



**SPECIAL PLANNING AND ZONING COMMISSION MEETING**  
Monday, June 23, 2014, 5:00 pm  
Ketchum City Hall, Ketchum, Idaho

**Present:** Co-chairperson Deborah Burns  
Commissioner Steve Cook  
Commissioner Jeff Lamoureux  
Commissioner Mike Doty

**Also Present:** Rebecca Bundy, Senior Planner  
Robyn Mattison, Public Works Director/City Engineer  
Matt McNeal, Applicant

**1. SITE VISIT AT 460 FIRST STREET EAST - in regard to the application by AWE LLC to satisfy a condition of approval for their amended development agreement at 460 First Street East (Ketchum Townsite, Lot 8, Block 21).**


Rebecca Bundy introduced the project and then asked the applicant, Matt McNeal, to describe the project. McNeal described the project, and the site visit was spent viewing the area of the proposed improvements.

The following features of the proposed project were identified:

- Sidewalk design, including four (4) foot wide section behind the power box, ADA ramps and five (5) foot wide section along First Street;
- Parking space locations, guy wire relocation and necessary tree removal;
- Landscaping, including stone walkways and proposed planting zones;
- Snow storage;
- Screening; and
- Reasons that sidewalk construction necessitated removal of existing conifer tree.

The Commissioners had no further questions and the special meeting was concluded at about 5:15 pm.

**The Commissioners then proceeded to their next site visit prior to the Regular Planning and Zoning Commission Meeting at City Hall.**

  
Steve Cook, Acting Chair  
Planning and Zoning Commission



**SPECIAL PLANNING AND ZONING COMMISSION MEETING**  
Monday, June 23, 2014, 5:15 pm  
Ketchum City Hall, Ketchum, Idaho

**Present:** Co-chairperson Deborah Burns  
Commissioner Steve Cook  
Commissioner Jeff Lamoureux  
Commissioner Mike Doty

**Also Present:** Rebecca Bundy, Senior Planner  
Gary Storey, Project General Contractor  
Tom Praggastis, Attorney for Adjacent Neighbor Dumke  
Ed and Carol Dumke, Neighbors

1. **SITE VISIT AT 620 EAST SIXTH STREET** - in regard to the application by EAGLE HOLDINGS LLC, for a Design Review application for a wall taller than six (6) feet at 620 East Sixth Street (Amended Lot 3B, Block 90, Ketchum Townsite).

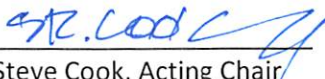
Rebecca Bundy introduced the project and then asked the applicant's representative, Gary Storey, to describe the project. Storey described the project, and the site visit was spent viewing the area of the improvements.

The following features of the proposed project were identified:

- The recently constructed concrete retaining wall being considered was identified;
- The existing concrete retaining wall and fence, located on the neighbors' property to the south, were identified;
- Finished grade height vs original grade and construction grade;
- Tallest portion of the wall;
- Need for railing or dense plantings at western end of wall;
- Reasons for wall height (privacy); and
- Proposed plantings – shrubs on north side, grasses on south side.

The Commissioners had no further questions and the special meeting was concluded at about 5:30 pm.

The Commissioners then proceeded to the Regular Planning and Zoning Commission Meeting at City Hall.

  
Steve Cook, Acting Chair  
Planning and Zoning Commission



Recorded

**CITY OF KETCHUM  
PLANNING AND ZONING COMMISSION MEETING  
June 23, 2014, 5:30 p.m.  
Ketchum City Hall Meeting Room, Ketchum, Idaho**

