



**PLANNING AND ZONING COMMISSION AGENDA**  
**Monday, April 11, 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. Zoning Code Work Session.
5. APPROVAL OF MINUTES
  - a. March 14, 2016- Site Visit
  - b. March 14, 2016- Minutes
  - c. March 28, 2016- Minutes
6. FINDINGS OF FACT
  - a. Elevation 6000 Final Plat - 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.*



**SPECIAL PLANNING AND ZONING COMMISSION MEETING**  
**Monday, March 14, 2016, 5:00 pm**  
**Ketchum City Hall, Ketchum, Idaho**

**Present:**           **Chairperson Steve Cook**  
                           **Vice-chair Jeff Lamoureux (at only 303 Broadway Boulevard)**  
                           **Commissioner Mike Doty**  
                           **Commissioner Betsy Mizell**  
                           **Commissioner Erin Smith**

**1. SITE VISIT AT 420 East River Street - in regard to the application by Robert and Deborah McCallum, represented by Mike Mattias, architect, for a Floodplain Development Permit/Waterways Design Review.**

The following features of the proposed project were viewed and discussed:

- Location of existing cabin to be removed and replaced.
- Location of stair, shed and concrete pad in the riparian setback and floodplain to be removed.
- Location of proposed garage improvements.
- Extent of proposed improvements.

**Also Present:**   **Rebecca Bundy, Senior Planner/Building and Development Manager**  
                           **Robert McCallum, applicant**  
                           **Mike Mattias, architect**  
                           **John Bailey, neighbor**  
                           **Scott Harris, neighbor**

**2. SITE VISIT AT 303 Broadway Boulevard - in regard to the application by Mary Constant, represented by Olson Kundig, architects, for Waterways Design Review.**

The following features of the proposed project were viewed and discussed:

- Location of existing house to be removed and replaced with new construction.
- Location of riparian setback.
- Location of trees and debris to be removed.
- Extent of proposed improvements.

**Also Present:**   **Rebecca Bundy, Senior Planner/Building and Development Manager**  
                           **Tom Kundig, Olson Kundig, architect**  
                           **Elizabeth Conklin, Olson Kundig**  
                           **John Lee, Lee Gilman Builders, general contractor**  
                           **Lily Corrock, Lee Gilman Builders**  
                           **Bruce Smith, Alpine Enterprises, Inc., surveyor**  
                           **Trent Stumph, Sawtooth Environmental Consulting, LLC, riparian consultant**  
                           **Kurt Eggars, Eggars Associates, PA, landscape architect**

The Commissioners had no further questions and the special site visits were concluded at about 5:30 pm.

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Steve Cook  
 Planning and Zoning Commission Chair



# Planning and Zoning

## Regular Meeting

~ Minutes ~

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

Rachel Martin  
(208) 726-7801

Monday, March 14, 2016

5:30 PM

Ketchum City Hall

Commissioners Present: Steve Cook, Chairperson  
Michael Doty, Commissioner  
Betsy Mizell, Commissioner  
Erin Smith, Commissioner  
Jeff Lamoureux, Commissioner

Staff Present: Micah Austin, Director of Planning & Building  
Rebecca Bundy, Senior Planner  
Morgan Brim, Senior Planner  
Stephanie Bonney, City Attorney  
Keshia Owens, Planning Technician

1. **5:00PM- SITE VISIT: 420 East River Street (Ketchum Townsite, FR of Block 84, Tax Lot 8365)**
2. **5:15 PM- SITE VISIT: 303 Broadway Boulevard (Sun Valley Sub 1st Add Rev, AM Lot 21A, Blk 5)**
3. **5:30 PM- CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**

Steve Cook called the meeting to order a 5:42 PM. He said that 2 site visits were conducted before the meeting.

#### 4. **CONSENT CALENDAR**

There were no items on the Consent Calendar.

#### 5. **PUBLIC COMMENT - Communications from the public for items not on the agenda.**

There was no public comment for items that are not on the Agenda.

#### 6. **COMMUNICATIONS FROM STAFF**

- a. The Spot: The Commission will hold a public hearing and take action on an application by The Spot, LLC, represented by Brett Mollenberg, for a text amendment to the Municipal Code.

##### **COMMENTS:**

Chairman Cook explained that the application is just for a text amendment and asked that public comments be limited to the that.

