



Planning and Zoning

Regular Meeting

~ Minutes ~

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

Admin

Monday, October 9, 2017

5:00 p.m.

Ketchum City Hall

Commissioners Present: Jeff Lamoureux, Chairperson
Erin Smith, Vice-Chairperson
Betsy Mizell, Commissioner

Commissioners Absent: Neil Morrow, Commissioner
Matthew Mead, Commissioner

Staff Present: Micah Austin, Director of Planning & Building

1. **5:00 PM – SITE VISIT: 100 Northwood Mixed Use Pre-Application Design Review: 100 Northwood Way, Ketchum, ID (Northwood Light Industrial Lot 9).**
2. **5:20 PM – SITE VISIT: 260 Crystal Court, Ransohoff Landscaping Approval, Administrative Design Review Approval of landscaping within the Mountain Overlay District.**
3. **5:50 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**

Chair Jeff Lamoureux called the meeting to order at 5:50 pm.

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

No public comment.

5. COMMUNICATIONS FROM STAFF

- a. **Continued from May 23, June 12, July 10, August 14, and September 11, 2017 Sun Valley Dental Arts Design Review: 100 7th Street East Ketchum, Idaho (Ketchum Townsite, Lot 5, Block 34). The Commission will consider and take action on an application by Ben Franz for Design Review approval of a new mixed use three-story building with ground floor commercial space with two residential units on the second floor and one residential unit on the third floor.**

Director of Planning & Building Micah Austin explained that this agenda item will need to be continued to the November 13, 2017 meeting.

Motion to continue to the November 13, 2017 meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Vice-Chairperson
SECONDER:	Betsy Mizell, Commissioner
AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell
ABSENT:	Neil Morrow, Matthew Mead

- b. **Grumpy's Conditional Use Permit Review: 860 Warm Springs Road (Ketchum Lot 3 Block 9). The Commission will consider and take public comment on the existing Conditional Use Permit for Grumpy's Restaurant. Three written complaints have been received by Staff. As per the condition of approval Staff has noticed a public hearing before the Commission to review the Conditional Use Permit.**

Director of Planning & Building Micah Austin presented the background of Grumpy's Conditional Use Permit and a history of complaints received from the public.

PUBLIC COMMENT - Communications from the public in support of this agenda item.

In support of this agenda item:

Peter Prekeges, owner of Grumpy's presented his response to citizens' concerns.

Shawn Phillips spoke in support of Grumpy's Conditional Use Permit

Annie DeAngelo spoke in support of Grumpy's Conditional Use Permit.

PUBLIC COMMENT – Neutral Communications from the public

No neutral comments were presented.

Public Comment - Comments from the public in opposition to this agenda item.

William Glenn spoke in opposition. Mr. Glenn expressed his concerns about noise after 9:30 PM and air pollution from cooking odors and smoke. Mr. Glenn showed the Commissioners a video he took of Grumpy's cooking emissions. (Note: video shown on an ipad.)

No additional public comment

Peter Prekeges spoke in response to comments in opposition. Mr. Prekeges indicated his staff has been instructed not to serve any additional customers after 9:00 PM and bottles are now dumped in the morning as to eliminate the noise at night and he would be willing to make changes to meet city code.

Public comment closed:

Director of Planning & Building Micah Austin explained current standards for restaurant construction and that air quality standards are regulated by the Public Health Department, Environmental Quality of the State of Idaho. The City of Ketchum regulates the correct hood systems and fire regulations for the restaurant. The City does respond to nuisance complaints regarding emissions. Director Austin gave options: 1) Do nothing. Enforce existing conditions. 2) Amend the Conditional Use Permit and schedule a noticed Public Hearing. 3) Owners of Grumpy's may apply for a new Conditional Use Permit changing operating hours and any other factors deemed appropriate. 4) Seek more Public Comment and research air quality standards.

Vice-Chairperson Erin Smith questioned current regulations regarding restaurants in the LI zone and restaurant hood inspections. Peter Prekeges responded his ventilation system has passed Health Inspections and was in code at the time of construction.

