



PLANNING AND ZONING COMMISSION AGENDA
Monday, May 09, 2016
City Hall, 480 East Avenue North, Ketchum, Idaho

1. 5:30 PM - CALL TO ORDER
2. CONSENT CALENDAR
3. PUBLIC COMMENT - Communications from the public for items not on the agenda.
4. COMMUNICATIONS FROM STAFF
 - a. Bigwood Bread Conditional Use Permit Standards: Update
 - b. Franz Building: The applicant is proposing to construct a mixed use three-story building with ground floor commercial space with two residential units on the second floor and one residential unit on the third floor. The property is zoned Community Core (CC) Sub-district D, Traditional Neighborhood.
 - c. Zoning Code Work Session: Signage
5. APPROVAL OF MINUTES
 - a. April 25, 2016: Minutes
6. FINDINGS OF FACT
7. FUTURE PROJECTS AND NOTICING REQUIREMENTS
8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE
9. COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE
10. ADJOURNMENT

Any person needing special accommodations to participate in the meeting should contact the City Clerk's Office as soon as reasonably possible at 726-3841. All times indicated are estimated times, and items may be heard earlier or later than indicated on the agenda.

Presentation from April 25, 2016



Bigwood Bread Conditional Use Permit-Update

4/25/16

Background

- A CUP and DR approved a 9,500 square foot bakery, 500 square feet of associated retail, and a maximum 1,000 square foot restaurant.
 - Findings signed on December 10, 2012.
- In 2012 Bigwood Plaza LLC requested an amendment to their CUP to allow their restaurant to provide food service after 9 PM.
- In 2014 Bigwood Plaza proposed an amendment to the Municipal Code Section 17.72.010.B (LI-2 District), that would allow restaurants to serve later than 9:00PM.
 - Approved by City Council on July 21, 2014.

Conditions

- The requirements of the Ketchum Public Works, Streets, Utilities, Fire, and Planning and Building Departments shall be met
 - Standards have been met.
- The Conditional Use Permit shall expire twelve (12) months after the signing of the approved Findings of Fact if not acted upon
 - CUP was acted upon, standards have been met.
- The Conditional Use Permit approval applies to Lot 4, Amended Lot 10, Northwood PUD, and is based on the representations, plans and information presented and approved at the meeting on July 21, 2014
 - Standards have been met.
- The restaurant establishment shall not have an adverse impact on the neighborhood due to noise, hours of operation, parking impacts, disturbance or other causes found by the Commission to be adverse to the neighborhood or other land uses
 - Standards have been met.

