



# Planning and Zoning

## Regular Meeting

~ Minutes ~

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

*Keshia Owens*  
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Monday, March 28, 2016

5:30 PM

Ketchum City Hall

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

Staff Present: Micah Austin, Director of Planning & Building  
Rebecca Bundy, Senior Planner  
Morgan Brim, Senior Planner  
Keshia Owens, Planning Technician

**1. 5:30 PM - CALL TO ORDER**

**2. CONSENT CALENDAR**

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

There was no public comment.

**4. COMMUNICATIONS FROM STAFF**

- a. The Spot: The Commission will hold a public hearing and take action on an application by The Spot, LLC, represented by Brett Mollenberg, for a text amendment to the Municipal Code.

**COMMENTS:**

Austin reviewed the direction received from the City Council:

- Broaden the definition of "Commercial Studio" to allow for occasional events that already occur in the LI, but specifically to allow for the events put on by the Spot in connection with their permitted commercial studio.
- The amendment should be narrowly crafted and defined that would work for a commercial studio like the Spot.
- The Spot would be allowed to continue operations, but prevent the operation from becoming a leased out event space like the NextStage.
- By narrowly defining the use it would also restrict the expansion of new assembly uses within the LI.

He also noted the language that was added to the definition of a Commercial Studio, which reads:

- A commercial studio may hold occasional events solely and exclusively in connection with the permitted uses conducted by the commercial studio. Events shall be subordinate in nature to the commercial studio and subject to the standards of 17.124.50.

Austin said that G and H of the proposed development standards were also added to address the subleasing concerns the applicant brought up:

G. All events shall be produced by the owner or primary tenant of the property.

H. The owner or primary tenant of the property shall be present for each event held on site.

Kevin Wade, The Spot, said that they are thinking closer to 80-100 days and they will continue to discuss this. He added that they feel comfortable with the new language and are ready to move forward.

**Public Comment:**

Peter Hendriks, Sun Valley, said that when the applicant is talking about an event they mean a play that could run for 3-5 days, but when staff is talking about an event they are talking about 1 night. He added that the applicant needs to have this enterprise to be economically viable and 30 days would not do that, but 120 might. He noted that the Commission consider and recommend to the Council a number closer to 120 days.

Mike Wade, Ketchum, said that the applicant needs the opportunity to take these shows that have been so well received and put them on for more than one night. He added that there are a lot of people who are involved in their productions and would like to see this business survive.

**Commissioners' comments:**

Commissioner Doty said that he is fine with more days whether it be 90 or 120 days, as the Spot can decide this, but added that 30 days is not enough to run a business.

Commissioner Smith agreed that 30 days is not enough, but stated that she is going back to the 90 days because of the accessory use definition, as 90 days establishes something as only an accessory use. She added that the mayor and City Council are very concerned that we were going to inadvertently create an LI theater district and when considering that, the number becomes important. She also noted that Brett was thinking 63 days, which could be another possible number.

Commissioner Mizell said that they absolutely need more days

Commissioner Lamoureux said that the Commission should consider a range of days and 90-120 days would be a good amount.

The Commissioners agreed that a range of 90-120 days should be recommended to the City Council.

Commissioner Smith suggested a change to the definition of studio-commercial, which would include teaching or demonstrating one of the fine arts.

Commissioner Smith moved "to approve ordinance 1151 regarding amendments to Title 17 Zoning Regulations section 17.08.020 Definitions by adding a new definition of event as modified tonight and amending the definition of studio, commercial as modified tonight and amending chapter 17.124 development standards to add a new section 17.124.150 commercial studio events as modified with the recommendation that the council and the spot come up with a number between 90-120 days.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

- b. Elevation 6000 Final Plat: The Commission will hold a public hearing and take action on an application by Elevation 6000, LLC, represented by Bruce Smith, Alpine Enterprises, for Phase III of the Final Plat for Sublot One.

**Current Meeting:**

Austin said that this is an application for a final plat for Elevation 6000, subplot 1.

Brim said the Planning and Zoning Commission approved the Phase II of the Final Plat and this would be a final plat for subplot 1. He added that staff is recommending approval.