Brim commented that the original application started off as a district use change. He noted that one of the key issues was parking and said that Staff recommended approval for the conditional use permit to the City Council. He also noted that the City Council agreed with the use, but wanted Staff to further analyze the assembly uses. Brim added that the City Council directed Staff to look at the Definition section of the Code, instead of the District Use Matrix, which now requires the applicant to come back to the Planning and Zoning Commission. He also explained that the changes to the definitions in Section

17.08.020 now mean that any events that are in relation to a commercial studio have to be connected to a commercial studio.

Brim noted that the development standards have changed:

- A. Limitations to 30 days per calendar year to keep it an accessory use
- A. The occupancy is limited to 100 persons
- B. Restrooms will be available onsite for patrons
- C. Food and beverage is served during the hours an event only
- D. Limited to Mon through Fri 5:30 PM to 12:00 AM, Saturday and Sunday 12:00 PM to 12:00 AM
- E. All building and fire codes are still required to be met
- F. No subleasing shall be allowed for events

Chairman Cook opened for comment from the applicant and Bonney noted that the meeting is to focus on the application to approve the Text Amendment.

Brett Mollenberg, The Spot, said that he was not provided with the full list of development standards and noted that what was asked by City Council is not reflected. Mollenberg commented that under these development standards the Spot is limited to 30 events a year, but he would like this to change to 50. He added that the NextStage Theater is going under renovation and noted that this only leaves the Spot for certain types of performances.

Chairman Cook asked how many productions does The Spot actually need.

Mollenberg said that they typically do 30 events, but the cap of 30 is too low for growth potential. He added that he thinks that subleasing should be done for 10 days/events.

Brim clarified that the applicant was given the development standards through the Staff Report. He also noted that subleasing is an extension of the business' principal use and he added that it should not compete with downtown.

The following members of the public provided comments on The Spot, the Text Amendment, or had questions about the development standards:

John Greybow

Believes that the location is an appropriate spot for this theater. He is concerned with the restriction on sub leasing and believes that it provides a source of revenue. He indicated that they should be given for days for events.

Gary Hoffman

Stated that the work they are doing would not be economically feasible in a larger theater. The Company of Fools when they put on a production there are generally 60 event days which does not account for the other things that they do in the theater.

Karen McCough

Believes that the Spot should be given every ability to expand. The City should encourage creativity. The City should embrace this use. 30 days is not enough.

Ingrid Cherry

Ingrid asked Brim if these standards are limited to just the light industrial district.

Mr. Brim stated that these standards will apply to any commercial studio uses which are allowed in the LI and CC districts.

Ingrid stated the LI district is a great place for the city to grow and for the Spot to operate.

Thea Konig

Stated that there has been some amazing events in the LI districts.

Yana Lantz

Stated that she does not know what her business occupancy is. She was told at the beginning of the process that there occupancy is 123 and it has not changed several time.

Candace Shubin

Commented that she owns the Laundromut. She asked about the development standards which require onsite bathrooms and if this means they have to be provided within the square footage of the Spot's tenant space.

Cook commented that staff would respond to her and other citizen questions at the end of the meeting.

Ms. Shubin stated that the bathrooms were located in her space for the entire building.

Lisa Leech

She indicated that the language should be amended to state that events be limited to no more than 30 consecutive days.

Daryl Fauth

Noted that the Next Stage Theater is a huge venue for the ballet. The subleasing language should be deleted. The Spot would not compete with other businesses.

Alison Higden

She is interested in renting the Spot's space. She asked if they can sublease to her if there is a smaller number of people.

Michael Leech

He asked how 30 days was determined. He commented that parking is not an issue and invited the commissioners to attend an event. He believes that the Spot has been singled out unfairly.

Jane Reynold

She commented that she has been with the Spot from the beginning. Brett was modest in stating 50 days. The number of days should be more open. The Next Stage Theater will go under construction in the near future.

Rebecca Waycott

She indicated that the 30 days is not enough. The number should not be too strict. The subleasing requirement should be removed.

Mickey Garcia

Mickey commented that he did not get a copy of the text amendment. He believes that this is excessive governance. They should be given at least 100 days.

Joey Zarcos

She indicated that the Spot is so much more than a commercial studio, it is an educational asset. There should not be restrictions.

Erica Leibel

She has seen successful mixed use industrial areas. It works well for Garden City. If the Spot was required to move to the downtown core it could negatively affect their business.

