



Planning and Zoning

Regular Meeting

~ Minutes ~

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

Keshia Owens
(208) 726-7801

Monday, June 13, 2016

05:30 PM

Ketchum City Hall

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- Commissioners Present: Steve Cook, Chairperson
Jeff Lamoureux, Commissioner
Betsy Mizell, Commissioner
- Conference Call: Erin Smith, Commissioner
- Recused: Steve Cook
- Staff Present: Micah Austin, Director of Planning & Building
Brittany Skelton, Associate Planner
Robyn Mattison, City Engineer
Stephanie Bonney, City Attorney
Keshia Owens, Planning Technician
Citizens

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5:00 PM-SITE VISIT: 911 North Main Street, Ketchum, Idaho (AM Lot 5A, Block 30, Ketchum Townsite)

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

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

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COMMUNICATIONS FROM STAFF

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Bracken Station Conditional Use Permit Public Hearing: 911 North Main Street, 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).

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COMMENTS:

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Steve Cook, representing the applicant, said that the Roy Bracken is requesting a conditional use permit for a motor vehicle fueling station. He commented that when comparing the project to the District Use Matrix the conditional use permit is an allowed use. He also added that food service, which is allowed in the LI, is to be included in the conditional use permit. Cook commented that the applicant feels that this project meets all of the requirements of the transitional uses of the LI. He added that the gas station will have a very "mom and pop" feel and will fit well into the community. He also said that they are making the project as compatible with the previous use as much as they can and noted that the applicant has worked closely with ITD, the City of Ketchum, and Idaho Power. He also said that construction of the fueling station will require crosswalks, a rapid-flashing beacon, sidewalks, and a connection to Frenchman's Place. Cook noted that the current building A and C will be removed, but building B will remain.

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Ned Williams, on behalf of the applicant, said that he reviewed the staff report and public comments and noted that the standards are there to keep everyone objective.

38 The standards and his comments included:

- 39 1. Compatibility- a gas station is an allowed use in the LI zoning district, so the project is
40 compatible.
- 41 2. CUP will not endanger community- the project will comply with safety and regulation standards.
- 42 3. Traffic- the project has been looked at thoroughly by ITD and they have concluded that there
43 will be a two second delay by 2020.
- 44 4. Support by public facilities- the project will be adequately supported by public services, like fire.
- 45 5. CUP in conflict with Comprehensive Plan- when there is a conflict between the zoning ordinance
46 and the comprehensive plan the, zoning ordinance controls.

47 He added that based on everything the CUP should be allowed.

48 Staff's Comments:

49 Austin noted that staff has identified some impacts like pedestrian and vehicular traffic, which would
50 require mitigation and provided a list of recommendations for the impacts. He also said that if the CUP is
51 approved, a drainage plan will be required and added that the proposed building complies with the
52 requirements of building coverage, height, curb cut, parking spaces, and off-street parking.

53 Staff's recommendations:

- 54 • The applicant should construct two new crosswalks at the intersection of Highway-75 and Ninth
55 Street and another at Highway-75 and going across Tenth Street.
- 56 • A Rapid flashing beacon should be added at Highway-75 and Ninth Street.
- 57 • The sidewalk should continue to Frenchman's, so that it can connect with existing sidewalks.

58 Skelton said that eight comments were received by the time the packets were compiled. Seven
59 comments were against and one comment was neutral. Two additional comments in opposition were
60 received after the packets were distributed, including one comment the day of the meeting.

- 61 • Kathleen Nichols/Douglas Holen, opposed, concerned about impact on nearby residential
62 property values. The area is already adequately served by nearby gas stations.
- 63 • Edward Jacobs, opposed, concerned about increased traffic, congestion, impact on residential
64 property values.
- 65 • Sarah Gorham, opposed, concerned about increased traffic, congestion, impact on residential
66 property values.
- 67 • Liz Roquet, opposed, concerned about increased traffic, congestion, impact on residential
68 property values, and potential contaminated water.
- 69 • J. Kevin Lawler, opposed, concerned about incompatibility of the fueling station. The area is
70 already served by gas stations.
- 71 • Gary Lipton, neutral, concerned about dark sky compliance and relevancy of traffic study.
- 72 • Barbi Reed, opposed, concerned about increase traffic, congestion, safety, health concerns,
73 incompatibility, impact on nearby properties.
- 74 • Jody Vering, opposed, concerned with high number of existing gas stations and incompatibility
75 of the fueling station.
- 76 • Joel Brazil, opposed, the area already served and would like to see different types of uses in the
77 area.

- 78 • Richard Walsworth, opposed, already served by gas stations and is concerned about the number
79 of restaurants in the LI zone.