Bruce Smith, Apline Enterprises, said that they are asking for an approval for the 4th and final unit.

Commissioner Doty moved to "approve the townhouse final plat by Elevation 6000, LLC for Elevation 6000 Townhomes Phase 3 with conditions 1-9."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

**c. Zoning Code Work Session.**

Brim said that the parking ordinance is still in transition, as staff is waiting for a complete study. He added that staff anticipates a draft in a month or so.

Brim noted the following minor amendments and changes to the dimensional standards in the Commercial Core:

**Minor amendments:**

- Most graphics were taken out and will be replaced with better ones.
- The definition of solar energy- as of now the definition allows for 2 feet, but that is not enough to angle the solar panel to capture the sun. This will likely change to 5 feet.
- A separate floodplain definition section will be added.
- Office uses to be subordinate in the LI district.
- Clarifying the community housing category.

**Community Core Dimensional Standards Matrix:**

- The minimum lot size of 5,500 square feet will be added again.
- The minimum lot width of 55 feet will be added again.
- The minimum front and street side setbacks for buildings fronting the right-of-way with a 60-foot width will be 0 (sub-district A) and 5 (sub-districts B, C, and D).
- For buildings 60 feet or less, the setback will be 5 feet.
- For Cantilever decks and overhangs, setbacks will be 0.
- Setbacks for alleyways will be 3 feet for the whole building.
- The first floor ceiling height was removed.
- Minimum required size of private outdoor space per residential unit was removed.

**Directives:**

- Commissioner Doty said that uninhabitable should be used instead of unconditioned.
- Commissioner Doty said that if someone wants to put a raised planter in then it becomes a part of the exterior roof wall and it should be included in the transparency calculation.

**5. APPROVAL OF MINUTES****a. January 11, 2016 - Site Visit****COMMENTS:**

Commissioner Doty moved to "approve the site visit to 225 Hillside Drive and 300 Huffman Drive."

<b>RESULT:</b>	<b>ADOPTED [3 TO 0]</b>
<b>MOVER:</b>	Mike Doty, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Steve Cook, Mike Doty, Betsy Mizell
<b>RECUSED:</b>	Jeff Lamoureux, Erin Smith

**b. February 8, 2016 - Site Visit****COMMENTS:**

Commissioner Smith moved to "approve the site visit to 500 N. Washington Ave in regard to Kneebone Mixed Use on February 8th."

<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Steve Cook, Mike Doty, Erin Smith, Betsy Mizell
<b>RECUSED:</b>	Jeff Lamoureux

**c. February 8, 2016****COMMENTS:**

Commissioner Mizell motioned to "approve the minutes from February 8th as amended."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Betsy Mizell, Commissioner
<b>SECONDER:</b>	Jeff Lamoureux, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

**d. February 22, 2016****COMMENTS:**

Commissioner Doty motioned to "approve the February 22nd meeting minutes."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

## 6. FINDINGS OF FACT

### a. Alfs Residence - Findings of Fact

#### COMMENTS - Current Meeting:

Commissioner Mizell made a motion to "approve the Findings of Fact for the Alfs residence."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Betsy Mizell, Commissioner
<b>SECONDER:</b>	Jeff Lamoureux, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

### b. Kneebone Mixed Use - Findings of Fact

#### COMMENTS - Current Meeting:

Commissioner Smith motioned to "approve the Findings of Fact for Kneebone Mixed Use Design Review with amendments."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Mike Doty, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

### c. Constant Residence - Findings of Fact

#### COMMENTS - Current Meeting:

Commissioner Lamoureux motioned "to approve the Constant Residence waterways design review Findings of Fact."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Lamoureux, Commissioner
<b>SECONDER:</b>	Erin Smith, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

## 7. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Brim said that there are no significant projects at the moment.

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

Austin said there is a City Council meeting next Monday. He added that he is planning to bring the employee housing plan for Auberge to the Council. He also said that Warm Springs Ranch Resort asked for an extension.

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

**10. ADJOURNMENT**

Commissioner Smith motioned to adjourn and all Commissioners were in favor.

  
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Steve Cook  
Planning and Zoning Commission Chairperson