Tim Egan

He is okay with letter A. He wants the City to get around the requirement for ADA restrooms onsite. The mandates in the development standards are overarching. He has issue with the requirement regarding food and beverage. There is a good chance that they will go somewhere else. The building and fire code requirements are too much. This is sending a bad message to the community.

Sarah Hedwick

She wants to support the Spot. She does not want restrictions on the number of days for events. 80% of the people that attending the last event went to dinner in downtown.

Anik Zarcos

Believes that this is sad that the City is taking away business for the Spot. It does not compete with the downtown. Education is an important cause.

Tim Mott

Commented that new businesses and the arts work together all around the world. There is a lot of vacant space in the LI district. He has not read the comprehensive plan but believes there is plenty of room for businesses like the Spot.

Commissioner's Deliberation:

Commissioner Lamoureux said that if the Commission looks at this as wanting to define the events as an accessory use, then 120 days would be reasonable. He added that restricting the events to 30 days is arbitrary, but less than 50% would keep it as a subordinate use. He also noted that the life-safety issue should be the most important for the Commissioners, but the responsibility for subleasing the space should be on The Spot.

Commissioner Mizell agreed that limiting the Spot to 30 days is unfair and the Commission should work to figure out an appropriate number of days.

Commissioner Smith also agreed that 30 days are too few. She added that the number of days is intricately tied into subleasing and commented that 120 days becomes critical if subleasing is allowed. She noted that if you are going over 30 days, it's because you know you're going to let subleasing happen. Commissioner Smith later added that she is not opposed to letting subleasing happen, but she would like it to be more of a nexus with what the typical business is.

Commissioner Doty commented that he is looking at this from a 365-day calendar year point of view, instead of 260, because many of The Spot's events are on weekends. He also noted that holding events for 50 days at 13.5% or even moving up to 55 days at a 15% threshold is still quite low and added that looking at 120 days at 33% would make it so that the use is kept secondary. He commented that the Commission should set a threshold where a secondary use can be subordinate to the primary business and added that he is open to having more than 30 days.

The Commission provides Staff with a list of directives to be considered:

- The Commissioners recommended that Staff present 90 days to the council.
- The Commissioners recommended that restrooms should meet building code.
- The Commissioners recommended that the applicant think through subleasing.

The meeting was continued to March 28, 2016 and Commissioner Doty made a motion "to continue the meeting to March 28, 2016."

<b>RESULT:</b>	<b>CONTINUED CC [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

- b. Constant Waterways Design Review: The Commission will consider and take action on an application by Mary Constant, represented by Olson Kundig architects for Waterways Design Review. The subject property is located at 303 Broadway Boulevard, Ketchum, Idaho (Sun Valley Sub 1st Add Rev, AM Lot 21A, Block 5).

**COMMENTS:**

Elizabeth Conklin, Olson-Kundig, said that this is a small single family residence on 300 Broadway Blvd. She added that the proposal is to remodel the existing building and add on towards the east side of the property. She noted that the footprint of the new building is the same and the building height is based on the maximum building heights allowed. She noted that there is an existing chimney and fireplace that will be removed and the gravel portion will no longer be needed.

Staff comments:

Bundy said that the structure was built prior to any floodplain or riparian codes, which has created an existing nonconforming situation with respect to the riparian setback. She added that the building is not to be torn down unless it is deemed unsafe. She also noted that if the structure was destroyed by a calamity Staff would allow it to be rebuilt on the same footprint, but Staff has determined that the structure is unsound and can be rebuilt on location in a structurally sound way.

Bundy explained that Staff is recommending conditions 1-8 in the Staff Report and named the comments provided by other departments that have been incorporated into the conditions of approval.

Staff:

The project shall meet fire and building code.

Connection to the municipal water system is required per the City Code and the private well must be abandoned in a manner compliant with **IDEA(p)A**.

The application to abandon the well must be filed with IUWR.

The root bars of existing trees must be retained in order to provide bank stabilization.

Streets:

Engineered structural plans for the foundation, which are required by building permit anyway

The following conditions were added by the Commission:

9. A silt fence along the limits of disturbance

10. Temporary irrigation may be installed only in the riparian setback to be removed upon establishment of the riparian plantings

11. Revised drawings to be submitted to Staff prior to the Findings of Fact

Commissioner Doty "moved to approve the Constant Residence waterways design review with conditions 1-11 as amended below."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty, Commissioner
<b>SECONDER:</b>	Erin Smith, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

- c. McCallum Waterways Design Review/Floodplain Development Permit: The Commission will consider and take action on an application by Robert and Deborah McCallum, represented by Michael Mattias, for a Waterways Design Review and Floodplain Development Permit. The subject property is located at 420 East River Street (Ketchum Townsite, FR of Block 84, Tax Lot 8365)

**COMMENTS:**

Mike Mattias, architect, said that this is an existing two-story structure, but much of the project is to be removed.

