



Planning and Zoning

Special Meeting

~ Minutes ~

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

Maureen Puddicombe/Abby Rivin
208-726-7801

Monday, June 25, 2018

5:30 PM

Ketchum City Hall

1. **4:30 PM - SITE VISIT: Roberts' Bros. Townhomes Subdivision, 108 Fir Drive (WS Village Sub 3, Blk 3 Lot 3)**
2. **4:45 PM – SITE VISIT: Tour of the Light Industrial Zoning District, 298 Northwood Way**
3. **5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**

Chair Jeff Lamoureux called the meeting to order at 5:37 PM after a site visit to 108 Fir Drive and a tour of the LI.

4. Call to Order

Attendee Name	Title	Status	Arrived
Jeff Lamoureux	Chair	Present	
Tim Carter	Commissioner	Present	
Neil Morrow	Vice-Chair	Late	8:15 PM
Matthew Mead	Commissioner	Remote	
Kurt Eggers	Commissioner	Present	

5. INTRODUCTION OF NEW COMMISSIONER: Tim Carter

Chair Jeff Lamoureux introduced new Commissioner Tim Carter.

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

Chair Jeff Lamoureux called for public comment. Mayor Neil Bradshaw welcomed Commissioner Tim Carter to the Planning and Zoning Commission and thanked the Commission for their hard work and expertise. He encouraged the Commission to see the big picture and keep the vibrancy of Ketchum in mind.

Jeremy Fryberger pointed out discrepancies in the Zoning Code between conforming and non-conforming properties as to setbacks. He felt it encouraged the preservation of non-conforming buildings as opposed to gradually bringing those structures into compliance.

7. PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS

- a. **Roberts Bros. Townhouse Subdivision**: 108 Fir Drive. (WS Village Sub 3, Blk 3 Lot 3) The Commission will consider and recommend a Preliminary Plat Subdivision Application to subdivide 108 Fir Drive into two (2) townhouse sublots.

The Subdivision Staff Report was given by Associate Planner Abby Rivin. Staff recommends approval with Conditions 1-11. The applicant had no additional comments at this time.

Public Comment was made by Robert Rudy, resident at 109 Fir Dr., who spoke to the separation of utilities for a townhouse.

Ciuda Lewis of Benchmark Associates, on behalf of applicant, confirmed the separate utilities for the two units.

Commission discussed the comments by Mr. Rudy as to the utilities. Chair Jeff Lamoureux asked for the City Attorney to review and clarify the language stating the conditions for the coverage of each lot. Chair Jeff Lamoureux noted the utilities easement for each lot is to be recorded separately.

Motion To: Recommend approval to the City Council of the Roberts Bros. Townhouse Subdivision Preliminary Plat with Conditions 1-11 as noted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kurt Eggers, Commissioner
SECONDER:	Jeff Lamoureux, Chair
AYES:	Jeff Lamoureux, Tim Carter, Matthew Mead, Kurt Eggers
ABSENT:	Neil Morrow

- b. **WDC Ketch Community Housing Proposal**: 560 N. 1st St. (Lot 6, Blk 35) The Commission will consider and take action on an application for Design Review approval of a new two-story multi-family apartment building with associated site improvements.

Samantha Stahlnecker, of Galena Engineering and Gene Bolante of Studio 3 Architecture (by phone), summarized the changes to the building from the Pre-application Design Review. Changes were made to the grade change, floor plan, sidewalks, and parking. The exterior and overall shape remained the same.

Senior Planner Brittany Skelton gave the Design Review for the project, which meets all design review standards. The conditions relate to approval by the City Arborist of the landscaping and approval by Streets Department for a bench. Staff recommends approval of the project with Conditions as noted.

Public Comment:

Heidi Scherthanner objected to the lack of parking spaces for this project. Tyler Ogden, resident, expressed concerns about the parking as to snow-removal, storage of bikes, social space, etc. He questioned if the alley/sidewalk are snow-melted. He wished to promote healthy building. Tim Jeneson, resident, objected to the project's lack of parking and the pressure it would put on the current availability of parking in the area. Scott Harris, resident, objected to the current lack of parking in the area with this project adding to the problem. Peter Demberg, resident, objected to the lack of parking and bike storage. He wanted to see underground parking.

