



AMENDED PLANNING AND ZONING COMMISSION AGENDA-SPECIAL MEETING

Monday, October 09, 2017

Ketchum City Hall

480 East Avenue North, Ketchum, ID 83340

1. **5:00 PM – SITE VISIT: 100 Northwood Mixed Use Pre-Application Design Review: 100 Northwood Way, Ketchum, ID (Northwood Light Industrial Lot 9).**
2. **5:20 PM – SITE VISIT: 260 Crystal Court, Ransohoff Landscaping Approval, Administrative Design Review Approval of landscaping within the Mountain Overlay District.**
3. **5:45 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**
4. PUBLIC COMMENT - Communications from the public for items not on the agenda.
5. COMMUNICATIONS FROM STAFF
 - a. *Continued from May 23, June 12, July 10, and August 14, September 11, 2017 Sun Valley Dental Arts Design Review: 100 7th Street East Ketchum, Idaho (Ketchum Townsite, Lot 5, Block 34). The Commission will consider and take action on an application by Ben Franz for Design Review approval of a new mixed use three-story building with ground floor commercial space with two residential units on the second floor and one residential unit on the third floor.*
 - b. Grumpy's Conditional Use Permit Review: 860 Warm Springs Road (Ketchum Lot 3 Block 9). The Commission will consider and take public comment on the existing Conditional Use Permit for Grumpy's Restaurant. Three written complaints have been received by Staff. As per the condition of approval Staff has noticed a public hearing before the Commission to review the Conditional Use Permit.
 - c. Greyhawk Parking Lot Conditional Use Permit Renewal: Located at the south end of Gates Road (Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6856). The Commission will consider and take action on an application by Sun Valley Company for a renewal of the Conditional Use Permit for the Greyhawk Parking lot used for skier parking.
 - d. Puchner Lane Conditional Use Permit: Located at the south end of Puchner Lane (Lot 2 Greyhawk III Subdivision). The Commission will consider and take action on an application by Sun Valley Company for a renewal of the Conditional Use Permit for the Puchner Lane equipment storage, employee parking and public skier/ pedestrian pathway.
 - e. 100 Northwood Mixed-Use Pre-Application Design Review: 100 Northwood Way, Ketchum, ID (Northwood Light Industrial Lot 9). The Commission will consider and take action on an application by 100 Northwood Way, LLC for Pre-Application Design Review of a new mixed use two-story building with two residential units on the second floor and a hybrid production facility on the first floor.
6. CONSENT CALENDAR
 - a. Minutes: September 11, 2017
 - b. Peter Residence Mountain Overlay Design Review: 124 Sage Road, Ketchum, ID (Warm Springs Village 4th Add Lot 7 BLK 3 31,363 SF): Findings of Fact and Conclusions of Law.
 - c. Findings of Fact and Conclusions of Law for Ransohoff Administrative Design Removal approval of landscaping within the Mountain Overlay District at 320 Crystal Court, Ketchum, Idaho
7. FUTURE PROJECTS AND NOTICING REQUIREMENTS
8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE
9. COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE
10. ADJOURNMENT

Any person needing special accommodations to participate in the meeting should contact the City Clerk's Office as soon as reasonably possible at 726-3841. All times indicated are estimated times, and items may be heard earlier or later than indicated on the agenda.



**City of Ketchum
Planning & Building**

**STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF OCTOBER 9TH, 2017**

PROJECT: Sun Valley Dental Arts

FILE NUMBER: #17-010

OWNERS: Ben Franz

REPRESENTATIVE: Jeff Mathis - Architect

REQUEST: Design Review approval for a new three story mixed-use residential and commercial building.

LOCATION: (Ketchum Block 34 Lot 5)

ZONING: Community Core sub district Traditional Neighborhood (CC-D)

OVERLAY: None

NOTICE: Notice was mailed to Property owners within 300 foot radius of subject property were mailed notice on May 9th, 2017 for a public hearing on May 23, 2017 at 5:30pm. Notice was posted in three public City locations on May 9th, 2017.

REVIEWER: Micah Austin, Director
Carl Anderson, Associate Planner

STAFF RECOMMENDATION:

Staff recommends one of the following options to the Commission:

1. Continue the application to November 13th, 2017 Planning and Zoning Commission meeting.
2. The application for the Sun Valley Dental Arts Project not be continued to a date certain. Once the Applicant submits updated materials for Staff analysis and indicates that they would like to proceed with Design Review, Staff will re-notice the Design Review Application for the Sun Valley Dental Arts Project.

ATTACHMENTS:

- A. Application

COMMISSION OPTIONS

1. **Continuation of the Application:** "Motion to continue the Design Review application from owner Dr. Ben Franz, located at Ketchum Block 34 Lot 5, to a date certain of November 13th, 2017."

RECOMMENDED CONDITIONS

None at this time.

BACKGROUND

The site property is located in the Community Core Traditional Neighborhood Sub-district (CC-D). The lot is currently is 5,501 square feet and is located at Ketchum Block 34 Lot 5. The applicant is proposing to construct a three-story mixed use building, which will have a total square footage of 18,672 square feet, and a Floor Area Ratio (FAR) of 2.15 (11,844 sf/5,500 sf). The mixed-use of the proposed building is proposed to contain a Business Office (dental office) on the ground floor, two (2) residential units on the second floor, and one (1) residential unit on the third floor.

The proposed building received Pre-Application Design Review approval on October 26th, 2015. The approval was for a 14,376 square foot mixed-use residential and commercial building. The approval expired one year from the approval date and no request to extend the approval was submitted to the City of Ketchum Planning and Building Department. The requirement for Pre-Application Design Review has been waived for this project.

The Design Review application for the Sun Valley Dental Arts project was continued from the May 23rd, 2017 P&Z special meeting to the June 12th, 2017 P&Z meeting. The applicant has requested that the application be continued from the June 12th regular meeting to the next Planning & Zoning Commission regular meeting on July 10th, 2017. The application was continued from the July 10th regular meeting to the next Planning & Zoning Commission regular meeting on August 14th, 2017. The application was continued from the August 14th regular meeting to the next Planning & Zoning Commission regular meeting on September 11th, 2017. The application was continued from the September 11th, 2017 regular meeting to the next Planning & Zoning Commission regular meeting on October 9th, 2017.



**City of Ketchum
Planning & Building**

**STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF OCTOBER 9th, 2017**

PROJECT: Grumpy's Restaurant CUP

FILE NUMBER: #98-001

OWNER: Pete Prekeges for Grumpy's INC

REQUEST: Conditional Use Permit (CUP) Review of the existing restaurant use in located in the L

LOCATION: 860 Warm Springs Rd
(Ketchum Lot 3 Block 9)

ZONING: Light Industrial #1 (LI-1)

OVERLAY: None

NOTICE: Notice was mailed to Property owners within 300 foot radius of subject property were mailed notice on September 20th, 2017. Notice was posted in three public City locations on September 27th, 2017 and on site on September 27th, 2017.

REVIEWER: Micah Austin, Director

ATTACHMENTS:

- A. Written Complaints received prior to noticing of CUP hearing
- B. Written Complaints received after noticing of the CUP hearing.
- C. Findings of Fact 98-001

BACKGROUND

1. The Commission last approved a Conditional Use Permit for a restaurant use located in the light industrial district number 1 (LI-1) on February 9th, 1998 (CUP file number 98-001) subject to the following condition:
 - a. Permit shall be reviewed by Planning Staff when a written complaint is received. Staff shall verify the complaint and notice the property owner. After two (2) notices, a public hearing before the Commission to review the Conditional Use Permit shall be scheduled and noticed.
2. Restaurants require a conditional use permit and shall not exceed 1,000 square feet and serve no later than 9:00 P.M. unless expressly permitted through approval of the conditional use permit.
3. The written complaints, attached to the staff report, have notified Staff of multiple concerns of the current conditions of the existing Conditional Use Permit.
4. Staff has verified that there have been multiple occasions that Grump's Restaurant has been in operation past 9:00P.M.

RECOMMENDATION

Staff recommends the Commission discuss the complaints and take public comment.

Table 1: Requirements for All Applications

City Department Comments			
Compliant			
Yes	No	N/A	City Code City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police Department: Since 2007, there have been multiple calls and one case involving the subject property. Detailed below are the calls identified related to hours of operation and noise. 2008 – 7:15 P.M. Speakers left on outside. Officer was able to disable the speakers. 2012 – 12:24 P.M. (Noon) Neighbors concerned with noise during the day. 2013 – 11:41 AM Noise Complaint. (Case on file) 2015 – 10:47 P.M. Open after hours.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire Department: No comment.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Streets Department: No Comment.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utilities: No comment.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Parks/Arborist: No comment.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: No comment.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Staff has verified that there have been multiple occasions that Grumpy's Restaurant has been in operation past 9:00P.M.

ATTACHMENT A.

William Glenn
P.O. Box 881
Ketchum, ID 83340

August 25, 2017

Micah Austin
City of Ketchum P & Z
P.O. Box 2315
Ketchum, ID 83340

Micah,

When we spoke earlier this month about Grumpy's, I mentioned that I had previously spoken with Joyce Allgaier, the previous P&Z administrator, about Grumpy's ignoring the terms of their conditional permit. Consequently she tracked down the CUP and sent me a copy in July of 2014, which is attached hereto.

We discussed the options for dealing with Grumpy's, and Joyce stated that the LI-1 zoning limited Grumpy's to 1000 square feet of floor area, which essentially limited the restaurant to the area within the existing building, and did not allow for expanding the use to the entire piece of property as had been done with the unauthorized addition of outdoor seating. Further, based on the lack of parking alone, expansion was not likely possible.

Following these discussions back in the summer of 2014, I chose not to file a formal complaint, and later, when I decided to do so, Joyce informed me she was quitting to take a job in Colorado, and I let it go.

Since then, I have observed Grumpy's increasingly ignoring the conditions of the CUP, most notably by not closing at 9:00 p.m. and allowing customers to occupy the outdoor seating wall after closing, sometimes as late as 11:30. I cannot say whether or not the customers are being served after 9:00 p.m. but the drinks and meals, or at least the remains of the meals, are often still on the table. In addition, the Grumpy's catering wagon is being serviced out front well after closing. I should think that closed means closed, meaning the customers are gone, the tables are cleared, and the outdoor lighting and the lighted Grumpy's sign are turned off. This just does not happen.

Several points should be noted relative to the LI-1 zoning, the CUP, and the manner in which Grumpy's operates.

1. On page 2 of the CUP, under Conditions of Permit, it states in bold type, "THIS CONDITIONAL USE PERMIT IS HELD BY THE APPLICANT AND

- IS NON-TRANSFERABLE". The applicant is identified as Gary Goodenough, who no longer owns Grumpy's. Does the current owner possess a CUP?
2. Grumpy's was originally presented to the P & Z as a base of operations in support of three catering trucks that ventured out each day to visit constructions sites to sell food to the workmen. The serving of food in the restaurant was incidental to that primary use for catering. However, after a few years of operation, the catering trucks were discontinued and the sole focus became the restaurant, which, when confined to the inside of the building, with limited seating, was not unreasonable and had minimal impact on the neighborhood.
 3. The LI-1 zoning limits restaurants in the zone to a maximum of 1000 square feet, and the Grumpy's building is identified as 975 square feet, which is just shy of the maximum. Without application or any permission, the serving area of the restaurant has likely been tripled by the addition of outdoor seating, comprising at last count the ability to seat an **additional 87 customers** if all seats were filled. When combined with the indoor seating, Grumpy's could well be the equal, in size, of any restaurant in town. This use was never contemplated when the original CUP was being sought, and most likely the CUP would not have been granted for such a restaurant outside the business core of Ketchum.
 4. The level of activity generated by Grumpy's unauthorized expansion and failure to close at 9:00 p.m. has created an improper and unwelcome negative impact on the surrounding neighborhood.

A. The search for nearby parking creates a daily rodeo on 9th Street, any part of Leadville Avenue not already monopolized by Ketchum Automotive, the alley behind Grumpy's, and often creates problems on private property. Note that I raised the issue of parking at the CUP hearing in 1998 (Findings of Fact, Item 10.)

B. The outdoor dining creates an ongoing din of food service and conversation which is audible for some distance, and which was never contemplated when the CUP was issued because the operation was limited to the existing building.

