



# Planning and Zoning

## Regular Meeting

~ Minutes ~

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

Maureen Puddicombe  
208-726-7801

Tuesday, November 13, 2018

5:30 PM

Ketchum City Hall

1. 5:00 PM - SITE VISIT – Neeley Detached Garage—420 N Canyon Run Blvd
2. 5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho

The meeting was called to order by Vice-Chair Neil Morrow.

Attendee Name	Title	Status	Arrived
Neil Morrow	Vice-Chair	Present	
Tim Carter	Commissioner	Present	
Jennifer Cosgrove	Commissioner	Present	
Matthew Mead	Commissioner	Present	
Kurt Eggers	Commissioner	Present	

3. **ACTION ITEM - ELECTION OF MEETING CHAIR – Elect Chairperson for this meeting only.**

**Motion To:** Elect Vice-Chair Neil Morrow as acting chairperson for this meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kurt Eggers, Commissioner
<b>SECONDER:</b>	Mathew Mead, Commissioner
<b>AYES:</b>	Neil Morrow, Tim Carter, Jennifer Cosgrove, Matthew Mead, Kurt Eggers

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

Acting Chairperson Neil Morrow called for Public Comment.

No Comments were made.

Senior Planner Brittany Skelton introduced Jennifer Cosgrove, newly appointed commissioner.

5. **CONSENT CALENDAR—ACTION ITEMS**

- a. **ACTION – Meeting Dates for 2019:** Approval of regular meeting schedule for 2019.

There were no objections to the meeting schedule for 2019.

**Motion to:** Approve Planning and Zoning Commission meeting dates for the year 2019.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kurt Eggers, Commissioner
<b>SECONDER:</b>	Tim Carter, Commissioner
<b>AYES:</b>	Neil Morrow, Tim Carter, Jennifer Cosgrove, Matthew Mead, Kurt Eggers

**b. ACTION—Minutes: Approval of minutes for the meeting of October 8, 2018.**

Commissioner Kurt Eggers noted the misspelling of a name.

**Motion To:** Approve minutes of October 8, 2018 with edits as noted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kurt Eggers, Commissioner
<b>SECONDER:</b>	Mathew Mead, Commissioner
<b>AYES:</b>	Neil Morrow, Tim Carter, Jennifer Cosgrove, Matthew Mead, Kurt Eggers

**c. ACTION—Findings of Fact and Conclusions of Law: 420 Sage Rd Solar Energy Mountain Overlay Design Review**

**d. ACTION--Findings of Fact and Conclusions of Law: Kingen Variance Request**

**Motion To:** Approve Findings of Fact and Conclusions of Law for the 420 Sage Road Solar Energy Project and the Kingen Variance Request.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Carter, Commissioner
<b>SECONDER:</b>	Kurt Eggers, Commissioner
<b>AYES:</b>	Neil Morrow, Tim Carter, Jennifer Cosgrove, Matthew Mead, Kurt Eggers

**6. PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS**

**a. ACTION - Stevens Subdivision:** 314 River Run Dr. (Sun Valley Sub. 1st Addition, Lot 19) The Commission will consider and take action on a final plat subdivision application by Travis and Haley Stevens to subdivide 314 River Run Drive, an existing 22,704 square foot lot containing a single family home, located in the Limited Residential (LR) zone, into two lots – proposed Lot 19A and proposed Lot 19B.

Overview of the Stevens Subdivision was presented by Senior Planner Brittany Skelton.

Commissioner Kurt Eggers commented on the fire easement of less than 20 feet. He felt he could not approve the subdivision with the limited fire access. Senior Planner Brittany Skelton gave an overview of the Fire Marshall’s comments indicating that Ketchum’s Code is more restrictive than the State Code and while this project does not meet Ketchum’s Code it does comply with the State code.

Commissioner Matthew Mead deferred to the Fire Marshall and Vice-Chair Neil Morrow agreed.

**Motion To:** Approve the Stevens Subdivision Final Plat Application with Conditions 1-7 and authorize acting Chair-person Neil Morrow to sign the Findings of Fact and Conclusion of Law for this application.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Matthew Mead, Commissioner
<b>SECONDER:</b>	Tim Carter, Commissioner
<b>AYES:</b>	Neil Morrow, Tim Carter, Jennifer Cosgrove, Matthew Mead
<b>NAYS:</b>	Kurt Eggers

- b. **ACTION - Argyros Performing Arts Center Sign Variance:** 120 S. Main St. (Lot 4A, Block 1). Continued from September 10, October 8, 2018. The Commission will consider and take action on a request for a variance by Timothy Mott for an outdoor digital poster for the Argyros Performing Arts Center.

Planner Abby Riven presented the background for the requested sign variance. She indicated Staff recommends approval of this application.

The Commission discussed the operating features of the sign as to the brightness, Dark Sky compatibility, hours of operation, and the frequency of the changing images on the sign as it related to driver distraction.

Commissioner Kurt Eggers asked why the changing sign was needed. Mott replied it would inform the public as to the multiple current and future events. He explained it was more in keeping with the modern architecture of the building.

Eggers thought the Variance was a questionable vehicle for the sign approval. Although he liked the sign, it is not currently allowed by the Ketchum Sign Ordinance. Commissioner Mead felt the same, questioning the sign as an "undue hardship" to the theatre. Commissioner Jen Cosgrove thought this is a way of the future and the Commission would have the opportunity to amend the code to accommodate such updated signage while preserving Ketchum's small-town feel. Commissioner Tim Carter liked the lighted sign but questioned the Variance. Commissioner Cosgrove thought the acceptable parameters should be written into the code and not left to a Variance which could be open to interpretation.