Gene Bolante for applicant, in response to the comments, said they would be willing to look at the parking situation. He stated bike storage is available in the units and at the front of the building. The sidewalks and alley are not yet defined. Samantha Stahlnecker reviewed the unit floor plans for bike and snow storage.

The Commission discussed the topics of storage, garbage removal, lighting, ADA parking, power meter location, and inquired about prior projects of this type by the developer.

Commissioner Eggers noted concern regarding accommodating a transformer on site. He noted his concern regarding parking during the preliminary review, but that City Code permits this parking configuration. Eggers went on to comment regarding that this type of residential configuration fits a particular need in the City of Ketchum.

Chairman Lamoureux asked about parking restrictions or limitations in the neighborhood. Planning & Building Department Director Gaeddert commented that no overnight parking is allowed on the adjacent streets during winter. He noted that the Ketchum Traffic Authority may be able to analyze and resolve any potential conflicts in the future. Commissioner Lamoureux lamented the applicant did not provide more bike parking. The Commission and Staff discussed past projects that have taken advantage of the parking exemption.

Commissioner Mead asked about past developments that were rental-only apartments. Skelton responded that this development fulfills a critical need in the community.

Commissioner Eggers asked for clarification regarding condition #8. Skelton explained that the exceedance agreement for the required community housing contribution must be signed between the developer and the City prior to issuance of a building permit.

Motion To: Approve Design Review Application for WDC Ketch Community Housing Proposal with Conditions 1-11 with additional detail on Condition #9 regarding electrical encroachment on City property.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kurt Eggers, Commissioner
SECONDER:	Matthew Mead, Commissioner
AYES:	Jeff Lamoureux, Tim Carter, Matthew Mead, Kurt Eggers
ABSENT:	Neil Morrow

- c. **Zone Code Amendment for Live/Work Space in the LI-2:** The Commission will consider and take action on an Application for Amendment to Zoning Code Title 17 for a Live/Work space in the LI-2 zone.

Rebecca Bundy, representing the applicant, presented the text amendment request. The applicant stated the request juxtaposed two integral issues in the community--affordable housing for residents who work and live in the valley and live/work in the light industrial. Bundy detailed the request included adding the definition of *live/work*. Bundy elaborated that the proposal does not change allowed uses in the LI, change parking requirements, or allow residential units on the ground floor. She presented pictures of existing residences within the LI. Bundy provided detail on the proposed definition of *work/live* as well as the history and benefits of this type of configuration. Bundy stated that the request is consistent with the goals in the comprehensive plan and addressed concerns outlined in the Staff Report.

Senior Planner, Brittany Skelton, presented Staff's analysis of the proposed text amendment. Skelton described an overview of the request and summarized City Department comments regarding the request. Skelton stated that Staff supports the concepts of work/live but not the proposed 2,000 sq ft residential floor area. Skelton went on to describe the existing dimensional standards and regulations in the Light Industrial Zoning Districts and elaborated on Staff's concerns regarding the potential impacts of the proposed text amendments. Staff presented the analysis pertaining to each finding as detailed in the Staff Report. Skelton presented the Commission options and Staff recommendations regarding the text amendment proposal.

Heidi Schernthanner commented regarding potential nuisances within the Light Industrial including noise. The applicant responded that the proposal would allow applicants that work in the LI to live in the district as well. Bob Crosby commented regarding assessed land value vs. assessed building value. Assessing the discrepancy highlights the potential to create affordable housing in this zone. Mary Roland, the owner of a painting studio on Northwood Way, commented that multiple buildings in the LI have residential units on the second floor and certain units in the repurposed Scott building exceed 2,000 sq ft of net livable space. She commented that the request is reasonable.

Planning & Building Director Gaeddert responded regarding the value of certain parcels within the LI (i.e. former lay down yards for AC Houston Lumber). He described the progress that has been made in the LI visioning process and estimated that within four (4) months the Planning & Zoning Commission may have a recommendation to forward to City Council for review and approval.