C. Though it has not occurred very often, outdoor live music was most unwelcome when it did occur, and is something not addressed in the CUP, because outdoor seating was not considered.

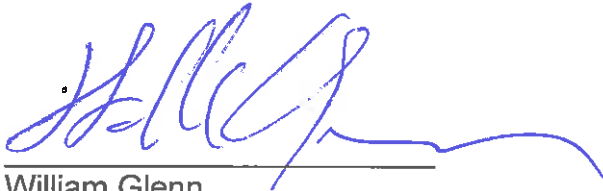
D. The dumping of beer bottles in the dumpster in the alley often occurs after dark when neighbors are already asleep, which is inconsiderate and annoying.

E. The volume of food being fried seems to overwhelm the ability of the extractor fan and filter system to capture the odors and grease at the

source, with the result that the smell of food being fried and the attendant smoke fills the neighborhood every day from late morning until closing. This may not seem so bad if you've just arrived and are hungry for a hamburger, but to experience the odor and the smoke for ten hours a day, every day, is most unwelcome and unhealthy to breathe as well.

Micah, thanks for listening. It is not my intention to cause Grumpy's any undue hardship, but when conditions are imposed in the granting of a CUP, it is imperative that those conditions are adhered to, and are not allowed to be forgotten and ignored over time. This has happened in the case of Grumpy's and it cannot be allowed to continue. The negative affect on property in close proximity is real, and a return to the Grumpy's that was permitted by the original CUP is what is required. A full-on restaurant should be in the commercial core, not in any of the LI zones.

Very truly yours,



William Glenn

208-720-4444

Micah Austin

From: Kathleen Nichols <kathleenn51@gmail.com>
Sent: Thursday, August 24, 2017 2:05 PM
To: Micah Austin
Subject: Follow up on Grumpy's

Hi Micah, I'm not sure if your office has had a chance to talk with the owners of Grumpy's about their closing/noise on the deck/disposal of bottles. Their closing hours are all over the map. For example, last night they tossed the bottles at 9:00 pm, which is VERY early for them. Typically it is 10:15-10:45 and one night last week, a big event was going on there till close to 11:30.

I also talked with my downstairs neighbor and she used to own a restaurant. She believes their cooking facility is inadequate, given the amount of smoke and grease that comes up for hours.

Anyway, I thought I would check back. Thanks for your input.

Kathleen Nichols

Sent from my iPad

ATTACHMENT B.

From: Micah Austin
Sent: Wednesday, September 27, 2017 8:52 PM
To: Carl Anderson
Subject: FW: Grumpy's Restaurant

Another complaint for the Grumpy's file and for the staff report.

-----Original Message-----

From: Suzanne Frick
Sent: Wednesday, September 27, 2017 6:56 PM
To: Micah Austin <maustin@ketchumidaho.org>
Cc: Lisa Enourato <LEnourato@ketchumidaho.org>
Subject: FW: Grumpy's Restaurant

Micah--another complaint. Can you let us know what's happening with the complaints? Is the CUP scheduled for PC review?

Thanks

SUZANNE FRICK | CITY OF KETCHUM
City Administrator
P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340
o: 208.727.5086 | m: 208.721.2765
sfrick@ketchumidaho.org | www.ketchumidaho.org

-----Original Message-----

From: Lisa Enourato On Behalf Of Participate
Sent: Wednesday, September 27, 2017 10:38 AM
To: Suzanne Frick
Subject: FW: Grumpy's Restaurant

Is this for Micah or police to handle?

LISA ENOURATO | CITY OF KETCHUM
Assistant City Administrator
P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340
o: 208.726.7803 | f: 208.726.7812
lenourato@ketchumidaho.org | www.ketchumidaho.org

-----Original Message-----

From: Richard Bartoccini [mailto:rbartoccini@gmail.com]
Sent: Wednesday, September 27, 2017 7:20 AM
To: Participate <participate@ketchumidaho.org>
Cc: Thomas Graup <TGraupUSA@gmail.com>; Judi Bartoccini <jbartoccini@mac.com>; Kathleen Nichols <kathleenn51@gmail.com>
Subject: Grumpy's Restaurant

We live at Frenchman's Place Unit 24. My wife has lived in Ketchum since 1971 and I moved here in 1980. Grumpy's is an institution and we want them to thrive. However, we would like to see the current CPU enforced. The noise from the after hours patrons can be disturbing. More importantly for us is the emptying of the cans and bottles into the alley dumpster well after 9PM. This is very loud and can even wake us up on the north side of the building. We would like to see Pete agree to, and strictly enforce with his employees, the emptying of the cans and bottles in the morning when he opens, not after closing. It also might help the residents of Frenchman's that live on the alley side if Pete installed a gate in the back and locked it at closing time to keep the patrons that might have had a few too many out of the alley.

Respectfully submitted,

Richard and Judi Bartoccini
Frenchman's Place, Unit 24

ATTACHMENT C.

APPLICATION FOR CONDITIONAL USE PERMIT

Name of Applicant: GARY GOODENOUGH FOR GRUMPY'S INCName of Owner of Record: GARY GOODENOUGHPhone Number (home): 7884206 (business): 7267452Mailing Address: Box 1694 KETCHUM ID 83340

Legal Description and Street Address of Property Requiring a Conditional Use Permit: (attach if necessary):

BLOCK 9 LOT 3 KETCHUM TOWN SITEDescription of Proposed Conditional Use: RESTAURANTS (GRUMPY'S)
BURGERS + BEER 860 WARM SPRING RD KETCHUM IDZoning District: LI-1Overlay District: Flood ☐ Avalanche ☐ Pedestrian ☐ Mountain ☐

The Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Conditional Use Permit in which the City of Ketchum is the prevailing party to pay the reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum.

Applicant's Signature: [Signature] Date: 1-8-98

-----Administrative Use Only-----

Date Application Received: 1-8-98Date of Commission/Council Public Hearing: 2-9-98Date Legal Notice Published: 1-21-98Date Notice Posted on Premises: 1-30-98Conditional Use Permit Fee: \$350 Date Paid: 1-8-98Mailing Fee: \$42.52 Date Paid: 1-30-98Date Applicant Notified: 1-21-98Comments from Agencies: -

Administrative Comments: _____

Additional Notice Determination: not required Date: 1-26-98Action(s)/Findings Taken: approved 2-9-98

Permit Recorded: _____

Permit No.: 98-001

**CONDITIONAL USE PERMIT
CITY OF KETCHUM**

APPLICANT: Gary Goodenough dba Grumpy's, Inc.

MAILING ADDRESS: Box 1694, Ketchum, Idaho 83340

LEGAL PROPERTY DESCRIPTION: Lot 3, Block 9, Ketchum Townsite

PROPERTY ADDRESS: 860 Warm Springs Road

ZONING DISTRICT: LI-1

APPLICATION DATED: January 8, 1998

DESCRIPTION OF CONDITIONAL USE: restaurant use

**DATE OF PUBLIC HEARING AND ACTIONS BY KETCHUM PLANNING AND ZONING
COMMISSION:** February 9, 1998 - approved

CONDITIONS OF PERMIT:

1. Permit shall be reviewed by Planning Staff when a written complaint is received. Staff shall verify the complaint and notice the property owner. After two (2) notices, a public hearing before the Commission to review the Conditional Use Permit shall be scheduled and noticed.

THIS CONDITIONAL USE PERMIT IS
HELD BY THE APPLICANT AND IS
NON-TRANSFERABLE.


EFFECTIVENESS OF THIS CONDITIONAL
USE PERMIT IS SUBJECT TO COMPLIANCE
WITH CONDITIONS STATED ABOVE.

The undersigned does hereby accept the above Conditional Use Permit subject to all terms, provisions, conditions, restrictions and obligations therein. Non-compliance therewith shall be grounds for revocation of the Permit by Ketchum.

SIGNATURE OF APPLICANT


GARY GOODENOUGH

CITY OF KETCHUM


RANDALL HALL, Chairman
Planning and Zoning Commission

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION
CITY OF KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF FEBRUARY 9, 1998**

FINDINGS OF FACT

APPLICANT: Grumpy's, Inc.

PROJECT: Grumpy's Restaurant

REQUEST: Conditional Use Permit

LOCATION: Lot 3, Block 9, Ketchum Townsite (860 Warm Springs Road), referred to as "Subject Property"

LAND USE: LI-1

NOTICE: All property owners within 300 feet of subject property (mailed on January 21, 1998) and published in Idaho Mountain Express on January 21, 1998. Notice posted on site January 30, 1998.

On January 26, 1998, the Commission moved that no additional notification was needed.

REVIEWER: Kathy Grotto, City Planner

1. Grumpy's Restaurant has been operating under a valid Conditional Use Permit (CUP) since November 6, 1978.
2. In November 1978, the CUP was approved by the City Council with the following conditions: (1) Applicable to existing building only; (2) Required parking provided on-site, (3) Beer and wine service only; (4) Permit is non-transferable; (5) Permit expires 5 years from effective date.
3. In November 1983, the CUP was approved with a 5 year time limit as the sole condition.
4. In 1988, the CUP was approved for a period of 10 years. This CUP will expire on March 21, 1998.
5. The restaurant is located within the LI-1 Zoning District. Section 12A.2(4) of Zoning Ordinance Number 208 allows in this district, as conditional uses, "Restaurants and small food establishments, provided they are not more than 1,000 square feet, gross floor area, they serve as a support service to the Light Industrial District, they shall serve no later than 9:00 p.m., and off-street parking requirements are met."

6. Grumpy's is 975 gross square feet, serves lunch to workers in the LI, stops serving at 9:00 p.m., and has 5 off-street parking spaces in the rear of the building, accessed from the alley.
7. Per Section 12A.5 of Zoning Ordinance Number 208, one parking space per 250 square feet of gross floor area is required, therefore, 4 spaces are required for the subject property.
8. Per Section 12A.3 of Zoning Ordinance Number 208, an occupancy/use permit shall be applied for and issued by the City of Ketchum prior to occupancy of building or property. An occupancy permit was issued when the restaurant opened.
9. Per Section 12A.3 of Zoning Ordinance Number 208, no use creates an unusual or significant traffic hazard, parking overflow, noise, cinders, dust, fumes, odors, smoke, vapor, vibration, glare or industrial waste disposal problem. No written complaints have been received by the City in regard to any of the above hazards.
10. During the public hearing, comments were made by nearby property owners Bill Glenn and Gary Hadden that parking overflow does occur.
11. Per Section 12A.3 of Zoning Ordinance Number 208, all materials with the exception of trees and plant materials stored on the premises shall be stored within a building or within a solid wall or fence of sufficient height so that the stored material cannot be seen from adjoining roads or premises at the same elevation. Earth berms and landscaping with sufficient height and density may be substituted for a wall or fence. No stored materials were observed outside the building during a Staff site visit on January 29, 1998.
12. Per Section 12A.3 of Zoning Ordinance Number 208, no building structure, complex or parking area shall have vehicular access directly onto State Highway 75, Saddle Road and Warm Springs Road. The Council upon recommendation of the Commission may approve such access to sites that do not have alternative access. The restaurant has access only from Warm Springs Road, except for the alley access to the on-site parking spaces.
13. Per Section 12A.3 of Zoning Ordinance Number 208, no goods, merchandise or commodities shall be sold or displayed outdoors. Nothing is sold or displayed outdoors.
14. Per Section 12A.3 of Zoning Ordinance Number 208, parking requirements as specified by use in Subsection 12A.5 shall be met. The required 4 spaces are provided on-site.
15. The City has received no written complaints regarding the operation of this restaurant during the 10 year period.

16. In 1988, the Council made a finding that "it is appropriate to require that the permit contain a ten year time limit in order for the City to review any potential impacts on the neighborhood and/or any changes in the surrounding area."

17. Recently, restaurant CUP's have been granted without an expiration date, including: Big Wood Bread Company (LI-2 Zone – granted 1995); Cristina's Restaurant (CC Zone – granted 1997); and, Willows Café (CC Zone – granted 1995). The Big Wood Bread Company's CUP includes a condition which sets forth a process for review upon written complaint.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.

2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Ordinance Number 208.

3. The Planning and Zoning Commission has authority to hear the applicant's Conditional Use Permit application pursuant to Idaho Code Section 67-6512 of the Local Land Use Planning Act and Section XXII of Ketchum Ordinance Number 208.

