

STAFF REPORT

TO: Hailey City Council
FROM: Mariel Platt, Planner *MP*
RE: Final Plat – Lots 14A and 20A, Block 20, Hailey Townsite (Village ~~at~~
Hailey Center)
HEARING: November 22, 2010

Applicant: FAPO Holdings Idaho, LLC
Location: Lots 14-20, Block 20, Hailey Townsite (314 South River Street)
Zoning: Business (B) and Townsite Overlay Districts

Note: Staff analysis is in lighter type.

Notice

Notice for the public hearing was published in the Idaho Mountain Express and mailed to property owners within 300 feet on November 3, 2010.

Application

FAPO Holdings Idaho, LLC has submitted an application for Final Plat approval for the subdivision of Lots 14-20 into 2 lots; 9,893 square feet and 15,299 square feet. The total land area of the project is 0.58 acres.

Section 3.4.1 of the Subdivision Ordinance allows for applications for platting four or fewer residential parcels or two non-residential parcels to be reviewed through the short plat procedure. In this procedure, the Hearing Examiner or Commission reviews the preliminary plat only. Upon approval, the applicant submits a final plat for Council approval.

Procedural History

The application was heard by the Hailey Hearing Examiner on November 30, 2007 and approved with conditions. On August 23, 2010, the Council approved a two year extension of the preliminary plat. The new deadline to submit the final plat is November 30, 2010.

On November 8, 2007, the City of Hailey entered into a Deferred Development Impact Fee (DIF) Agreement with FAPO Holdings Idaho, LLC, allowing for the DIFs to be deferred until a certificate of occupancy is issued for any portion of phase I of the development. While this final plat can be recorded prior to the payment of DIFs, this is a reminder that fees in the amount of \$76,901 are due prior to the issuance of a certificate of occupancy for any portion of the building in phase I.

SECTION 2 - PERMITS.

2.9 No permit for the construction of any building shall be issued upon any land for which all improvements required for the protection of health and the provision of safety, (including but not necessarily limited to an approved potable water system, an approved wastewater system to accept sewage, and asphalt paving of the streets) have not been installed, inspected, and accepted by the City of Hailey, with the following exception: Building permits may be issued for any building in a development for which plats have been recorded and security provided, but the streets have not yet been completed with asphalt due to winter conditions. In such instances, the street shall be constructed as an all-weather surface to City Standards to the satisfaction of the City Engineer, and shall be kept clear to the satisfaction of the Fire Chief. No Final Inspection approval or Certificate of Occupancy shall be granted until all improvements, including asphalt, have been installed, inspected and accepted.

Notice of this requirement is hereby given to the applicant, and included as a recommended condition of approval.

SECTION 3 – PROCEDURE

3.3 Final Plat Approval.

The final plat, prepared by a Professional Land Surveyor, must be submitted within one (1) calendar year from the date of approval of the preliminary plat, unless otherwise allowed for within a phasing agreement or as otherwise provided herein. Plats not submitted for final approval within one (1) year or according to the phasing agreement, shall be considered expired and preliminary plat approval shall become null and void. The Council may extend the deadline for submitting the final plat upon holding a public hearing.

The preliminary plat application was heard by the Hailey Hearing Examiner on November 30, 2007. On August 23, 2010, the Council approved a request for a two year preliminary plat extension, which established a new final plat submittal deadline of November 30, 2010. This is a short plat procedure; the final plat is permitted to go directly to the Council.

3.3.2 The administrator shall review the final plat application to ensure that the application submitted is consistent with the approved preliminary plat. The conditions imposed on the preliminary plat approval must be either completed or shown on plans or the plat prior to any public notice for final plat approval.

The final plat is consistent with the preliminary plat approved by the Hearing Examiner. Conditions of preliminary plat approval have been met or are carried over.

Hailey Hearing Examiner Conditions of Preliminary Plat Approval

a) All Fire Department and Building Department requirements shall be met.

