



Planning and Zoning

Regular Meeting

~ Minutes ~

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

Maureen Puddicombe
Planning Technician

Monday, April 9, 2018

5:30 PM

Ketchum City Hall

1. **4:30 PM – SITE VISIT: KSVVA Fire Training Facility: 219 Lewis St, Ketchum, ID (Lot 7 Blk 1, Northgate Subdivision, Ketchum Townsite)**
2. **4:50 PM – SITE VISIT: Briscoe & Assoc. Conditional Use Permit: 220 N. Main St. (Lot 2AA Blk 3, Ketchum Townsite)**
3. **5:00 PM - SITE VISIT: Community Library, Design Review Application: 415 Spruce St (Lot 1B Blk 89, Ketchum Townsite)**
4. **5:15 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**
5. **Call to Order**

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

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

Chairperson Jeff Lamoureux called for Public Comment. No comments were received.

7. **PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF**

- a. **180 Northwood Way Mixed-Use Project:** Discussion regarding an amendment to Design Review to reduce square footage of building.

Brittany Skelton, Senior Planner, presented amendment to the previously approved Design Review. The amendment is to reduce the size of the proposed mixed-use building. There is no proposed change to any of the exterior materials.

Chairperson Jeff Lamoureux called for comments from Commission. Commission agreed with Staff recommendation for Administrative Design Review for modification of the design of the 180 Northwood Way Mixed-use Building.

MOTION TO: Allow Administrative Review of a reduction in square footage of the 180 Northwood Mixed-Use Building as described in the Staff Report.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Commissioner
SECONDER:	Matthew Mead, Commissioner
AYES:	Morrow, Mead, Lamoureux, Smith, Eggers

- b. **Community Library Expansion:** 415 Spruce Street (Lot 1B Block 89, Ketchum Townsite) *Continued from March 27, 2018.* The Commission will consider and take action on a Design Review Application for exterior alterations to the Community Library.

Vice-Chairperson Erin Smith chaired this portion of the meeting. Commissioner Kurt Eggers disclosed that the Martins are former clients of his, but he felt he would be unbiased.

Associate Planner Abby Riven presented the Design Review for the Community Library Expansion Project.

Jenny Emery Davidson, Community Library director, related the advantages of the new library to all segments of the Community adding vibrancy of the Community, improving additional outdoor space, promoting literacy and community conversations.

Rob King, Architect for the project, presented the proposed outdoor additions to the library to enhance outdoor spaces for varied community uses.

Commissioner Neil Morrow asked if the replacement trees will screen the neighboring residence. Rob King described the mix of pines and trees proposed. Vice-Chairperson Erin Smith asked for clarification of the choice of trees for screening. Erin asked about the hours, if the building will be lighted from within at night. Jenny responded that the Children's' area closes at 6:00 PM and will be dark after that time.

Vice-Chairperson Erin Smith called for comment from those in support of the application:

Ruben Perin, Chairman of the Board of Trustees for the Library. The members of the board are long term, have listened to the comments and suggestions from the public, incorporating those suggestions. He described several improvements being made to the library. The Board has discussed and approved each of the steps in this process. Five additional Board Members were in attendance.

No additional comments from those in favor of the application or those neutral on the application.

Those in opposition to the application:

Nicholas Latham, Ketchum architect representing the Martins, stated they are concerned with the design and the scope of the project. He is looking to minimize the impact of the project to the Martin's residence. The Martins would like to see the trees replaced with more substantial plantings than those currently proposed.

Gary Slette, attorney for the Martins, related that the Martins have been supporters of the Library and first heard of the project in December of 2017. The Martins wish to preserve the trees and are willing to maintain or replace the grove. They would like to work with the Library Board to develop a creative landscape solution for the area adjacent to the Martins property to minimize the negative impact of the project.

Linda Badell, Ketchum resident, spoke to the possibility of a compromise between the Martins and the Library, and asks for a continuation of the project to allow for further discussion.

Tom Tierney, Ketchum Resident, stated he is not opposed to the Library Expansion but thinks the mass of the building is too much. The new building would obliterate the view and he urged the Commission to think of the neighbor who has a right to quiet enjoyment of their property.

Vice-Chairperson Erin Smith asked for a reply from the applicant:

Applicant Jenny Emory Davidson restated the goals of the Library and that she met with the Martins in the Library parking lot in July of 2017. She relied on the Public communication process to keep the Martins informed of the status of the project. She emphasized the uniqueness and beauty of the Children's Library structure and the benefit to the community.