Vice-Chair Neil Morrow opened the floor to public comment. No comment was given.

The Commission discussed the feasibility of amending the Zoning Code to address the changing sign technology. Commissioner Cosgrove also questioned the motion of the sign. Commissioner Mead also objected to the lighted and moving sign. He was concerned with creating a precedent and that it could be a safety issue for drivers.

Senior Planner Skelton informed the Commission that this is a site-specific application for this sign for this specific type of business. Commissioner Carter was in favor of granting a temporary approval, but Commissioner Eggers was opposed to approving it when it is not allowed by the code. Commissioner Cosgrove supported approaching it as a code amendment rather than a variance. Chair Morrow asked if the sign could be placed within the building. Tim Mott, of the Argyros, commented the sign could not be placed in the lobby area. He noted there are several other lighted signs in town with much brighter lights.

Commissioner Morrow proposed a provisional approval of a specific time period. Tim Mott stated that if a temporary approval was granted, and in a year's time it was deemed inappropriate, he would be willing to remove the sign.

The Commission asked about the procedure for a Code Text Amendment and Planner Skelton defined the process. Commissioner Carter thought the Code should be amended with this being the test case. Commissioner Morrow favored the amendment process, as opposed to the Variance, including the time conditions discussed. Commissioner Mead wanted to add Condition 7 as to the time period of the conditional approval.

**Motion To:** Approve the Variance for the Argyros Theatre sign with Conditions 1 and 2, Condition 3 to add a 30-second minimum for the changing of each poster, Conditions 4-6 as written, and the addition of Condition 7 for the temporary approval for a period of one year

from the date of installation, to be re-evaluated at that time to comply with any revision of the Sign Ordinance. If the sign is not in compliance with the Code at that time, Argyros Theatre agrees to discontinue the use of the sign. In the event of public complaint, Staff will work with the Applicant to resolve that complaint.

<b>RESULT:</b>	<b>ADOPTED [ 4 TO 1 ]</b>
<b>MOVER:</b>	Tim Carter, Commissioner
<b>SECONDER:</b>	Jennifer Cosgrove, Commissioner
<b>AYES:</b>	Morrow, Carter, Cosgrove, Eggers
<b>NAYS:</b>	Mead

- c. **ACTION - 100 Northwood Way CUP Amendment:** 100 Northwood Way (Lot 9, Northwood Light Industrial) The Commission will consider and take action on an application to amend an existing Conditional Use Permit to allow three new residential units in a proposed mixed-use building at 100 Northwood Way (Northwood Light Industrial Subdivision: Lot 9) in the Light Industrial 2 (LI-2) Zoning District.

Planner Abby Rivin gave the background for the Conditional Use Permit for an additional residential unit on the second floor of a mixed-use building.

Commissioner Matthew Mead asked about the parking provided for this project. Planner Rivin replied the parking meets the current regulation. Commissioner Eggers asked if there were any changes to the footprint of the building. Rivin replied that the ground floor is unchanged. The original second floor deck would now be enclosed as a residential unit. Architect for the project, Michael Barker, clarified the parking area and number of parking spaces.

Chair Morrow opened the floor for Public Comment. No comments were made.

**Motion To:** Approve the proposed Amendment to the 100 Northwood Way Conditional Use Permit finding that the application meets the standards for approval and authorize the Acting Chair Neil Morrow to sign the Findings of Fact.

<b>RESULT:</b>	<b>ADOPTED [ 4 TO 0 ]</b>
<b>MOVER:</b>	Matthew Mead, Commissioner
<b>SECONDER:</b>	Tim Carter, Commissioner
<b>AYES:</b>	Morrow, Carter, Mead, Eggers
<b>ABSTAIN:</b>	Cosgrove

- d. **ACTION - Neeley Detached Garage:** 420 N. Canyon Run Dr. (Lot 33A Sun Valley Subdivision, Ketchum Townsite) The Commission will consider and take action on a Design Review Application for a proposed detached garage associated with an existing single-family residence. 964 sq. ft. of the proposed garage is below grade and encroaches into the required 20 ft setback to the rear property line.

Planner Abby Rivin gave the Design Review for the below grade structure. Staff recommended approval of the project.

There were no questions from the Commission.

No Public Comments were made.

**Motion To:** Approve the Design Review for the Neeley Detached Garage with the added condition that all exterior and landscape lighting be Dark Skies compliant.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kurt Eggers, Commissioner
<b>SECONDER:</b>	Tim Carter, Commissioner
<b>AYES:</b>	Morrow, Carter, Cosgrove, Mead, Eggers

## 8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Senior Planner Brittany Skelton noted there has not been the usual winter slow-down in applications. The following projects are currently under review:

1. Pre-Application Design Review for the Auberge Resort employee housing project.
2. Pre-Application Design Review for 260 1<sup>st</sup> Ave. Mixed Use Building.
3. Pre-Application Design Review for 760 Washington Ave.
4. Potential 2 lot subdivision at the end of Warm Springs.
5. Re-Plat of Hemingway School property.
6. 320 Leadville Prelim Plat.
7. Cherp Condo CUP in the Redfish Building.
8. Pre-Application Design Review for 316 Sage Road for a single family residence in the Mountain Overlay
9. Subdivision of a residential lot in the Avalanche Zone

## 9. Commission reports and ex parte discussion disclosure

No Comments were made

## 10. ADJOURNMENT

**Motion To:** Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kurt Eggers, Commissioner
<b>SECONDER:</b>	Tim Carter, Commissioner
<b>AYES:</b>	Morrow, Carter, Cosgrove, Mead, Eggers

Neil Morrow  
Acting Chairperson