The Fire Department has confirmed that all conditions of approval related to Fire Department requirements have been met. There are remaining Building Department requirements that have yet to be inspected by the Building Department. This condition should be carried over.

b) All City infrastructure requirements shall be met as outlined in Section 5 of the Hailey Subdivision Ordinance. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:

- **New sewer service connection to Lot 20A shall be installed to meet City Standards and the line servicing the old Lot 20 must be capped at the property line.**
- **The applicant shall install a 10 foot sidewalk, as approved in design review, within both street rights-of-way adjacent to the subject property.**
- **Sidewalk improvements will include curbs and gutters.**
- **The applicant shall determine the depth of the water main line and provide insulating material for every individual water service line less than 6 feet deep, between and including the subject property.**
- **The existing sewer connection for Lot 14A will need to be capped at or near the property line if service is not going to be used.**
- **A snow storage easement shall be granted and shall not be less than twenty five percent of parking, sidewalk, and other circulation areas.**
- **Drainage improvements shall be required and the design must meet the approval of the City Engineer.**

The City Engineer has confirmed that all of these conditions have been met, excluding the snow storage easement. The condition requiring a snow storage easement has not been met and should be carried over.

c) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 2.9 of the Subdivision Ordinance.

This condition should be carried over.

d) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.

This condition should be carried over.

e) An Area Development Plan shall be recorded prior to final plat recordation.

This condition has been met.

f) The final plat must be submitted within one (1) calendar year from the date of approval of the preliminary plat, unless otherwise allowed for within a

phasing agreement.

This condition has been met. The Council approved a two year preliminary plat approval extension on August 23, 2010, establishing a new final plat submittal deadline date of November 30, 2010.

- g) Any subdivision inspection fees due shall be paid prior to recording the final plat.**

The applicant has been billed \$1,000 for these fees. To date, the city has not received payment.

Department Comments

Life/safety: The Building Official has stated that there are some remaining interior and exterior improvements that must be completed prior to the issuance of a Certificate of Occupancy.

Standards of Evaluation

SECTION 4 – DEVELOPMENT STANDARDS

Development standards were reviewed in detail during the preliminary plat approval process. Please refer to the preliminary plat Findings of Fact and Decision. No changes have been made to the plat since preliminary plat approval.

SECTION 5 - IMPROVEMENTS REQUIRED.

- 5.1 It shall be a requirement of the Developer to construct the minimum improvements set forth herein and any required improvements for the subdivision, all to City Standards.**
- 5.1.1 Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer's written approval thereon. One set of final plans shall be on-site at all times for inspection purposes and to note all field changes upon.**
- 5.1.2 Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.**
- 5.1.3 The Developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of final acceptance by the City, except that parks shall be guaranteed and maintained by the Developer for a period of two years.**

- 5.2** The Developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the City Engineer as shown upon approved plans and profiles. The Developer shall pave all streets and alleys with an asphalt plant-mix, and shall chip-seal streets and alleys within one year of construction.
- 5.2.1** Street cuts made for the installation of services under any existing improved public street shall be repaired in a manner which shall satisfy the Street Superintendent, shall have been approved by the Hailey City Engineer or his authorized representative, and shall meet City Standards. Repair may include patching, skim coats of asphalt or, if the total area of asphalt removed exceeds 25% of the street area, the complete removal and replacement of all paving adjacent to the development. Street cut repairs shall also be guaranteed for no less than one year.
- 5.2.2** Street name signs and traffic control signs shall be erected by the Developer in accordance with City Standards, and the street name signs and traffic control signs shall thereafter be maintained by the City. N/A
- 5.2.3** Street lights in the Recreational Green Belt, Limited Residential, General Residential, and Transitional zoning districts are not required improvements. Where proposed, street lighting in all zoning districts shall meet all requirements of Chapter VIII B of the Hailey Zoning Ordinance. N/A
- 5.3** The Developer shall construct a municipal sanitary sewer connection for each and every developable lot within the development. The Developer shall provide sewer mains of adequate size and configuration in accordance with City Standards, and all federal, state, and local regulations. Such mains shall provide wastewater flow throughout the development. All sewer plans shall be submitted to the City Engineer for review and approval. At the City Engineer's discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.

The Public Work's Department has stated that all sewer and wastewater requirements have been met.

