Land Corners:	OK
12	Initial Point:	OK
13	Street Names & Width:	Please show the width of Diamond Back Road on the face of the plat.
14	Easements:	OK, 10' wide snow storage and utility easement shown, all easements are described in the Original Plat Notes on Sheet 2 of 3 of the Plat.
15	Lot & Block Numbers:	OK
16	Lot Dimensions:	OK
17	Curve & Line Tables:	OK
18	Certifications:	None, shall be provided with final Mylar set
19	Certificate of Owner:	None
20	Certificate of Surveyor:	None
21	Sanitary Restriction:	OK
22	Agency Approvals:	None
23	Public Dedication:	Per Original Plat, Note 1 of White Clouds, Corrected, PUD
24	Common Areas:	Per Original Plat Notes of White Clouds, Corrected, PUD

Notes: Final Plat shall include Diamond Back Road's width, the closure report and certifications.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW
CITY OF SUN VALLEY
PLANNING AND ZONING COMMISSION
DESIGN REVIEW**



Project Name: **Weld Single Family Residence**
Applicant: **Jim Ruscitto, AIA for Greg and Gwen Weld**
Location: **Lot 8 White Clouds Corrected PUD Subdivision;
316 Diamond Back Road**
Zoning District: **Rural Estate and Ranch (RA) Zoning District**

Single Family Residence Floor Area:

	Proposed Floor Area (sq. ft.)
Lower Level	3,808
Main Level Living	4,700
Main Level Garage	1,399
Upper Level	2,413
Total Gross Area	12,320

Setbacks: All buildings, decks, porches, stairs and walkways exceeding thirty inches (30") in height above record grade will meet the fifteen (15) foot minimum required setback standard from exterior property lines for the RA Zoning District (Development Code Section 9-2A-3E).

Lot Area: 1.55 acres (67,630 sq. ft.)

Building Envelope: Recorded with the Plat for White Clouds Corrected PUD Subdivision.

Building Footprint Allowed: 7,728 sq. ft. max. (calculated as per Section 9-2A-3I)
Building Footprint Proposed: 7,554 sq. ft.

Allowable Footprint Outside Building Envelope: 2,576 sq. ft. (1/3 max. of building footprint)
Proposed Footprint Outside Building Envelope: 1,786 sq. ft.- Does not exceed the 1/3 maximum.

Building Height allowed for Single Family Residence: 30' max. for 2/3 of structure with 1/3 (33%) up to a max. height of 35'.

Proposed Height of Single Family Dwelling: No portion of the structure exceeds 35 feet above existing record grade. The percentage of proposed building height between 30 and 35 feet is 11.8%.

Required Snow Storage: 4,300 sq. ft. min.
Proposed Snow Storage: 4,325 sq. ft.

Maximum Irrigated Area: 22,000 sq. ft. (1/2 acre)
Proposed Permanent Irrigated Area: 21,374 sq. ft.
Proposed Temporary Irrigated Area: 6,218 sq. ft.

Project Description: The applicant proposes to construct a new 10,921 square foot single family dwelling with an attached 1,399 square foot garage and associated site improvements on a residential lot in the Rural Estate and Ranch (RA) Zoning District of the City of Sun Valley. The project proposes development of vacant Lot 8 of the approved White Clouds PUD Subdivision. The subject Lot was created for future single-family residential development as part of the White Clouds Subdivision through the City's approval of the project's Master Plan, Zoning Map Amendment, Planned Unit Development (PUD), Preliminary Plat and Final Plat. The existing 1.55-acre (67,630 square foot) lot is generally sparsely covered in low lying native ground cover vegetation. A 100-foot by 180-foot building envelope was accepted by the City as part of the overall subdivision approval and was recorded with the White Clouds Corrected PUD Plat. The building envelope shown on the Site Plan for this new residential construction project is consistent with the current envelope recorded for Lot 8, is centrally sited to preserve open areas on the site, and allows an envelope of a size consistent with current zoning regulations.