Robert McCallum, owner, said that he wants to kept the project as natural as possible. He added that the landscaping is a clean canvas, but he would like to add lots of plantings and trees. He noted that they are doing everything they can to improve the house and its function alongside the river.

Staff comments:

Bundy said that navigating the floodplain and FEMA issues have been very difficult. She noted that the original building was a legally built building in the 1980s, but it was not built to the floodplain code at the time. She added that Staff has treated this as a non-substantial improvement project and because of that the project needs to be elevated at a minimum to base flood elevation, which means raising the existing floor to about 4 inches.

Bundy explained that the Commission could approve the project and have the updated plans go through Staff or the Commission could continue the item. She noted that if the Commission approves the item, it would be subject to the Findings of Fact. She also noted the additional conditions the project would be subject to:

The Commission added the following conditions:

- 13. A silt fence along the limits of disturbance
- 14. Temporary irrigation may be installed only in the riparian setback to be removed upon establishment of the riparian plantings

Commissioner's comments:

Commissioner Doty said that the applicant will need to really pay attention to the cost of construction because the implications for this are big.

Commissioner Lameroux made a motion to "approve the McCallum Residence floodplain development permit and waterways design review with conditions 1-14 as amended"



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

- d. Kneebone Mixed Use Design Review: The Commission will consider and take action on an application for Design Review by Kneebone, LLC, represented by Stephen T. Kearns, located at 500 N. Washington Ave, Ketchum, ID (Ketchum Townsite, Lot 8, Block 15).

**COMMENTS:**

Commissioner Doty recused himself.

Jeff Williams, Architect for Williams Partners, said that the application has been through the pre-design review and explained how they have addressed the Commission's concerns:

The zero lot line wall was softened and broken up

A mahogany Rain screen finish was elevated up to 6 ft to screen parking

A letter stating that garbage collected in the back is **compliant**

The applicant was recommended to not share a dumpster with the neighbor Veltex, but Commissioner Smith commented that she meant sharing the dumpster with Kith and Kin neighbor.

All lighting is consistent with the Dark Sky Ordinance

The Bike rack will be 30 feet from the front entrance

The landscape plan addresses water draining off of canopies

The size of central windows has been increased

A letter stating, they will be compliant with snow removal

Sidewalks are required to be concrete

The applicant is also striving to make the building more energy efficient

Staff comments:

Brim said that there is one change and added that there are a few areas in the initial plans that weren't included in the FAR that should have been. He also noted that the applicant should submit updated plans prior to the signing of the Findings of Fact.

He noted that Staff is recommending approval for the project with conditions 1-10, which includes the requirement for community housing.

Commissioner Lamoureux moved to "approve the design review application by Kneebone for the Kneebone Mixed Use project with conditions 1-10 below."

<b>RESULT:</b>	<b>ADOPTED [3 TO 0]</b>
<b>MOVER:</b>	Jeff Lamoureux, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Erin Smith, Betsy Mizell
<b>RECUSED:</b>	Steve Cook, Mike Doty

- e. Alfs Design Review: The Commission will consider and take action on an application for Design Review by Susan Alfs, represented by Blincoe Architecture, located at 311 7th Street, Ketchum, ID (Ketchum Townsite, Lots 2, 3, and 4, Block 72).

**COMMENTS:**

Chad Blincoe, Architect representing Susan Alfs, said that the existing structure is a 1950s military bunk house, but it is now being donated to the Blaine County Housing Authority. He noted that the property will be kept in the same location and that landscaping will remain the same. He added that the exterior lighting would be handled with wall sconces and drainage will be dealt with onsite.

**Staff Comments:**

Brim said that the project meets all of the Design Review requirements and Staff is recommending approval with 6 conditions.

Commissioner Smith moved to approve "the design review application by Susan Alfs for Alfs Residence with conditions 1-6."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

- f. **Zoning Ordinance Update - Phase II: The Commission will discuss the status of the Zoning Ordinance update.**

Brim said that no significant milestones have been hit, but Staff is getting there.

