



Planning and Zoning

Regular Meeting

~ Minutes ~

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

Rachel Martin
(208) 726-7801

Monday, October 10, 2016

5:30 PM

Ketchum City Hall

Commissioners Present: Jeff Lamoureux, Commissioner
Steve Cook, Commissioner
Erin Smith, Commissioner
Betsy Mizell, Commissioner

Commissioners Recused: Steve Cook, Chairperson

Staff Present: Micah Austin, Director of Planning & Building
Brittany Skelton, Senior Planner
Keshia Owens, Planning Technician

Members of the Public

1. 5:00 PM SITE VIST: Belling Driveway/Landscape Remodel Waterways Design Review

2. 5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho

Commissioner Lamoureux called the meeting to order at 5:37 PM.

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

4. COMMUNICATIONS FROM STAFF

- a. The applicant is proposing to reconstruct a driveway and remodel landscaping at their existing residence. The property is entirely within the floodplain and contains floodway and riparian zone, but there are no proposed structures or work to be executed within the floodway or riparian setback. The property is 0.504 acres in size and zoned Limited Residential (LR).

Skelton said that there is an existing single family home and an existing accessory dwelling unit on the site and the entire property is in the floodplain. She also added that there is also flood way on the property. She explained that the proposal for the project is to remove the existing driveway and replace it with a two-track driveway, which would reduce the amount of pervious surface on the property. She then stated that a bocce court will be added in and an existing deck will be replaced and the entire riparian area will be revegetated. She then commented that because the property is in the floodplain, staff recommends that in 2 years a follow up site visit be conducted. She also added the condition that the right of way be maintained and brought up to current standards.

Ben Young, representing the applicant, said that the report is good and they will interface with the City Engineer before the project begins. He also stated that he thinks this is a good project for approval.

Commissioner Lamoureux said that there should be a condition that in two years, staff should check that temporary irrigation has be removed and that there are no chairs.

Commissioner Mizell moved to approved this project, Belling Driveway/Landscaping Waterways Design Review and Floodplain Development Permit, because does meet the standards for approval under Chapter 17.88 of Ketchum Code Title 17 with conditions one through fifteen.

b. *Continued from Monday June 13, 2016, Monday June 27, 2016, Monday July 11, 2016 and Monday, July 25, 2016, Ketchum, ID (Ketchum AM Lot 5A Block 30 18,590 SF). The applicant is proposing to construct a motor vehicle fueling station with accessory food service. The property is 0.435 acres in size and zoned Light Industrial-1 (LI-1).*

i. "Bracken Station Traffic Impact Study Updated" dated October 3, 2016

COMMENTS:

Commissioner Lamoureux said that this is to discuss the new information which was submitted by the applicant and is included in the report.

Applicants' comments:

- Ned Williamson, representative, said that the Commission was very candid in their deliberation and Bracken asked that new information on circulation and pedestrian safety will be considered.
- Steve Cook, representative, said that considering onsite and offsite traffic concerns, some corrections to the site plan have been made. He said that some parking was eliminated and made into snow storage, handicap parking was moved, and much of the outdoor dining and trellis was eliminated. He added that a place to hangout has been eliminated by no longer including the outdoor dining. He also said that they gave clarity to the different visitors to the site and the gas station has become more improved. He later stated that there will be no taco trucks onsite and added that no project that in all the years he has lived in Ketchum has been this scrutinized. He also explained that what was presented is the worst-case scenario and will not happen very often.
- Ryan Hales, Hales Engineering, gave an overview of previously submitted traffic impact studies and said that traffic was counted at two different time periods- one over a holiday weekend and the Thursday before. He said that different study years were also analyzed- 2016, 2020, and 2026 and data collection was finished in September. He then explained that the Chevron in Hailey was studied and said that vehicle classification was taken into consideration. He later commented that for the pedestrian analysis there were no pedestrians on the first observation and said that ITD was excited about adding a rectangular flashing beacon at the Ninth Street intersection.
- Sam Stahlnecker, Benchmark Associates, said that various vehicles were counted onsite and data was collected during a holiday weekend, which would have increased traffic rates and don't happen every weekend. She explained that all their exhibits take the most congestion into consideration and stated that the site functions without impacting the safety of the highway. She also said that they have a letter from Keller Strauss that guarantees delivery in the early morning. She then added that the applicant has proposed to use gas from Shell Oil, which can be sourced from Boise and Pocatello.
- Roy Bracken, applicant, said that the fuel brought by Base Camp is from Montana because that's the only place you can get 91% octane fuel. He explained said that even in snow if they send a truck from Burley fuel can be delivered before 4 AM and commented that his site will be 2,500 square feet and will have more storage space than Atkinsons. This will also allow delivery trucks to come less often than they would at any location in town. Bracken explained there are eight fueling positions and one pump would be able to fuel twelve cars in an hour and this means that the site can move 4 times than what is necessary.