4. The Commission's February 9, 1998 public hearing and consideration of the applicant's Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512.

5. The required number of parking spaces are provided for the uses on the subject property.

6. The application does comply with Ketchum Zoning Ordinance Number 208 and the Ketchum Comprehensive Plan.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Conditional Use Permit application this 9th day of February, 1998, provided the following condition is met:

Permit shall be reviewed by Planning Staff when a written complaint is received. Staff shall verify the complaint and notice the property owner. After two (2) notices, a public hearing before the Commission to review the Conditional Use Permit shall be scheduled and noticed.

Findings of Fact **adopted** this 23rd day of February, 1998.



Randall Hall, Chairman
Planning and Zoning Commission

STATE OF IDAHO)
) ss.
County of Blaine)

On this 27th day of February, 1998, before me, a
Notary Public in and for said State, personally appeared GARY
GOODENOUGH, known to me to be the person whose name is subscribed
to the within instrument, and acknowledged to me that he executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year first above written.

Jane Jacobus
Notary Public
Residing at: Bellvue
Commission expires: 9-13-99



PLANNING AND ZONING DEPARTMENT P.O. BOX 2315 KETCHUM, IDAHO 83340

March 10, 1998

Gary Goodenough
Grumpy's Inc.
Box 1694
Ketchum, Idaho 83340

Re: Conditional Use Permit
Restaurant Use

Dear Gary:

Enclosed please find a copy of the executed Conditional Use Permit Number 98-001 for your records.

Thank you for promptly returning the original.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jane".

Jane Jacobus
Office Administrator

Enclosure



PLANNING AND ZONING DEPARTMENT P.O. BOX 2315 KETCHUM, IDAHO 83340

February 24, 1998

Gary Goodenough
Box 1694
Ketchum, Idaho 83340

Re: Conditional Use Permit
Restaurant Use

Dear Gary:

Enclosed find the original approved Conditional Use Permit Number 98-001. Please execute the Permit before a Notary Public and return the original to this office as soon as possible. There is a Notary Public available in City Hall for this service. A fully executed copy will be sent to you after the Chairman's signature is obtained.

Thank you for your prompt attention to this matter.

Sincerely,

Jane Jacobus
Office Administrator

Enclosure

**STAFF REPORT
PLANNING AND ZONING COMMISSION
MEETING OF FEBRUARY 9, 1998**

APPLICANT: Grumpy's, Inc.

PROJECT: Grumpy's Restaurant

REQUEST: Conditional Use Permit

LOCATION: Lot 3, Block 9, Ketchum Townsite (860 Warm Springs Road)

REVIEWER: Kathy Grotto, City Planner *KG*

LAND USE: LI-1

NOTICE: All property owners within 300 feet of subject property (mailed on January 21, 1998) and published in Idaho Mountain Express on January 21, 1998. Notice posted on site January 30, 1998.

On January 26, 1998, the Commission moved that no additional notification was needed.

BACKGROUND

1. Grumpy's Restaurant has been operating under a valid Conditional Use Permit (CUP) since November 6, 1978. In November 1978, the CUP was approved by the City Council with the following conditions: (1) Applicable to existing building only; (2) Required parking provided on-site, (3) Beer and wine service only; (4) Permit is non-transferable; (5) Permit expires 5 years from effective date. In November 1983, the CUP was approved with a 5 year time limit as the sole condition. In 1998, the CUP was approved for a period of 10 years.

2. The restaurant is located within the LI-1 Zoning District. Section 12A.2(4) of Zoning Ordinance Number 208 allows as conditional uses, **"Restaurants and small food establishments, provided they are not more than 1,000 square feet, gross floor area, they serve as a support service to the Light Industrial District, they shall serve no later than 9:00 p.m., and off-street parking requirements are met."**

Grumpy's is 975 gross square feet, serves lunch to workers in the LI, stops serving at 9:00 p.m., and has 4 off-street parking spaces in the rear of the building, accessed from the

per Gary Goodenough, actually 5 spaces now because tree is gone

In 1988, the Council made a finding that "it is appropriate to require that the permit contain a ten year time limit in order for the City to review any potential impacts on the neighborhood and/or any changes in the surrounding area."

Recently, however, restaurant CUP's have been granted without an expiration date, including:

Big Wood Bread Company (LI-2 Zone – granted 1995)
Cristina's Restaurant (CC Zone – granted 1997)
Willows Café (CC Zone – granted 1995)

The Big Wood Bread Company's CUP includes a condition which sets forth a process for review upon complaint. This condition states, "Conditional Use Permit shall be reviewed by Planning Staff when a written complaint is received. Staff shall verify the complaint and notice the property owner. After two (2) notices, a public hearing before the Commission to review the Conditional Use Permit shall be scheduled and noticed."

COMMISSION OPTIONS:

Make a motion to:

A) **Approve** the Conditional Use Permit application of Grumpy's Restaurant subject to the following condition:

Permit expires ten (10) years from the effective date;

or,

Permit shall be reviewed by Planning Staff when a written complaint is received. Staff shall verify the complaint and notice the property owner. After two (2) notices, a public hearing before the Commission to review the Conditional Use Permit shall be scheduled and noticed.

B) **Deny** the Conditional Use Permit application of Grumpy's Restaurant including findings.

Attachment

Public Comment: Bill Glenn - success of restaurant has created a problem - no parking!
Gary Hadden - owns property between Cable TV and veterinarian's office
Ed Alexander - patron of Grumpy's
Bill Glenn - suggests giving a time³ limit to provide more parking

Randy motion
Susan 2nd
unanimous

Andrea & Phillip Poynter

P.O. Box 2395 ~ 213 Meadow Loop ~ Ketchum, Idaho 83340
Fax 208-726-9648 ~ Home Phone 726-5472 ~ Email APoynter1@aol.com

February 2, 1998

To: Ketchum P & Z Commission

Regarding: Grumpy's application for a Conditional Use Permit

We will be out of town for the public hearing but would like to state our feelings on the subject.



When Grumpy's first started business it was 25% retail and 75% wholesale (catering business). The catering business no longer exists. Also, during this time, Grumpy's was allowed to take a storage shed and turn it into a laundramat. Again, not meeting his parking requirements.

The 900 sq. ft. rule for restaurants in the LI zone seems to have been forgotten when patio dining, doubling the seating, was allowed in.

Anderson Automotive next to Grumpy's does not meet the parking requirements and there are still 4 abandoned autos on 10th St. that look like they are in the right of way.

Parking is the problem making it difficult for the people running a legitimate LI zone business. It is your responsibility to correct this.

Sincerely,

Phil and Andrea Poynter

Jan 98.

TAYLORMADE

(817) 382-7179

P. O. BOX 919

DENTON, TEXAS 76202

Good Evening Planning and Zoning:- As A Home owner (760 N Washington, Ketchum) moved The Smokey from Grumpys Rest...

I feel that the establishment should be given a permit to operate at its present location.

Living so close to Grumpys I'm in a position to evaluate its impact on the area. I've never heard a bit of NOISE or been kept awake because of rowdy people. It surprises me the mannerly patrons at Grumpys. They give the Area personality. Lets not become Aspen.

Keep Grumpys.

Sincerely

Jan Taylor
Land owner.

**MEMO
PLANNING AND ZONING COMMISSION
MEETING OF JANUARY 26, 1998**

APPLICANT: Grumpy's Inc.

PROJECT: Grumpy's Restaurant

REQUEST: Conditional Use Permit

LOCATION: Lot 3, Block 9, Ketchum Townsite (860 Warm Springs Road)

REVIEWER: Kathy Grotto, City Planner JG

LAND USE: LI-1

COMMISSION ACTION:

The Commission shall determine what, if any, additional area beyond 300 feet from the proposed location for a Conditional Use Permit will require notice, written or otherwise, pursuant to the Local Land Use Planning Act, Idaho Code §67-6512.

NOTICE PROVIDED BY STAFF:

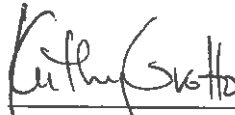
1. All property owners within 300 feet of subject property were mailed on January 21, 1998, a notice of the public hearing to be held on February 9, 1998;
2. The public hearing notice was advertised in Idaho Mountain Express on January 21, 1998; and,
3. The public hearing notice will be posted on site, on or before January 30, 1998.

CERTIFICATION OF POSTING

I, KATHY GROTTTO, City Planner for the City of Ketchum, Idaho, hereby certify that I did on the 30th day of January, 1998, post a copy of the attached Notice of Public Hearing upon the following property:

Lot 3, Block 9, Ketchum Townsite (860 Warm Springs Road)

CERTIFIED this 30th day of January, 1998.

A handwritten signature in cursive script, appearing to read "Kathy Grotto", written over a horizontal line.

Kathy Grotto
City Planner

NOTICE OF PUBLIC HEARING BEFORE THE
KETCHUM PLANNING AND ZONING COMMISSION
UPON AN APPLICATION FOR
A CONDITIONAL USE PERMIT

NOTICE IS HEREBY GIVEN that on Monday, February 9, 1998, at 5:35 p.m., in City Hall at 480 East Avenue North, Ketchum, Idaho, the Ketchum Planning and Zoning Commission will hold a Public Hearing upon the application of GRUMPY'S INC. for a Conditional Use Permit with regard to the following described property:

Lot 3, Block 9, Ketchum Townsite (860 Warm Springs Road)


The applicant is proposing to continue operation of Grumpy's Restaurant, located in the Light Industrial District Number 1. This restaurant is currently operating under a Conditional Use Permit, which expires on March 21, 1998.

NOTICE IS FURTHER GIVEN that at the aforementioned time and place, all interested persons may appear and shall be given an opportunity to comment on the matter stated above.

Comments and questions prior to the hearing should be directed to the Ketchum Planning Department. Written comments received prior to the hearing shall be made part of the public record at the hearing.

BY ORDER OF THE KETCHUM PLANNING AND ZONING COMMISSION.

DATED this 16th day of January, 1998.



Kathy Grotto
City Planner

Publish: January 21, 1998
Idaho Mountain Express

CERTIFICATION OF MAILING

I, JANE JACOBUS, the Office Administrator of the City of Ketchum, Idaho, hereby certify that I did on the 21st day of January, 1998, mail a copy of the Notice of Public Hearing upon the application of GRUMPY'S INC. for a Conditional Use Permit to the following property owners and newspaper:

Applicant	Lots 1 & 2, Block 10
Gary Goodenough Grumpy's Inc. Box 1694 Ketchum, Idaho 83340	Allen & Andree Brooks 2930 S. 1050 E Hagerman, Idaho 83332
Ketchum Townsite	Lots 3 & 4, Block 10
65' Lot 3 & Lot 4, Block 8	Triond Box 886 Benicia, CA 94510
Vern & Pauline Thomas Box 1616 Ketchum, Idaho 83340	Lots 5 & 6, Block 10
Lot 1, Block 9	William Glenn Box 881 Ketchum, Idaho 83340
Amos & Carol Galpin Box 285 Sun Valley, Idaho 83353	Lot 7, Block 10
Lot 2, Block 9	Gerald Brown James Brown Box 183 Sun Valley, Idaho 83353
Mike Levy Box 2075 Ketchum, Idaho 83340	Lot 8, Block 10
Lot 3, Block 9	Norman & Janet Cantor Box 99 Ketchum, Idaho 83340
Gary Goodenough Box 1694 Ketchum, Idaho 83340	Amended Lot 1A, Block 11 & Lots 1, 2, 5, 6, 7 & 8, Block 29
Lots 4 5, 6, 7 & 8, Block 9 & Fr Lots 3 & 4, Block 29	City of Ketchum Box 2315 Ketchum, Idaho 83340
Philip Poynter, etux Box 2395 Ketchum, Idaho 83340	

Knob Hill Center Condominiums (all)

James & Willa McLaughlin
Box 479
Sun Valley, Idaho 83353

Knob Hill Ridge Condominiums (all)