**7. FINDINGS OF FACT AND APPROVAL OF MINUTES**

- a. Elevation 6000 Final Plat - Findings of Fact

**COMMENTS - Current Meeting:**

Pg 3 of 5, discussing the garage- the word

Chairman Cook motioned to approve" the Findings of Fact for the Elevation 6000 Townhomes for the Phase II Final Plat."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Cook, Chairman
<b>SECONDER:</b>	Mike Doty, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

- b. **January 11, 2016 Dartnell - Site Visit Minutes**

- c. February 8, 2016 - Site Visit Minutes
- d. February 8, 2016 - Minutes
- e. February 22, 2016 - Minutes
- 8. FUTURE PROJECTS AND NOTICING REQUIREMENTS
- 9. STAFF REPORTS & CITY COUNCIL MEETING UPDATE
- 10. Commission reports and ex parte discussion disclosure
- 11. ADJOURNMENT



# Planning and Zoning

## Regular Meeting

~ Minutes ~

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

Rachel Martin  
(208) 726-7801

Monday, March 28, 2016

5:30 PM

Ketchum City Hall

Commissioners Present: Steve Cook, Chairperson  
Michael Doty, Commissioner  
Betsy Mizell, Commissioner  
Erin Smith, Commissioner  
Jeff Lamoureux, Commissioner

Staff Present: Micah Austin, Director of Planning & Building  
Rebecca Bundy, Senior Planner  
Morgan Brim, Senior Planner  
Keshia Owens, Planning Technician

**1. 5:30 PM - CALL TO ORDER**

**2. 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. The Spot: The Commission will hold a public hearing and take action on an application by The Spot, LLC, represented by Brett Mollenberg, for a text amendment to the Municipal Code.

**COMMENTS:**

Austin reviewed the direction received from the City Council:

- Broaden the definition of "Commercial Studio" to allow for occasional events that already occur in the LI, but specifically to allow for the events put on by the Spot in connection with their permitted commercial studio.
- The amendment should be narrowly crafted and defined that would work for a commercial studio like the Spot.
- The Spot would be allowed to continue operations, but prevent the operation from becoming a leased out event space like the NextStage.
- By narrowly defining the use it would also restrict the expansion of new assembly uses within the LI.

He also noted the language that was added to the definition of a Commercial Studio, which reads:

- A commercial studio may hold occasional events solely and exclusively in connection with the permitted uses conducted by the commercial studio. Events shall be subordinate in nature to the commercial studio and subject to the standards of 17.124.50.

Austin said that G and H of the proposed development standards were also added to address the subleasing concerns the applicant brought up:

G. All events shall be produced by the owner or primary tenant of the property.

H. The owner or primary tenant of the property shall be present for each event held on site.

Kevin Wade, The Spot, said that they are thinking closer to 80-100 days and they will continue to discuss this. He added that they feel comfortable with the new language and are ready to move forward.

**Public Comment:**

Peter Hendriks, Sun Valley, said that when the applicant is talking about an event they mean a play that could run for 3-5 days, but when staff is talking about an event they are talking about 1 night. He added that the applicant needs to have this enterprise to be economically viable and 30 days would not do that, but 120 might. He noted that the Commission consider and recommend to the Council a number closer to 120 days.

Mike Wade, Ketchum, said that the applicant needs the opportunity to take these shows that have been so well received and put them on for more than one night. He added that there are a lot of people who are involved in their productions and would like to see this business survive.

**Commissioners' comments:**

Commissioner Doty said that he is fine with more days whether it be 90 or 120 days, as the Spot can decide this, but added that 30 days is not enough to run a business.

Commissioner Smith agreed that 30 days is not enough, but stated that she is going back to the 90 days because of the accessory use definition, as 90 days establishes something as only an accessory use. She added that the mayor and City Council are very concerned that we were going to inadvertently create an LI theater district and when considering that, the number becomes important. She also noted that Brett was thinking 63 days, which could be another possible number.

Commissioner Mizell said that they absolutely need more days

Commissioner Lamoureux said that the Commission should consider a range of days and 90-120 days would be a good amount.

The Commissioners agreed that a range of 90-120 days should be recommended to the City Council.

Commissioner Smith suggested a change to the definition of studio-commercial, which would include teaching or demonstrating on of the fine arts.