Rob King, replied to issue of tree removal. The current trees are not appropriate to the space and screening, replacing with trees providing more sunlight.

Vice-Chairperson Erin Smith declared hearing now closed.

Commissioner Matthew Mead pointed out the proposed roof-line is not any higher and would not change the amount of sunlight coming onto the Martins property. The exterior has undulations and the roof has changes in height that prevent it from being a stark blank wall. He thought the new structure will not significantly change the experience for the homeowner.

Jeff Lamoureux stated the wall is lower than the peak of the roof, creating has a step-back effect. He asked what the maximum height is allowed. Senior Planner Brittany Skelton answered that the code would allow a 42-foot height. Since the current proposal is 18 feet, it is modest relative to what is allowed by code.

Commissioner Kurt Eggers thought the screening to be inadequate. He thought the largest trees could stay, but the removal of the others would benefit the Martins light and view. He felt the landscaping could be beefed up. He would like to see the applicant work with the Martins on the landscaping between the Martins' property and the Children's wing. He asked if the parking was an issue. Abby Riven stated the parking credit puts the project in compliance with the parking code requirement. Kurt Eggers also asked about signage, which will be addressed in the future.

Commissioner Neil Morrow agreed with Kurt Eggers that the project is great but needs a tweak with the landscaping between the house and the project to provide additional screening.

Vice-Chair Erin Smith asked about the glass box, posing the question as to why it was a problem when it is not lit during the daylight hours and the library closes at 6:00 PM. The only vantage point to see the box was from the corner of a deck with an unusual viewing angle. Commissioners Neil Morrow and Matthew Mead discussed the proposed landscaping and the impact it would have on the screening of the box and the amount of sunlight shining on the Martin property.

Chairperson Jeff Lamoureux stated he agreed with Erin Smith, the setback is adequate, but questioned the type of the glazing on the Box and what alternative may be available. Rob King answered that the glass is clear, not frosted, with an exterior shade.

Erin Smith summed up that the roof line and the landscaping on the Northwest corner are the points of disagreement. Matthew said he felt the roof is not higher than the current building. The other commissioners agreed. Erin Smith asked about the landscaping regulations and Brittany informed them that the regulations are stated in general terms, but the Commission can impose a condition to provide a more substantial landscape plan. She also said the commission has the option of approving any portion of the plan as appropriate. Erin Smith asked about the construction schedule and Jenny Emory Davidson said they were on schedule for 2018. The construction of the Children's wing is scheduled for 2019.

The commission discussed the options for approving all or part of the project. Erin Smith would like to approve the project with the exception of the landscaping in the northwest corner by the nest.

MOTION TO: Approve the Design Review Application for the Community Library Expansion Project, including Conditions 1-15, with Condition 15 being a condition that the landscaping

of the Northwest corner of the project to include more screening of the neighboring residence. The applicant is encouraged to revise the screening of the Northwest corner of the project and review the new landscape plan with the owners of the neighboring property. The Commission would like to see the revised plan brought back before the Commission in a public meeting for approval.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Lamoureux, Chair
SECONDER:	Neil Morrow, Commissioner
AYES:	Morrow, Mead, Lamoureux, Smith, Eggers

- c. **KSVVA Fire Training Facility:** 219 Lewis Street, Ketchum, ID (Lot 7 Blk 1, Northgate Subdivision, Ketchum Townsite) The Commission will consider and take action on a Design Review application by the Ketchum Sun Valley Volunteer Association (KSVVA) for the construction of a new 1,280 sq. ft fire training facility. The subject property is located in the Light Industrial Number 2 (LI-2) Zoning District.

Daniel Hollis, Architect, for the SVVFA project, presented the project for the Commission. Daniel Hollis said the lighting is Dark Skies compliant. Abby Rivin presented the City arborist's recommendations for screening the property. Abby Rivin said there was no public comment on this project.

The Commission discussed various aspects of the project including the landscaping and how the project will effect on-street parking. Erin Smith questioned the red color of the project and Daniel responded that is a standard color for the manufacturer.

Chairperson Jeff Lamoureux called for Public Comment. There was no comment.

A discussion of parking ensued. Jeff Lamoureux questioned the parking by the gate and signage to regulate the parking. Vice-Chairperson Erin Smith stated from the pre-application there would be signage to park only certain hours. Jeff Lamoureux asked if the curb spaces were part of the parking requirement, and Abby said the requirement was met by the spaces on the property. Jeff Lamoureux asked if the non-conforming 6-foot fence in the LI, then a text amendment should be initiated. Erin Smith and Commissioner Neil Morrow thought it was a justifiable exception given the nature of the area and public safety.

