



Ketchum Planning and Zoning Commission

Regular Meeting

~ Minutes ~

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

Meetings are audio recorded

Monday, January 26, 2015

5:35 PM

Ketchum City Hall

Commissioners Present: Deborah Burns, Chairperson
Steve Cook, Vice Chairperson
Michael Doty

Commissioners Absent: Jeff Lamoureux
Erin Smith

Staff: Micah Austin, Director of Planning and Building
Rebecca Bundy, Senior Planner/Building and Development Mgr.
Morgan Brim, Senior Planner/Current & Long-range Planning Mgr.
Stephanie Bonnie, Attorney
Linda Haavik, Planning Staff Consultant

1. OPENING OF MEETING

Chairperson Burns called the meeting to order at 5:35 PM.

2. PUBLIC COMMENT - This is an opportunity for the public to speak with the Commission about issues and ideas not on the agenda.

No one spoke during public comment.

3. Election of Officers

Commissioner Doty motioned *"To re-elect Commissioner Burns as Chair and Commissioner Cook as Vice Chair."*

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Doty, Commissioner
SECONDER:	Steve Cook, Vice Chairperson
AYES:	Steve Cook, Michael Doty and Deborah Burns.
ABSENT:	Jeff Lamoureux & Erin Smith
RECUSED:	None

4. Consideration upon the application of Laura and Cort Blackburn, Design Review at 701 North Canyon Run Boulevard for retaining walls in the front yard that exceed the height allowed

Ms. Bundy, Senior Planner, presented her staff report to the Commission. She stated that staff had worked extensively with the architect to ensure that the retaining walls within the front setback would be 48 inches or less in height and to ensure that the stairs and landings as they sloped towards the house would be less than 30 inches in height above the adjacent grade. The applicant obtained a building permit and the house was constructed. During final inspection,

staff discovered that some things were not built as shown on the approved plans. Some retaining walls are greater than 48 inches in height and some stairs and landings are greater than 30 inches in height from the adjacent grade. These elements are not visible from the street. There is no effect on light, ventilation, air quality or visual impacts to neighboring properties. The Commission can, through the design review process, approve wall heights greater than those allowed in the City's residential zoning districts. Staff determined that the stairs acted as a bridge across a mote in providing access to the front door of the building. As a bridge element, not governed by the code, staff was able to give approval for the stair element. Tonight the Commission will only consider allowing the additional height to the retaining walls.

Mike and Terry Murphy, neighbors, provided written comments. They live across the street on Penny Drive. They have no issue with the retaining walls. Ms. Bundy then turned the time over to Gretchen Wagner, the project architect. Vice Chairman Cook asked Ms. Bundy if there were any cross sections available depicting the walls. Ms Bundy responding that staff only had photographs and site plans available for presentation.

Ms. Wagner overviewed her proposal. She apologized for having to request approval after the project was built. She directed the Commission to a section view of one of the retaining walls, which showed a fabric wrap system. This design is for retaining the existing slope. There is a five foot shoulder between the edge of existing asphalt and the drop off of the site. The site drops about 28 feet from the street to the driveway. The applicants were careful not to undermine the integrity of the existing street and designed the retaining wall system for that purpose. She indicated that they excavated more than originally planned in an effort to tread lightly on the existing landscape and to save their client money. They used a driven steel pile system at the front for the parking pad. This design had less impact on the property. She directed the Commission to site photos and explained each one. She showed them the parking space.

From the street you can only see about four feet of the house. There is a 30 inch tall guard rail around the parking space. The walls that are over four feet are not visible from the street. She showed the Commission the stair and landing near the front door which is 12 feet below the street level. One of the retaining walls is 84 inches in height. There are four foot retaining walls supporting the stairs. She indicated that there was an existing five foot retaining wall which is no longer visible as it is hidden behind the new retaining walls. They preserved the existing trees. She explained that the applicant would plant shrubs and vines to screen the retaining walls. She indicated that the parking slab is measured at 42 inches thick in order to meet fire code. The steel piles are below. She further explained that by making the walls taller allowed for larger pockets in which to landscape. She then overviewed another retaining wall which starts at four feet and then builds to five feet. She overviewed several photos from different views.

Commissioner Doty asked Ms. Wagner to explain how the project got built before getting approval from the Commission. She responded that they didn't foresee using the pile system and overall amount that had to be excavated. It wasn't caught in the field.

Vice Chair Cook mentioned that there should be a process used that would catch these things in the future. He stated that he understood the site constraints and didn't have any issues with the proposal. Commissioner Doty agreed.

Ms. Bundy mentioned that they notified all neighbors, eight in total. Only one neighbor, Mike Murphy submitted a comment and stated that he didn't have any issue with the proposal.