80 Public Comment:

81 Andrew Wall, Ketchum resident, said that the Knob Hill Inn and surrounding property owners have hired
82 a community and environmental services firm that has conducted a preliminary need analysis for
83 Bracken Station. He commented that the need analysis utilizes statistics from the 2012 Ketchum
84 Economic Profile and it shows that Ketchum is over-supplied by existing gas stations. He added that in
85 reviewing the attachments, he is asking the Commission to deny the permit as he doesn't think that the
86 applicant has fully identified that there is no potential threat to health and safety. He noted that the
87 station will likely have a large impact on left turning vehicle traffic on tenth street and that fire and
88 public safety may have a hard time responding.

89 Jay Coleman, former Ketchum resident, said that the project runs contrary to the concerns of
90 congestion, pedestrian and bicycle safety, employee parking, and the free-flow of commerce down
91 Tenth Street. He noted that having four convenience stores so close to each other could hurt existing
92 businesses and said that the applicant, not the tax payers, should be financially responsible for the cost
93 of the restructuring of Tenth Street.

94 Gary Lipton, adjacent property owner, said that the Planning and Zoning Commission should take a
95 stand now to require any project to replace telephone poles with underground facilities, as it is a win-
96 win situation. He added that regarding the traffic study, the City should put a speed trap wire across the
97 road to see that no one drives twenty-five MPH down Highway-75. He also commented that the fire
98 department will not be able to access the alley where trucks may be unloading and noted that the
99 project will not be dark sky compliant.

100 Mickey Garcia, Ketchum resident, said that the worst thing about the project is affordable housing for
101 small businesses will be eliminated. He added that this is the perfect location for a gas station, as the
102 road is a state highway and not a Ketchum street. He also noted that directing tourists to the current gas
103 stations can be difficult and added that having a gas station located at the northern and southern end of
104 town is a great idea.

105 Barbi Reed, Ketchum Resident, said that the paradigm with this project is where the gas station is
106 located and not the fact that it will be a new gas station. She added that the success of convenience
107 stores and gas stations, no matter where they are located, are dependent upon high traffic volumes. She
108 also noted that the type of vehicles that will likely be using the fueling station has not been clarified. She
109 explained that there will not only be cars, but RVs, trailers, snow mobiles, horse trailers, possibly semi-
110 trucks, small trucks, construction trucks, and big vehicles using the station. Reed added that there
111 should be a study of the type of vehicles this gas station would attract. She noted that ITD didn't deal
112 with unintended consequences as far as traffic, especially with cutoff and added that there will be an
113 impact without question when people find out that they can get through the traffic cutoff. She also
114 noted that the impact of the old Anderson Lumber will be enormous once it is developed because of the
115 amount of traffic increase. Reed explained that if this project does not pass, a project more in keeping
116 with the Comprehensive Plan and zoning purposes allowing for smaller businesses and perhaps
117 residential on smaller floors will happen. She also explained that there is no safety for pedestrians, there
118 will be children entering and exiting the proposed convenience store, and that the uses must be
119 evaluated with the suitability of the project. Reed also said that the concern of fire had not been
120 mentioned and noted that Knob Hill is filled with vegetation and if there were westerly prevailing winds
121 a fire could drop down into Ketchum. Reed also noted a study that shows that living near a fuel station
122 reveals that there is a quadruple risk of acute leukemia in children.

123 Ruth Lieder, Ketchum resident said that she agreed totally with Barbi Reed's comments and added that
124 she would like for the Commission to really consider the compatibility of the project, especially since
125 Ketchum has been developing very lovely neighborhoods.

126 Karen McCall, Ketchum resident, said that she is concerned about lighting, as it is a big issue when we
127 are trying to create a dark sky zone. She also questioned signage, paying for the sidewalk's construction,
128 and the location because small businesses that are there will be displaced. She also noted that a gas
129 station should not be at the entrance to the City because this area is not a transition zone.

130 Brian Emeric, employed in Ketchum, said that this is the perfect place for a gas station. He noted that
131 explaining to people where a gas station is can be difficult and said that many of the gas stations in town
132 are already traffic accidents waiting to happen. He added that his parents own the current building and
133 are getting to a point where they can no longer care for it. He said that the existing buildings are not
134 architecturally pleasing and said that both Bellevue and Hailey have shown the proper location of gas
135 stations. He also noted that this new building will be the nicest thing in North Ketchum.

136 Susan Nieman, Ketchum resident, said that the issues of pedestrians and vehicles are troubling. She
137 noted that she is concerned with the deli that will be added to the restaurant space and asked if the
138 food service will be something like Subway or if it will be "mom and pop". She added that the highway in
139 this area is dangerous and said that Ketchum doesn't need a south and a north gas station because this
140 may lead people to leaving the valley.