MOTION TO: Approve the Design Review Application for the KSVVA Fire Training Facility, including Conditions 1-8 and excluding Condition 6. and adding Condition 9 to block parking on training days.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Commissioner
SECONDER:	Erin Smith, Commissioner
AYES:	Morrow, Mead, Lamoureux, Smith, Eggers

- d. **Text Amendment - Setback Definition:** Continued from March 12, 2018. 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, Development Standards, and Section 17.128.020, Sup

Brittany Skelton, Senior Planner, presented the Staff Recommendations for the Text Amendment to the Code definition of *setback*. Brittany went over the options for action on the amendment: 1) adopt change as proposed by the applicant, 2) make no changes, 3) allow all encroachments below-grade, 4) Develop standards for types of structures that encroach below grade, 5) build another layer of review into the Code to allow a case-by-

case review of structure proposed to encroach below grade. Brittany reviewed the proposed changes to the language of the affected portions of the Planning Code.

Michael Blash, representing the applicant, thought the definition should be more flexible. A change to the applicant's plans now proposes the garage to be underground, with only the garage door visible.

Chairperson Jeff Lamoureux called for Public Comment. There was none.

The Commission discussed the three-foot minimum setback and the addition of standards for underground setbacks to the Design Review process. It was agreed that they would like to see all underground this brought before the Commission for Design Review as opposed to Administrative Review only.

Michael Blash, for the applicant, presented examples of previous projects involving underground structures.

Brittany summarized: 1) All underground encroachments go before P & Z for review 2) Add flexibility to the proposed three-foot underground setback 3) Consider standards for habitable space below grade and what is allowed above. Erin Smith suggested using a CUP for the encroachment.

MOTION TO continue to May 14, 2018.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Commissioner
SECONDER:	Matthew Mead, Commissioner
AYES:	Morrow, Mead, Lamoureux, Smith, Eggers

- e. **Briscoe & Associates Conditional Use Permit:** 220 N, Main Street (Lot 2AA Block 3, Ketchum Townsite:) 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).

Abby Rivin, Associate Planner, presented the Conditional Use Permit for a business office on the ground floor with street frontage on Main Street in the Community Retail Core. Staff found the intended use to be in conflict with the Comprehensive Plan. The Parking Ordinance calls for 1 parking space which cannot be accommodated in the plan. Staff recommendations are: 1) Approve the Conditional Use Permit with a shared parking plan, 2) deny the Conditional Use Permit due to lack of parking and conflict with the Comprehensive Plan or 3) Direct Staff to return with further research on the total parking requirements for that building and continue the matter to the next meeting.

Jim Briscoe, applicant, named the improvements made to the office space. The two employees walk to work. Most of the clientele come from out-of-state and meet off-site.

Jeff Lamoureux called for comments from the Commission. Matthew Mead would like to see something that attracts clients. Neil Morrow noted there has not been vibrancy in the space in question, and Erin Smith agreed while adding the Casino and Village Market do create vibrancy in the area. Matthew Mead noted that while the previous tenant did not generate any vibrancy to the area, the current application conflicts with the Comprehensive Plan. The goal of the Plan is to attract vibrancy. Erin Smith has more concern with the lack of parking than the vibrancy in that area. Jeff Lamoureux was sympathetic to the applicant not knowing the code before leasing the space but was not in favor of approving a CUP that goes against code. He thought the parking issue should be addressed. Matthew Mead agreed the parking requirement should be fulfilled.

John Gaeddert, Planning Director, asked the Commission to reflect on why a retail shop or eating establishment does not have a parking or a CUP requirement and how it relates to increasing vibrancy. He urged the Commission to consider the broad context. Kurt Eggers

wanted to see more information on the CUP concerning the parking and use as office space. He was willing to agree to the CUP since it not a new structure nor significant improvement to the existing space. Jeff Lamoureux noted that while it is preferred to have office use on the second floor, this building does not support that option, and since it is only a small portion of the building, he would support the CUP. Erin Smith thought of the history of the CUP to limit office space on Main Street without a CUP to promote vibrancy in the Retail Core. She was more inclined to approve the CUP for an office in this older building. Matthew Mead was also sympathetic to the applicant not understanding the code but thinks businesses on Mail Street need to attract more people.

John Gaeddert, Planning Director, stated he felt comfortable with the Commission approving the CUP with the parking restriction being met.

Abby Rivin, Associate Planner, noted there are provisions for flexibility within the parking requirement. Jeff Lamoureux asked applicant if the Commission approves the CUP, will he submit parking plan or provide proof that parking isn't required. John Gaeddert presented options on how to proceed. Jeff Lamoureux thought a continuation to allow time to develop a parking plan would be the appropriate action.