Commissioner Mead commented that he was looking for a space within the LI to establish his business and also potentially live in the unit as well and the benefits of work/live configurations. Mead stated that the Staff Report changed his perspective regarding the LI Zone. He went on to describe his analysis of types of "light industrial" uses that are feasible on the second floor. Mead asked Staff about alternatives to the 2,000 sq ft limitation. Skelton responded that Staff hasn't analyzed the residential floor area limitation but the existing regulation of 1,000 square feet seem to be working within the zone.

Chairman Lamoureux asked Staff how enforceable the size limitations are if there is one owner of the first-floor business and the 2nd floor residential. Gaeddert responded that the control of the configuration is a remaining question. He noted the required vested interest in the business. Lamoureux asked Staff to summarize Bruce Smith's public comment for the record.

Commissioner Eggers stated that there's no way to monitor or enforce whether or not larger units are occupied by families or used as short-term rentals. He agreed with previously expressed sentiments regarding the benefits of work/live units. Eggers asked Bundy about the maximum size currently permitted. Bundy responded larger units are only permitted above work/live units in particular circumstances. The size of the residential unit is dependent on the size of the Industrial portion of the building. Eggers asked how the applicant monitors the work/live configuration if the business changes ownership. Bundy suggested this could be monitored through a business license. Eggers asked if 2,000 sq ft is necessary for the family and asked about the parking requirement. Bundy responded the parking requirements are currently calculated per bedroom. Bundy remarked that she doesn't know the optimum size of a living unit as it is dependent on the occupants. She noted that the maximum residential area will be driven by the floor area of the business downstairs. Eggers asked about the dimensions of the subject property and the potential proposed addition.

Commissioner Carter expressed the importance of Ketchum's Light Industrial District and maintaining the viability of these uses should be seriously considered.

Chairman Lamoureux stated that the text amendments are concerning due to unintended consequences and inconsistencies. Lamoureux expressed the importance of the issues brought up by the applicant but that he would feel more comfortable including the proposal with the comprehensive visioning LI process. Lamoureux expressed he would be in favor of continuing the application to a future date to incorporate their application in the context of the text amendment.

Gaeddert responded that Staff has offered a refund for the application fee. He noted that the date is uncertain to address this critical and relevant topic as the LI visioning process moves forward. Gaeddert expressed the dynamic of maintaining the light industrial uses in the LI while maintaining the potential for affordable housing in the area.

Staff and Commission discussed framing a motion to continue the application.

Motion To: Table the Public Hearing on the Zone Code Amendment for Live/Work in the LI-2 until the City-Initiated Zoning Code Amendment for the Light Industrial Zone progresses to a point at which the implications of residential uses in the LI have been analyzed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Mead, Commissioner
SECONDER:	Tim Carter, Commissioner
AYES:	Jeff Lamoureux, Tim Carter, Matthew Mead, Kurt Eggers
ABSENT:	Neil Morrow (Note: Arrived after this vote.)

- d. **Zoning Code Amendment: Residential Use in the Light Industrial Districts.** (Continued from March 12, March 27th, April 9th, May 14, May 29, and June 11, 2018.) The Commission will consider City-initiated amendments to Title 17, Section 17.124.090, Residential, Light Industrial Districts, and Section 17.12.020, District Use Matrix.

Senior Planner Brittany Skelton presented an overview of the Light Industrial Zoning District Text Amendment. Skelton provided a geographical overview as well as the purpose and intent of each of the Light Industrial Zoning Districts. She emphasized the purpose and intent statements have not been updated in over 30 years.

Commissioner Morrow (who joined the meeting at end of the last agenda item) made a comment regarding the use of the word *tourist*.

Skelton went on to describe the bulk standards and dimensional regulations permitted within the LI in comparison to other zoning districts within the City. Skelton described implications for bulk regulations in the LI Zone. She described potential implications of establishing minimum first-floor heights.

