



**REGULAR PLANNING AND ZONING COMMISSION MEETING**  
**Tuesday, October 26, 2015, 5:00 PM**  
**Ketchum Project Site Visit**

**Present:**

**Chairperson Steve Cook**  
**Vice Chairperson Jeff Lamoureux**  
**Commissioner Betsy Mizell**  
**Commissioner Mike Doty**  
**Commissioner Erin Smith**

**5:00 P.M- SITE VISIT at 100 7<sup>th</sup> Street (Franz Mixed Use Building). The Commission will convene for a site visit regarding an application by Dr. Ben Franz, represented by Jack Smith, Smith Associates and John Montoya, Ensitio Design for a design review permit. The applicant is seeking recommendation from the Commission to the City Council regarding a proposed mixed use three-story building. The project proposes three (3) residential units.**

The following features of the proposed project were viewed and discussed:

- The height of the proposed building
- Setbacks and building locations
- Landscaping and aesthetic features of the building and its surroundings
- Softening of the building

**Also present:**

**Micah Austin, Planning and Building Director**  
**Morgan Brim, Senior Planner/Current and Long-range Planning Manager**  
**Rebecca Bundy, Senior Planner/Building and Development Manager**  
**John Montoya, Ensitio Design**

The Commissioners had no further questions and the site visit was concluded at about 5:20 pm.

  
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Steve Cook  
Planning and Zoning Commission Chair



# Planning and Zoning

## Regular Meeting

~ Minutes ~

480 East Avenue North  
Ketchum, ID 83340  
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Monday, October 26, 2015

5:30 PM

Ketchum City Hall

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Commissioners Present: Steve Cook, Chairperson  
Jeff Lamoureux, Vice Chair  
Michael Doty  
Betsy Mizell

Commissioners Absent: Erin Smith

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

1. **5:00 p.m. SITE VISIT- FRANZ MIXED-USE BUILDING, located at 100 7th Street (Lot 5, Block 34, Ketchum Townsite).**

**5:30 p.m. RECONVENE AT CITY HALL- CALL TO ORDER**

5:35 p.m. Chairman Cook called the meeting to order.

3. **CONSENT CALENDAR – No items.**

4. **PUBLIC COMMENT**

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

David Hurd, a 30 year Sun Valley resident, commented that bigger projects need to be look at and made sure they are what is best for the city. Mr. Herd used the example of the Auberge and Trail Creek Hotels and pointed out that these projects are much bigger than what was originally allowed in the area. Mr. Herd also noted that he would like to see the city work with developers to create projects that are good for the developer, the community, and the surrounding neighbors. Mr. Hurd also used the example of a development on Washington next to the video store. Developers left a part of the front wall from the old building; his understanding was that when developers leave a part of an old building and build a new building they can encroach on a new setback, yet Mr. Hurd noticed that one day the original part of the project was gone. Mr. Hurd said that was a little deceptive, but understands there are ways around rules to move a project forward and making it better. Mr. Hurd would like to see the same thing for the Trail Creek project, as he thinks the project should be brought down and spread out; this way it would be better for everyone. He also noted that when someone lives next to a project that is bigger than what was expected, property value and quality of life ends up being destroyed. Chairperson Steve Cook noted that Mr. Hurd should get to the point of his message and Mr. Hurd finished with a concern that when projects are big and are imposed beyond regulations, they need to be looked. Mr. Hurd also said that having the project penciled out for development and for the city would be great. He spoke about the Community School's purchase of the Smith Building as a dormitory

for their school. He added that there is a reason why there's zoning- to keep industrial with industrial, commercial with commercial and residential with residential. Mr. Hurd also spoke about the proposed grocery store in the Light Industrial District and said that we need to keep the industrial space because it's important, it's being absorbed, and soon there will be a shortage.

There was no other public comment and Chairperson Steve Cook closed the public comment period.

## 5. COMMUNICATIONS FROM STAFF.

**CITY RIGHT-OF-WAY STANDARDS – The Commission will be briefed on recently adopted right-of-way standards.**

Chairperson Steve Cook spoke about the city's right-of-way standards. Mr. Cook noted that an uncomfortable factor became apparent during the last meeting because they questioned right-of-way standards and if they were really adequate for the city. Mr. Cook also noted that these standards are at the discretion of the city administrator and city engineer. Mr. Cook added that if a friction has developed, it is a good friction and we have the advantage of not taking this personally in a small town.

City Administrator Suzanne Frick added that this is a collaborative process. Ms. Frick watched the video from the last meeting and noticed there was some frustration. Ms. Frick wants to resolve any issues that might be misunderstood and noted that staff members have been taking input from the City Council, the design community, and the landscape community to show what are the best standards for the city.