The site lies at the terminus of Diamond Back Road, uphill of the overall White Clouds Subdivision. Undeveloped single family lots lie adjacent to the east, southeast, and south. The site's northern property line is also the boundary of the City of Sun Valley, with BLM land lying adjacent. An area of open hillside, zoned Open Space (OS), lies to the west of the project site and the Recreation (REC) zoned Parcel J of the Gun Club Nine golf course lies adjacent to the southwest. The existing public access trail for the White Clouds traverses the hillside north of the subject lot and crosses the northwestern corner of the property.

The single family dwelling is designed with a 3,808 square foot lower level to be used as a shop, parking and mechanical space. The lower level is excavated well into the sloping site grade. The main living level is 4,700 square feet with an attached 1,399 square foot 4-car garage and the upper level is 2,413 square feet. The dwelling is accessed from the public street right-of-way via two asphalt driveways, 30 feet and 26 feet in width, adequately designed for fire apparatus access. No detached or accessory structures are proposed with the project nor does it include an accessory dwelling unit.

The structure's exterior materials are primarily cedar wood siding, beams and trim. The roofing system is a fire resistant Davinci composite shake design and windows are aluminum clad. An exterior lighting plan, including fixture counts, was included as part of the project drawings. Manufacturer's detail and specifications sheets for the proposed exterior lighting fixtures were required for review by the Commission to ensure project compliance with the City's exterior lighting regulations. Photos of the existing site and renderings were included, as was a colors/materials exhibit.

The Master Plan and Zoning Map Amendments approved for the White Clouds Subdivision preserved a majority of the significant steep slope areas within the 317 acre overall project and permitted development in the most appropriate developable areas. Additionally, as part of the PUD approved for the Subdivision, several deviations from Code were granted in regard to grading and allowable steep slope disturbance. Most of the deviations granted specifically applied to building envelopes and the developability of the development's thirty single family lots. Some steep slope intrusion is permitted and small inconsequential steep slope anomalies are allowed to be developed.

The building envelope for Lot 8 is located in the least slope constrained center area of the site. The slope analysis for the White Clouds Subdivision was done on a large scale and portions of steep slope over 25% grade were shown within the single family lots. These were to be dealt with when future development was proposed on each individual site. Now that development is proposed on Lot 8, slope identification analysis was done on a more site specific scale. Within Lot 8 several small steep slope anomalies are present, though no large areas of slope over 25% are included. A significant portion of the identified steep slopes in this area are preserved and depicted on the drawings as undisturbed (limit of disturbance). While the approved PUD does

not specifically identify these steep slope areas within Lot 8 and allow them to be completely disturbed, it is clear that the intent of the overall design of the Subdivision and the PUD approval supports potential findings allowing the small areas of grading disturbances. Areas disturbed by construction activity will be revegetated with natural grasses and maintain a natural slope appearance. The dwelling is sited to be located on the most developable portion of the Lot.

All aspects of the project have been reviewed by the Planning Commission and staff to ensure compliance with all applicable standards including minimum setbacks, building envelope, lot coverage, maximum height, snow storage, off-street parking, landscape irrigation, exterior lighting regulation compliance, screening of utilities, easements, and hillside preservation provisions. The Planning and Zoning Commission conducted a site visit as part of the noticed public hearing to review existing site conditions and view temporary staking erected on the site to demonstrate the bulk and location of the proposed dwelling.