Vice Chair Cook motioned *"To approve the design review application by Laura and Cort Blackburn for Blackburn wall design review with conditions 1-3"*

RESULT: APPROVED [UNANIMOUS]
MOVER: Steve Cook, Vice Chairperson
SECONDER: Deborah Burns, Chairperson
AYES: Steve Cook, Michael Doty and Deborah Burns.
ABSENT: Jeff Lamoureux & Erin Smith
RECUSED: None

Ms. Wagner commented further that the rule regarding retaining wall height, not higher than 48 inches within 30 feet of the front property line does not make much sense when a house wall can be built within 15 feet of the front property line. So in the instance with this project, that has a front setback of 15' allows for a 35 foot height at 15 feet but not a wall at 48 inches. This should be looked at in the future.

5. Workshop: Planning and Zoning Roles, Responsibilities and Training • Association of Idaho Cities Planning and Zoning Training Video • Background on State Statute and the Idaho Local Land Use Planning Act

Mr. Austin, Planning and Building Director, opened the training and provided an overview of the functions and authority of the Planning and Zoning Commission. The Commission then watched a training video from Jerry Mason regarding Idaho Land Use Law. Following the video, the Commission continued their training with staff.

6. Discussion of Amendments to Planning Commission Bylaws

Ms. Haavik, Planning Staff Consultant, overviewed the Planning Commission Bylaws. This came about due to a question regarding the make-up of the Commission and how many members can live outside of the City. Mr. Austin stated that this item is only for discussion tonight and that it would be placed on the next meeting's agenda for a vote. Vice Chairperson Cook indicated that he would like Ms. Haavik to go through the changes. Ms. Haavik then overviewed the changes.

The By-laws contained language that was not necessary. This included specific meeting times, which she recommended not be specified in order to provide flexibility. Next, the election of officers is called out and requires that it happen in January of each year. She asked if the Commission wanted to change the election terms to two years or something else. She recommended two year terms. Vice Chairperson Cook mentioned that he was in favor of rotating the terms and leaving it at one year. Chairperson Burns stated that she was in favor of a two year term.

It was also mentioned that the Chairperson should have some experience on the Commission first. State Code requires staggering terms. There are times that two Commissioners may come up for reappointment at the same time.

7. Discussion of Planning Commission Code Section Amendment

Ms. Haavik overviewed the proposed code language with the Commission. There is a three year residency requirement. She recommends that the residency be specified in the by-laws and not the code. The proposed code requires five members and allows for two members from outside

the city limits. The requirement to stagger terms was also taken out because it is already in state code. There is a line that indicates that the Planning & Zoning Commission must comply with State Law. Excess language in general has been taken out and placed in the by-laws.

8. Update on Zoning Code Re-write

Mr. Brim, Senior Planner, updated the Commission on the zoning ordinance rewrite that staff has been working on. He directed the Commission to a three part phased plan. Phase one includes a structural alignment, added definitions and a matrix for uses and standards. Phase two includes items that require more analysis, like community housing, CC zoning district and parking requirements. Phase three includes additional clean up and is the time when public works and street standards will be removed from Title 17 and be placed more appropriately in Title 12.

Mr. Brim asked the Commission what they would like to see in terms of a public outreach process. Chairperson Burns stated that she would like to see a lot of outreach and input from the citizens. Commissioner Doty suggested that there be a meeting earlier in the process and that comments be solicited and then incorporated into the rewrite. The process needs to be laid out in a clear way to the community and bench marks need to be identified.

Mr. Brim indicated that he would provide a work plan that details which items were a clean-up amendment and which items would impact entitlements. He also suggested that the City hold an open house with exhibits that clearly explain each phase and then have a format to solicit comments.

9. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Ms. Bundy overviewed a Blaine County Housing Authority CUP for the Lift Tower Lodge. BCHA is applying for a CUP for a "public use." The Commission requested that staff mail a notice to everyone in the Gem Streets east of Highway 75 and use that distance as the mailing radius.

Mr. Brim updated the Commission on a Mountain Overlay Design Review application for the Ellison Residence. This is a request for a new single family home. They are scheduled for a pre-application design review for the next Commission meeting.

Mr. Austin updated the Commission of the Limelight Hotel project and mentioned that many residents are very excited about the project. He also informed the Commission that the City Council will be updating the Community Housing in-Lieu fee, which is proposed at \$196 per square foot.

The Commission discussed the Warm Springs Gateway project. Staff will work with the public works department. The Commission's resolution will be forwarded to the Council for discussion.

10. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Mr. Austin overviewed items discussed during the last Council meeting.

11. COMMISSION REPORTS AND EX PARTE DISCUSSION OR DISCLOSURE

There was none.

12. ADJOURNMENT

RESULT: APPROVED [UNANIMOUS]
MOVER: Michael Doty, Commissioner
SECONDER: Steve Cook, Vice Chairperson
AYES: Steve Cook, Michael Doty and Deborah Burns.
ABSENT: Jeff Lamoureux & Erin Smith
RECUSED: None



Planning and Zoning Commissioner