Ms. Frick presented via PowerPoint on the City's recently adopted right-of-way standards.

The purpose of the standards included:

- Improve safety for emergency vehicles
- Provide space for off-street parking
- Provide space for snow storage
- Eliminate safety hazards caused by trees, fences, bushes, and other right-of-way obstructions
- Provide appropriate drainage within the right-of-way
- Provide consistent and predictable standards that apply to all properties
- Create space for bus stops, signage, lighting and sidewalks

Ms. Frick also noted that there will be different standards for commercial and residential. Ms. Frick added that commercial areas will have 60, 80, 100 foot right-of-ways and if improvements are consistent with standards, the permit will be approved administratively. If improvements are not consistent then they will need a City Council Encroachment Agreement.

Ms. Frick also spoke about current streetlight standards and the variety of streetlights throughout the city. Ms. Frick noted the purpose of the lighting standards and said that they should be clear and consistent. Ms. Frick also proposed the Inovus Solar Light as the city's official light fixture, in either the Design series or the Element series- both are off the shelf and readily available.

After presenting Ms. Frick asked for comments from the Planning and Zoning Commission.

Mr. Cook added that our job is to also think of the standards when an applicant brings in an application. Mr. Cook noted that these standards haven't been developed to the point where a developer really understands what the guidelines are and what he needs to comply with those standards. He also added if we are doing this in the proper sequence, the commission's currently doesn't have the text it needs to back up these standards. Mr. Cook mentioned that the standards are left too wide open and that they are solely at the discretion of the city engineer and city administrator.

Mr. Doty also added that looking at the standards as an applicant, and not as a commissioner it would be hard to assess the risks as a developer. Mr. Doty noted if standards are consistent, a developer can assess the risk and chose to go or not go. Mr. Doty mentioned that the wording doesn't seem like it would give consistent and predictable results for all properties. Mr. Doty also added that the criteria should be drawn in a more permanent way. Mr. Doty also pointed out that if we are going to continue to use "stuff" in our descriptions, then we should define what "stuff" is. Mr. Doty added that words that can be interpreted in a number of different ways need to be taken out and that the staff has spent time simplify and clarify, so that we don't have to go back and interpret the old code. Mr. Cook noted that a full package of the city standards in the right-of-way and the opinions of Ms. Frick and Mrs. Mattison are a few of the things that are missing.

Mr. Lamoureux added that through the comprehensive plan process we are in tune with the community and that the presentation's bullet points don't address the small town feel of Ketchum. Mr. Lamoureux also noted that the standards are focused on mobility and street maintenance, but not safety and what's in the best interest of the community as a whole. Mr. Lamoureux added that if the Commission needs to give input on design, we should do a workshop in a different forum. Mr. Lamoureux also added that he doesn't feel adequately prepared for the discussion.

Ms. Mizell asked about older lights that are shining down and their replacement. Ms. Frick replied that they will not be replaced immediately; focus and concentration will be on areas with no lights on newly inputted sidewalks, but as older lights need to be replaced they will be replaced to meet these standards.

Mr. Cook added that the Commission should strategize on how best to continue the topic and get a further discussion workshop.

Mr. Austin will add this item to a later agenda.

**b. CONTINUED To November 9, 2015. GRILL AT KNOB HILL INN, DESIGN REVIEW – The Commission will hear public comment and take action on an application by KHI LLC, represented by Chris Edwards, Lee Gilman regarding a design review application for a proposed dining area addition. The property is located at 960 North Main Street (Ketchum, AM Lot 1AA, Block 50).**

The applicant's representative, Craig Maxwell, architectural engineer, gave an overview of the proposal to enclose the existing outdoor dining area to provide year-round dining. He explained that the current drawings reflect staff's review of the project, and he explained the proposed egress pathways.

Evan Robertson, applicant's attorney, stated that the applicant has addressed staff's issues, and he requested that the Commission allow an application to the building apartment, so the permit could be issued as soon as possible due to concerns about winter weather and during slack period.

Mr. Brim suggested that the applicant should meet with staff to discuss possible procedure. He suggested that the application should be put on the consent agenda at the November 9 meeting and that findings of fact could be signed that evening. If anyone wants to comment, the application may be pulled from the consent agenda for public comment.

Mr. Austin told the Commission that staff would be willing to work with the applicant to process the building permit and that the applicant should understand that they proceed at their own risk. In no case, however, will a building permit be issued prior to signing of the findings of fact. Austin noted that, since the project has been continued to the November 9 meeting, public comment will need to be taken at that meeting.

