



# Planning and Zoning

## Regular Meeting

~ Minutes ~

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

Maureen Puddicombe  
Planning Technician

Monday, May 14, 2018

5:30 PM

Ketchum City Hall

1. **4:45 PM – SITE VISIT: Re-Zone Request in the GR-L/Tourist Zone, Lots 1-4, Block 67 (Corner of N. 2nd Ave and W. 6th St.)**
2. **5:00 PM – SITE VISIT: WDC Ketch Housing Proposal, 560 N. 1st St. (Lot 6, Block 35)**
3. **5:15 PM – SITE VISIT: 231 E. Sun Valley Road Condo Subdivision, 231 E. Sun Valley Rd. (Lot 8, Block 17)**
4. **5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**
5. **Call to Order**

The meeting was called to order at 5:32 PM. Commission participated in site visits as noted above.

Attendee Name	Title	Status	Arrived
Jeff Lamoureux	Chairperson	Present	
Erin Smith	Commissioner	Excused	
Neil Morrow	Commissioner	Present	
Matthew Mead	Commissioner	Remote	
Kurt Eggers	Commissioner	Present	

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

No public comment was presented.

### 7. PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF

- a. **Zoning Code Amendment: Community Core Subdistricts and Retail Uses.** *Continued from March 27th, and April 9th, 2018.* The Commission will consider City-initiated amendments to Title 17, Section 17.12.040, Dimensional Standards – CC District Matrix, Section 17.12.010, Zoning Map Districts, and Section 17.12.020, District Use Matrix.
- b. **Zoning Code Amendment: Residential Use in the Light Industrial Districts.** *Continued from March 27th, and April 9th, 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.

Chairperson Jeff Lamoureux combined items 6a and 6b, Zoning Code Amendments.

Senior Planner, Brittany Skelton, requested continuation of both Zoning Code Amendments to a Special Meeting of the Planning and Zoning Commission on May 29, 2018.

**Motion To:** Continue both Zoning Code Amendments to May 29<sup>th</sup> Special Meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Neil Morrow, Commissioner
<b>SECONDER:</b>	Jeff Lamoureux, Chair
<b>AYES:</b>	Jeff Lamoureux, Neil Morrow, Matthew Mead, Kurt Eggers
<b>EXCUSED:</b>	Erin Smith

- c. **Re-Zone Request in the GR-L/Tourist Zones:** The Commission will consider and take action on a request by the applicant to rezone lots 1-4, block 67 from GR-L/Tourist to GR-L.

Senior Planner, Brittany Skelton, requested this matter be continued due to procedural concerns. There was an error in the description on the mailed notice and the Lot Line Adjustment has not been completed. It has been approved by the City, but the plat has not yet been recorded by the County therefore the lot in question does not exist at this time. Staff recommends re-noticing and re-scheduling the public hearing to the next regular P & Z Commission meeting on June 11, 2018.

This item is removed from the agenda. It will be re-scheduled for the June 11, 2018 meeting of the P & Z Commission. This item will be re-noticed in advance of that meeting.

- d. **Briscoe & Associates Conditional Use Permit:** 220 N, Main Street (Lot 2AA Block 3, Ketchum Townsite:) *Continued from April 9, 2018* The Commission will consider and take action on a Conditional Use Permit Application for a business office located on the ground floor of an existing commercial building in the Commercial Core, Retail Core Sub-district (CC-A).

Associate Planner Abby Rivin gave the background of this request for a Conditional Use Permit. The applicant has submitted proof of a lease agreement for 1 parking space located across the alley. This satisfies the parking requirement.

Chairperson Jeff Lamoureux called for comments from commission. No comments were given.

Jeff Lamoureux noted that the Code allows for a portion of a building on Main Street to have an office space. He noted the unique and historic character of the building and how the Comprehensive Plan emphasizes the character of Ketchum. He felt this project meet the standards for approval of a Conditional Use Permit as referenced in Item E of the Ketchum Municipal Code. Matthew Mead noted in the future he would like to see more retail as opposed to office space on Main Street.

Jeff added the parking agreement must remain in effect as long as the business is in this space.

**Motion To:** Approve the Conditional Use Permit P18-033 for 220 N. Main Street by James Briscoe with conditions as noted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>SECONDER:</b>	Neil Morrow, Kurt Eggers
<b>AYES:</b>	Jeff Lamoureux, Neil Morrow, Matthew Mead, Kurt Eggers
<b>EXCUSED:</b>	Erin Smith

- e. **WDC Ketch Housing Proposal:** 560 N. 1st St. (Lot 6, Block 35) - The Commission will hear public comment, consider and provide feedback on a Pre-Application Design Review for a multi-family housing proposal.

Jeff noted this is an informal Pre-Design Review to give the applicant guidance on the project.

Senior Planner, Brittany Skelton, presented the project for a proposed 20-unit apartment building in the Community Core. This project is unique to Ketchum as it is a rental property as opposed to a condominium. The building complies with the Design Review Standards, but on-site right-of-way improvements have yet to be addressed. This project meets several Comprehensive Plan goals from 2014.