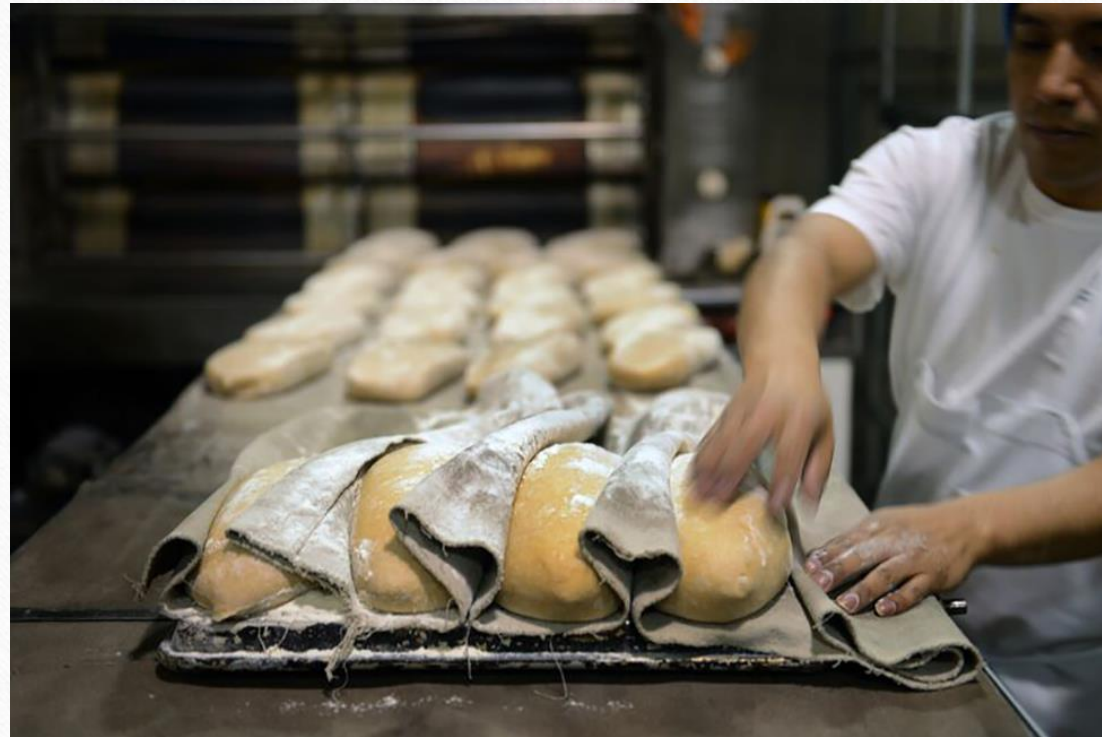
Conditions Continued

- The restaurant shall have a closing time of 11:00 p.m. Closing means that at 11:00 p.m. there shall be no outside assemblage or seating of people, no outside service of food or beverages, and no new inside food or beverage service
 - [Standards have been met.](#)
- The restaurant use may operate a maximum of 215 days per year from 9:00 p.m. to 11:00 p.m., and no more than 4 consecutive days in a week. The applicant shall track its business operating hours and provide an annual report to the City of Ketchum Planning and Building Department
 - [The applicant will provide this.](#)
- No tents or other shelters (excluding umbrellas) may be erected in support of the restaurant/small food service establishment
 - [Standards have been met.](#)

Conditions Continued

- No additional lighting and no outside, amplified music is allowed after 9:00 p.m. and all other music must meet allowable decibel levels (even if projected from indoors)
 - Standards have been met.
- No disposal of trash or recyclables may be conducted outdoors between the hours of 9:00 p.m. and 6:00 a.m.
 - Standards have been met.
- The Conditional Use Permit shall be reviewed in a public hearing before the Planning and Zoning Commission to determine and ensure that the conditions of this permit are complied with and that the use does not have an adverse impact on the neighborhood. This hearing shall be conducted within 18 months of the signing of the conditional use findings of fact
 - Standards have been met.
- A certificate of occupancy and business license shall be acquired for operations as the subject property prior to occupancy and use of the building
 - Standards have been met.

Questions?





Planning and Zoning

Regular Meeting

~ Minutes ~

480 East Avenue North
Ketchum, ID 83340
<http://ketchumidaho.org/>

Keshia Owens
(208) 726-7801

Monday, April 25, 2016

5:30 PM

Ketchum City Hall

1. 5:30 PM - CALL TO ORDER

Commissioner Cook Called the meeting to order at 5:32 PM.

2. CONSENT CALENDAR

There were no items on the Consent Calendar.

3. PUBLIC COMMENT - Communications from the public for items not on the agenda.

There was no public comment.

4. COMMUNICATIONS FROM STAFF

a. Bigwood Bread Conditional Use Permit Standards: Update

COMMENTS - Current Meeting:

Owens updated the commission on the Big Wood Bread Conditional Use Permit.

The applicant met all of the following conditions:

- All requirements of the Public Works Streets, Utilities, Fire and Planning and building departments shall be meant.
- The CUP shall expire 12 months after the signing of the Findings of Fact
- The CUP approval applies to Lot 4 Amended Lot 10, Northwood PUD and plans represented at the hearing shall be adhered to.
- The restaurant shall not have an adverse impact on the neighborhood
- The restaurant shall have a closing time at 11 pm. This means that there shall be no seating of people or service to people inside or outside.
- The restaurant use may operate a maximum of 215 days per year from 9-11 pm and no more than four consecutive days in a week. The applicant shall provide an annual report to staff. -No complaints had been received, so staff did not ask for an annual report.
- No tents or other shelters (excluding umbrellas) may be erected.
- No additional lighting and no outside amplified music is allowed after 9 pm.

- No disposal of trash or recyclables may be conducted outdoors between 9 pm and 6 am.
- An update of the Conditional Use Permit shall be given to the Commission after 18 months.
- A Certificate of Occupancy and business license shall be acquired for operations to the subject property prior to occupancy and use of the building.

Commissioners' questions:

Commissioner Smith asked if this is the only time that the commission would review the CUP or would it come back to them.

Austin stated that this is the only time that they would have a specific meeting for this Bigwood Bread and that is to comply with the Conditions.

Smith asked if there was a notice sent out to the public.

Austin indicated that this is only an administrative process and the owner is willing to come back if the commission has questions. If complaints are received, the Commission can rehear the CUP.