MOTION TO continue to May 14, 2018 to allow for further research of the parking plan.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Commissioner
SECONDER:	Matthew Mead, Commissioner
AYES:	Morrow, Mead, Lamoureux, Smith, Eggers

- f. **Zoning Code Amendment – Residential Use in the Light Industrial Districts.** *Continued from March 27, 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, gave discussion of Zoning Code Amendment for Residential Use in the Light Industrial Area.

Chairperson Jeff Lamoureux opened for public comment.

David Hurd, resident, gave information on the affordable housing issue in many cities requiring creative thinking. He strongly opposes housing in the LI, but strongly encourages live/work spaces.

John Gaeddert, Planning Director, pointed out the many uses of the LI and the critical importance of maintaining it. He urges the continued dialogue on this topic.

MOTION TO continue to May 14, 2018.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Commissioner
SECONDER:	Erin Smith, Vice-Chairperson
AYES:	Morrow, Mead, Lamoureux, Smith, Eggers

- g. **Zoning Code Amendment – Community Core subdistricts and retail uses.** *Continued from March 27, 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.

Brittany Skelton recommends 1) sending consolidation of the sub-districts to the City Council and 2) continuing the rest to the May 14, meeting.

MOTION TO send recommendation to City Council for the consolidations of sub-districts and continue the balance of the amendment to May 14, 2018.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Commissioner
SECONDER:	Kurt Eggers, Commissioner
AYES:	Morrow, Mead, Lamoureux, Smith, Eggers

8. CONSENT CALENDAR

- a. **Bigwood Square Mixed-Use Building Findings of Fact and Conclusions of Law**
- b. **Grumpy's Restaurant Conditional Use Permit Approval**

MOTION TO approve Findings of Fact and Conditions of Law for Bigwood Square Mixed-Use Building and Grumpy's Restaurant Conditional Use Permit.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Mead, Commissioner
SECONDER:	Neil Morrow, Commissioner
AYES:	Morrow, Mead, Lamoureux, Smith
ABSTAIN:	Eggers

- c. **Minutes:** March 27, 2018

MOTION TO approve minutes of March 27, 2018 as amended.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Commissioner
SECONDER:	Jeff Lamoureux, Chairperson
AYES:	Morrow, Mead, Lamoureux, Smith
ABSTAIN	Eggers

9. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Brittany Skelton named the Setback Text Amendment, Briscoe and Associates CUP, Community Core Zoning Amendment and Light Industrial Zone Amendment as future projects. New projects are the Sundali/Mace development zone change request. Abby Rivin added the Warfield Distillery should be ready to submit for the June meeting. John Gaeddert asked if the Commission is comfortable with signing the Findings before the next meeting unless there are any questions/changes. The Commission agreed to that procedure.

10. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Brittany answered questions brought up by the Commission from the March meeting. 1) All Building Permits have a Construction Activity report prior to being issued. It includes the parking plan for the workers. 2) Giacobbi Square could be built now with the existing parking code. 3) Electrical box for Barbie Reed's house is in the right-of-way and not on her property. The lot is not in the Mountain Overlay and was not required to go through Design Review, so it was not addressed. 4) The up-lighting for Giacobbi Square and The Horizons has been passed along to the Community Service Officers for enforcement. 5) At the next meeting we will have an update on the changes to the State Building Code.

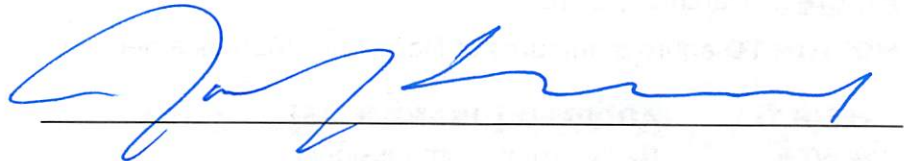
11. Commission reports and ex parte discussion disclosure

Matthew Mead agreed with the public comment on the housing problem. Suggests a workshop with builders. John Gaeddert added the Mayor has a housing event planned for May 25th. Matthew Mead asked if up-lighting on private property was allowed and when told it wasn't, noted there were several up-lights on private property.

12. ADJOURNMENT

MOTION TO adjourn at 9:10 PM.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Commissioner
SECONDER:	Jeff Lamoureux, Chairperson
AYES:	Morrow, Mead, Lamoureux, Smith, Eggers



Jeff Lamoureux
Chairperson