Gene Balante, architect for the applicant, appreciated meeting with staff to go over site items. Jeff Lamoureux asked for comment on the lot size since the lot is 55 feet and the building would require a lot size of 58 feet wide. They are looking at easements and sidewalks. Kurt Eggers asked for more detail on the exterior materials. Gene Balante indicated it was a mix of Hardie and Cedar, the windows are vinyl, the decks are galvanized and wood planks. Matthew Mead liked the materials and contrasting surfaces. He asked about the use of Solar Panels. Gene Balante replied that the owners are not opposed to solar, but not usually included due to increased costs. Kurt Eggers likes the building scale but questions the landscaping and use of space. Jeff Lamoureux asked if bicycle racks are required. Brittany Skelton said at least one bike rack is required, but more would be welcome. Jeff Lamoureux wants trash collection to be incorporated in the Design Review. Neil Morrow wants to see ski/bike storage incorporated into the design so they are not on the decks and any other available space. Jeff Lamoureux asked about the alley and the requirements of the Streets Dept, maybe a drop-off zone or ride share area. Brittany Skelton will bring that question to the Traffic Authority meeting. Neil Morrow questioned the issue of no provided parking and what will be done with cars of the renters. Can/should it be part of the lease? Jeff Lamoureux asked for comment from Frank Stock, the developer. He commented in areas of limited availability of parking, that renters are aware of the situation when taking the lease and the project is bike/walk friendly. Neil Morrow suggested renters be notified in advance about parking restrictions in Winter due to snow removal.

Jeff called for Public Comment; there were none.

Kurt Eggers commented on lowering of the existing waterline. He also asked Staff what effect this project might have on Jack Bariteau's ability to satisfy his community housing requirement. Brittany Skelton replied Mr. Bariteau could fulfill his obligations with the second lot he still owns. Kurt Eggers asked about the parking impact of 20 units with no parking included. Brittany Skelton replied that this is the first project of its kind and the result is yet to be seen.

Neil Morrow asked about proposed rent, but those figures not yet available. Matthew Morrow and Jeff Lamoureux liked the project. Jeff Lamoureux encouraged the project developer to work with the City Council on the subject of deed-restrictions to help the project along.

**Motion to:** Advance the WDC Properties Project to Design Review.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Neil Morrow, Commissioner
<b>SECONDER:</b>	Kurt Eggers, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Neil Morrow, Matthew Mead, Kurt Eggers
<b>EXCUSED:</b>	Erin Smith

- f. **231 E. Sun Valley Road Condos Subdivision:** The Commission will consider and take action on a request by the applicant to convert a two-story mixed-use building, currently under construction, to a two-unit condominium building to contain office and residential space.

Senior Planner Brittany gave the project overview. Staff has no concerns about the project.

Jeff Lamoureux had no questions and there were no questions from the Commission or the applicant.

**Motion to:** Recommend approval of the 231 E. Sun Valley Road Condominium preliminary plat to City Council.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Neil Morrow, Commissioner
<b>SECONDER:</b>	Matthew Mead, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Neil Morrow, Matthew Mead, Kurt Eggers
<b>EXCUSED:</b>	Erin Smith

- g. Text Amendment - Setback Definition:** *Continued from March 12th and April 9th, 2018.* The Commission will consider a request to amend the City of Ketchum Municipal Code, Title 17, Zoning Code, Section 17.08.020, Terms Defined, to amend the definition of "Setback" to exclude below grade buildings and structures. Additional city-initiated text amendments to Chapter 17.96, Design Review, Chapter 17.88, Floodplain Management Overlay, Chapter 17.104 Mountain Overlay Zoning District, Chapter 17.124, Dev

Senior Planner Brittany Skelton presented the Text Amendment changes for Setbacks Definition. The following changes have been made:

1. Commission to review any below-grade encroachment.
2. Egress window well in the setback is prohibited.
3. No below-grade structure encroaching into the setback shall also be above grade.
4. No construction activity is allowed on adjacent property.
5. No below-grade encroachment into the Riparian Zone is allowed.

Staff recommended advancing to City Council for approval as presented.

Jeff Lamoureux called for Public Comments; no comments were given. No representative of the applicant was present.

Jeff Lamoureux questioned #4 as construction activity on adjacent property is currently not allowed. He suggested eliminating that section as being redundant. Kurt Eggers agreed, but thought it should be restated. Neil Morrow supports the wording but thinks it should be more flexible.

Jeff Lamoureux called for public comment; none was given.

Kurt Eggers was fine with the proposed amendment. Kurt Eggers and Neil Morrow agreed egress wells should not be allowed in the setback. Matthew Mead thought it was a safety issue to have an egress well in the setback.