Commissioner Smith moved "to approve ordinance 1151 regarding amendments to Title 17 Zoning Regulations section 17.08.020 Definitions by adding a new definition of event as modified tonight and amending the definition of studio, commercial as modified tonight and amending chapter 17.124 development standards to add a new section 17.124.150 commercial studio events as modified with the recommendation that the council and the spot come up with a number between 90-120 days.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

- b. Elevation 6000 Final Plat: The Commission will hold a public hearing and take action on an application by Elevation 6000, LLC, represented by Bruce Smith, Alpine Enterprises, for Phase III of the Final Plat for Sublot One.

**Current Meeting:**

Austin said that this is an application for a final plat for Elevation 6000, subplot 1.

Brim said the Planning and Zoning Commission approved the Phase II of the Final Plat and this would be a final plat for subplot 1. He added that staff is recommending approval.

Bruce Smith, Apline Enterprises, said that they are asking for an approval for the 4th and final unit.

Commissioner Doty moved to "approve the townhouse final plat by Elevation 6000, LLC for Elevation 6000 Townhomes Phase 3 with conditions 1-9."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

**c. Zoning Code Work Session.**

Brim said that the parking ordinance is still in transition, as staff is waiting for a complete study. He added that staff anticipates a draft in a month or so.

Brim noted the following minor amendments and changes to the dimensional standards in the Commercial Core:

## Minor amendments:

- Most graphics were taken out and will be replaced with better ones.
- The definition of solar energy- as of now the definition allows for 2 feet, but that is not enough to angle the solar panel to capture the sun. This will likely change to 5 feet.
- A separate floodplain definition section will be added.
- Office uses to be subordinate in the LI district.
- Clarifying the community housing category.

## Community Core Dimensional Standards Matrix:

- The minimum lot size of 5,500 square feet will be added again.
- The minimum lot width of 55 feet will be added again.
- The minimum front and street side setbacks for buildings fronting the right-of-way with a 60-foot width will be 0 (sub-district A) and 5 (sub-districts B, C, and D).
- For buildings 60 feet or less, the setback will be 5 feet.
- For Cantilever decks and overhangs, setbacks will be 0.
- Setbacks for alleyways will be 3 feet for the whole building.
- The first floor ceiling height was removed.
- Minimum required size of private outdoor space per residential unit was removed.

## Directives:

- Commissioner Doty said that uninhabitable should be used instead of unconditioned.
- Commissioner Doty said that if someone wants to put a raised planter then the raised planter becomes the exterior roof wall and should be included in the transparency calculation.

## 5. APPROVAL OF MINUTES

- a. January 11, 2016 - Site Visit

**COMMENTS:**

Commissioner Doty moved to "approve the site visit to 225 Hillside Drive and 300 Huffman Drive."

<b>RESULT:</b>	<b>ADOPTED [3 TO 0]</b>
<b>MOVER:</b>	Mike Doty, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Steve Cook, Mike Doty, Betsy Mizell
<b>RECUSED:</b>	Jeff Lamoureux, Erin Smith

- b. February 8, 2016 - Site Visit

**COMMENTS:**

Commissioner Smith moved to "approve the site visit to 500 N. Washington Ave in regard to Kneebone Mixed Use on February 8th."

<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Steve Cook, Mike Doty, Erin Smith, Betsy Mizell
<b>RECUSED:</b>	Jeff Lamoureux

- c. February 8, 2016

**COMMENTS:**

Commissioner Mizell motioned to "approve the minutes from February 8th as amended."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Betsy Mizell, Commissioner
<b>SECONDER:</b>	Jeff Lamoureux, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

- d. February 22, 2016

**COMMENTS:**

Commissioner Doty motioned to "approve the February 22nd meeting minutes."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

## 6. FINDINGS OF FACT

### a. Alfs Residence - Findings of Fact

#### COMMENTS - Current Meeting:

Commissioner Mizell made a motion to "approve the Findings of Fact for the Alfs residence."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Betsy Mizell, Commissioner
<b>SECONDER:</b>	Jeff Lamoureux, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

### b. Kneebone Mixed Use - Findings of Fact

#### COMMENTS - Current Meeting:

Commissioner Smith motioned to "approve the Findings of Fact for Kneebone Mixed Use Design Review with amendments."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Mike Doty, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

### c. Constant Residence - Findings of Fact

#### COMMENTS - Current Meeting:

Commissioner Lamoureux motioned "to approve the Constant Residence waterways design review Findings of Fact."

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

## 7. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Brim said that there are no significant projects at the moment.