Unit 1A

Michael & Georgina Suttor
Peter Pickup
111 Henrietta St. Waverly
Sydney, NSW

Unit 2A

John & Maureen Knudson
804 Malabar
Austin, TX 78734

Unit 3A

Anne Lewis
Box 1625
Carmel Valley, CA 93924

Unit 4A

Michael Wilmerding
35 Crafts Rd.
Chestnut Hills, MA 02167

Unit 5A

Nicholas & Jan Cox
Box 430
Ketchum, Idaho 83340

Unit 6A

David & Marilyn Stevenson
Broc Glover
Box 27180
San Diego, CA 92198

Unit 7A

David & Margaret Spurling
3925 S. Sutton Way
Boise, Idaho 83706

Unit 8B

Robert & Susan Doyle
Box 3648
Ketchum, Idaho 83340

Unit 9B

Eve Thomas
Teresa Orlik
Box 2658
Ketchum, Idaho 83340

Unit 10B

W. J. & Shirley Ellison
1565 Club View
Los Angeles, CA 90024

The Northway Condominiums (all)

Unit 1

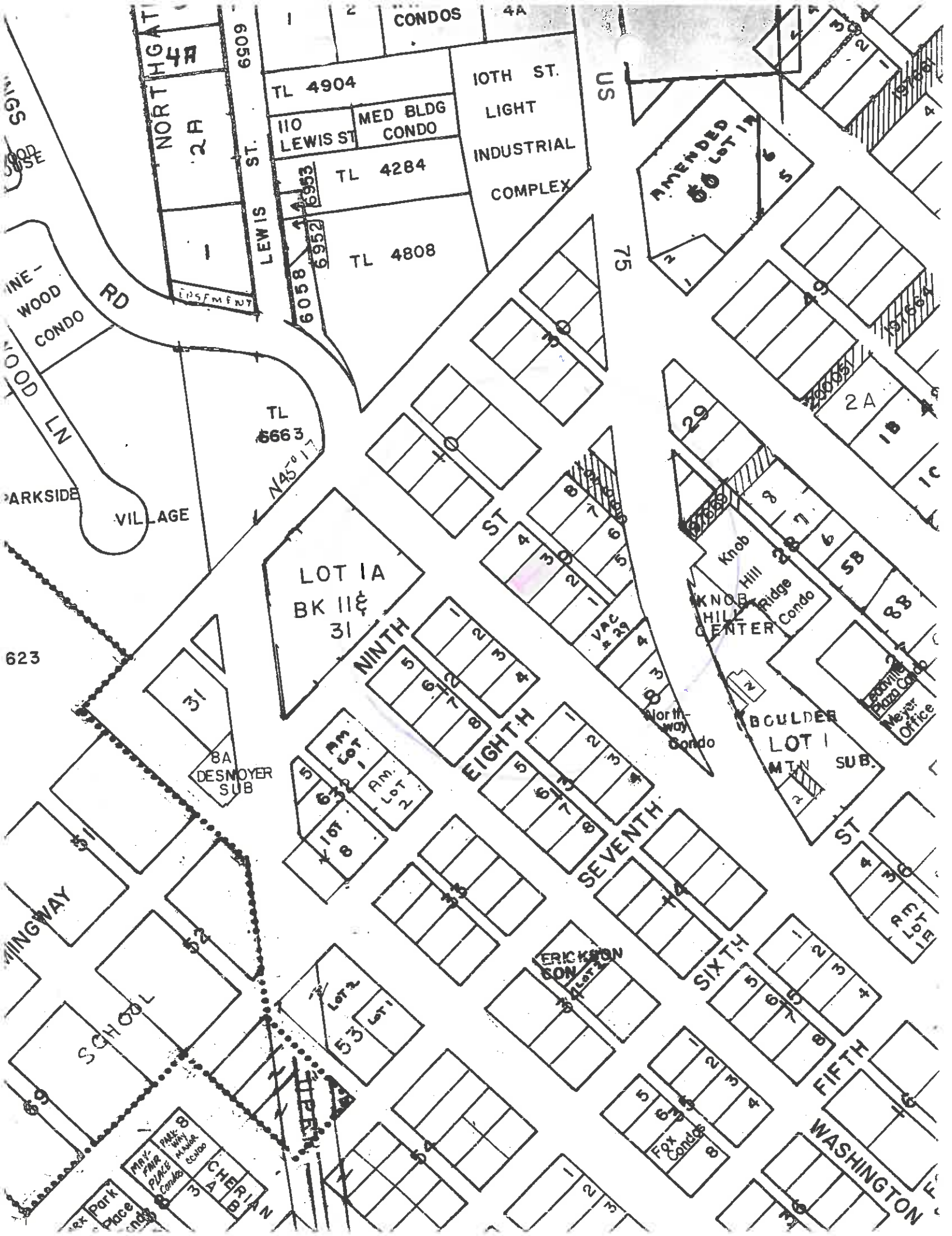
Alton & Julia Nowell
George & Kathleen Wyman
2216 Oxford Rd.
Raleigh, NC 27608

Unit 2

Berk Kellogg, etux
3309 Ocean Blvd.
Corona Del Mar, CA 92625

Unit 3

Andy Munter
Box 4
Ketchum, Idaho 83340



AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

SS,

Pam Morris, being the first duly sworn, deposes and says that he is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 1 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 21 day of

Jan 19 98, and the date of the last publication was

on the 21 day of Jan, 19 98

Subscribed and sworn to before me this 21 day of

Jan, 19 98.

Conne M Johnson
NOTARY PUBLIC

IDAHO MOUNTAIN EXPRESS Ketchum, Idaho COST OF PUBLICATION

Number of Picas per Line 11

Number of Lines in Notice 42

Number of Insertions 1

Lines tabular at 7 cents/pica

11x42 Lines straight at 27.72 6 cents/pica

Subsequent lines at 5 cents/pica

TOTAL COST \$27.72

COPY OF NOTICE

(Paste here)

Public Hearing - Grumpy's
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

City of Ketchum
BILL TO

**NOTICE OF PUBLIC HEARING
BEFORE THE KETCHUM PLAN-
NING AND ZONING COMMISSION
UPON AN APPLICATION FOR
A CONDITIONAL USE PERMIT**
NOTICE IS HEREBY GIVEN that on
Monday, February 9, 1998, at 5:35 p.m.,
in City Hall at 480 East Avenue North,
Ketchum, Idaho, the Ketchum Planning
and Zoning Commission will hold a
Public Hearing upon the application of
GRUMPY'S INC. for a Conditional Use
Permit with regard to the following de-
scribed property:

Lot 3, Block 9, Ketchum Townsite
(860 Warm Springs Road)

The applicant is proposing to contin-
ue operation of Grumpy's Restaurant,
located in the Light Industrial District
Number 1. This restaurant is currently
operating under a Conditional Use Per-
mit, which expires on March 21, 1998.

NOTICE IS FURTHER GIVEN that
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all interested persons may appear and
shall be given an opportunity to com-
ment on the matter stated above.

Comments and questions prior to
the hearing should be directed to the

Ketchum Planning Department. Writ-
ten comments received prior to the hear-
ing shall be made part of the public
record at the hearing.

BY ORDER OF THE KETCHUM
PLANNING AND ZONING COMMISS-
SION.

DATED this 16th day of January,
1998.

Kathy Grotto, City Planner
PUBLISH: IDAHO MOUNTAIN
EXPRESS January 21, 1998.



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF OCTOBER 9th, 2017

PROJECT: Greyhawk Parking Lot

FILE NUMBER: #17-105

OWNER: Sun Valley Company

REQUEST: Conditional Use Permit (CUP) for a Bald Mountain recreationist parking lot.

LOCATION: Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6856 (South end of Gates Rd).

ZONING: Tourist-3000 (T-3000)

OVERLAY: Floodplain Management Overlay (FP) Zone

NOTICE: Notice was mailed to Property owners within 300 foot radius of subject property were mailed notice on September 22nd. Notice was posted in three public City locations on September 27th, 2017 and on site on September 27th, 2017.

REVIEWER: Micah Austin, Director
Carl Anderson, Associate Planner

RECOMMENDATION: Staff recommends approval of the Conditional Use Permit (CUP) subject to the recommended conditions.

ATTACHMENTS:

- A. Application
- B. Findings of Fact 14-112
- C. Public Comment

BACKGROUND

1. The applicant is requesting renewal of a conditional use permit (CUP) for a Bald Mountain Recreationist parking lot with 300 parking spaces to be located on approximately six (6) acres of the 41.54 acre subject property. The plan includes 115 day parking spaces for recreationist and snow storage in the winter. A CUP for this parking lot was first approved in 2002 for three (3) years and has received subsequent approvals in 2005, 2008, 2011 and 2014. If approved, this permit will expire on October 1st, 2022.
2. Parking Facility, Off Site is a conditional use in the Tourist (T), Tourist - 3000 (T-3000) and Tourist - 4000 (T-4000) Zones.
3. The previous approvals for the conditional use permit stated that the permit shall be valid for three years. Because of the history of good standing of the applicants use of the subject property for an off-site parking

facility, and after consultation with the Ketchum Fire Department and Ketchum Parks Department, Staff recommends that the permit be valid for a five (5) year period from the approval date.

4. The current application is for the Conditional Use Permit Review only. The previous Waterways Design Review is existing and a re-review is not required for a continuation of the existing use.
5. Staff recommends the conditional use permit duration be extended from the current period of three (3) years to a period of five (5) years.
6. The Commission last approved a Conditional Use Permit for skier day parking for this property on October 24, 2014 (CUP file number 14-112) subject to the following conditions:
 - a. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
 - b. At least fifty (50) percent of the approved spaces must be designated as daily parking, excluding the spaces designated for employees: a minimum of 115 spaces must be designated as daily parking. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full;
 - c. Conditional use permits shall not be transferred;
 - d. Hours of operation shall be from seven (7:00) a.m. to seven (7:00) p.m. Appropriate signs indicating hours of operation shall be posted at each entry;
 - e. A dustless material shall be placed from the City right-of-way onto the lot, thereby maintaining a dust- and mud-free gravel-based surface;
 - f. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
 - g. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.
 - h. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant; and,
 - i. No lighting shall be installed.

Per Code Section 17.88.050(C) Uses Permitted, 3, 4, 5, 6, 7, and 8

- j. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high water mark on any property within the city limits at any time;
- k. No use of pesticides, herbicides, or fertilizers will be allowed within twenty five feet (25') of the mean high water mark on any property within the city limits unless approved by the city arborist. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap within the riparian zone may be used throughout the growing season as needed; and
- l. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

COMMISSION OPTIONS

1. **Denial of the Application:** "Motion to deny the application from owner Sun Valley Company for a Conditional Use Permit application for an off-site parking facility, finding the application **does not** meet the standards for approval under Chapter 17.116 of Ketchum Zoning Code, **for the following reasons:** [cite findings for denial]."
2. **Approval of the Application:** "Motion to approve the application from owner Sun Valley Company for a Conditional Use Permit application for an off-site parking facility, finding the application **does** meet the standards for approval under Chapter 17.116 of Ketchum Zoning Code, **only if the following conditions are met:** [insert conditions of approval here]"
3. **Continuation of the Application:** "Motion to continue the application from owner Sun Valley Company to a date certain of [insert date of meeting]."

RECOMMENDED CONDITIONS

1. The conditional use permit shall be valid for ~~three (3) years~~ five (5) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
2. At least fifty (50) percent of the approved spaces must be designated as daily parking, excluding the spaces designated for employees: a minimum of 115 spaces must be designated as daily parking. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full;
3. Conditional use permits shall not be transferred;
4. Hours of operation shall be from seven (7:00) a.m. to seven (7:00) p.m. Appropriate signs indicating hours of operation shall be posted at each entry;
5. A dustless material shall be placed from the City right-of-way onto the lot, thereby maintaining a dust- and mud-free gravel-based surface;
6. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
7. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.
8. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant; and
9. No lighting shall be installed.
10. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high water mark on any property within the city limits at any time;
11. No use of pesticides, herbicides, or fertilizers will be allowed within twenty five feet (25') of the mean high water mark on any property within the city limits unless approved by the city arborist. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap within the riparian zone may be used throughout the growing season as needed; and
12. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.
13. The bridge accessing the Greyhawk Parking Lot must be kept clear of ice and snow;

14. Snow shall not be removed to prevent residential access to the west side of Greyhawk Townhouse #15 Lot 1, accessed from Gates Road.
15. The applicant shall stake the riparian setback in order to verify the riparian setback by November 1, 2017. Upon staking the riparian setback the applicant shall contact the Planning and Building Director to arrange a site visit with city staff to assess the condition of the riparian setback. By December 31, 2017 the applicant shall submit a Waterways Design Review application with a proposal to restore the riparian zone to a naturalized state.
16. Should the subject parking area encroach into the riparian setback, Sun Valley Company shall apply for an amendment to the existing waterways design review approval, and submit a detailed landscape plan for the entire length of the subject property.

