



Planning and Zoning

Regular Meeting

~ Minutes ~

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

Tuesday, August 25, 2015

5:30 p.m.

Ketchum City Hall

1
2 Updated text has been underlined.

3
4 Commissioners Present: Jeff Lamoureux, Vice Chair
5 Michael Doty, Commissioner
6 Erin Smith, Commissioner
7 Betsy Mizell, Commissioner

8
9 Commissioners Absent: Steve Cook, Chairperson

10
11 Staff Present: Micah Austin, Director of Planning & Building
12 Morgan Brim, Senior Planner

13
14 5:00 p.m. – SITE VISIT at 126 Saddle Road (Residences at Thunder Spring). The Commission will convene
15 for a site visit regarding an application by IEG Thunder Spring LLC., represented by John Shirley, Think
16 Architecture, for a design review permit. The applicant is seeking a recommendation from the
17 Commission to the City Council regarding proposed waivers to building setbacks and heights. The project
18 proposes nine (9) residential units.
19 **Site Visit minutes are adopted separately.**

20 **2. 5:30 p.m. RECONVENE AT KETCHUM CITY HALL**

21 Vice Chair Jeff Lamoureux called the meeting to order at 5:49 p.m.

22 **3. CONSENT CALENDAR**

23 **a. FINDINGS OF FACT**

24 **i. 191 Sun Valley Road, Fisher Building Design Review – Approval**

25 **Motion to approve the Findings of Fact for 191 Sun Valley Road, Fisher Building Design Review**

26	RESULT:	APPROVED [UNANIMOUS]
27	MOVER:	Erin Smith, Commissioner
28	SECONDER:	Betsy Mizell, Commissioner
29	AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell, Mike Doty
30	ABSENT:	Steve Cook

31 **b. APPROVAL OF MINUTES**

32 **i. August 10, 2015**

33 There were grammatical and content changes to the minutes.

34 **Motion to approve the minutes of August 10, 2015 as directed by Commissioners.**

1 **RESULT:** **APPROVED [UNANIMOUS]**
 2 **MOVER:** Erin Smith, Commissioner
 3 **SECONDER:** Betsy Mizell, Commissioner
 4 **AYES:** Jeff Lamoureux, Erin Smith, Betsy Mizell, Mike Doty
 5 **ABSENT:** Steve Cook

6 **4. PUBLIC COMMENT**

7 No public Comment

8 a. **EST. 5:40 p.m. Communications from the public for items not on the agenda.**

9 **5. COMMUNICATIONS FROM STAFF**

10 a. **(CONTINUE TO SEPTEMBER 14, 2015) KREKOW RESIDENCE, DESIGN REVIEW – The**
 11 **Commission will take action on an application by Karl and Kathleen Krekow, represented by Gretchen**
 12 **Wagner, Scape Design Studio, for a design review permit to remodel and expand an existing duplex**
 13 **building located at 460 East River Street (Gopher Hill Sub Lot 1 9010 SF, 4N 18E). The lot is .208 acres**
 14 **in size and zoned General Residential – Low Density (GR-L).**

15 **RESULT:** **APPROVED [UNANIMOUS]**
 16 **MOVER:** Erin Smith, Commissioner
 17 **SECONDER:** Michael Doty, Commissioner
 18 **AYES:** Jeff Lamoureux, Erin Smith, Betsy Mizell, Mike Doty
 19 **ABSENT:** Steve Cook

20 b. **STRIMPLE TOWNHOMES, FINAL PLAT – The Commission will provide a**
 21 **recommendation to the City Council on an application by Greg and Karen Strimple,**
 22 **represented by Benchmark Associates for a proposed final plat located at 171 South**
 23 **East Avenue (Lot 7A of Ketchum Townsite, Block 22, Lots 5B, 6A & 8A). The property is**
 24 **5,502 square feet in size and zoned Community Core (CC) Subdistrict C.**

25 Morgan Brim Senior Planner presented. The final plat meets the standards of the zoning ordinance.
 26 Staff is recommending approval

27
 28 Garth McClure with Benchmark associates representing the applicant was there to answer any
 29 questions.