Staff's comments:

- Skelton said that there seemed to be only one option for passenger vehicles towing an RV to circulate to circulate onto the site and queue. She then noted that this it depends on pump one and two being open at the same time. She also stated that there is only one way in and one way out for Bracken Station and twenty-six of the vehicles of the AM peak hour were commercial. She explained that if the Commission chooses to approve the project, staff recommends that it is done with conditions.

Public comments:**Support:**

- Brian Emerick, son of current property owners, said that he is here to stick up for his parents' property rights. He said that the Commission will hear from a lot of NIMBYS, as Dusty doesn't want competition and Barbi doesn't want a gas station next to her mini-mansion. He also said that staff has done a hatchet job on this and if you look at the reality of life in Ketchum you will see how much of a mess Veltex is. He also stated that he spoke with Chief Kassner and Chief Elle and they both stated agreed that the site is completely safe.
- Richard Sharbedan, Ketchum resident, said that he has come to accept growth and the new hotels are for the City's prosperity. He added that being a citizen of this town for many years, he lives on Main Street for because he chooses too. He noted that he doesn't have a right to blast the City for growth and the future prosperity of the City, as he wants tourists to come in. He then said that we should let this person try and prosper and let them create a positive impact on this town. He also stated that there isn't one gas station that would jump through the needles that staff and the Commission has put them through.
- Ken Hills, Ketchum resident, said that the traffic going north at 7:00 pm is almost nonexistent, so comparing it to Hailey just isn't the same. He also commented that it would be nice to have a place to change a baby instead of a portable toilet. He then commented that the gas stations that we have now are small and you can barely get an SUV in there. He also said that he is not for gas stations, but if the code says it fits and the project has been scrutinized then the Commission should be careful in its decision.

Opposed:

- Dan Thompson, Thompson Engineers Garden City, ID, said he had been retained by residents of Frenchman's Place and Barbi Reed and Dusty Wendland. He started by pointing out that none of the plans were stamped by a license engineer so there's no way to tell if the plans were prepared by a professional engineer or not. He then said that this is an ITD right of way and they have the sole authority to grant access to it, but the City needs to be aware of the multiple exceptions to their access policy. He also noted that the arrival rate, service rate, and the number of service position need to be taken into consideration. He said that the service rate is five vehicles and the service rate is eight, but the problem is the arrival rate and the service rate are variable. He also pointed out that no vehicle is ever shown coming from the south and the right-turning vehicle will not be able to turn without entering into the other lane.

Thompson provided the following notes for the Commission:

There are exceptions to ITD Policy

The site is poorly design and has a conflicting entrance

The site is not pedestrian friendly

There is constrained site that does not allow fluid motion

- Jim Laski, representing neighboring property owners, said that neighbors have property rights as well and the Commission has been given a through letter stating why this should be denied. He also said that despite receiving numerous review the applicant still has a "just trust me" attitude. He also stated that despite approval or denial, the project will be appealed to City Council.
- Ruth Lieder, Ketchum Resident, said that there was different measurement used for the project, with the primary one being the box truck at thirty feet. She added that today, these different types of trucks aren't staying at thirty feet. She added that these types of trucks are frightening and here to stay, but they will only continue to get longer.
- Joellen Collings, Ketchum, said that she has noticed that traffic is getting very heavy in front of Frenchmen's and she is also very worried about traffic backing up and people going too fast. She then stated that they have a right to make money with their property, but she also has a right to not feel danger and excessive noise.
- Richard Bottelcini, Ketchum resident, said that of course he is a NIMBY because he does not want their backyard be a gas station. He also stated that 1-4am deliveries with tractor trailers in tandem and constant deliveries is another reason why he is a NIMBY. He then said that the proposed gas station is unwarranted, ugly, and dangerous and he is imploring the Commission to not upset the community any further.
- Jane Batey, Ketchum resident, said that we all have a point of view, which she respects. She noted that there has been no mention of garbage trucks going in or out to access the dumpster, safety access, propane tank areas, accessing the property through the alleyway, wheelchair access, and snow.
- Kurt Eggers, Ketchum resident, said that Mr. Thompson highlighted a few of the things that just don't work. He noted that they only have one exhibit with the car and trailer fueling at pumps one and two, but never actually showed it exiting from there and if they did it would show the trailer hitting the pump. He also noticed the fact that this project is jammed up in the right of way and this points out that the project is too big for such a small space. He also said that if ITD came through and widened the highway they would lose a lot of the space they have for queuing. He then stated that he has never used Tenth Street more than he has now and he didn't see any exhibits on how this proposal addresses the Tenth Street intersection. He then explained that the alley should be opened to the public and that he never gets gas in Ketchum because of the price.
- Kathy Gierky, Ketchum resident, said that she wrote a letter to the Commission and she is afraid of losing her property rights. She then commented that it surprises her to hear that people don't understand what Light Industrial means. She explained that Roy Bracken has done everything he can do to comply with the Zoning Ordinance, so it comes down to people's opinion and we should ask ourselves we if the project complies with the zoning code.

Applicants' comments:

- Ryan Hales, Hales Engineering, said the stamped plans will be given to the Commission
- Steve Cook, representative, said that the challenge is to look at the project from a city planning point of view and for the future. He said that we are not like Twin Falls or Boise with large boulevards, but we are a resort community and Chevron is looking to accommodate to this. He added that this will beautify the north entrance of town and it is the Commission's responsibility to think of the future.

- Ned Williamson said that this project will make a nonconforming property conforming and it will be state of the art.

Commissioner Smith motioned to close public comment and continued deliberation to a date certain of October 24, 2016.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erin Smith, Commissioner
SECONDER:	Betsy Mizell, Commissioner
AYES:	Cook, Doty, Lamoureux, Smith, Mizell

ii. – “Ketchum Gas Station Traffic Impact Study Updated” dated May 2016

Commissioner Smith motioned to close public comment and continued deliberation to a date certain of October 24, 2016.

iii. – Public Comment Received June 25, 2016 through October 4, 2016

Commissioner Smith motioned to close public comment and continued deliberation to a date certain of October 24, 2016.

5. **CONSENT CALENDAR**

a. **Lift Tower Lodge (#15-006) Findings**

COMMENTS:

Page 8 of 8, Condition number six needs to be removed

Commissioner Lamoureux moved to approve findings and Commissioner Smith seconded.

b. **September 26, 2016 Minutes**

COMMENTS:

Commissioner Lamoureux motioned to approve minutes with revisions as noted and Commissioner Mizell seconded.

6. **FUTURE PROJECTS AND NOTICING REQUIREMENTS**

Bracken Station, Next Stage and the Parking Ordinance will be on the October 24, 2016 meeting.


7. **STAFF REPORTS & CITY COUNCIL MEETING UPDATE**

Austin said that the next City Council meeting will be the second reading of the Sign Ordinance. The parking ordinance and off site vendors will also be at this meeting.

8. **Commission reports and ex parte discussion disclosure**

9. **ADJOURNMENT**

Commissioner Mizell and Commissioner Smith seconded.


Steve Cook Jeffrey Lamoreaux
Planning and Zoning Commission Chairperson
Vice