Commissioner Morrow noted that he favors 16 feet as the proposed first-floor clear height seems more useable. The Commission discussed the associated costs and implications of establishing minimum first-floor clear heights in the LI and analyzed different scenarios.

Planning and Building Director Gaeddert appreciated the great direction the Commission has given Staff.

Skelton presented Staff analysis regarding mitigating conflicts between industrial and residential uses including decibel levels for unnecessary noises.

Commissioner Lamoureux opened the public hearing.

Bob Crosby suggested making broader visioning ideas prior to micro level analysis. Commission should address the big picture, i.e. whether the City of Ketchum needs as large an LI District as currently exists. Crosby stated that this is a missed opportunity to address affordable housing. He commented the process should be a policy decision regarding affordable housing. Crosby believes that not permitting residential uses on the ground floor is a lost opportunity.

Mary Roland addressed existing single-story development within the LI. She commented that she would like the Commission to consider work/live on the ground floor rather than solely on the second floor.

Chairman Lamoureux directed Staff to revisit work/live from a fresh perspective in relation to controlling the configuration and examples from other communities.

Commissioners Eggers and Morrow discussed the future uses of the LI-2 Zone and the current lack of availability.

Motion To: Continue the Text Amendment for the LI-2 to July 9, 2018 meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Vice-Chair
SECONDER:	Kurt Eggers, Commissioner
AYES:	Lamoureux, Carter, Morrow, Mead, Eggers

8. CONSENT CALENDAR—ACTION ITEMS

a. Warfield Distillery & Ale House Design Review Findings of Fact and Conclusions of Law

Mead recused himself from approving the findings as he was not present at the meeting.

Chairman Lamoureux expressed that he is still unclear regarding the parking calculation. He noted that the exceptions in the Code, which uses parking credits as an incentive to encourage high-traffic uses such as retail, restaurant, and assembly use do not grant that incentive for production uses and there is a large portion of the proposed building dedicated to production. He stated that while you may credit existing square footage for parking and exempt retail, food service, and the proposed residential, that his concerns regarding the portion of the building dedicated to production were not addressed. Commissioner Morrow agreed with Lamoureux regarding the production facility portion should require parking.

The Commissioners continued to discuss the condition regarding the parking requirement in relation to the Warfield Design Review application. Gaeddert recommended that the Commission approve the findings of fact as written.

Mayor Bradshaw thanked the Commission regarding their thought process and diligence. He commented regarding the Community excitement and support of the proposed development.

The Commissioners continued to discuss Condition #14 of the Findings of Fact regarding the parking requirement. Chairman Lamoureux suggested revising the wording of the findings.

Motion To: Approve the Findings of Fact and Conclusions of Law for the Warfield Distillery and Ale House with the change as noted by Commissioner Lamoureux.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kurt Eggers, Commissioner
SECONDER:	Neil Morrow, Vice-Chair
AYES:	Lamoureux, Carter, Morrow, Eggers
ABSTAIN:	Mead

b. Minutes: May 29, 2018

c. Minutes: June 11, 2018

The Minutes of May 29, 2018 and June 11, 2018 are continued to July 9, 2018.

9. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Planning & Building Director John Gaeddert provided an update regarding the Community Library Appeal process.

10. Commission reports and ex parte discussion disclosure

Chairman Lamoureux asked about whether the Bracken Station is under legal appeal. Gaeddert responded that he will inquire and report back.

Commissioner Eggers asked about the exemption for units under 750 sq. ft are exempt from providing parking and whether the ordinance is working as intended. Gaeddert and Skelton provided background regarding exempting such spaces from the parking requirement.

Chairman Lamoureux asked about the sidewalk configuration adjacent to the 8th and Washington building. Gaeddert responded that Staff will conduct further research.

Commissioner Morrow asked about screening a certain transformer. Skelton responded that she will research further.

11. ADJOURNMENT

Motion To: Adjourn at 9:14 PM.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Vice-Chair
SECONDER:	Jeff Lamoureux, Chairman
AYES:	Lamoureux, Carter, Morrow, Mead, Eggers

Jeff Lamoureux
Chairman