Table 1: Requirements for All Applications

City Department Comments					
Compliant					
Yes	No	N/A	City Code	City Standards and Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police Department: No comment.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire Department: <ul style="list-style-type: none"> • Sun Valley Company has met its obligations to the fire department as far as ambulance access and maintaining the bridge clear. There have been instances requiring the Fire department to call Sun Valley Co. to clear the ice when the bridge becomes rutted. • I concur that reviewing the CUP every 5 years would be an acceptable change, however, the CUP requirement should remain in perpetuity. 		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Streets Department: No Comment.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utilities: No comment.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Parks/Arborist: <ul style="list-style-type: none"> • I concur with Planning Dept.'s recommendation that 3-year review of CUP be dropped a 5 review should occur. • Conditions have been met and no new conditions need to be imposed. 		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: No comment.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the staff report.		

Table 2: Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.A	The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.
			Staff Comments	There is no change from the previous CUP approval in 2014. This standard continues to be met. The subject property is located within the Tourist-3000 zone, which is designated for tourism and related uses. The characteristics of the continued conditional use are compatible with the types of uses permitted in the applicable zone district.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.B	The conditional use will not materially endanger the health, safety and welfare of the community.
			Staff Comments	The Greyhawk parking lot has been in operation since 2002 and there have not been detrimental effects to the community. There is no change from the previous CUP approval in 2014. This standard has been met.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.C	The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
			Staff Comments	There is no change from the previous CUP approval in 2014. This standard has been met. The site has operated as a skier parking lot since 2002 and the pedestrian and vehicular traffic associated with the use have not been found to be hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.D	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			Staff Comments	There is no change from the previous CUP approval in 2014. This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.E	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.
			Staff Comments	This standard has been met. The 2014 Comprehensive Plan designates the site for a combination of commercial employment and open space, parks & recreation. The existing skier parking lot has been in operation since 2002 and is not in conflict with either of the policies designated within the Comprehensive Plan. The use is supportive in nature to the public use nature of the Warm Springs Skier area, and also service as a bumper between the warm springs base area as it transitions to the Bald Mountain Ski Area.

Table 3: Floodplain Design Review Requirements

1. EVALUATION STANDARDS: 17.88.060(E)				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and Staff Comments
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)1 FLOODPLAIN DEVELOPMENT/WATER WAYS DESIGN REVIEW	Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)2	Preservation or enhancement of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone. No construction activities, encroachment or other disturbance into the twenty five foot (25') riparian zone shall be allowed at any time without written City approval per the terms of this ordinance.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)3	No development, other than development by the city of Ketchum or development required for emergency access, shall occur within the twenty five foot (25') riparian zone with the exception of approved stream stabilization work. The planning and zoning commission may approve access to property where no other primary access is available. Private pathways and staircases shall not lead into or through the riparian zone unless deemed necessary by the planning and zoning commission.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)4	Plan and time frame are provided for restoration of riparian vegetation damaged as a result of the work done.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)5	New or replacement planting and vegetation includes plantings that are low-growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common choke cherry, service berry, elder berry, river birch, skunk bush sumac, beeb's willow, drummond's willow, little wild rose, gooseberry, and honeysuckle.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)6	Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Flood water carrying capacity is not diminished by the proposal. Surface drainage is controlled and does not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms are designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

			<i>Staff Comments</i>	<i>N/C. The proposed permit will not alter existing characteristics.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)7	Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.
			<i>Staff Comments</i>	<i>This standard has not been met. 2014 Finding: all parking, vehicles and main-made impacts will be located outside the twenty-five (25') foot riparian zone.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)8	Building setback in excess of minimum required along waterways is encouraged.
			<i>Staff Comments</i>	<i>N/A. No buildings are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)9	The top of the lowest floor of a building located in the 1% annual chance floodplain shall be a minimum of twenty-four inches (24") above the base flood elevation of the subject property.
			<i>Staff Comments</i>	<i>N/A. No buildings are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)10	The back fill used around the foundation in the floodplain provides a reasonable transition to existing grade, but is not used to fill the parcel to any greater extent. Compensatory storage shall be required for any fill placed within the floodplain. A LOMA-F shall be obtained prior to placement of any additional fill in the floodplain.
			<i>Staff Comments</i>	<i>N/A. No buildings are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)11	All new buildings shall be constructed on foundations that are approved by a licensed professional engineer.
			<i>Staff Comments</i>	<i>N/A. No buildings are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)12	Driveways comply with effective Street Standards; access for emergency vehicles has been adequately provided for.
			<i>Staff Comments</i>	<i>N/C. Parking lot access is appropriate. This standard has been met.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)13	Landscaping or revegetation conceals cuts and fills required for driveways and other elements of the development.
			<i>Staff Comments</i>	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)14	(Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.
			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)15	(Stream Alteration) No increase to the 100-year floodplain upstream or downstream has been certified by a registered Idaho engineer.
			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)16	(Stream Alteration) The recreational use of the stream including access along any and all public pedestrian/fisherman's easements and the aesthetic beauty is not obstructed or interfered with by the proposed work.
			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)17	Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with a comparable amount and/or quality of new wetland area or riparian habitat improvement.
			<i>Staff Comments</i>	<i>N/A; no wetlands are affected by the proposed project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)18	(Stream Alteration) Fish habitat is maintained or improved as a result of the work proposed.
			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)19	(Stream Alteration) The proposed work is not in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)20	(Stream Alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.
			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed</i>

ATTACHMENT A.



City of Ketchum
Planning & Building

CERTIFIED
COMPLETE
9/6/17

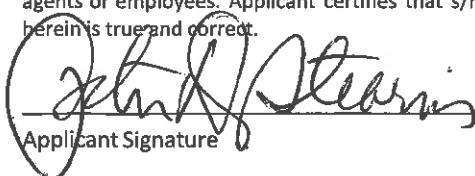
OFFICIAL USE ONLY	
File Number:	17-105
Date Received:	9/5/17
Fee:	15
Fee Paid:	\$1,100.00
Approved Date:	
Approved By:	
By:	

Conditional Use Permit Application

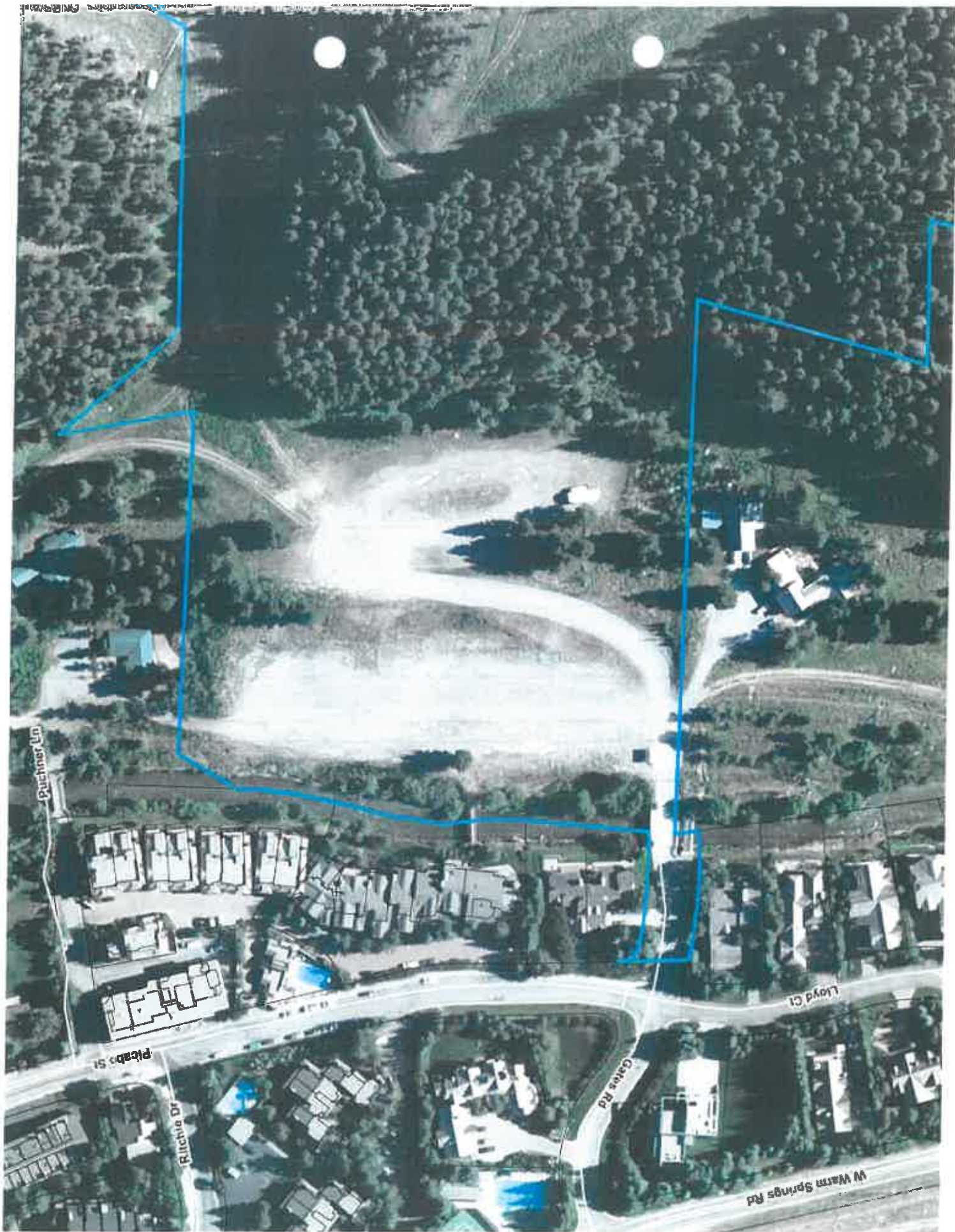
Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: www.ketchumidaho.org and click on Municipal Code.