**8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE**

Austin said there is a City Council meeting next Monday. He added that he is planning to bring the employee housing plan for Auberge to the Council. He also said that Warm Springs Ranch Resort asked for an extension.

**9. Commission reports and ex parte discussion disclosure****10. ADJOURNMENT**

Commissioner Smith motioned to adjourn and all Commissioners were in favor.



City of Ketchum  
Planning & Building

IN RE: )  
 )  
 Elevation 6000 Townhomes: )  
 Phase 3 ) **KETCHUM PLANNING AND ZONING COMMISSION**  
 Final Plat ) **FINDINGS OF FACT, CONCLUSIONS OF LAW AND**  
 ) **DECISION**  
 File Number: #16-015 )  
 )

**PROJECT:** Elevation 6000 Townhomes: Phase 3

**FILE NUMBER:** 16-015

**OWNERS:** Elevation 6000, LLC

**REPRESENTATIVE:** Bruce Smith, PLS, Alpine Enterprises, Inc.

**REQUEST:** Townhouse Subdivision Final Plat approval to establish one townhouse subplot

**LOCATION:** 310B Sage Road (Elevation 6000, Phase 3, Sublot 1; formerly a portion of former Lot 19, Block 3, Warm Springs Village Subdivision, 4th Addition)

**NOTICE:** The following notice was mailed to adjacent property owners on Monday, March 21, 2016:

<b>Meeting Date:</b>	March 28, 2016
<b>Meeting Time:</b>	5:30 PM, or thereafter as the matter can be heard.
<b>Meeting Location:</b>	City Hall Council Chambers, 480 East Avenue North, Ketchum, Idaho
<b>Project Name:</b>	Elevation 6000 Townhomes; Phase 3
<b>Project Location:</b>	312A Sage Road, Ketchum, Idaho (Elevation 6000 Townhomes, Phase 3, Sublot 1) (a portion of former Lot 19, Block 3, Warm Springs Village Subdivision, 4 <sup>th</sup> Addition)
<b>Applicant:</b>	Elevation 6000, LLC
<b>Representative:</b>	Bruce Smith, PLS, Alpine Enterprises, Inc.
<b>Application Type:</b>	Townhouse Subdivision-Final Plat
<b>Project Description:</b>	Townhouse Subdivision Final Plat, Elevation 6000 Townhomes, Phase 3, Sublot 1

**ZONING:** General Residential – Low Density (GR-L) with Mountain Overlay Design Review (MODR).

### FINDINGS OF FACT

1. The original townhouse subdivision preliminary plat for this project, Elevation 6000, Sublots 1 – 4, was approved by the Ketchum City Council on May 1, 2010. That approval included a phased development agreement that stipulated the following:
  - Phase I (Sublots 2 and 3): Prior to December 15, 2009, utilities shall be provided to the site and construction, including landscaping, shall be completed.
  - Phases II and III (Sublots 1 and 4): Prior to December 15, 2012, utilities shall be provided to the site and exterior construction, including landscaping, shall be completed.
  - Completion: The exterior walls, roofs, windows and doors of all the Elevation 6000 Townhomes and the landscaping of all sublots shall be completed by August 15, 2010. The interiors of Phases II and III (Sublots 1 and 4) shall be completed by August 15, 2012.
  
2. All exterior improvements on Sublots 1 – 4 have been completed and have been inspected to Commission’s satisfaction.
  
3. The following provides Commission’s comments and analysis regarding the proposed townhouse final plat:

<b>Final Townhouse Subdivision Plat Requirements</b>				
<b>Compliant</b>			<b>Standards and Commission Comments</b>	
Yes	No	N/A	City Code	City Standards and <i>Commission Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.I</b>	<b>Complete Application</b>
			<i>Commission Comments</i>	<i>The application has been reviewed and determined to be complete.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.070.B Townhouse Owners’ Documents</b>	<b>The subdivider of the townhouse project shall submit with the preliminary plat application a copy of the proposed party wall agreement and any proposed document(s) creating an association of owners of the proposed townhouse sublots, which shall adequately provide for the control and maintenance of all commonly held facilities, garages, parking and/or open spaces. Prior to final plat approval, the subdivider shall submit to the city a final copy of such documents and shall file such documents prior to recordation of the plat, which shall reflect the recording instrument numbers.</b>
			<i>Commission Comments</i>	<i>The applicant has submitted recorded CC&amp;R’, party wall agreement and bylaws. Please note that the City does not enforce CC&amp;R’s.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.070.D Final Plat Procedure</b>	<b>1. The final plat procedure contained in subsection 16.04.030F of this chapter shall be followed. However, the final plat shall not be signed by the city clerk and recorded until the townhouse has received:</b>  <div style="margin-left: 40px;"> <b>a. A certificate of occupancy issued by the city of Ketchum; and</b>   <b>b. Completion of all design review elements as approved by the planning and zoning administrator.</b> </div> <b>2. The council may accept a security agreement for any design review elements not completed on a case by case basis pursuant to section 17.96.110 of this code.</b>
			<i>Commission Comments</i>	<i>At this time, the Street and Planning and Zoning Commission have inspected and approved the project as constructed. As a condition of</i>