**Present:** Chairperson Deborah Burns  
Commissioner Steve Cook  
Commissioner Mike Doty  
Commissioner Jeff Lamoureux

**Absent:** Commissioner Erin Smith

**Also Present:** Ketchum Senior Planner Rebecca Bundy  
Ketchum Recording Secretary Sunny Grant

**Prior to meeting at Ketchum City Hall, the Planning and Zoning Commission conducted two site visits:**

- 1. SITE VISIT at 460 FIRST STREET EAST.** The Commission convened for a site visit in regard to the application by AWE LLC to satisfy a condition of approval for their amended development agreement at 460 First Street East (Ketchum Townsite, Lot 8, Block 21).
- 2. SITE VISIT at 620 EAST SIXTH STREET.** The Commission convened for a site visit in regard the application by EAGLE HOLDINGS LLC, for a Design Review application for a wall taller than six (6) feet at 620 East Sixth Street (Amended Lot 3B, Block 90, Ketchum Townsite).
- 3. Chairperson Deborah Burns opened the Regular Planning and Zoning meeting at Ketchum City Hall at 5:50 p.m.**
- 4. PUBLIC COMMENT**  
There was no public comment at this time.
- 5. PUBLIC HEARING upon the application by KETCHUM CEMETERY DISTRICT, for a vacation of several portions of public right of way, including two (2) unimproved portions of 10th Street, an unimproved portion of Walnut Avenue and an unimproved portion of alley in Block 94, Ketchum Townsite.**

**Chairman Deborah Burns moved to continue the Ketchum Cemetery District public hearing to July 14, 2014. Motion seconded by Commissioner Steve Cook, and passed unanimously.**

- 6. PUBLIC HEARING upon City-initiated text amendments to Zoning Code Title 17, Chapter 17.88 Floodplain Management Overlay Zoning District, 17.64.010 Commercial Core District, I. Hotel Uses and 17.64.020 Commercial Core District, H. Historic Buildings.**  
**Chairman Deborah Burns moved to continue the public hearing upon City-initiated text amendments to Zoning Code Title 17, Chapter 17.88 Floodplain Management Overlay Zoning**

District, to July 14, 2014. Motion seconded by Commissioner Steve Cook, and passed unanimously.

**7. CONSIDERATION upon the application by EAGLE HOLDINGS LLC, for a Design Review application for a wall taller than six (6) feet at 620 East Sixth Street (Amended Lot 3B, Block 90, Ketchum Townsite)**

*Also Present: Gary Storey, representing the applicant  
Tom Praggastis, representing applicant's neighbors Ed and Carol Dumke  
Ed and Carol Dumke, neighbors*

Ketchum Senior Planner Rebecca Bundy noted that the Commissioners had visited the site just prior to the meeting. The wall in question has already been built on the Sisilli property, and is taller than the allowed six feet. The Ketchum Municipal Code enables the Commission to allow fences taller than allowed by code through the design review process, and the Commission has previously done Design Review for fences taller than permitted in the same zoning district. The applicant is before the Planning Commission for retroactive design review to be allowed to keep the wall taller than 6 feet. The wall is about 8 feet tall in the interior courtyard on the subject property.

The Dumke property is directly adjacent to the south. Staff has a letter from Dumke's attorney Tom Praggastis expressing their wishes regarding the wall. There is another property to the east of the Dumke property that is not directly affected by the wall.

The wall as built starts runs along the south of the Sisilli property, starting about 10 feet west of the eastern end of the building and ending to about 12 feet of the west of the building under construction. The landscape architect has provided an as-built wall plan. Staff suspects that there may be some discrepancies in wall elevations between the as-built wall plan and staff's on site measurements, but the center portion of the wall easily exceeds 6 feet on the Dumke side of the fence. There is a new drystack retaining wall that results in the southwest corner wall section of the wall being 7 feet to the grade directly adjacent to and below it.

The applicant's landscape architect has proposed to landscape the southern side of the wall from the bottom of the stairs to the western end of the wall with a 6 to 8 foot tall ornamental grass.

APPLICANT:

[5:57:48 PM](#) Gary Storey, representing the applicant, said the 8 foot tall portion of the wall only affects the applicant. The levels of the old existing retaining wall at the eastern end of the new wall and the new wall are exactly the same height. The retaining walls will be filled in and landscaped. The corner at the very west end, where the wall steps up is taller than 6 feet, but the rest of the wall, based on existing grade, is less than 6 feet in height. The Sisilli grade will match the height of the retaining wall to the west. From the door threshold straight south, the wall is only 2 feet higher than finish grade will be. There is nothing in the westerly run of the wall, from the step down, that is non-conforming.