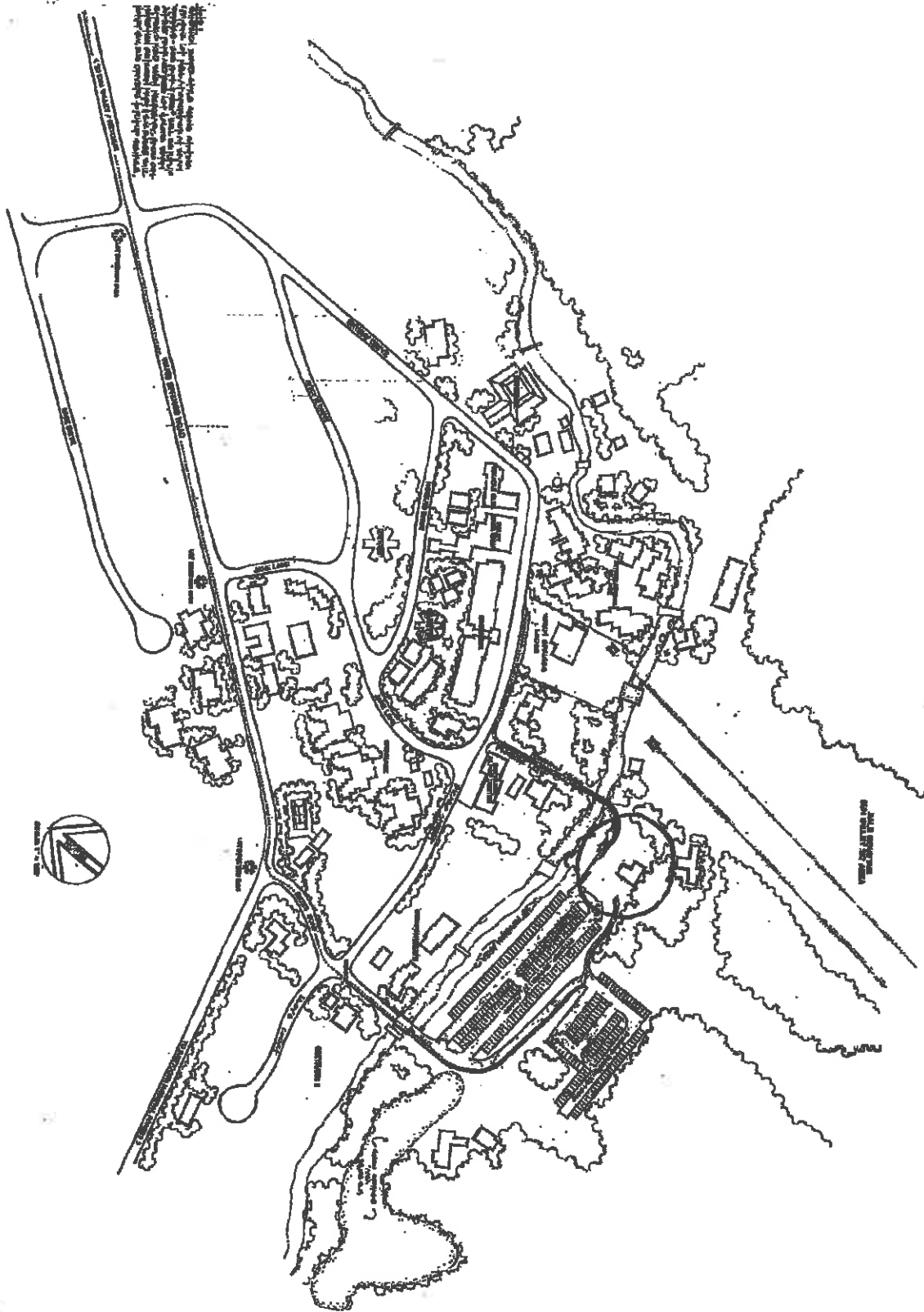
OWNER INFORMATION	
Project Name: Greyhawk Parking Lot	
Name of Owner of Record: Sun Valley Company	
Physical Address: 1 Sun Valley Road, PO Box 10 Sun Valley, ID 83353	
Property Legal Description: Lot 16, Greyhawk II Subdivision and Tax Lot 6856	
Property Zoning District: Tourist -3000 and Floodplain Management Overlay	
Contact Phone: 208.622.6171	Contact Email: pstearns@sunvalley.com
PROJECT INFORMATION	
Description of Proposed Conditional Use: Conditional Use Permit for a skier parking lot.	
Description of Proposed and Existing Exterior Lighting: No proposed lighting with this conditional use.	
ADDITIONAL COMMENTS	
Previous File No. 14-112	
ACCOMPANYING SUPPORTING INFORMATION REQUIRED	
• Existing Site Plan • Proposed Site Plan • Landscape Plan • Grading and Drainage Plan • Exterior Lighting Plan and Specifications • Other plans and studies related to the social, economic, fiscal, environmental, traffic, and other effects of the proposed conditional use, as required by the Administrator	

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortious conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.


Applicant Signature

9.1.2017
Date





2002 SCHEMATIC SITE PLAN OF PROPOSED SUN VALLEY / GREYHAWK SKIER PARKING LOT

PREPARED FOR SUN VALLEY COMPANY
CALIFORNIA ENGINEERING ARCHITECTS
CLIPPING ASSOCIATED PLANNING AND DESIGN CONSULTANTS, INC.

Sheet 2 of 2

ATTACHMENT B.

File No.: 14-112

CITY OF KETCHUM CONDITIONAL USE PERMIT APPLICATION

Name of Applicant: SUN VALLEY COMPANY

Name of Owner of Record: SUN VALLEY COMPANY

Mailing Address: P.O. BOX 10 SUN VALLEY, IDAHO 83353

Contact Phone Number: 208-622-6151

Street Address of Property Requiring a CUP: SOUTH END OF GATES ROAD

Legal Description of Property Requiring a CUP: LOT 16, GREYHAWK II SUBDIVISION AND
TAX LOT 6856

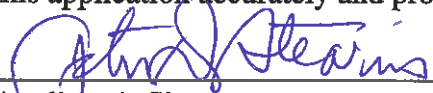
Description of Proposed Conditional Use: CONDITIONAL USE PERMIT FOR A SKIER
PARKING LOT

Description of Proposed and Existing Exterior Lighting: NONE

Zoning District: TOURIST - 3000 AND FLOODPLAIN MANAGEMENT OVERLAY

Overlay District: Flood X Avalanche _____ Pedestrian _____ Mountain _____

The Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Conditional Use Permit Application in which the City of Ketchum is the prevailing party to pay reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. **I hereby acknowledge** I have filled in this application accurately and provided the required information to the best of my knowledge.


Applicant's Signature

Date 9.16.2014

PREVIOUS FILE # 11-059

Margaret

mwork@sunsvalley.com

RECEIVED

SEP 18 2014

CITY OF KETCHUM

Pursuant to Resolution No. 08-123, any direct costs incurred by the City of Ketchum to review this application will be the responsibility of the applicant. Costs include but are not limited to: engineer review, attorney review, legal noticing, and copying costs associated with the application. The City will require a retainer to be paid by the applicant at the time of application submittal to cover said costs. Following a decision or other closure of an application, the applicant will either be reimbursed for unexpended funds or billed for additional costs incurred by the City.

----- Administrative use Only -----

Date Application Received: _____
Date Commission/Council Public Hearing: _____
Date Legal Notice Published: _____
Date Notice Posted on Premises: _____
Conditional Use Permit Fee: _____ Date Paid: _____
Mailing Fee: _____ Date Paid: _____
Date Applicant Notified: _____
Comments from Agencies: _____
Administrative Comments: _____
Additional Notice Determination: _____ Date: _____
Actions/Findings Taken: _____
Permit Recorded: _____

MEMORANDUM TO FILE

File #: 14-058 and 14-059
Application: Sun Valley Company Parking Lot CUP's
From: Rachel Martin, Planning Technician
Date: November 24, 2014



In hind sight after the approval of the 2014 Conditional Use Permits for Sun Valley Company I realized that these applications can be handled differently for their 2017 applications if the code has not been amended at that time and if the company chooses to do so.

If Sun Valley Company applies for an annual year round parking permit in 2017, then they would not be subject to the season parking requirements below. With this change that still requires a CUP, the permit would not expire or need to be renewed every 3 years and will not be subject to the 7am to 7pm hours of operation. The commission could add a condition limiting hours of use for all days except special events such as the end of season party.

The commission indicated their support for these changes at the November 10, 2014 Public Hearing.

The code states:

17.124.060: OFF STREET PARKING SPACE (O)

3. The following are minimum conditions for seasonal parking lots:
 - a. Approved applications shall be valid until May 2000, at which time they shall be reviewed, amended, if necessary, and approved. Thereafter, applications shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the administrator shall verify the complaint and schedule the application for a public hearing before the commission. Completed applications shall be submitted to the planning department by October 1 of each year. The planning and zoning administrator shall have the authority to waive such requirement only upon a showing of good cause.
 - b. Season parking passes only may be sold unless the lot contains more than one hundred (100) spaces. Lots over one hundred (100) spaces may sell daily parking passes. Lots which include daily parking must designate at least fifty percent (50%) of the approved spaces as daily parking, excluding the spaces designated for employees. The sale of daily passes is subject to the applicant staffing the entrance to the parking area and subject to the development of a system,

IN RE:)	
)	
Sun Valley Company Recreationist	)	KETCHUM PLANNING AND ZONING
Parking Lot Conditional Use Permit	)	COMMISSION - FINDINGS OF FACT, CONCLUSIONS OF
	)	LAW AND DECISION
File Number: 14-112)	

BACKGROUND FACTS

APPLICANT: Sinclair Oil Company, verified October 16, 2014 with Assessor

REPRESENTATIVE: Peter Stearns, Sun Valley Company

REQUEST: Conditional Use Permit for a Bald Mountain recreationist parking lot

LOCATION: Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6856 (south end of Gates Road)

REVIEWER: Rachel Martin, Planning Technician

NOTICE: On October 16, 2014, property owners within 300 feet of the subject property were mailed notice of said application. Notice of public hearing was published in the Idaho Mountain Express on October 22, 2014. A copy of the public hearing notice was posted on the subject property on October 30, 2014.

ZONING: Tourist-3000 (T-3000) Zone
Floodplain Management Overlay (FP) Zone

LOT AREA: 41.54 acres

Regulatory Taking Notice: Applicant has the right, pursuant to section 67-8003, Idaho Code, to request a regulatory taking analysis.

GENERAL FINDINGS OF FACT

1. The applicant is proposing a Bald Mountain Recreationist parking lot with 300 parking spaces to be located on approximately six (6) acres of the 41.54 acre subject property. The plan includes 115 day parking spaces for recreationists and snow storage in the winter. A CUP for this parking lot was first approved in 2002 for three (3) years and has received subsequent approvals in 2005, 2008 and 2011. If approved, this permit will expire in 2017.
2. Permit day parking is a conditional use in the Tourist (T), Tourist - 3000 (T-3000) and Tourist - 4000 (T-4000) Zones, subject to certain limitations.
3. The Commission last approved a Conditional Use Permit for skier day parking for this property on October 10, 2011 (CUP file number 11-059) subject to the following conditions:
 - a. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be

submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;

- b. At least fifty (50) percent of the approved spaces must be designated as daily parking, excluding the spaces designated for employees: a minimum of 115 spaces must be designated as daily parking. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full;
 - c. Conditional use permits shall not be transferred;
 - d. Hours of operation shall be from seven (7:00) a.m. to seven (7:00) p.m. Appropriate signs indicating hours of operation shall be posted at each entry;
 - e. A dustless material shall be placed from the City right-of-way onto the lot, thereby maintaining a dust- and mud-free gravel-based surface;
 - f. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
 - g. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.
 - h. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant; and,
 - i. No lighting shall be installed.
4. No complaints have been received by the city since issuance of the last conditional use permit in 2011.
5. One oral public comment was received at the hearing confirming that the access to the lot is unchanged and no objection to the CUP. No written public comment was received.

17.116.030 CONDITIONAL USE PERMIT CRITERIA:

1. A conditional use permit shall be granted by the Commission only if the applicant demonstrates that:

A. The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.

Finding: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The number of parking spaces proposed is equivalent to the number of spaces needed if the site were redeveloped as a hotel, a permitted use in the Tourist-3000 (T-3000) Zone.

Decision: This standard has been met.

B. The conditional use will not materially endanger the health, safety and welfare of the community.

Finding: The Greyhawk parking lot has operated at this site since 2002 with no detrimental effects to the community.

Recommendation: This standard has been met.

- C. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.**

Finding: The Greyhawk parking lot has operated at this site since 2002 with no detrimental effects to the community. Access into the parking lot is via Gates Road (from Warm Springs Road) or Picabo Street (from Jane Lane). Access to the lot does not require vehicles to enter the Pedestrian Access Overlay (PA) Zone. An attendant will be on-site at all times. Analysis developed during the Commission and Council deliberations on day parking at Warm Springs showed 100,000 less skiers utilizing the Warm Springs Base area since the opening of the River Run Lodge. The Code also requires that the applicant develop a system acceptable to the City, of alerting skiers at the YMCA/Park and Ride Lot when the skier day parking lot is full. This will mitigate unnecessary cars looking for parking. Sun Valley Company does post a sign at the corner of Saddle Road and Warm Springs Road to alert drivers if the parking lot is full.

Recommendation: This standard has been met.

- D. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.**

Finding: The Greyhawk parking lot has operated at this site since 2002 with no detrimental effects to the community. Access into the parking lot is via Gates Road (from Warm Springs Road) or Picabo Street (from Jane Lane). Access to the lot does not require vehicles to enter the Pedestrian Access Overlay (PA) Zone. An attendant will be on-site at all times. Analysis developed during the Commission and Council deliberations on day parking at Warm Springs showed 100,000 less skiers utilizing the Warm Springs Base area since the opening of the River Run Lodge. The Code also requires that the applicant develop a system acceptable to the City, of alerting skiers at the YMCA/Park and Ride Lot when the skier day parking lot is full. This will mitigate unnecessary cars looking for parking. Sun Valley Company does post a sign at the corner of Saddle Road and Warm Springs Road to alert drivers if the parking lot is full.

Recommendation: This standard has been met.

