



STATEMENT OF DECISION

June 17, 2025

CONCERNING: Flats at Teton Peaks Second Phase Condominium Plat

PROJECT NAME: Flats at Teton Peaks (File No. SUB22-1)

MEETING DATES: 6/17/2025 (City Council)

DECISION DATE: 6/17/2025

APPLICANT: Kurt Webb

OWNER: Flats at Teton Peaks

RP#: RPA00000261206

LOCATION: Sec. 26 T5N R45E

ZONING : RM-2 Multifamily and IL Light Industrial

ACREAGE: Project area—approximately 11.25 acres

PROJECT SUMMARY: The applicant is requesting approval of the second phase of a multi-phased 184-unit condominium development – The Flats at Teton Peaks. This first phase platted three lots: Lot 1, Block 1; Lot 1, Block 2; and Lot 1, Block 3 along with the easements and rights-of-way. The Phase I Condo Plat included Building A, D, and E for a total of 24 units. Phase II Condo Plat includes Building B, C, F and G for a total of 32 units.

BACKGROUND: The Flats at Teton Peaks received the RM-2 zone district designation in October of 2021. A concept subdivision plan was submitted in 2022 (the latest on July 22, 2022). A staff concept review was returned August 5, 2022. A preliminary plat application was submitted and deemed complete November 14, 2022. The Planning and Zoning Commission reviewed the item and recommended approval on February 8, 2023. On March 21, 2023, Council approved the Subdivision Preliminary Plat.

Phase I included the master plan for the subdivision. This includes all infrastructure for Phase I and platting all lots and rights of way in addition to review of the entire master plan for a comprehensive review of impacts from the total proposed units.

REVIEW: This subdivision is considered a Full Plat Subdivision, per Art. 14.5.6 of the [Land Development Code](#). As such, the Final Plat was reviewed by City Council during a public meeting on June 17, 2025.

APPLICABLE PLANS AND ORDINANCES: The plans and ordinances applicable at the time of application of the subdivision are: Driggs Comprehensive Plan adopted by Resolution 379-20 and Driggs Land Development Code adopted by Ordinance 374-16 and last amended with Ordinance 446-22.

DEVELOPMENT AGREEMENT: After the preliminary plat was approved, the Developer and the City pursued and entered into a Development Agreement, which was recorded as Instrument No. 287743.

AVIGATION EASEMENT: An avigation easement was recorded by Instrument No. 279913 for the entire subdivision and was required to be referenced on the final plat.

PUBLIC RECORD:

- Application: 4/8/25
- Staff Reports:
 - City Council 6/17/25
- Meeting Minutes
 - City Council 6/17/25

FINAL PLAT APPROVAL CRITERIA (LDC §14.4.10.J):

1. The plat and development plans substantially conform with the approved preliminary plat and Development Agreement.
2. The final plat and development plans meet all of the approval criteria for a preliminary plat.
3. The public improvements have been constructed per the approved improvement plans.
4. The improvements have been approved by City Public Works, Teton County Fire Protection District, Idaho DEQ and any other agency of department having jurisdiction over the improvements.
5. Any other document, such as CC&Rs, to be recorded with the plat has been signed by the Owner and received by the City.

FINAL PLAT APPROVAL (LDC §14.4.10.K): Final Plat approval shall be contingent in part upon completion and acceptance by the City of all public improvements. Streets and public improvements will not be officially accepted until the following conditions are satisfied:

1. The plat and development plans substantially conform with the approved preliminary plat and Development Agreement.
2. The final plat and development plans meet all of the approval criteria for a preliminary plat.
3. The public improvements have been constructed per the approved improvement plans.
4. The improvements have been approved by City Public Works, Teton County Fire Protection District, Idaho DEQ and any other agency of department having jurisdiction over the improvements.
5. Any other document, such as CC&Rs, to be recorded with the plat has been signed by the Owner and received by the City.

DECISION: On June 17, 2025, The City Council considered the proposal, staff's analysis, and exhibits that are contained in the documents referenced in Staff Report, which serve as the public record. City Council voted to approve the Second Phase Condominium Plat for The Flats at Teton Peaks Subdivision, as indicated in the attachment to this report, based on the findings that the proposal generally complies with the Preliminary Plat, Preliminary Plat conditions, and the Development Agreement, so long as the following conditions are met. The Planning & Building Director and Public Works Director will oversee the completion and acceptance of the following conditions:

1. All requested survey corrections on the condominium plat must be made and approved before mylars can be printed for recording.
2. TIS fee per unit is provided prior to each unit receiving Certificate of Occupancy.
3. 4 units must deed restricted with the Qualified Local Households deed restriction (per the template recorded with the amended development agreement) at the time of plat recording for Phase II. Any STR deed restrictions for this phase should also be provided.
4. The plat for Phase II shall reference the avigation easement, which was recorded by Instrument #279913.
5. As-built improvement plans must be submitted to DEQ and approved. Letter to be provided before final plat may be recorded.

6. All infrastructure improvements must be approved and accepted by Public Works or incorporated into the cost estimate and financial surety before recording the plat.
7. All 32 units shall receive certificate of occupancy before the condominium plat is recorded.
8. Financial warranty for 10% of the estimated value of Phase II improvements be provided before the plat may be recorded.

This Statement of Decision was reviewed and approved by City Council on the _____ of _____, 2025.

August Christensen, Mayor

Attest: _____
Kreslyn Schuehler, City Clerk

APPEALS: *An applicant or any person affected by an application decision may appeal that decision. A request for Reconsideration of the City Council's final decision must be submitted to the Administrator no later than the 14th calendar day following the date the written final decision was issued. An affected person aggrieved by a final decision concerning matters identified in section [67-6521\(1\)\(a\)](#), Idaho Code, may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek judicial review under the procedures provided by [chapter 52, title 67](#), Idaho Code. An appeal shall be from the final decision and not limited to issues raised in the request for reconsideration.*