**c. FRANZ BUILDING, COMMUNITY CORE PREAPPLICATION DESIGN REVIEW – The Commission will hear public comment and provide feedback on an application by Ben Franz, DDS, represented by Jack Smith, Smith Associates and John Montoya, Ensitio Design Team regarding a proposed mixed-use three story building located at 100 7th Street (Lot 5, Block 34, Ketchum Townsite).**

The applicant's representative John Montoya of Ensitio Design presented on the proposal to add a three story mixed use building to 100 7th Street. Mr. Montoya explained that the lower level will be Dr. Franz's dental practice and the upper levels will be offices and condos. Mr. Montoya also explained that the building's parking will meet the city's parking requirements and that they are trying to soften the building by breaking up its mass.

Mr. Montoya explained that they will not be softening the south side of the building because it will inhibit the neighbors' ability to develop there. Mr. Montoya mentioned that they are considering various materials to enhance the blank wall. The Commission suggested that the applicant's team explore ways to enhance the aesthetics of the blank south wall.

Mr. Cook noted that in the interim, plantings would help in reaching out to the public. Ms. Mizell also said that people really enjoy seeing greenery. Mr. Brim also noted stepping back floors as you go up, so that the building is able to get some windows or maybe an additional balcony.

Mr. Brim mentioned the staff's findings which showed that the application met standard zoning compliances, yet some items were noncompliant because the staff needed more information. Mr. Brim said there's a conflict with the ADA van space because the alley doesn't meet the accessible code, but the updated Design Review will include compliant ADA space. Mr. Brim also said that we normally have compliance between adjacent structures as a current Design Review standard, but this isn't always met. Mr. Brim explained that the exterior lighting will also need to be addressed, so the applicant will have to provide a lighting plan that shows they are Dark Sky compliant. The applicant will also have to show a landscaping plan that presents the trees and flowers that will be used. Mr. Brim said the applicant will also need a master signage plan to address signage and its location. Mr. Brim also noted that mechanical equipment will also need to be shown in greater detail. The applicant will also need to provide a letter to clarify if the trash area is able to accommodate the proposed use. The applicant will also need to provide detail on where bicycle parking will be and detail the bicycle rack. Mr. Brim also said the applicant will need to show if showers will be in the building and how they will be accommodated.

Mr. Cook asked for public comment and Jane Grims who lives on the north side of Ketchum asked what her rights are if they don't want an RV in front of their home. Mr. Austin replied in the wintertime RVs can't be parked overnight and there is a limit to the amount of time RVs can be parked in the summertime. Mr. Brim said that we can get Mrs. Grims the contact information for parking enforcement.

Mr. Cook asked for the Commissioners' thoughts and Doty mentioned that they should drill down on floor plans, other than that they are off to a good start. Cook mentioned that they should work on the facade, Mizell and Lamoureux made no comment.

d. **Motion To: DESSERAULT RESIDENCE, DESIGN REVIEW** – The Commission will hear public comment and take action on an application by Scott L. Desserrault regarding a Design Review Application for a proposed two story addition to the north side of the existing residence. The property is located at 105A Buss Elle Drive (Solar Power Townhomes, Sublot 3).

**COMMENTS - Current Meeting:**

Scott Desserrault presented his duplex lot that has a driveway that runs onto Bus Elle. Mr. Desserrault is proposing to create a driveway, parking area, and a garage in the back of his house and get rid of the driveway in the front. Mr. Desserrault mentioned he may also do a 2 story addition off of the back and that he would also like his neighbors to be able to tie into the future structure. Mr. Desserrault presented a plat and pictures to give a better idea.

Mr. Desserrault said that the driveway curves and once it hits the fence it will go perpendicular in. Mr. Doty noted that it may be difficult to turn the car because the driveway is very narrow and suggested that Mr. Desserrault be very careful about it. Mr. Lamoureux said that Mr. Desserrault may want to maximize his width at the street. Mr. Brim said that at the property line Mr. Desserrault is at about 18 ft. wide which puts him at 28%, but Mr. Desserrault is allowed to go up to 35%.

Mr. Desserrault noted that the only difference in plans is that the dog leg and measurements are now included. Mr. Brim said that when the plan is approved the conditions would reference the plan that is approved, not the plan in the packet. Mr. Brim said we can attach the new plan to the findings if they are approved, so that it is very specific and easy to read. Mr. Brim also noted that Mr. Desserrault meets Fire's access requirements for Bus Elle. Mr. Brim also said that Desserrault meets the zoning code and he will have to apply for a right-of-way permit, which is normally done with a building permit.

Mr. Austin asked if the Party House Agreement and other CCNRs addresses this type of use for a driveway in the back and if Mr. Desserrault is in compliance. Mr. Desserrault said that it is not specifically stated and the Party House Agreement requires approval from the adjoining unit, which Mr. Desserrault does have.