- E. The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.**

Finding: The Greyhawk parking lot has operated at this site since 2002, supporting access to the ski area for residents and tourists and providing parking for Warm Springs businesses. The signage at the entrance to Warm Springs indicating whether the lot is full helps to ensure that traffic does not negatively impact the neighborhood. The use of this site as a recreationist parking lot is not in conflict with the Comprehensive Plan or the basic purposes of this section.

Recommendation: This standard has been met.

Per Section 17.56.010.B, off street parking areas are permitted as a conditional use in the Tourist-3000 (T-3000) Zone and are subject to the requirements of Section 17.124.060, Off Street Parking Space, of the Zoning Code:

17.124.060.O.2: EVALUATION STANDARDS:

- a. Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the city right-of-way.**

Finding: The applicant has maintained gravel at the entry and exit of the lot.

Recommendation: This standard has been met.

b. Trash shall be removed daily from the parking area.

Finding: A Sun Valley Company employee will monitor the site daily during all hours of operation. A parking attendant hut has been added at the entrance to the lot.

Recommendation: This standard has been met.

c. The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the commission.

Finding: Access into the parking lot is via Gates Road (from Warm Springs Road) or Picabo Street (from Jane Lane). Access to the lot does not require vehicles to enter the Pedestrian Access Overlay (PA) Zone. An attendant will be on-site at all times. Analysis developed during the Commission and Council deliberations on day parking at Warm Springs showed 100,000 less skiers utilizing the Warm Springs Base area since the opening of the River Run Lodge. The Code also requires that the applicant develop a system acceptable to the City, of alerting skiers at the YMCA/Park and Ride Lot when the skier day parking lot is full. This will mitigate unnecessary cars looking for parking. Sun Valley Company does post a sign at the corner of Saddle Road and Warm Springs Road to alert drivers if the parking lot is full.

Recommendation: This standard has been met.

d. Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the city street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.

Finding: Traffic is contained within the subject property until it crosses Warm Springs Creek and accesses Gates Road, which has direct access to Warm Springs Road. The access is paved north of the bridge. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.

Recommendation: This standard has been met with a condition to identify and keep clear the ambulance loading zone.

e. The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:

- (1) Forty-five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty-five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.**

Finding: The lot is 41.54 acres or 1,809,482 square feet. Of this, 6.37 acres or 277,400 square feet is used for parking, circulation and snow storage. The applicant proposes to use 6.5 percent of the site for parking, circulation and snow storage including employee parking. 3.68 acres are designated for snow storage.

Recommendation: This standard has been met.

- (2) All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.**

Finding: All proposed parking spaces and aisle widths meet the minimum dimensions.

Recommendation: This standard has been met.

- (3) The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.**

Finding: All proposed parking spaces and aisle widths meet the minimum dimensions. 115 spaces must be designated as daily parking.

Recommendation: This standard has been met.

f. The parking area is consistent with the tourist zoning designation within which the lot is located.

Finding: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The number of parking spaces proposed is equivalent to the number of spaces needed if the site were redeveloped as a hotel, a permitted use in the Tourist-3000 (T-3000) Zone.

Recommendation: This standard has been met.

g. Permanent landscaping is used to help assure that the character of the neighborhood as allowed under the applicable zoning ordinances is not significantly altered. The commission shall determine on a case by case basis if permanent landscaping is appropriate, including analysis of riparian areas.

Finding: Under an earlier CUP application, the applicant installed riparian plantings within twenty-five (25) feet of Warm Springs Creek. The plantings include cottonwood, quaking aspen and a mix of coyote willow and red twig dogwood which was used to fill in the mature landscaping that existed on the site.

Recommendation: This standard has been met.

h. Curb cuts shall be located away from major intersections and off high volume roadways. Staff

Finding: The access into the parking area is directly off the end of Gates Road (no curb cut is proposed).

Recommendation: This standard has been met.

Per Section (g) above, analysis of the adjacent riparian area along Warm Spring Creek is as follows:

17.88.060(E) WATERWAYS DESIGN REVIEW CRITERIA:

1. Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.

Finding: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

2. Preservation or enhancement of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone. No construction activities, encroachment or other disturbance into the twenty five foot (25') riparian zone shall be allowed at any time without written City approval per the terms of this ordinance.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

3. No development, other than development by the city of Ketchum or development required for emergency access, shall occur within the twenty five foot (25') riparian zone with the exception of approved stream stabilization work. The planning and zoning commission may approve access to property where no other primary access is available. Private pathways and staircases shall not lead into or through the riparian zone unless deemed necessary by the planning and zoning commission.

Finding: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

4. A landscape plan and time frame shall be provided to restore any vegetation within the twenty five foot (25') riparian zone that is degraded, not natural or which does not promote bank stability.

Finding: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

5. New or replacement planting and vegetation shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle.

Finding: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Recommendation: This standard does not apply.

6. Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Floodwater carrying capacity is not diminished by the proposal. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

Finding: The proposed permit will not alter existing characteristics.

Recommendation: This standard has been met.

7. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.

Finding: All parking, vehicles and man-made impacts will be located outside the twenty-five (25) foot riparian zone.

Recommendation: This standard has been met.

8. Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback is encouraged to provide for yards, decks and patios outside the twenty five foot (25') riparian zone

Finding: No buildings are proposed.

Recommendation: This standard does not apply.

9. The top of the lowest floor of a building located in the 1% annual chance floodplain shall be a minimum of twenty four inches (24") above the base flood elevation of the subject property.

Finding: No buildings are proposed.

Recommendation: This standard does not apply.

10. The backfill used around the foundation in the floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent. Compensatory storage shall be required for any fill placed within the floodplain. A LOMA-F shall be obtained prior to placement of any additional fill in the floodplain.

Finding: No buildings or fill are proposed.

Recommendation: This standard does not apply.

11. All new buildings shall be constructed on foundations that are approved by a licensed professional engineer.

Finding: No buildings are proposed.

Recommendation: This standard does not apply.

12. Driveways comply with effective Street Standards; access for emergency vehicles has been adequately provided for.

Finding: Parking lot access is appropriate. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.

Recommendation: This standard has been met.

13. Landscaping or revegetation conceals cuts and fills required for driveways and other elements of the development.

Finding: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Recommendation: This standard does not apply.

14. (Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.

Finding: No stream alteration is proposed.

Recommendation: This standard does not apply.

15. (Stream Alteration) No increase to the 1% annual chance floodplain upstream or downstream has been certified, with supporting calculations, by a registered Idaho hydraulic engineer.

Finding: No stream alteration is proposed.

Recommendation: This standard does not apply.

16. (Stream Alteration) The recreational use of the stream including access along any and all public pedestrian/fisherman's easements and the aesthetic beauty is not obstructed or interfered with by the proposed work.

Finding: No stream alteration is proposed.

Recommendation: This standard does not apply.

17. Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with a comparable amount and/or quality of new wetland area or riparian habitat improvement.

Finding: Wetlands are not present on the site.

Recommendation: This standard does not apply.

18. (Stream Alteration) Fish habitat is maintained or improved as a result of the work proposed.

Finding: No stream alteration is proposed.

Recommendation: This standard does not apply.

19. (Stream Alteration) The proposed work is not in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

20. (Stream Alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

Finding: No stream alteration is proposed.

Recommendation: This standard does not apply.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17.
3. The Planning and Zoning Commission has authority to hear the applicant's Conditional Use Permit application pursuant to Idaho Code Section 67-6512 of the Local Land Use Planning Act and Chapters 17.64 and 17.116 of Ketchum Zoning Code Title 17.
4. The Commission's November 10th, 2014 public hearing and consideration of the applicant's Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512.
5. The application does comply with Ketchum Zoning Code Title 17 and the Ketchum Comprehensive Plan.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Conditional Use Permit application, provided the following conditions are met:

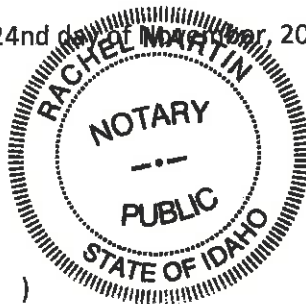
1. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
2. At least fifty (50) percent of the approved spaces must be designated as daily parking, excluding the spaces designated for employees: a minimum of 115 spaces must be designated as daily parking. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full;
3. Conditional use permits shall not be transferred;
4. Hours of operation shall be from seven (7:00) a.m. to seven (7:00) p.m. Appropriate signs indicating hours of operation shall be posted at each entry;
5. A dustless material shall be placed from the City right-of-way onto the lot, thereby maintaining a dust- and mud-free gravel-based surface;
6. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
7. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.

8. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant; and,
9. No lighting shall be installed.

Per Code Section 17.88.050(C) Uses Permitted, 3, 4, 5, 6, 7, and 8

10. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high water mark on any property within the city limits at any time;
11. No use of pesticides, herbicides, or fertilizers will be allowed within twenty five feet (25') of the mean high water mark on any property within the city limits unless approved by the city arborist. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap within the riparian zone may be used throughout the growing season as needed; and
12. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

Findings of Fact adopted this 24th day of November, 2014.



SR. Cook

Chairperson or Vice Chairperson of the
Ketchum Planning and Zoning Commission

STATE OF IDAHO)

) ss.

County of Blaine)

On this 24th day of November, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Steve Cook, known or identified to me to be the person whose name is subscribed to the within instrument.

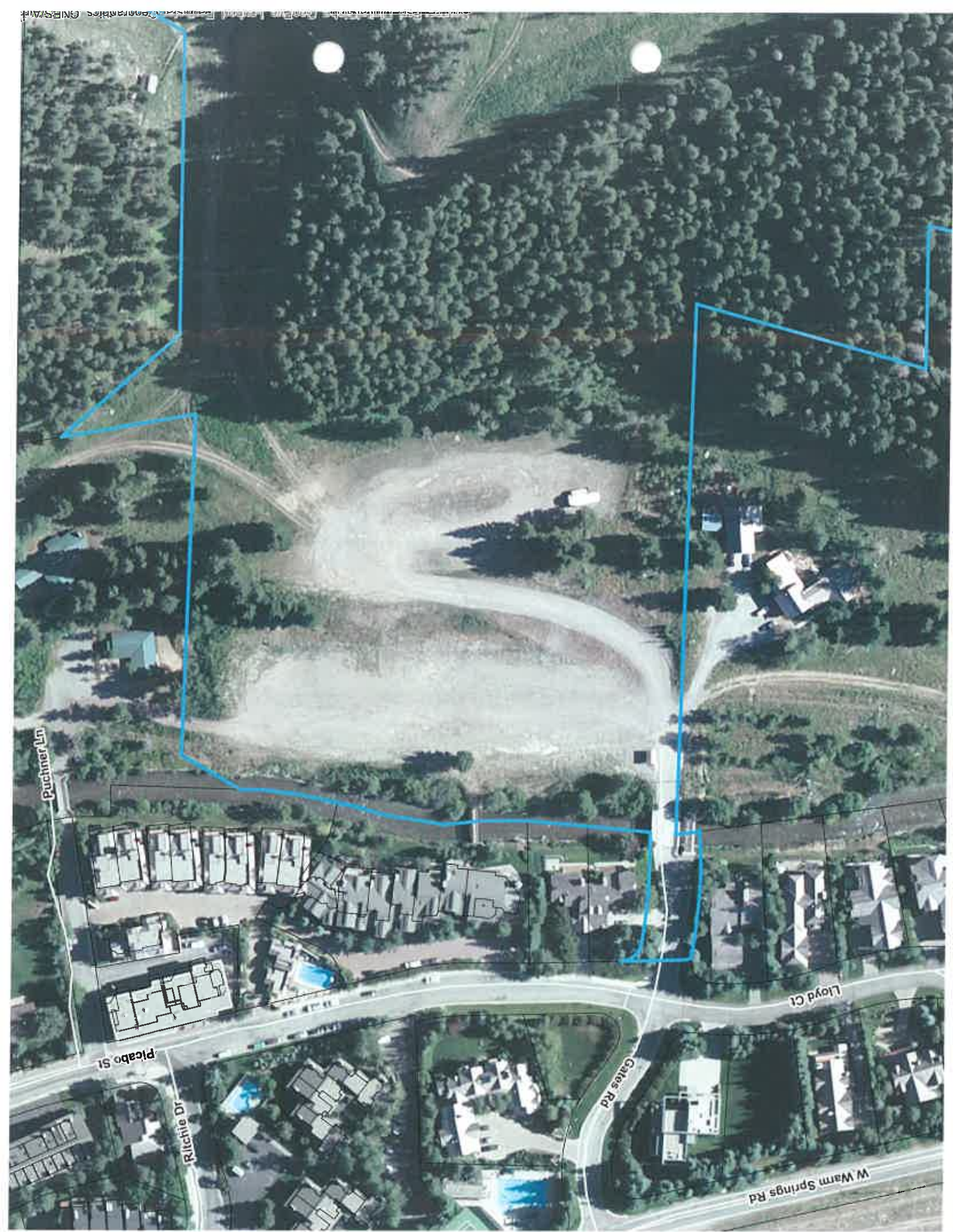
WITNESS my hand and seal the day and year in this certificate first above written.