Commissioner Betsy Mizell commented in support and expressed interest in seeing additional information on air quality standards regarding restaurant ventilation systems. Chairperson Jeff Lamoureux requested staff to prepare information on air quality standards regarding restaurants. Chairperson Jeff Lamoureux and Vice-Chairperson Erin Smith discussed other outdoor permits.

Chairperson Jeff Lamoureux inquired about the specifics hours/outdoor use for Conditional Use Permit.

Vice-Chairperson Erin Smith encouraged Grumpy's management to enforce the terms of the Conditional Use Permit. Director of Planning & Building Micah Austin went over the terms of the Conditional Use Permit.

Chairperson Jeff Lamoureux suggested to leave Grumpy's permit in place, and have staff review Grumpy's Conditional Use Permit in one year.

Motion to leave Grumpy's Conditional Use Permit in place and staff will report any complaints in one year.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Vice-Chairperson
SECONDER:	Betsy Mizell, Commissioner
AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell
ABSENT:	Neil Morrow, Matthew Mead

c./d. Greyhawk Parking Lot Conditional Use Permit Renewal: Located at the south end of Gates Road (Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6856). The Commission will consider and take action on an application by Sun Valley Company for a renewal of the Conditional Use Permit for the Greyhawk Parking lot used for skier parking.

Puchner Lane Conditional Use Permit: Located at the south end of Puchner Lane (Lot 2 Greyhawk III Subdivision). The Commission will consider and take action on an application by Sun Valley Company for a renewal of the Conditional Use Permit for the Puchner Lane equipment storage, employee parking and public skier/ pedestrian pathway.

Director of Planning & Building Micah Austin discussed the Conditional Use Permit for parking lots and indicated there were no concerns expressed by approving departments. Director Austin recommends approval of the Conditional Use Permit for 5 years with approval of Amendment of the existing Waterways Design Review for Greyhawk parking lot to restore the section of the parking lot in the Riparian Zone.

Vice-Chairperson Erin Smith asked for clarification to the permit for Puchner Lane structures.

Applicant Comment –

Applicant Peter Stern, Director of Mountain Operations for Sun Valley Company gave a history of the Greyhawk and Puchner Lane parking lots as regarding the Riparian Zone. Director of Planning & Building Micah Austin and Peter Stern discussed Riparian Zone. Waterways Design Review to be submitted for approval by December 31, 2017. Commission agreed to extend Conditional Use Permit from 3 years to 5 years.

Motion to approve the application from owners Sun Valley Company for a Conditional Use Permit application for the equipment storage, employee parking and public skier/pedestrian pathway to Puchner Lane finding the application does meet the standards for approval under the chapter 17.116 of the Ketchum Zoning Code only if the following condition are meet: Conditions 1-16.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Vice-Chairperson
SECONDER:	Betsy Mizell, Commissioner
AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell
ABSENT:	Neil Morrow, Matthew Mead

Motion to approve the application from owners Sun Valley Company for a Conditional Use Permit application for an off-site parking facility finding the application for the Greyhawk Lot does meet the standards for approval under Title 17.116 of the Ketchum Zoning Code only if the following conditions are met: Conditions 1-16.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Vice-Chairperson
SECONDER:	Betsy Mizell, Commissioner
AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell
ABSENT:	Neil Morrow, Matthew Mead

- e. **100 Northwood Mixed-Use Pre-Application Design Review: 100 Northwood Way, Ketchum, ID (Northwood Light Industrial Lot 9). The Commission will consider and take action on an application by 100 Northwood Way, LLC for Pre-Application Design Review of a new mixed use two-story building with two residential units on the second floor and a hybrid production facility on the first floor.**

Director of Planning & Building Micah Austin introduced the project, the benefits of a hybrid production facility, and the features of the building. All department comments were positive. Staff recommends project proceed to Design Review.