Compliant			Standards and Commission Comments	
Yes	No	N/A	City Code	City Standards and <i>Commission Comments</i>
				<i>approval, prior to the City Clerk's signature of the final plat, all requirements of the Fire, Utility, Building, Planning and Public Works departments of the City of Ketchum shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.070.E Garage</b>	<b>All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sublots; provided, that the ownership of detached garages is tied to specific townhouse units on the townhouse plat and in any owner's documents, and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development.</b>
			<b>Commission Comments</b>	<i>The final outlines the overall footprint of each townhome, including designation of the attached garage.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.070.F General Applicability</b>	<b>All other provisions of this chapter and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse subdivisions.</b>
			<b>Commission Comments</b>	<i>All applicable city provisions are found to be in compliance.</i>

**CONCLUSIONS OF LAW**

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and subdivision ordinance, Title 16.
3. The City of Ketchum Planning Department provided adequate notice of the time, place and summary of the applicant's proposal to be heard by the Commission for review of this application.
4. The proposed final plat does meet the standards of approval under Title 16, Chapter 16.04, subject to conditions of approval.
5. This approval is given for the Elevation 6000: Phase 2 Final Townhome Plat dated February 29, 2016 by Alpine Enterprises Inc.

**DECISION**

**THEREFORE**, the Ketchum Planning and Zoning Commission **approves** this final plat application this Monday, March 28, 2016, subject to the following conditions:

1. The Covenants, Conditions and Restrictions (CC&R's) shall be simultaneously recorded with the final plat, and the City will not now, nor in the future, determine the validity of the CC&R's;
2. The failure to obtain final plat approval by the Council, of an approved preliminary plat, within one (1) year after approval by the Council shall cause all approvals of said preliminary plat to be null and void. The final plat shall be filed with the Blaine County recorder within one year after final plat approval by the council. Failure to file such final plat within that time shall cause all approvals of such final plat to be null and void;

3. The recorded plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the map;
4. An electronic CAD file shall be submitted to the City of Ketchum prior to final plat signature by the City Clerk. The electronic CAD file shall be submitted to the Blaine County Recorder's office concurrent with the recording of the Plat containing the following minimum data:
  - a. Line work delineating all parcels and roadways on a CAD layer/level designated as "parcel";
  - b. Line work delineating all roadway centerlines on a CAD layer/level designated as "road"; and,
  - c. Line work that reflects the ties and inverses for the Survey Control Monuments shown on the face of the Plat shall be shown on a CAD layer/level designated as "control";
5. All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983 (1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a ".dwg", ".dgn" or ".shp" format and shall be submitted digitally to the City on a compact disc. When the endpoints of the lines submitted are indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units;
6. The applicant shall provide a copy of the recorded final plat to the Department of Planning and Building for the official file on the application;
7. All requirements of the Fire, Utility, Building, Planning and Public Works departments of the City of Ketchum shall be met. All public improvements shall meet the requirements of the Public Works Department;
8. The final plat shall not be signed by the City Clerk and recorded until the townhouse has received:
  - a. An approved life safety inspection for the building shell and all common areas from the Ketchum Building Official; and,
  - b. Completion of all design review elements as approved by the Planning and Zoning Administrator; and
9. An affidavit acknowledging that the site specific avalanche study for the subject property, Snow Avalanche Hazard Evaluation and Loading Analysis, dated March 7, 2003, performed by Alpine Enterprises, Inc., is on file in the City of Ketchum, Planning and Building Department shall be recorded at the Blaine County Recorder's Office and the instrument number of said recorded affidavit shall be noted on the final plat.

Findings of Fact **adopted** this 4th day of April, 2016.

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Steve Cook  
Planning and Zoning Commission Chairperson