**Motion To:** Recommend approval of the text amendment to the Ketchum Municipal Code Sections 17.96, 17.08.020, 17.88.050E, 17.104.070A, and 17.128.020 regarding encroachments on below-grade structures into required setbacks to City Council as presented in the Staff Report for proposed amendments consistent with the Comprehensive Plan as amended by the Chairman.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Neil Morrow, Commissioner
<b>SECONDER:</b>	Kurt Eggers, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Neil Morrow, Matthew Mead, Kurt Eggers
<b>EXCUSED:</b>	Erin Smith

## 8. CONSENT CALENDAR

### a. KSVVA Fire Training Facility Findings of Fact and Conclusions of Law

No comments were given by the Commission.

**Motion To:** Approve the Finding of Fact and Conclusion of Law for the KSVVA Fire Training Facility.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kurt Eggers, Commissioner
<b>SECONDER:</b>	Neil Morrow, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Neil Morrow, Matthew Mead, Kurt Eggers
<b>EXCUSED:</b>	Erin Smith

### b. **Minutes: April 9, 2018**

Neil Morrow had no corrections. Jeff Lamoureux made a correction to a comment concerning the glazing on the Community Library Project. He also requested more detail on the discussion regarding Conditional Use Permits. Matthew Mead corrected a typo. Minutes approval continued to May 29, 2018. Jeff Lamoureux questioned use of first names in minutes. Will use full names in the future.

## 9. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Brittany Skelton related there will be a second meeting in May on Tuesday the 29<sup>th</sup> since the Monday is Memorial Day. That agenda will include the Warfield Brewery Pre-Application Design Review for a substantial remodel and addition. There will also be two City initiated text amendments returning from the last several agendas, and the Findings of Fact for 231 E. Sun Valley Road. The purpose of the special meeting is to given attention to the text amendments and help projects along. The June 11<sup>th</sup> agenda will include the of re-zoning of Lot 1A, Block 67, the Warfield Design Review, and a discussion of Street Standards, signage and Construction Activity Plans. Staff is hoping to look at recent changes to give the Streets Department greater clarification. Also, a Public Hearing for a two-lot subdivision in the Sun Valley Subdivision is on that agenda. Is the Commission available for a special meeting June 25<sup>th</sup> due to an applicant who can't make the June 11<sup>th</sup> meeting and would otherwise have to wait until the July 9<sup>th</sup> meeting. The Ketch project would also be presenting Design Review. Jeff Lamoureux, Kurt Eggers and Matthew Mead are available for June 25<sup>th</sup>; Neil Morrow is uncertain if he will be available.

## 10. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Brittany Skelton announced the agenda for the City Council Meeting on May 21<sup>st</sup> will include the 3<sup>rd</sup> reading of the Avalanche Amendment and the 3<sup>rd</sup> reading of the Mortgage Row Re-

Zone. The acceptance of the record of the Design Review for the Appeal of the Community Library Expansion is also in the agenda. The Council will then set the date for the Appeal Hearing. Several Exceedance Agreements are coming up for Community Core projects.

Jeff Lamoureux wants to know if the Commission not approving the landscaping portion of the Design Review for the Community Library Expansion complicates the appeal process and is the project on hold because the appellant will not work with the applicant. Abby Rivin, Associate Planner, spoke to the applicant and was told the Landscaping Plan was put on hold due to the filing of the appeal. The result of the appeal will determine the Landscaping Plan. Jeff Lamoureux asked what was being appealed. Abby Rivin indicated the appeal was based on a procedural issue of not having a Pre-Application Design Review and substantive issues with the design of the structure not meeting design standards. Jeff Lamoureux asked since the appellant is not willing to work with the applicant on the landscape plan, would the applicant then bring a landscape plan before the Commission as required. Kurt Eggers responded if the Appeal is denied, the landscape plan would proceed. If it is granted, then the building design and landscape would depend on the result of the appeal. Neil Morrow questioned the possibility of redesigning the loft portion of the building. Abby Rivin related that since the design meets all design standards, the applicant has not expressed the desire to make changes to the design. Neil Morrow expressed that a change to the positioning of the loft area could make the project agreeable to both parties. Kurt Eggers added the contested portion of the project is not scheduled for construction until next year, so there would be time for some design changes. Matthew Mead noted the ridgeline of the building would no longer line up if the position of the loft was changed.

## 11. COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Street Standards, Signs, and Construction Activity workshop is scheduled for the June 11<sup>th</sup> meeting. Jeff Lamoureux indicated the signing for the detour on the bike path could be improved. The Commission discussed the street closure and signage for the sidewalk project on Warm Springs.

Jeff Lamoureux commented some of the links to the documents were incorrect. Staff responded they will be checked in the future.

## 12. ADJOURNMENT

**Motion To:** Adjourn.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Neil Morrow, Commissioner
<b>SECONDER:</b>	Kurt Eggers, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Neil Morrow, Matthew Mead, Kurt Eggers
<b>EXCUSED:</b>	Erin Smith



Jeff Lamoureux