

## Morgan Brim

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**From:** Micah Austin  
**Sent:** Friday, December 04, 2015 11:49 AM  
**To:** Morgan Brim  
**Subject:** FW: LI Text Amendment and Rezone

Can you print this and bring to the meeting? Thanks.

Micah

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**From:** Bruce Smith [mailto:bsmith@alpineenterprisesinc.com]  
**Sent:** Friday, December 04, 2015 11:44 AM  
**To:** Michael Doty <mdoty@ketchumidaho.org>; esmith@ketchumidaho.org; Steve Cook <SCook@ketchumidaho.org>; Jeff Lamoureux <jlamoureux@ketchumidaho.org>; Betsy Mizell <bmizell@ketchumidaho.org>  
**Cc:** Rebecca Bundy <RBundy@ketchumidaho.org>; Micah Austin <maustin@ketchumidaho.org>  
**Subject:** LI Text Amendment and Rezone

Dear Commissioners and Staff,

First of all, I would like to thank you for taking the extra time to seriously consider the effects of the proposed Text Amendment and Rezone by the Community School.

I was able to attend the first meeting for allowing what I consider a large scale residential use in the Light Industrial Zone. I am unable to attend today's meeting, so I thought I should reiterate some of my comments from the first meeting.

I think the Community School is a great organization that turns out great students and is an asset to the community.

I think any LI Zone is the wrong place for 40 or so kids to be running around.

I have reviewed the Comprehensive Plan and Zoning Code and I find it hard to find anything that would support this proposal, other than possible financial benefits.

I am not generally opposed to legitimate workforce housing in LI as long as is a Secondary Use to a legitimate LI use and a Conditional Use.

I think their Health and Safety would be compromised by the existing LI uses and functions such as delivery vans and trucks, the proximity to a gas station a liquor distributor and other future uses.

I think that other future uses could be compromised if they proposed uses that are compatible and currently allowed in LI, but may not be compatible next to a building housing 40 students.

I think the addition of a bus stop will lead to crosswalks and "Slow, School Zone" signage.

I think that having 40 kids running around in LI could compromise the security of existing uses.

I think they should consider other sites such as Atelier, Villager or Cottonwood Condominiums and even take a look at the Clarion/Bellemont Hotel.

If this does proceed, there should be a portion of the Development Agreement that they, or any parents of students could never have any standing in complaints against legitimate LI uses. It should also be a Conditional Use, so if it is approved and presents problems, it can be reconsidered.

I think that their purchasing of the property, knowing that the proposed use was not allowed, puts the City in a tough position.

I think that someday, the City will wish they had saved this space for a legitimate LI use.

Thanks again for taking the time to seriously think about this proposal.

Bruce Smith  
PO Box 2037  
Home: 2114 Warm Springs Road  
Office: 221 Northwood Way  
Ketchum, ID 83340





# Planning and Zoning

## Special Meeting

~ Minutes ~

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

Keshia Owens  
(208) 726-7801

Friday, December 4, 2015

12:00 PM

Ketchum City Hall

Commissioners Present: Steve Cook, Chairperson  
Jeff Lamoureux, Vice Chair  
Michael Doty, Commissioner  
Betsy Mizell, Commissioner  
Erin Smith, Commissioner – Via phone

Staff Present: Micah Austin, Director of Planning & Building  
Morgan Brim, Senior Planner  
Stephanie Bonney, City Attorney – Via phone  
Keshia Owens, Planning Technician

### 1. OPENING OF MEETING

Chairman Cook called the meeting to order at 12:04 PM.

Commissioner Smith and Stephanie Bonney attended the meeting via conference phone.

### 2. PUBLIC COMMENT

#### a. Communications from the public for items not on the agenda.

There was no public comment.

### 3. COMMUNITY SCHOOL (Continued from November 23, 2015):

#### a. Text amendment: The Commission will hold a public hearing and take action on an application for a text amendment by the Community School to amend Title 17, the Zoning Ordinance, of the Ketchum Municipal Code by amending Chapter 17.08.020, Definitions, by adding a new use of School Residential Campus; amending 17.12.202 District Use Matrix; and by amending 17.124 Development Standards by adding for a School Residential Campus in the LI-3 Zone.

#### COMMENTS:

Austin presented the staff report and noted that this is the third public hearing that the Commission is holding for the Community School (the November 9<sup>th</sup>, 23<sup>rd</sup>, and a Special Meeting on December 4, 2015).

Austin presented the Commission with a summary of changes from the November 23<sup>rd</sup> meeting and indicated that the changes generally affect the text amendment and how this particular use would apply to any school residential campus. The summary of changes includes:

1. The City Attorney's changes to the definition have been added and the words "public" or "semi-public institution" have been added.

2. The text amendment now only affects the LI-3 zone. This was one of the Commission's request and the applicant has indicated that this is fine with them.
  - a. Austin said that other zones would not have been able to support this use and this relieves some concern.
3. The total residential use of the building, which includes the basement, is now limited to less than 50%.
4. Dormitory units are restricted on the ground floor, but employee units can be allowed as long as they remain under 2,000 square feet total (per the Commission's request).
5. All residential units shall be used for long term occupancy only (90 days or more).
6. Employee units are limited to 2,000 square feet in total for two units.
7. Included formatting changes
8. Any other conditions used to enhance the purpose of this use are to promote health, safety, and welfare (per the Commission's request). This was added to give flexibility to the development agreement.

Austin noted that the most significant change was withdrawing the application from all other zones, except from the LI-3 district. He added that the list of standards in the text amendment is a starting point and if there was ever another request for a residential school campus in the LI-3 district, they would have to comply with these same standards.