Required Findings: In order to approve a design review application and based on the standards set forth in **Sun Valley Municipal Code, Title 9, Chapter 5B, Section 3 DESIGN REVIEW**, the Planning & Zoning Commission shall make the following findings:

- 1. The proposed design is in conformance with the purpose of the zoning district and all dimensional regulations of that district. The construction of the new single family dwelling and associated site improvements is in conformance with the purpose and dimensional regulations of the zoning district because the design meets or exceeds all applicable standards. The Rural Estate and Ranch (RA) Zoning District allows single family residential construction by right as a land use. The new dwelling and associated improvements comply with all applicable development standards for the RA District, including setbacks, height, and lot coverage. The project's intrusions into steep slope areas are appropriately consistent with the provisions and allowances contained in the approved PUD for the White Clouds Subdivision as shown on the Site Specific Slope Analysis stamped received by the City on October 10, 2013 (CUP 2007-05).**
- 2. The proposed design is in conformance with the standards for design review as set forth in Chapter 3A DESIGN REVIEW REGULATIONS of this Title. The structure is in conformance with all applicable standards for design review because it is appropriately and sensitively located on the existing plated lot and the preservation of existing view sheds and corridors was taken into account as part of project design. The design of the project is consistent with and complimentary to anticipated future development on adjacent lots and the surrounding area. The quality materials and colors utilized by the project are consistent with the surrounding neighborhood and the greater Sun Valley area. All applicable evaluation standards for design review as set forth in Chapter 3A have been met by the project design.**
- 3. The proposed design does not significantly impact the natural, scenic character and aesthetic value of hillsides, ridges, ridgelines, ridge tops, knolls, saddles, and summits in the City. The Planning and Zoning Commission conducted a site visit as part of the noticed public hearing to view staking and to examine existing site conditions. No significant negative impact will occur to surrounding natural features because the development will occur on the less constrained, least sloped, most developable portion of the site and a majority of the slope anomalies present on the site over 25% will be preserved and undisturbed. The project's intrusions into steep slope areas are appropriately consistent with the provisions and allowances contained in the approved PUD for the White Clouds Subdivision (CUP2007-05). The dwelling is sited in a central location to minimize slope intrusion and the driveways provide safe, adequate and direct access to the structure. The specific steep slope deviations from the Development Code approved as part of the White Clouds PUD greatly balance**

the residential development allowed on the property with significant preservation of the prominent steep slope areas, soil conditions, ridges, ridge lines, ridge tops, knolls, saddles, summits, wildlife habitat, natural features, and hydrology. No avalanche hazard area has been identified on the subject property. The development provides adequate separation from adjacent properties and maximizes view preservation through and to the site.

4. The proposed design is in context and complimentary to adjacent properties. **The project is on Lot 8 of the White Clouds Subdivision. No development yet exists on the single family lots surrounding the subject site. The structure will be sited in an area which is consistent with the anticipated future development adjacent to the east, south and southeast. The site lies adjacent to an extensive open area zoned Open Space (OS) and Recreation (REC). The new development is consistent and in context with, and complimentary to, anticipated future surrounding development because of sensitivity in design and location. The single family residential character of the area will be maintained and the project is in compliance with all applicable conditions and requirements of the White Clouds Subdivision's Master Plan, Zone Map Amendment, PUD, Preliminary Plat and Final Plat approvals.**
5. The proposed design is compatible with the community character and scale of the neighborhood. **The proposed design is compatible with the community character and scale of the neighborhood because the primary dwelling is sensitively and appropriately placed on the site and the single family design is consistent with the anticipated future single family development on lots within the immediate surrounding area. The new dwelling will be accessed from the Diamond Back Road public street right-of-way via two new private driveways. The bulk and mass of the proposed design is consistent and compatible with the community character and scale of the existing residences in the City because the structure is centrally located on the most developable portion of the site, is substantially dug into existing grade, and will be separated from view from surrounding areas in the future by new landscaping vegetation and topography.**
6. The proposed design adheres to standards for the protection of health, safety, and general welfare. **All applicable services such as sewer and water are available to fully serve the project. Additionally, as revised, the project will comply with all applicable requirements from the Sun Valley Fire Department Comments for Planning & Zoning Review letter dated August 30, 2013. No site conditions or aspects of design have been identified that would be adverse to the protection of health, safety and general welfare of the community.**
7. The proposed design is of quality architectural character and materials. **The proposed design of the structure is of quality architectural character because it incorporates adequate horizontal and vertical articulation in wall and roof planes, the pitched and flat roof elements of the structure are architecturally broken up to avoid a massive flat roof presentation, the structure is integrated into the sloping natural grade, visual impacts are minimized while allowing development of the existing lot and the materials are consistent with the quality and design of surrounding development and the region.**
8. The use is not in conflict with the Comprehensive Plan or other adopted plans, policies, or ordinances of the City. **The subject site is designated as Low Density Residential by the Future Land Use Map of the Comprehensive Plan. The Rural Estate and Ranch (RA) Zoning District implements the Low Density Residential Land Use Designation and the proposed single-family dwelling on one legal lot is consistent with all applicable provisions of the RA Zoning District.**