- 5.4** The developer shall construct a municipal potable water connection, water meter and water meter vault in accordance with City Standards, or other equipment as may be approved by the City Engineer, for each and every developable lot within the development. The Developer shall provide water mains and services of adequate size and configuration in accordance with City Standards, and all federal, state, and local regulations. Such water connection shall provide all necessary

appurtenances for fire protection, including fire hydrants, which shall be located in accordance with the IFC and under the approval of the Hailey Fire Chief. All water plans shall be submitted to the City Engineer for review and approval. At the City Engineer's discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.

The Fire Department has verified that all Fire Department requirements have been met. There are no outstanding water requirements or conditions of approval relating to water that have not been satisfied.

5.4.1 Within the Townsite Overlay District, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.

The City Engineer has verified that this condition has been met.

5.5 The Developer shall provide drainage areas of adequate size and number to meet the approval of the Street Superintendent and the City Engineer or his authorized representative.

5.6 The Developer shall construct each and every individual service connection and all necessary trunk lines, and/or conduits for those improvements, for natural gas, electricity, telephone, and cable television to the property line before placing base gravel for the street or alley.

5.7 The Developer shall improve all parks and Green Space areas as presented to and approved by the Commission and Council. N/A

5.8 All improvements are to be installed under the specifications and inspection of the City Engineer or his authorized representative. The minimum construction requirements shall meet City Standards or the Department of Environmental Quality (DEQ) standards, whichever is the more stringent.

5.9 Installation of all infrastructure improvements must be completed by the Developer, and inspected and accepted by the City prior to signature of the plat by City representatives, or according to a phasing agreement. A post-construction conference shall be requested by the Developer and/or contractor and conducted with the developer and/or contractor, the City Engineer, and appropriate City departments to determine a punch list of items for final acceptance.

5.9.1 The Developer may, in lieu of actual construction, provide to the City security pursuant to Section 3.3.7, for all infrastructure improvements to

be completed by Developer after the final plat has been signed by City representatives.

- 5.10 Prior to the acceptance by the City of any improvements installed by the Developer, three (3) sets of "as-built plans and specifications" certified by the Developer's engineer shall be filed with the City Engineer.

Summary and Suggested Conditions

The City Council shall hold a public hearing and approve, conditionally approve, or deny the final plat application. The following conditions are suggested to be placed on any approval of this application:

- a) The final plat submitted for signatures shall include the following plat note: "The subject property is subject to a development agreement, Inst. No. 558094, and an amended development agreement, Inst. No. 582106, records of Blaine County, Idaho."
- b) All Fire Department and Building Department requirements shall be met.
- c) All City infrastructure requirements shall be met as outlined in Section 5 of the Hailey Subdivision Ordinance. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:
 - A snow storage easement shall be granted and shall not be less than twenty five percent of parking, sidewalk, and other circulation areas.
- d) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 2.9 of the Subdivision Ordinance.
- e) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.
- f) The final plat shall be recorded within one year of the date of final plat approval. The final plat submitted for signature shall conform to the requirements found in Article 50-1301 (et. seq.) of the Idaho Code (as amended) and to the requirements set forth by Blaine County for digital plat submittals. The applicant shall provide the City with a letter-size or ledger-size photocopy of the recorded plat showing the instrument number and date of recordation.
- g) Subdivision inspection fees in the amount of \$1,000 shall be paid prior to recording the final plat.

Motion Language:

Approval:

Motion to approve the final plat application for a lot line adjustment, creating Lots 14A and 20A, Block 20, Hailey Townsite, located at 314 South River Street, subject to conditions () through (), finding that the final plat meets the standards of the Hailey Subdivision Ordinance.

Denial:

Motion to deny the final plat application for a lot line adjustment, creating Lots 14A and 20A, Block 20, Hailey Townsite, located at 314 South River Street, finding that _____ [the Council should cite which standards are not met and provided the reason why each identified standard is not met].

Continuation:

Motion to continue the public hearing upon the final plat application for a lot line adjustment, creating Lots 14A and 20A, Block 20, Hailey Townsite to _____ [the Council should specify a date].