30
 31 **Motion to approve of the application of 171 East Avenue Townhomes Final Plat to the City Council**
 32 **subject to conditions 1-9**

33 **RESULT:** **APPROVED [UNANIMOUS]**
 34 **MOVER:** Erin Smith, Commissioner
 35 **SECONDER:** Betsy Mizell, Commissioner
 36 **AYES:** Jeff Lamoureux, Erin Smith, Betsy Mizell, Mike Doty
 37 **ABSENT:** Steve Cook

38

- 1 c. **RESIDENCES AT THUNDER SPRING, DESIGN REVIEW - The Commission will provide a**
2 **recommendation to the City Council of proposed waivers to building setbacks and**
3 **heights. The applicant, IEG Thunder Spring LLC., represented by John Shirley, Think**
4 **Architecture, has applied for Design Review approval to construct nine (9) residential**
5 **units located at 126 Saddle Road (Thunder Spring Large Block Plat, Block 2, Township**
6 **4N, Range 18E, Section 7). The lot is 1.16 acres in size and zoned Tourist.**

7 Mr. Brim, Senior Planner presented and gave an overview of the project:

- 8 • The project has been continued from August 10th.
- 9 • The applicant has made some changes to the plan.
- 10 • There are 4 items to address tonight
 - 11 1. Height
 - 12 2. Compliance with Fire and Street
 - 13 3. Clarifying waivers and proposed benefits
 - 14 4. Unit Fire Driveway access

15
16 Mr. Brim gave an overview of what is allowed by the code and not allowed with respect to this project.
17 He presented Fire and Street Standards, Waivers and Benefits. The applicant originally came forward
18 with 16 waiver requests. That has been revised. The benefits that were outlined include upgrading of
19 the bus stop, and the applicant is proposing National Green Building Standards gold certification. The
20 locations of benefits were discussed.

21
22 Mr. Brim provide an overviewed how building height is calculated. He indicated that height is measured
23 from the lower of existing, natural or finished grade. He directed the commission to a zoning graphic
24 showing building height calculation and provided an overview of a five foot height bump up allowance
25 when the bump up is stepped back at least 50% of the height of the highest façade. In no case can any
26 façade contain a height greater than 35 feet.

27
28 The following waivers are proposed:

- 29 • Unit 1/2 Building: The applicant incorporated the five foot step up allowance and was able to
30 reduce the height to 35 feet. They are requesting a setback waiver of 3'-2" for a portion of the
31 corner of Unit One from Valleywood Road. Based on a building height of 35 feet a setback of
32 11'-8" is required from Valleywood. The applicant is proposing a setback of 8'-6"
- 33 • Unit 5 Building: The building is proposed with a height of 37'-4" which requires a height waiver
34 of 2'-4".
- 35 • Unit 5 Building: The applicant is proposing a setback waiver of 2'-7" to Valleywood Road
36 resulting in a 10'-0" setback.
- 37 • Unit 6/7 Building: The applicant is proposing a building height of 44 feet requiring a height
38 waiver of nine feet.
- 39 • Unit 8/9 Building: The applicant lowered the height of this building to 35 feet and utilized the
40 five foot step up provision. A 9'-9" setback from the east side of Raven Road is proposed
41 requiring a 1'-11" setback waiver.
- 42 • Unit 8/9 Building: A setback of seven feet is proposed on the rear yard side from Raven Road
43 requiring a 4'-8" setback waiver.

44
45 Staff suggests the applicant provide possible open space.

46
47 Mr. Brim pointed out three options:

- 48 1. Approve as being proposed
- 49 2. Recommend denial of waivers
- 50 3. Option to approve some or work with application and modify some.