CONCLUSIONS OF LAW

That this project does meet the standards for approval under Title 9, Chapter 3A (Design Review Regulations), of the City of Sun Valley Municipal Code provided the below conditions of approval are met. Design review approval shall expire 365 days from the date of approval, unless extended as per Municipal Code Section 9-5A-8.

CONDITIONS OF APPROVAL

1. **The applicant(s) and their representatives shall comply with all IBC, IFC and applicable City ordinances.**
2. **Site review approval is good for one year from the date of approval, unless extended as per Municipal Code Section 9-5A-8.**
3. **Any requirements and/or approvals of private associations or other entities are the sole responsibility of the property owner.**
4. **The location and elevation of the building foundation shall be certified by a licensed surveyor or engineer and submitted to the Sun Valley Building Inspector, as applicable, prior to any issuance of a foundation inspection or permission to pour concrete footings.**
5. **Any permits issued during the 10-day appeal period provided for under section 9-3A-4 may be subject to a stop work order in the event of an appeal. Any work commenced during the appeal period shall be at the applicant's own risk.**
6. **A final construction management plan shall be submitted to the Building Inspector at the time of application for a building permit that addresses slope preservation, construction parking, material storage, nuisance control (noise, dust, trash, street cleaning and construction fencing) and each issue of concern of the Planning and Zoning Commission addressed as part of the project approval. Prior to the issuance of a building permit, final review and approval of the construction management plan by the Community Development Director is required. No construction parking or staging shall occur on the Diamond Back Road public right-of-way without City permission and the site access shall be kept free and clear for emergency vehicle access at all times. Access on Diamond Back Road shall not be impeded by construction activity to the greatest extent practicable and any significant access issues shall be brought to the attention of the City and project neighbors in advance. Temporary construction fencing shall protect all sensitive slope areas and surrounding vegetation throughout the development process. Temporary dirt and grading staging areas shall be clearly identified on the construction management plan. No permanent disturbance of steep slope areas is permitted other than portions depicted on the approved Site Plan for the landscape grading. Export materials shall be removed from the City or receive design review approval prior to depositing on property within the City.**
7. **The applicant shall comply with the applicable comments set forth in the revised Sun Valley Fire Department Comments for Planning & Zoning Review letter dated October 10, 2013 which are based on the original project design. The project has been revised to reflect compliance with all Fire Department comments and conditions. Any selective clearing of adjacent vegetation other than that shown on the approved project drawings shall have prior approval of the Community Development Department and the Fire Department and shall consist of limited/select hand clearing and removal of the existing sage brush and tall grasses from the area adjacent to the dwelling as described in the attached Review letter. A temporary address placard or monument shall be maintained at the driveway entrance for the**

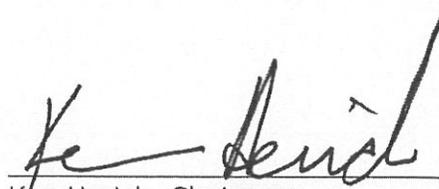
construction phase and the access roadway shall be maintained free and clear for emergency vehicle access. No modifications to the approved plans shall be made without written permission of the Fire Chief, Building Official and Community Development Director.