[5:59:13 PM](#) Tom Praggastis, representing neighbors Ed and Carol Dumke, said the applicant could grant the Dumkes an easement for the 1½-2 foot wide area between the wall and the mutual property boundary line for landscaping. Mr. Storey responded that Mr. Sisilli would not

grant that easement. Praggastis said if the Planning Commission approves the wall, the Dumkes may still have to plant and irrigate the area. The Dumkes requested that the Planning Commission table this application so they could submit their own landscape mitigation plan for the applicant and Planning Commission to consider. They felt that the landscaping as proposed is not adequate and that they may want to color their side of the wall. They may want to consider planting or fencing on top of the adjacent drystack wall and may want to screen Sisilli's windows and the ability to look into the Dumke lot.

[6:03:43 PM](#) Storey agreed that Sisilli does not want to look down into the neighbor's back yard, and that neighbors would not want to look up and see lights in the window. He remarked that the lowest portion of the wall has weld plates on top for possible railing attachment. The distance from the top of the wall to the grade below is more than 30 inches, so Sisilli will likely plant shrubs rather than put a guardrail at the top of the wall. The neighbor's side of the wall will be planted to the end of the wall and then the planting will continue along the property line to the street.

COMMISSIONERS:

Commissioners suggested that the neighbors work together on a landscape plan. Commissioner Cook said Sisilli had started a non-compliant project and should be willing to outreach to his neighbor and the Commission. The 2 foot strip of soil to the south of the wall is important and the neighbors should be given the opportunity to review what is proposed in that 2 foot strip.

Storey said he did not think neighbors agree on everything and the Commission should not try to force the issue. Chairman Burns said an applicant who wants to erect a wall that is over 6 feet usually presents a landscape plan so neighbors can see the impact of a larger wall.

Storey asked if the Commission would be satisfied if Sisilli shortened the non-compliant corner of the wall down to 6 feet. Commissioner Lamoureux suggested a more thorough investigation of the existing grades before the wall was built and the proposed grades afterward. He reiterated that an applicant who was requesting a taller fence would typically present a landscape plan as mitigation for the additional fence height.

If the fence had been on building permit plans and reviewed by staff, it would only have been approved if it met requirements of the fences/walls section of the Code, but it was built without review by staff.

[6:13:26 PM](#) Praggastis said it was not clear where the wall met Code and where it does not.

Commissioner Lamoureux said the entire wall that is taller than 6 feet on the Sisilli side is non-conforming as well. Storey said they would cure that by putting in a planting bed, put finish grade back to original grade, and make the wall less than 6 feet in height.

[6:15:03 PM](#) Chairperson Burns suggested that the Commission continue the meeting to allow staff to review a topography map and decide if a landscaping plan is needed. Commissioner Cook requested a good contour map and a master landscape plan for what the applicant proposes on both sides of the wall. Commissioner Doty agreed that staff and P&Z did not have an adequate topography map to make a decision about what was conforming and what was not. Commissioners commented that the 2 foot wide strip of earth to the south of the wall could be difficult for landscapers to access.

Storey said they would make the wall conforming. Staff will be able determine its conformity by looking at a topographic survey done by a licensed surveyor prior to moving dirt and rocks for construction of the house. Pragrastis confirmed that a copy will be made available to the neighbors.

**Commissioner Michael Doty moved to continue the application by EAGLE HOLDINGS LLC, for a Design Review application for a wall taller than six feet to a date uncertain. [6:25:52 PM](#)** In discussion, the Commission agreed that the applicant could withdraw his application for Design Review if the fence is made to be conforming. **Motion seconded by Commissioner Steve Cook, and passed unanimously.**

8. [6:26:55 PM](#) **CONSIDERATION upon the application by AWE LLC to satisfy a condition of approval for their amended development agreement at 460 First Street East (Ketchum Townsite, Lot 8, Block 21) in the Tourist (T) zoning district.**

*Also Present: Matthew McNeal, applicant*

The Commission conducted a site visit at the beginning of this evening's meeting.