- 1
2 Micah Austin Director of Planning & Building reported the public comments that were received:
- 3 • There have been 20 written comments available for review.
 - 4 • They are part of the record and are listed in summary.
 - 5 • The tally is 18 against and 1 in favor and 1 neutral.
- 6
7 John Shirley , Architect for applicant presented.
- 8 Mr. Shirley talked about the Tourist zoning district. He showed what in the district that is compatible to
9 the project. He talked about the size of the project, and the developments around them, as well as the
10 pitch of the roofs and the changes that were made from the original submittal. A map was shown that
11 showed the views from the existing Thunder Spring and the proposed development, so that the public
12 could see how their view would or would not be affected.
- 13
14 Jeff Lamoureux Vice Chair opened the meeting up for public comment
- 15
16 1. Stephen Sarewitz - He said he sees no reason to grant the height waiver. He had done some
17 schematics' with Google Map and the view of Baldy will be affected by units 8/9. He does not agree
18 that the proposal is compatible with the rest of the development. He believes the proposal is too
19 dense and there are previous covenants that were agreed upon. The city needs to be sure those
20 covenants are honored.
- 21
22 2. Larry Young spoke on behalf of Tom Nelson. Mr. Young gave the background he knows on the
23 project. He asked the Commission not to be misled by the bulk of some of those buildings and asked
24 them to review the waiver section. He asked on behalf of Tom Nelson that the City not grant the
25 waivers.
- 26
27 3. Gary Slette spoke representing the owners of units 102 and 201.
28 He said the development of the property should adhere to the existing ordinance and be consistent
29 with prior approvals for this property. The Carpenters and Seastroms do not agree with the waivers.
30 Please adhere to the covenants.
- 31
32 Stephanie Bonney City Attorney said the City cannot enforce CCR's. The Commission is not bound by the
33 original PUD, they can make changes.
- 34
35 Public Comments period was closed.
- 36
37 Dave Hutchinson - IEG Thunder Spring. Mr. Hutchinson gave the history of The Thunder Spring PUD that
38 was negotiated as a PUD. He talked about what was approved in 2008 but was never built. He stated
39 that the past development from 2008 is still entitled and can be built now. He advised the Commission
40 that they are asking for waivers because they think the waivers provide a better design.
- 41
42 Mr. Hutchinson commented that the height definition in 2008 measured height from finished grade
43 which is different from how staff is measuring height now, from the lowest either existing or finished
44 grade.
- 45
46 Ed Lawson – Applicant Attorney urged the Commissioners to stay focused on the task at hand. He said
47 the applicant has no issues.
- 48
49 Mr. Austin stated that the comment regarding the 2008 project being entitled is incorrect. That approval
50 is now expired.
- 51

1 Mr. Brim noted that Mr. Hutchinson’s comment regarding building height is incorrect. He stated that the
2 definition of building height was amended in 2000 to measure height from the lower of existing or
3 finished grade. The 2008 project had to abide by this requirement as well.

4
5 The Commissioners began their deliberation.

6
7 There was a discussion regarding the shifting of the building rather than asking for a waiver.

8
9 The Commission first discussed the setback waivers to the following buildings:

- 10 • Unit 1/2 Building: 3’-2” setback waiver to from Valleywood Road;
- 11 • Unit 5 Building: 2’-7” setback waiver to Valleywood Road; and
- 12 • Unit 8/9 Building: 1’-11” setback waiver to Raven Road and a 4’-8” setback waiver from the rear
13 yard side on Raven Road.

14
15 The Commission in general indicated that due to the small scale of these setback waivers they could
16 support these when the application come forward for an official decision.

17
18 The Commission then discussed proposed waivers to building heights as follows:

- 19 • Unit 5 Building: Proposes a height waiver of 2’-4”.
- 20 • Unit 6/7 Building: Proposes a height waiver of nine feet.

21
22 The Commission noted that the Unit 5 Building height appeared to be minimal and they felt it was
23 approvable. However the waiver request of nine feet for Unit 6/7 was too high and the proposed
24 benefits derived from the development would not justify this large of a departure from the standards of
25 the code. They also felt that the height could negatively impact surrounding properties.

26
27 There was a lengthy brainstorming session between the Commission and the architect regarding
28 heights.

29
30 Stephanie Bonney City Attorney said the Commission is not in a position to make a recommendation.
31 Comments will be passed onto the City Council.