8. The subject Design Review Application shall be specific to the project drawings (11 Sheets) stamped received by the City on September 16, 2013 and approved by the Planning & Zoning Commission on October 10, 2013, as well as the revised Landscape Plan, Site Specific Slope Analysis, and the generator screening details, all stamped received by the City on October 10, 2013. Any changes or modifications to the approved design shall be reviewed by the Community Development Department pursuant to Code Section 9-5A-10, Substantial Conformance.
9. This Design Review approval is specific to the steep slope provisions and allowances in Planned Unit Development Application No. CUP2007-05 and shall not be modified without official approval by the City.
10. Any planned address monument shall meet all applicable requirements of Development Code Section 9-3G-14, including letter size and height. A final address monument plan showing any the design of any included lighting fixtures shall be submitted for approval by the Community Development Director prior to any construction of such monument and prior to issuance of a Certificate of Occupancy for the project by the City.
11. The applicant shall submit an application to the City for a plat amendment to eliminate the recorded plat access easement on Lot 8 in favor of Lot 7 prior to submittal of an excavation or building permit for the project.
12. The project's mechanical flues shall be concealed in chimney structures and depicted on the drawings submitted for building permit review.

DECISION

Therefore, the Sun Valley Planning and Zoning Commission approves this Design Review Application No. DR2013-29.

Dated this 10th day of October, 2013.



Ken Herich, Chairman
Sun Valley Planning and Zoning Commission

Date Findings of Fact signed

10/21/13

WHITE CLOUDS, CORRECTED : LOT 8A AND PARCEL N AMENDED

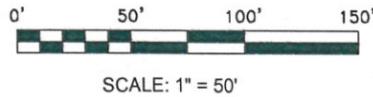
LOCATED WITHIN: SECTION 6, TOWNSHIP 4 NORTH, RANGE 18 EAST, B.M.,
CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO

WHEREIN EASEMENTS ARE ELIMINATED WITHIN LOT 8 AND PARCEL N, "WHITE CLOUDS, CORRECTED" (INST. NO. 571308).