Senior Planner Rebecca Bundy presented the project: The applicant was required to present a landscape plan, parking plan and sidewalk improvement plan to show compliance with Condition of Approval #5. The applicant and their civil engineer have worked closely with the Ketchum Public Works Director on the design. The sidewalk design was complicated by a tree that the applicant had hoped to retain, but it was determined not to be possible to keep the tree and get a sidewalk that complied with city regulations. Bundy described the route the sidewalk would take. Staff will have Ketchum's Public Works Director perform the final review of sidewalk.

The applicant requested at the prior P&Z meeting that the Commission allow two parking spaces instead of the three required, due to the availability of on-street parking and the staggered office/residential use of the building. Fewer parking spaces would minimize lot coverage and encourage more permeable surface. Staff supports two parking spaces to allow for more landscaping and an overall site plan that reinforces the historic residential scale and nature of the property. With either two or three parking spaces, the applicant meets open space requirements for the Tourist Zone. There is an existing ash tree that can stay if the applicant is not required to provide three parking spaces.

Their landscape design includes three different ecozones. A hand-drawn landscape plan shows walkway and planting locations.

APPLICANT:

[6:32:21 PM](#) Matthew McNeal, applicant, noted that he was present to answer questions.

COMMISSIONERS:

- Be sure the parking spaces are deep enough. McNeal said civil engineer plans, including drainage, will be reviewed by the street superintendent. The parking spaces may be long enough if cars can pull forward of the front bumper stops.
- Commissioners approved two, rather than three, parking spaces.
- The garage is right on the edge of the right-of-way on First Street. There is room for a 5 foot sidewalk in front of the garage and First Street. The East Avenue intersection will have an ADA

ramp. The sidewalk is intended to extend across the whole front of the garage, although the Commissioners were a little apprehensive about the sidewalk in front of the garage.

- The site plan does not a new tree to replace the evergreen tree that has been removed, but applicant wants to put a deciduous tree to replace it.

[6:36:17 PM](#) Staff will require a civil engineer's design packet for curb, gutter, sidewalk, drainage and the parking area. The City engineer has looked at the proposed plans and will further review the final set.

**Commissioner Steve Cook moved that this project, A.W.E. Development Agreement Amendment Parking and Landscape Review does meet the standards for approval under Chapter 17.116 of Ketchum Zoning Code Title 17 only if the one Condition of Approval is met. Motion seconded by Commissioner Michael Doty, and passed unanimously.**

## **9. CONSENT CALENDAR**

### **a. FINDINGS OF FACT**

- 1. Vue Townhomes - Design Review**
- 2. Vue Townhomes - Subdivision Preliminary Plat and Townhouse Preliminary Plat**
- 3. 101 First Avenue Townhomes - Townhouse Subdivision Preliminary Plat**

Commissioner Michael Doty recused himself all three, since he is involved in the design of the projects.

Senior Planner Rebecca Bundy told Commissioners that staff had combined a couple of conditions to simplify things.

**Chairman Deborah Burns moved to approve the Findings of Fact of Vue Townhomes Design Review, Vue Townhomes Subdivision Preliminary Plat and Townhouse Preliminary Plat and 101 First Avenue Townhomes Townhouse Subdivision Preliminary Plat. Motion seconded by Commissioner Steve Cook, and passed with three in favor and Commissioner Michael Doty recused.**

## **10. STAFF COMMENTS & CITY COUNCIL MEETING UPDATE**


- A.W.E. Development Agreement Amendment was approved.
- Community Core Code Amendments were approved.
- Mountain Rides Transportation Hub was approved.

## **11. COMMISSION COMMENTS**

- A property owner told Commissioner Doty that he wanted to enlarge his deck, which was in the floodplain, but that he had had such a terrible experience before the Planning Commission in the past that he decided it was not worth going through Design Review again.

## **12. ADJOURNMENT**

**Commissioner Steve Cook moved to adjourn the meeting at 6:50 pm. Commissioner Jeff Lamoureux seconded the motion, and it passed unanimously.**

  
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Steve Cook  
Planning and Zoning Commissioner

CC: City Council