Lamoureux stated that this is an opportunity for the commission to add conditions if need be. He added that understanding that the point of this review is to determine if the established conditions are adequate to mitigate impacts on surrounding properties and to modify the conditions if needed.

Austin added that this isn't an opportunity to go back and change conditions, but to ensure that they have complied with them.

Owens commented that she has not received an answer from the owner as to the number of times they have extended operation past 9 pm. Austin added that there had been a few times the owner stayed open longer, but it was never past ten P.M.

Cook asked if this process is indicative for all CUPs. He would like CUP reviews to be advertised to the public.

Austin stated that this review is for the commission to learn from the process and could lead to future review of other CUPs. He asked if the commission had follow up questions regarding this particular CUP.

Smith asked to know how many times they extended beyond 9 pm and if they are planning to materially change their business operation.

Smith commented that this could have been an opportunity for the public to provide comment.

Austin suggested that if the commission was not ready to approve this CUP they could continue this item to the next meeting and allow the owner to come ready to answer questions.

Directives:

How many times has the owner been open past 9 PM since getting the CUP.

Does the owner plan on materially changing their business operation.

How often the CUP has been exercised.

Include more information in notes and comments in staff report

Commissioner Lamoureux motioned to continue the item to the regular meeting on Monday, May 9, 2016. Commissioner Doty seconded.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Lamoureux, Commissioner
SECONDER:	Mike Doty, Commissioner
AYES:	Cook, Doty, Lamoureux, Smith, Mizell

b. Zoning Code Work Session: Signage

Brim said that Staff is still in the drafting process and is working on aligning the code with Reed V. Gilbert. He added that staff is going through the sign code to identify anything that is content based and finding regulations that are more form based. He commented that he plans to have a draft for the commission to review at the next meeting.

5. APPROVAL OF MINUTES

a. April 11, 2016: Minutes

COMMENTS - Current Meeting:

Pg 2, line 35- Change to: if a greenhouse could be given more of a footprint

Pg 2, line 58- IDWR

Pg 3, line 92- Change to: Brim commented that Ben Franz has also applied for Design Review and will be in front of the Commission in May.

Pg 1, line 32- Clarify that is solar panels that are above two feet

Rooftop heat regulations- had to do with the greenhouse and how it would affect space heating

Commissioner Doty motioned to approve the Monday, April 11, 2016 regular meeting minutes as amended.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mike Doty, Commissioner
SECONDER:	Jeff Lamoureux, Commissioner
AYES:	Cook, Doty, Lamoureux, Smith, Mizell

6. FINDINGS OF FACT

a. McCallum Waterways Design Review/Floodplain Development Permit: Findings of Fact

COMMENTS - Current Meeting:

Brim said that staff has the valuation update and this changes the cost improvement from 41 to 41.47%. The Commission is comfortable with staff's review of the revegetation plan.

Commissioner Smith would like to add wording that says staff reviewed and the commission accepted the Findings.

Commissioner Doty said that we should be very specific about which building permit is and isn't available.

Commissioner Lamoureux made a motion to approve the Findings of fact for McCallum Waterways Design Review and Floodplain Development Permit with modifications.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Lamoureux, Commissioner
SECONDER:	Erin Smith, Commissioner
AYES:	Cook, Doty, Lamoureux, Smith, Mizell

7. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Brim said that the Franz Building is noticed for the 9th, but the applicant is still in the process of redoing the architectural designs. He added that because they are noticed the item will still be on the agenda, but will be continued.

8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Austin said that staff is nearing the conclusion of task II of the contract with Diane Kushlan. He added that staff will meet with the internal parking committee with code recommendations and then open up the parking ordinance to the public, which will be task 3.

Austin said that Brittany Skelton has accepted the Associate Planner position.

Austin said that City Council has completed its third reading of the Design Review Ordinance. He commented that there changes to drought tolerant trees and shrubs, more public work oversight in the public right-of-way, and the consent agenda. He added that Ordinance 1151- The Spot was approved by the City Council for 90 events. He noted that City Council added The Spot use was subordinate to the traditional Light Industrial Use and that the City will not act on complaints in regards to the normal function of Light Industrial uses.

Austin also commented that Warm Springs Development Agreement eight-year extension will be on the agenda for the end of June.

9. Commission reports and ex parte discussion disclosure

No comments.

10. ADJOURNMENT

Commissioner Doty motioned to adjourn and Commissioner Lamoureux seconded