NOVEMBER 2013

PRELIMINARY PLAT

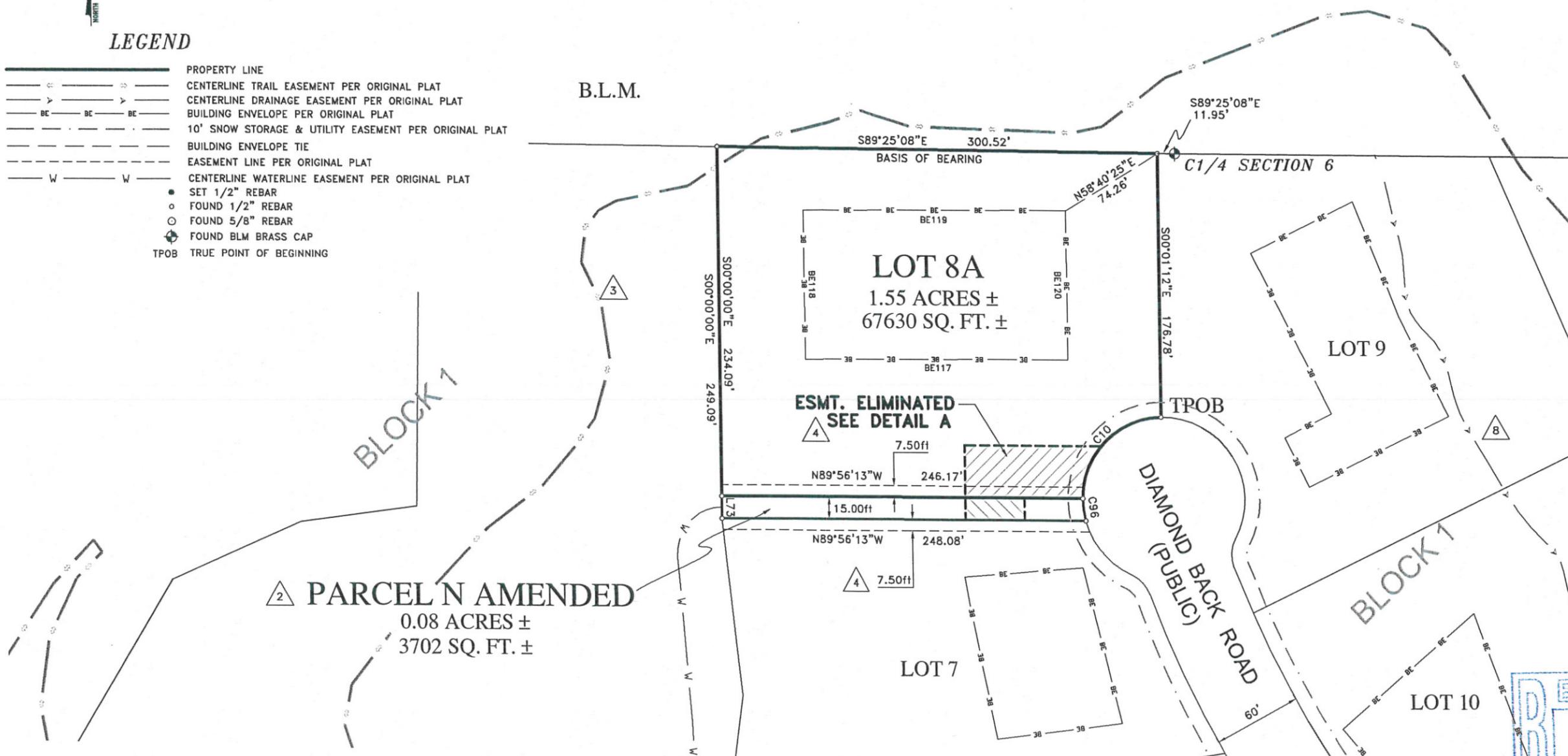
EXHIBIT
"PZ-D"



LEGEND

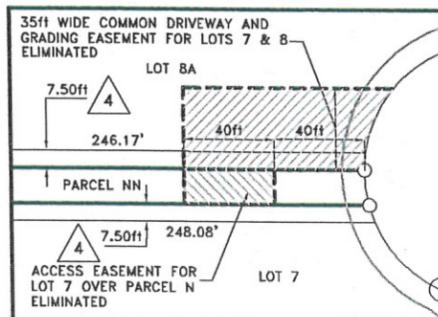
- PROPERTY LINE
- CENTERLINE TRAIL EASEMENT PER ORIGINAL PLAT
- CENTERLINE DRAINAGE EASEMENT PER ORIGINAL PLAT
- BUILDING ENVELOPE PER ORIGINAL PLAT
- 10' SNOW STORAGE & UTILITY EASEMENT PER ORIGINAL PLAT
- BUILDING ENVELOPE TIE
- EASEMENT LINE PER ORIGINAL PLAT
- CENTERLINE WATERLINE EASEMENT PER ORIGINAL PLAT
- SET 1/2" REBAR
- FOUND 1/2" REBAR
- FOUND 5/8" REBAR
- FOUND BLM BRASS CAP
- TPOB TRUE POINT OF BEGINNING

B.L.M.



PARCEL N AMENDED
0.08 ACRES ±
3702 SQ. FT. ±

ESMT. ELIMINATED
SEE DETAIL A



LOT 7 & 8 EASEMENT
SCALE: 1" = 50'

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

Date: _____
South Central Public Health District, REHS



SEE SHEET 2 FOR PLAT NOTES.