Applicant Michael Barker, architect for the project, explained location and surrounding features of the project and parking layout, presented slides of the exterior of the project, the interior layout of the retail space, the garage and second floor residences. Pictures of the exterior finish materials were provided. Vice-Chairperson Erin Smith questioned the desirability of a shared deck space and urged a re-thinking of that feature. Landscaping to preserve Baldy views. Chairman Jeff Lamoureux and Vice-Chairperson Erin Smith expressed concerns over garbage collection and snow removal in parking area. Number of parking spaces was discussed. Vice-Chairperson Erin Smith asked if Solar power was considered. Lighting and roof lines were discussed.

Motion to advance 100 Northwood Pre-Application Design Review to Design Review.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Betsy Mizell, Commissioner
SECONDER:	Erin Smith, Vice-Chairperson
AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell
ABSENT:	Neil Morrow, Matthew Mead

6. CONSENT CALENDAR

- a.&b. **Motion: September 11, 2017**

COMMENTS -

Vice-Chairperson Erin Smith noted correction to minutes to 5-c; add Mead to "Ayes".
6 – b Add Mead to "Ayes".

Motion to approve minutes of meeting of September 11, 2017 as corrected.

Motion to approve Peter Residence Mountain Overlay Design Review: 124 Sage Road, Ketchum, ID (Warm Springs Village 4th Add Lot 7 BLK 3 31,363 SF): Findings of Fact and Conclusions of Law.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Lamoureux, Chairperson
SECONDER:	Betsy Mizell, Commissioner
AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell
ABSENT:	Neil Morrow, Matthew Mead

c. Findings of Fact and Conclusions of Law for Ransohoff Administrative Design Review approval of removing landscaping within the Mountain Overlay District at 320 Crystal Court, Ketchum, Idaho.

Micah Austin presented the Finding of Fact for the Ransohoff Design Review. There is no prior history of Administrative Mountain Overlay for Landscaping. The project was started without the submittal of an application and subsequently work has stopped. Analysis of the project revealed only landscaping is involved with no additional structures to be built. No new lighting is to be installed. All lighting must meet Dark Skies Ordinance within 12 months. Any new lighting to be installed in the future will require separate approval. Staff recommends approval. Applicant comments - none. Public comment - none.

Motion to Approve the Findings of Fact and Conclusions of Law for Ransohoff Administrative Design concerning the removal of landscaping within the Mountain Overlay District at 320 Crystal Court, Ketchum, Idaho

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Vice-Chairperson
SECONDER:	Jeff Lamoureux, Chairperson
AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell
ABSENT:	Neil Morrow, Matthew Mead

7. FUTURE PROJECTS AND NOTICING REQUIREMENTS

No projects needing future noticing at this time. Continuation of construction of Flynt Residence. Changes still being made and will submit a new application in November or December.

8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

- Third reading of the Parking Ordinance is on the agenda for the next City Council meeting.
- 10 applications have been received for the open planner position. 2 consultants have been retained to help while short staffed. John Gaeddert is working on Design Review and Mountain Overlay and Jim Zarubica is working on the Floodplain Overlay Applications. Building Permits will be handled by Agnew Beck in Boise. Micah Austin estimates it will be another 2 months before a new planner is hired.

9. COMMISSION REPORTS AND EX PARTE DISCUSSION

The Idaho City Planners Association conference will be held in Ketchum this year. Chairman Jeff Lamoureux expressed interest in attending.

Vice-Chairperson Erin Smith inquired about the repairs to the riparian zone on the Heinz property. Micah Austin indicated a full inspection was done and the project was completed with outstanding results. It is a prime example of a project done right.

Other areas of flood damage to the river were discussed. The Planning Department has been working closely with the property owners and the Idaho Department of Water Resources to reach resolution.

Discussed results of Jerry Mason Conference for Planners attended by Chairman Jeff Lamoureux. Points of interest included:

- Possible annual review of Comprehensive Plan
- Inability to enforce short-term rentals at the City level
- City Planning Departments are no longer required to publish Findings of Fact and Conclusions of Law, but may be replaced by minutes of the Planning and Zoning Committee meeting
- A public sign-in sheet could include comments to be individually submitted at the time of the meeting.

10. ADJOURNMENT

Motion to adjourn at 8:51 pm



Jeff Lamoureux
Planning and Zoning Commission Chairperson