141 Dusty Wendland, Hailey resident and owner of fuel stations in Ketchum, said that the quantity of
142 volume in fuel is not significant in Ketchum and there is not an intense need to steer tourists to a station
143 they can't find because the fuel simply doesn't get pumped. He added that most business is done
144 servicing locals and there is not a tremendous amount of volume done servicing the north side. He
145 added that there is no way to put in a fuel station without creating an eyesore and said that the
146 displacement of small business ends up driving rents up as the LI-district turns into more retail. He noted
147 that in the event the fueling station fails, it could be scooped up by someone with larger pockets and
148 there would be no legal grounds to stop it.

149 The Commission directed the applicant to provide more information on the following:

- 150 • An industry study that shows of types of vehicles and their turning radius, especially around the
151 proposed pumps
- 152 • Site circulation
- 153 • Pedestrian access
- 154 • Pedestrian traffic evaluation
- 155 • Traffic counts
- 156 • Issue with grading and sidewalks
- 157 • Makeup of the traffic
- 158 • What traffic could look like northbound and southbound
- 159 • Warnings for signalized crosswalks

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161 Commissioner Mizell motioned to continue the Bracken Station Conditional Use Permit to Monday, June
162 22, 2016 and Commissioner Smith seconded.

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164 **RESULT:** **ADOPTED [UNANIMOUS]**
 165 **MOVER:** Betsy Mizell, Commissioner
 166 **SECONDER:** Erin Smith, Commissioner
 167 **AYES:** Jeff Lamoureux, Erin Smith, Betsy Mizell
 168 **RECUSED:** Steve Cook, Commissioner

~~169~~ **Bracken Station Pre-Application Design Review Public Hearing:** 911 North Main Street, Ketchum, ID
 170 (Ketchum AM Lot 5A Block 30 18,590 SF) The applicant is proposing to construct a motor vehicle fueling
 171 station with accessory food service. The property is 0.435 acres in size and zoned Light Industrial-1 (LI-1).

172 **COMMENTS:**

173 The Commissioners asked for more information on lighting and finishes.

174 Commissioner Mizell motioned to continue the Pre-Application Design Review Public Hearing to
 175 Monday, June 27, 2016 and Commissioner Smith seconded.

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177 **RESULT:** **ADOPTED [UNANIMOUS]**
 178 **MOVER:** Betsy Mizell, Commissioner
 179 **SECONDER:** Erin Smith, Commissioner
 180 **AYES:** Jeff Lamoureux, Erin Smith, Betsy Mizell
 181 **RECUSED:** Steve Cook, Commissioner

~~182~~ **Zoning Ordinance Phase II Update: Work Session**

183 Austin said that the current sign code is not compliant with Reed v. Gilbert and added that anything that
 184 was content regulated was removed from the Ordinance. He noted that a sign matrix was added, which
 185 makes the code easier to follow. He also noted that dimensional standards were added to the Code and
 186 said both of these items will be discussed during a public hearing on July 11, 2016.

~~587~~ **CONSENT CALENDAR**

~~188~~ **APPROVAL OF MINUTES**

189 May 9, 2016: Minutes

190 **COMMENTS - Current Meeting:**

191 Commissioner Lamoureux motioned to approve the May 9, 2016 minutes and Commissioner Mizell
 192 seconded.

~~693~~ **FUTURE PROJECTS AND NOTICING REQUIREMENTS**

194 No projects noticed at this time.

~~795~~ **STAFF REPORTS & CITY COUNCIL MEETING UPDATE**

196 Austin said that the developer of the Warm Springs Ranch project has requested an eight-year extension
 197 on the project. City Council will discuss the applicant's request to amending the Development
 198 Agreement to allow for the extension at the June 20th meeting. .

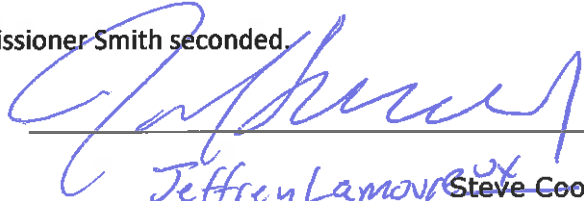
899 Commission reports and ex parte discussion disclosure

200 Commissioner Lamoureux would have liked to see the complete traffic study for Bracken Station, rather
201 than the executive summary, in the packets.

902 ADJOURNMENT

203 Commissioner Mizell motioned to adjourn and Commissioner Smith seconded.

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Jeffrey Lamoureux
Steve Cook
Planning and Zoning Commission Chairperson
Vice