PREPARED BY: BENCHMARK ASSOCIATES, P.A.
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WHITE CLOUDS, CORRECTED : LOT 8A AND PARCEL N AMENDED

LOCATED WITHIN: T4N, R18E, SEC. 6, B.M.
SUN VALLEY, BLAINE COUNTY, IDAHO
PREPARED FOR: SUN VALLEY COMPANY

PROJECT NO. 13185	BY: LLJ/CPL	FILE: 13185PG1.DWG
PRELIMINARY PLAT	DATE: 11/07/2013	SHEET: 1 OF 3

SUB PA 2013-08

G:\BMA\WHITE CLOUDS REPLAT - LOTS 7, 8, PARCEL N\13185PG1.dwg, 11/8/2013 9:17:10 AM, \\BMA-SERVER\erocx PCL

WHITE CLOUDS, CORRECTED : LOT 8A AND PARCEL N AMENDED

LOCATED WITHIN: SECTION 6, TOWNSHIP 4 NORTH, RANGE 18 EAST, B.1.,
CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO

WHEREIN EASEMENTS ARE ELIMINATED WITHIN LOT 8 AND PARCEL N, "WHITE CLOUDS, CORRECTED" (INST. NO. 571308).

NOVEMBER 2013

PRELIMINARY PLAT

NOTES:

1. BASIS OF BEARINGS IS PER THE ORIGINAL PLAT OF WHITE CLOUDS, CORRECTED PUD (INST. NO. 571308). BOUNDARY LINES AND CERTAIN EASEMENTS SHOWN HEREON ARE PER SAID PLAT. REFER TO SAID PLAT & CC&R'S FOR CONDITIONS AND/OR RESTRICTIONS REGARDING THIS PROPERTY.
2. BUILDING SETBACKS AND HEIGHT REQUIREMENTS SHALL COMPLY WITH APPLICABLE ZONING REGULATIONS. CONSULT THE CITY ORDINANCE FOR CURRENT REQUIREMENTS.
3. SEE ORIGINAL PLAT FOR GIS TIES.

LINE DATA

LINE	BEARING	DISTANCE
L73	N00°00'00"E	15.00'

CURVE DATA

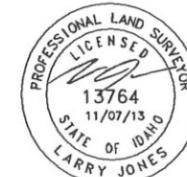
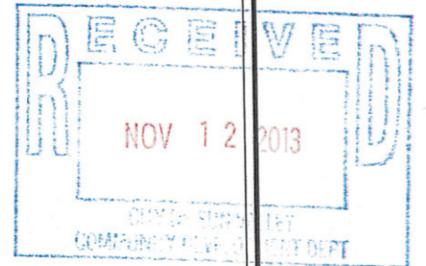
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C10	55.13'	85.28'	77.03'	S44°55'47"W	88°38'06"
C96	55.13'	15.17'	15.12'	S07°16'18"E	15°46'03"

B.E. LINE DATA

LINE	BEARING	DISTANCE
BE117	S89°49'04"W	180.00'
BE118	N00°10'56"W	100.00'
BE119	N89°49'04"E	180.00'
BE120	S00°10'56"E	100.00'

ORIGINAL PLAT NOTES:

1. Sun Peak Drive, Monarch Lane and Diamond Back Road as shown on this plat have been dedicated to the City of Sun Valley for public use upon completion, inspection and approval by the City.
2. An access easement has been granted to Sun Valley Company over and across Parcels H, M and N Amended for the purposes of allowing non-motorized public access to Sun Valley Company's public trail system. Further, a Public Utility Easement is also granted over, under and across Parcels H, M and N Amended for the installation, repair, maintenance, and replacement of underground utilities.
3. 15 foot wide Public Trail Access Easements exists for public use within Parcels E, G, J, K, L, and Lots 8, 26 & 28A as shown hereon. The location of said easements may change to reflect any re-alignments of the trails upon the approval of the City of Sun Valley.
4. A Water Line and Access Easement is granted within Parcel J and Parcel N as depicted hereon, to benefit the Sun Valley Water and Sewer District. A 7.5 foot wide Water Line and Access Easement is granted within each of Lots 7, 8, 11, 12 and 13 as shown hereon, to benefit the Sun Valley Water and Sewer District.
5. A 25 foot wide Access Easement exists within Parcels J and K to benefit the Sun Valley Water and Sewer District, per Instrument No. 287947, records of Blaine County, Idaho.
6. A 30 foot wide Water Line Easement exists within Parcel K to benefit the Sun Valley Water and Sewer District per Instrument No. 287946, records of Blaine County, Idaho.
7. A 15 foot wide Sewer Line Easement, centered on the existing sewer line, exists within Lots 10, 11, 13, 17, 18, and Parcels C, D and H to benefit the Sun Valley Water and Sewer District. A 35 foot wide Culvert and Sewer Line Easement exists within Parcel D.
8. A 30 foot wide Drainage Easement centered on the existing drainage ditch exists within Lot 26 and Parcels G and M. A 15 foot wide Drainage Easement exists within Lots 1, 2, 3, 9, 10, 11, 12, 13, 16, 17, 18, and Parcels A, B, C, D, F, H, and J. The 1.5± acre pond located within Parcel F is considered a part of the Drainage Easement.
9. A 15 foot wide Culvert Easement exists within Lot 29A and Parcels A, D and F.
10. No street lighting is proposed.
11. Avalanche hazards exist within Parcel G. See Sun Valley Gun Club Design Magnitude Snow Avalanche Mapping and report by A.I. Mears dated October, 2007. The avalanche zones designated on this plat are considered by the owner and Benchmark Associates P.A. as reasonable for regulatory purposes. However, neither the owner, nor Benchmark Associates P.A., represents, guarantees, warrants or implies that areas outside the designated avalanche zones are safe and free from avalanche or avalanche danger.
12. Lots 1 through 30, and Parcels H, M and N Amended of the White Clouds Planned Unit Development are subject to a Declaration of Covenants, Conditions and Restrictions (CC&R's) which include, by reference, certain design criteria which will be used by the Design Review Committee in evaluating proposed single-family residential improvements on each of said lots. These design criteria are intended to encourage development which will preserve and enhance the beauty of the area, and copies are available from the White Clouds Single-Family Homeowners Association or its Design Review Committee.
13. There shall be a 10 foot wide Utility, Drainage and Irrigation Easement centered on all lot lines and adjacent to all street and subdivision boundaries.
14. All required Emergency Access Lanes shall remain open and unobstructed and it shall be the sole responsibility of the property owner to maintain said lanes year-round, including but not limited to snow removal and enforcement of no vehicular parking within said lanes at any time.
15. Lots 4, 5, 6, 22, 23A and 25 may require a subterranean garage due to topographic constraints for driveways.
16. Parcels G & L are hereby reserved in perpetuity as Open Space, as defined currently as of August 2009, in the Sun Valley Zoning Ordinance.
17. The 20 foot wide landscape buffer within Parcels A and E is reserved for trails, hardscape, signage, monument signage, plantings or similar usage.
18. The White Clouds residential component lies within an area of sensitive water and visual significance and extensive non-native plantings and irrigation may not be appropriate for the area and may not be approved by the City.
19. Due to local soil conditions, hillside building envelopes and surface and subsurface drainage considerations, a geotechnical investigation should be considered for each lot prior to residential design and construction.
20. A 10 foot wide Access Easement exists within Parcels A, B & J along the golf cart path, to benefit the Sun Valley Water & Sewer District for access to Water Tank and said easement shall follow any realignment of said golf cart path.
21. Parcels A, B, C, D and E are intended to be replatted for Multi-Family uses consistent with applicable zoning ordinance provisions.



	WHITE CLOUDS, CORRECTED : LOT 8A AND PARCEL N AMENDED	
	LOCATED WITHIN: T4N, R18E, SEC. 6, B.M. SUN VALLEY, BLAINE COUNTY, IDAHO	
PREPARED FOR: SUN VALLEY COMPANY		
PROJECT NO. 13185	BY: LLJ/CPL	FILE: 13185PG1.DWG
PRELIMINARY PLAT	DATE: 11/07/2013	SHEET: 2 OF 3