32
33 Ed Lawson, Applicant’s Attorney had questions regarding Design Review. The Commissioners do not see
34 any red flags for the Design Review.

35
36 **Motion to continue the project to a date uncertain**

37	RESULT:	APPROVED [UNANIMOUS]
38	MOVER:	Mike Doty, Commissioner
39	SECONDER:	Erin Smith, Commissioner
40	AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell, Mike Doty
41	ABSENT:	Steve Cook

42
43 5 minute break - 8:09 pm.

44 Back in session at 8:15 pm

- 45 d. **SPACHMAN ZONING MAP AMENDMENT, WORK SESSION – The Commission will**
- 46 **discuss a request by Michael and Kristen Spachman, represented by James Laski,**
- 47 **Lawson, Laski, Clark & Pogue, PLLC., to amend the City of Ketchum Zoning Map at 451**
- 48 **East River Street (Lot 5, Block 21, Township 4N, Range 17E, Section 11) from**

1 **Community Core (CC), Sub district C to General Residential – Low Density District (GR-**
2 **L).**

3 Morgan Brim Senior Planner presented the history of this rezoning application. The applicant would like
4 to change 451 East River from Community Core to GR-L zoning district. Mr. Brim showed a map and
5 explained that Ordinance # 994, changing the zoning, was never reflected on the zoning map.
6

7 The applicant would like to build a single family home and was under the understanding that the
8 property was zoned GR-L when indeed it is in the Community Core. The applicant would like to rezone
9 the property back to GR-L.

10
11 There was a discussion regarding the possibility of rezoning more than this one lot. That would require a
12 City-initiated application.
13

14 Applicant Michael Spachman presented saying the triangular piece of property at the end of River Street
15 is still zoned at GR-L. He gave them the history of the purchase and the property. Commissioners were
16 in agreement that they should do a walk-through of the property. Morgan Brim Senior Planner would
17 like the opportunity to contact the other property owners

18 **e. (CONTINUED FROM AUGUST 10, 2015) LI-2 DISTRICT ZONING TEXT AMENDMENT,**
19 **WORKSESSION, The Commission will continue their discussion of a proposal by The**
20 **Spot LLC., represented by Brett Moellenberg, to amend the District Use Matrix,**
21 **Section 17.12.020.A of Title 17, Zoning Ordinance to add “Assembly, Place of” as a**
22 **permitted use to the Light Industrial District Number Two (LI-2).**

23 Morgan Brim presented staff's recommendations:

24
25 Option #1 - Threefold text amendment - It would amend three sections of the zoning ordinance.
26 It will be a longer process but will provide more oversight.
27

28 Option #2 - Would allow as a permitted use.
29

30 Parking was discussed at length, and it was determined that in the LI districts parking spaces could be
31 shared thus reducing the burden of individual property owners and businesses. Mr. Brim indicated that
32 this would require an amendment to the parking ordinance to allow consideration of shared parking
33 plans in the Light Industrial Districts.
34

35 All Commissioners are in agreement with Option #1, minus development standards. Micah Austin
36 Director of Planning & Building said staff will draft the actual text amendment for the Commission's
37 consideration and will then present to City Council.

38 **6. FUTURE PROJECTS AND NOTICING REQUIREMENTS**

39 Micah Austin Director of Planning & Building outlined the future projects in the pipeline at this time.

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

41 The recommendations for Thunder Springs will go before City Council at 4:00 p.m. on September 3,
42 2015. Stephanie Bonney Attorney clarified the analysis of Waiver and Material Injury.

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

2 There was a time discussion among staff and the Commissioners regarding the agenda.

3 **9. ADJOURNMENT**

4 **Motion to Adjourn at 9:34 p.m.**

5	RESULT:	APPROVED [UNANIMOUS]
6	MOVER:	Erin Smith, Commissioner
7	SECONDER:	Betsy Mizell, Commissioner
8	AYES:	Jeff Lamoureux, Erin Smith, Betsy Mizell, Mike Doty
9	ABSENT:	Steve Cook

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Jeff Lamoureux, Vice Chair
Planning & Zoning Commission