Mr. Cook asked for any public comment and Tom Van Slake presented. Mr. Van Slake and his wife are the owners of unit #2, which is to the west of Mr. Desserrault's property. Mr. Van Slake stated an objection to the size of Mr. Desserrault's addition because it is almost 75% of the original building. Mr. Van Slake think the units are too small and that this addition will block their view. Mr. Van Slake said that he is also concerned about the bulk on the east wall and that they would like to retain some of that view and have a win-win situation. Mr. Van Slake also noted that his unit is not attached and that he would like something more scaled back with a little more of a view.

Staff was asked to comment and Mr. Brim noted that he would like a reply from Mr. Desserrault stated that he hoped the shed roof would minimize the impact to the Van Slakes. Mr. Desserrault had no other comments. Mr. Brim also noted that the addition meets all zoning ordinances and is far below regulations.

Commissioners were asked to comment and Mr. Doty mentioned that this is a negotiation between the homeowners, more so than between the Planning and Zoning Commission. Mr. Lamoureux noted that design works with zoning ordinance, but neighbors need to work together because there will be a large impact. Both Mr. Doty and Ms. Mizell noted that there should also be a landscape plan.

Mr. Brim noted that if Mr. Desserault did make minor changes that could be done through an administrative process and Mr. Desserault would not have to go back to P&Z Commission. Mr. Doty and Ms. Mizell agreed that a landscape plan and water management plan should be included in the resubmittal document. Mr. Brim also added the condition to Number 6 of Mr. Desserault's plans that "a detailed plan and calculations for accommodating storm water drainage from the driveway and roof will need to be submitted."

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

**e. PHASE II COMPREHENSIVE ZONING ORDINANCE UPDATE.** The Commission will discuss the status of the zoning ordinance update.

Mr. Brim said that we have all of the Commission's comments for the Design Review Chapter and we are inserting them into the chapter; this will be before the Commission on November 9th.

Mr. Brim said we are also in the process of initiating a parking ordinance and the community housing provisions. Mr. Brim is looking at our capacity levels for parking; this will be an analysis and study that will be brought back to the Planning and Zoning Commission.

Mr. Lamoureux suggested that the Comprehensive Plan Ordinance update should be pushed back. Mr. Brim suggested possibly the November 23 meeting and noted that it will be on the agenda, but will still be to be continued to another meeting. Mr. Austin said that we should take this up at another meeting to set aside time to gather thoughts.

**6. 6:30 p.m. PRESENTATION CANCELED – A presentation scheduled by CenterCal Properties, LLC regarding their proposal for a new grocery store has been canceled.**

**7. FINDINGS OF FACT AND APPROVAL OF MINUTES**

**a. Motion To: MINUTES: October 12, 2015**

**COMMENTS - Current Meeting:**

Doty changed 3rd paragraph to insert "West" Ketchum

Lamoureux stated that he did attend the meeting on October 12, 2015

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

## 8. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Mr. Austin noted that there will be a CUD Permit for an avalanche deflection wall, which requires a 300 ft. noticing.

## 9. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

### 10. Commission reports and ex parte discussion disclosure

Mr. Cook asked if Auberge includes existing landscape materials and Mr. Austin replied there are some additional landscape materials that will be required. Mr. Austin also said that this project is being watched very closely because it is disturbing a lot of dirt. The project is also approved for demo, which includes some tree removal. Mr. Austin also said that these trees are on private property. Mr. Cook mentioned that he is surprised that the city doesn't have a legal right to protect the trees in the interest of the public; Mr. Austin replied at this point they have a permit that allows them to take out what they need and continue forward.

The topic changed to the Community School and Mr. Austin noted that there is no residential use allowed in this area currently and suggested looking into the comprehensive plan for answers. Mr. Austin also said that he and Mr. Brim will be open to answering questions about the plan. Mr. Brim noted that there are a 2 or 3 chapters that can be focused on to understand the vision of the plan. Mr. Austin said applications are linked directly to the comp plan and discussion on the November 9th will focus on what is allowed in the district. Mr. Austin also noted that residential use will not be allowed on the ground floor of the Community School.

## 11. ADJOURNMENT

Ms. Mizell motioned to adjourn and Mr. Lamoureux seconded.

## 12. Call to Order

Attendee Name	Title	Status	Arrived
Steve Cook	Chairman	Present	
Mike Doty	Commissioner	Present	
Jeff Lamoureux	Commissioner	Present	
Erin Smith	Commissioner	Absent	
Betsy Mizell	Commissioner	Present	





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Steve Cook  
Planning and Zoning Commission Chairperson