At the November 23, 2015 meeting, there was discussion about a pedestrian safety and circulation and Austin said that there were some changes to the circulation plan at Saddle Road and Highway 75. He added that the Community School has looked into the pedestrian circulation and safety concerns at this intersection and the analysis will go the City Council. He added that going forward, Staff will be working with the Community School to identify what these concerns are. He also noted that there were other safety concerns at Saddle Road and Northwood Way that need to be addressed and Staff is recommending a more detailed analysis.

Chairman Cook called for deliberation among the Commission:

- Commissioner Lamoureux recommended a motion for approval of the text amendment of an application by the Community School for amendments to Title 17 of the Municipal Code by amending Chapter 17.08-Definitions by adding a new use of school residential campus, by amending 17.12.202-District Use Matrix, by amending 17.124-Development Standards by adding standards for school residential campus to the LI-3 zone. Commissioner Mizell seconded the motion and all Commissioners were in favor.

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

- b. **Rezoning Development Agreement:** The Commission will hold a public hearing and take action on an application for a rezoning agreement by the Community School to rezone property from Light Industrial District Number 2 (LI-2) to Light Industrial District Number 3 (LI-3); subject property is located at 280 Northwood Way, Ketchum, Idaho, 83340 and described as Resub of Northwood PUD Lot 4, AM Lot 21A.

**COMMENTS:**

Austin explained that the rezone application is a rezone with a development agreement, specific to a school residential use and he added that the updates of the Development Agreement address the Commission's concerns.

Changes include (page 75 of the staff report):

1. The total residential use of the building, including the basement, is now limited to less than 50% than the gross floor area. This includes dormitory, employee housing, bathrooms, but excludes the common kitchen and circulation areas.
2. Dorm units are restricted on the ground floor; however, employee housing units are allowed with a total of 2,000 square foot.
3. Other new language addressed clustering of dormitories in common areas used for kitchen and dining space.
4. Employee housing units on the second floor are now limited to a size restriction of 400 to 1,400 square feet.
5. Occupancy limits for all residential units is now restricted to long term occupancy.
6. Formatting changes.

Austin added that the only other change was that City Attorney Bonney clarified the maximum size of 2,000 square feet for employee housing units. This says that "no more than two employee housing units consisting of less than 2,000 square feet total may be located on the ground floor of the building." Bonney added that these changes were fine with her.

Commissioner's comments:

- Commissioner Lamoureux asked for clarification on how the Community School will be obligated to carry through with pedestrian safety and circulation standards. Austin replied that at the last meeting the Commission did not receive detailed enough answers from the Community School on these standards and he required that the Community School address these concerns preceding the City Council meeting.
- Chairman Cook said that there is an apparent need for improvements around the area and Austin said that on the staff side we will make sure any pedestrian safety concerns are addressed before we bring anything to City Council.
- Commissioner Smith asked about timing and whether we are working to just move the issue along. Austin said that the City Council has more executive authority than the Planning and Zoning Commission when it comes to development agreements and they are likely going to focus on the development agreement more than the text amendment.

Chairman Cook asked for comments from the applicant:

- Ed Lawson said that the Community School is working to resolve the safety issues. He added that the applicant wanted to make a determination after speaking with ITD, department heads, and the city administrator. Chairman Cook agreed with Mr. Lawson and added that much of the concern is in regards to how students getting to the intersection of Saddle Road and Northwood Way.
- Mr. Perencio added that there are other solutions instead of a sidewalk because putting in a sidewalk is very expensive. He also said that students can walk through the back of the property

and never walk on the road and noted that the Community School can mandate where students will walk as they are in the school's care.

Public Comment:

- Austin said that there was public comment from Bruce Smith via email. Smith is opposed to the project and he is concerned with the incompatibility of the school's use with the LI district.
- There was no other public comment.

Chairman Cook called for deliberation among the Commissioners:

- Commissioner Lamoureux noted that if the Commission didn't address pedestrian safety they would not be doing their job.
- Chairman Cook asked if the applicant can move forward with the text amendment and not the full development agreement, as the Commission needs some sort of analysis for pedestrian safety. Austin said that the two applications can proceed on separate paths, but Mr. Lawson said the Community School really doesn't have anything without the development agreement. Chairman Cook said that the Commission should craft a condition to ensure the Community School addresses safety issues. City Attorney Bonney said that the Commission will make a recommendation, but this is ultimately the City Council's determination.
- Commissioner Lamoureux added that a professional engineer should provide an analysis and criteria about the intersection and safety issues. He added that in the winter the trail is groomed and it's not a pedestrian trail.
- Commissioner Smith stated that the intersection is dangerous and it encourages people to go up the bike path. Mr. Lawson indicated that an engineer will look closely at the necessity of the sidewalk.

Commissioner Lamoureux motioned: "To recommend approval of the application submitted by the Community School for a Rezone with a Development Agreement, finding that, on the whole, the application is in compliance with the Comprehensive Plan, the Zoning Ordinance, Subdivision Ordinance, and all other adopted or enforced city policies and recommend the request for approval to the City Council, conditional upon the applicant obtaining a pedestrian circulation analysis that identifies any safety concerns that may need to be remediated and that would be completed by a licensed professional traffic engineer, that would address safety improvements including a sidewalk between Northwood Way and Highway 75." The motion was seconded by Commissioner Doty.

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

4. ADJOURNMENT

Commissioner Doty made a motion to adjourn and Chairman Cook seconded.

  
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 Steve Cook  
 Planning and Zoning Commission Chairperson