Rachel Martin

Notary Public for Idaho

Residing at: Blaine County

Commission Expires: Nov 5, 2019



**STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF NOVEMBER 10, 2014**

PROJECT: Sun Valley Company Recreationist Parking Lot
Conditional Use Permit (CUP)

FILE NUMBER: 14-112

APPLICANT: Sinclair Oil Company, verified October 16, 2014 with Assessor

REPRESENTATIVE: Peter Stearns, Sun Valley Company

REQUEST: Conditional Use Permit for a Bald Mountain recreationist parking lot

LOCATION: Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6856 (south end of Gates Road)

REVIEWER: Rachel Martin, Planning Technician

NOTICE: On October 16, 2014, property owners within 300 feet of the subject property were mailed notice of said application. Notice of public hearing was published in the Idaho Mountain Express on October 22, 2014. A copy of the public hearing notice was posted on the subject property on October 30, 2014.

ZONING: Tourist-3000 (T-3000) Zone
Floodplain Management Overlay (FP) Zone

LOT AREA: 41.54 acres

NOTE: Code criteria in bold type.

BACKGROUND:

1. The applicant is proposing a Bald Mountain Recreationist parking lot with 300 parking spaces to be located on approximately six (6) acres of the 41.54 acre subject property. The plan includes 115 day parking spaces for recreationists and snow storage in the winter. A CUP for this parking lot was first approved in 2002 for three (3) years and has received subsequent approvals in 2005, 2008 and 2011. If approved, this permit will expire in 2017.
2. Permit day parking is a conditional use in the Tourist (T), Tourist - 3000 (T-3000) and Tourist - 4000 (T-4000) Zones, subject to certain limitations.
3. The Commission last approved a Conditional Use Permit for skier day parking for this property on October 10, 2011 (CUP file number 11-059) subject to the following conditions:

- a. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
 - b. At least fifty (50) percent of the approved spaces must be designated as daily parking, excluding the spaces designated for employees: a minimum of 115 spaces must be designated as daily parking. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full;
 - c. Conditional use permits shall not be transferred;
 - d. Hours of operation shall be from seven (7:00) a.m. to seven (7:00) p.m. Appropriate signs indicating hours of operation shall be posted at each entry;
 - e. A dustless material shall be placed from the City right-of-way onto the lot, thereby maintaining a dust- and mud-free gravel-based surface;
 - f. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
 - g. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.
 - h. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant; and,
 - i. No lighting shall be installed.
4. No complaints have been received by the city since issuance of the last conditional use permit in 2011.
 5. Attachments to this staff report:
 - A. Application submittal, dated September 18, 2014
 - B. Findings of Fact for expiring Bald Mountain Recreationist Parking Lot CUP (#11-059), dated October 24, 2011
 - C. Plans depicting proposed Sun Valley Skier Parking Lot at Greyhawk, from 2002 CUP application

D. Department comments

17.116.030 CONDITIONAL USE PERMIT CRITERIA:

1. A conditional use permit shall be granted by the Commission only if the applicant demonstrates that:

A. The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.

Staff Analysis: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The number of parking spaces proposed is equivalent to the number of spaces needed if the site were redeveloped as a hotel, a permitted use in the Tourist-3000 (T-3000) Zone.

Recommendation: This standard has been met.

B. The conditional use will not materially endanger the health, safety and welfare of the community.

Staff Analysis: The Greyhawk parking lot has operated at this site since 2002 with no detrimental effects to the community.

Recommendation: This standard has been met.

C. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

Staff Analysis: The Greyhawk parking lot has operated at this site since 2002 with no detrimental effects to the community. Access into the parking lot is via Gates Road (from Warm Springs Road) or Picabo Street (from Jane Lane). Access to the lot does not require vehicles to enter the Pedestrian Access Overlay (PA) Zone. An attendant will be on-site at all times. Analysis developed during the Commission and Council deliberations on day parking at Warm Springs showed 100,000 less skiers utilizing the Warm Springs Base area since the opening of the River Run Lodge. The Code also requires that the applicant develop a system acceptable to the City, of alerting skiers at the YMCA/Park and Ride Lot when the skier day parking lot is full. This will mitigate unnecessary cars looking for parking. Sun Valley Company does post a sign at the corner of Saddle Road and Warm Springs Road to alert drivers if the parking lot is full.

Recommendation: This standard has been met.

D. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.

Staff Analysis: The Greyhawk parking lot has operated at this site since 2002 with no detrimental effects to the community. Access into the parking lot is via Gates Road (from Warm Springs Road) or Picabo Street (from Jane Lane). Access to the lot does not require vehicles to enter the Pedestrian Access Overlay (PA) Zone. An attendant will be on-site at all times. Analysis developed during the Commission and Council deliberations on day parking at Warm Springs showed 100,000 less skiers utilizing the Warm Springs Base area since the opening of the River Run Lodge. The Code also requires that the applicant develop a system acceptable to the City, of alerting skiers at the YMCA/Park and Ride Lot when the skier day parking lot is full. This will mitigate unnecessary cars looking for parking. Sun Valley Company does post a sign at the corner of Saddle Road and Warm Springs Road to alert drivers if the parking lot is full.

Recommendation: This standard has been met.

E. The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.

Staff Analysis: The Greyhawk parking lot has operated at this site since 2002, supporting access to the ski area for residents and tourists and providing parking for Warm Springs businesses. The signage at the entrance to Warm Springs indicating whether the lot is full helps to ensure that traffic does not negatively impact the neighborhood. The use of this site as a recreationist parking lot is not in conflict with the Comprehensive Plan or the basic purposes of this section.

Recommendation: This standard has been met.

Per Section 17.56.010.B, off street parking areas are permitted as a conditional use in the Tourist-3000 (T-3000) Zone and are subject to the requirements of Section 17.124.060, Off Street Parking Space, of the Zoning Code:

17.124.060.O.2: EVALUATION STANDARDS:

a. Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the city right-of-way.

Staff Analysis: The applicant has maintained gravel at the entry and exit of the lot.

Recommendation: This standard has been met.

b. Trash shall be removed daily from the parking area.

Staff Analysis: A Sun Valley Company employee will monitor the site daily during all hours of operation. A parking attendant hut has been added at the entrance to the lot.

Recommendation: This standard has been met.

c. The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the commission.

Staff Analysis: Access into the parking lot is via Gates Road (from Warm Springs Road) or Picabo Street (from Jane Lane). Access to the lot does not require vehicles to enter the Pedestrian Access

Overlay (PA) Zone. An attendant will be on-site at all times. Analysis developed during the Commission and Council deliberations on day parking at Warm Springs showed 100,000 less skiers utilizing the Warm Springs Base area since the opening of the River Run Lodge. The Code also requires that the applicant develop a system acceptable to the City, of alerting skiers at the YMCA/Park and Ride Lot when the skier day parking lot is full. This will mitigate unnecessary cars looking for parking. Sun Valley Company does post a sign at the corner of Saddle Road and Warm Springs Road to alert drivers if the parking lot is full.

Recommendation: This standard has been met.

d. Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the city street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.

Staff Analysis: Traffic is contained within the subject property until it crosses Warm Springs Creek and accesses Gates Road, which has direct access to Warm Springs Road. The access is paved north of the bridge. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.

Recommendation: This standard has been met with a condition to identify and keep clear the ambulance loading zone.

e. The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:

(1) Forty-five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty-five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.

Staff Analysis: The lot is 41.54 acres or 1,809,482 square feet. Of this, 6.37 acres or 277,400 square feet is used for parking, circulation and snow storage. The applicant proposes to use 6.5 percent of the site for parking, circulation and snow storage including employee parking. 3.68 acres are designated for snow storage.

Recommendation: This standard has been met.

(2) All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.

Staff Analysis: All proposed parking spaces and aisle widths meet the minimum dimensions.

Recommendation: This standard has been met.

- (3) The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.**

Staff Analysis: All proposed parking spaces and aisle widths meet the minimum dimensions. 115 spaces must be designated as daily parking.

Recommendation: This standard has been met.

- f. The parking area is consistent with the tourist zoning designation within which the lot is located.**

Staff Analysis: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The number of parking spaces proposed is equivalent to the number of spaces needed if the site were redeveloped as a hotel, a permitted use in the Tourist-3000 (T-3000) Zone.

Recommendation: This standard has been met.

- g. Permanent landscaping is used to help assure that the character of the neighborhood as allowed under the applicable zoning ordinances is not significantly altered. The commission shall determine on a case by case basis if permanent landscaping is appropriate, including analysis of riparian areas.**

Staff Analysis: Under an earlier CUP application, the applicant installed riparian plantings within twenty-five (25) feet of Warm Springs Creek. The plantings include cottonwood, quaking aspen and a mix of coyote willow and red twig dogwood which was used to fill in the mature landscaping that existed on the site.

Recommendation: This standard has been met.

- h. Curb cuts shall be located away from major intersections and off high volume roadways.**

Staff Analysis: The access into the parking area is directly off the end of Gates Road (no curb cut is proposed).

Recommendation: This standard has been met.

Per Section (g) above, analysis of the adjacent riparian area along Warm Spring Creek is as follows:

17.88.060(E) WATERWAYS DESIGN REVIEW CRITERIA:

- 1. Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.**

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

- 2. Preservation or enhancement of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone. No construction activities, encroachment or other disturbance into the twenty five foot (25') riparian zone shall be allowed at any time without written City approval per the terms of this ordinance.**

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

3. No development, other than development by the city of Ketchum or development required for emergency access, shall occur within the twenty five foot (25') riparian zone with the exception of approved stream stabilization work. The planning and zoning commission may approve access to property where no other primary access is available. Private pathways and staircases shall not lead into or through the riparian zone unless deemed necessary by the planning and zoning commission.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

4. A landscape plan and time frame shall be provided to restore any vegetation within the twenty five foot (25') riparian zone that is degraded, not natural or which does not promote bank stability.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

5. New or replacement planting and vegetation shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Recommendation: This standard does not apply.

6. Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Floodwater carrying capacity is not diminished by the proposal. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

Staff Analysis: The proposed permit will not alter existing characteristics.

Recommendation: This standard has been met.

7. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.

Staff Analysis: All parking, vehicles and man-made impacts will be located outside the twenty-five (25) foot riparian zone.

Recommendation: This standard has been met.

8. Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback is encouraged to provide for yards, decks and patios outside the twenty five foot (25') riparian zone

Staff Analysis: No buildings are proposed.

Recommendation: This standard does not apply.

9. The top of the lowest floor of a building located in the 1% annual chance floodplain shall be a minimum of twenty four inches (24") above the base flood elevation of the subject property.

Staff Analysis: No buildings are proposed.

Recommendation: This standard does not apply.

10. The backfill used around the foundation in the floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent. Compensatory storage shall be required for any fill placed within the floodplain. A LOMA-F shall be obtained prior to placement of any additional fill in the floodplain.

Staff Analysis: No buildings or fill are proposed.

Recommendation: This standard does not apply.

11. All new buildings shall be constructed on foundations that are approved by a licensed professional engineer.

Staff Analysis: No buildings are proposed.

Recommendation: This standard does not apply.

12. Driveways comply with effective Street Standards; access for emergency vehicles has been adequately provided for.

Staff Analysis: Parking lot access is appropriate. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.

Recommendation: This standard has been met.

13. Landscaping or revegetation conceals cuts and fills required for driveways and other elements of the development.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Recommendation: This standard does not apply.

14. (Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

15. (Stream Alteration) No increase to the 1% annual chance floodplain upstream or downstream has been certified, with supporting calculations, by a registered Idaho hydraulic engineer.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

16. (Stream Alteration) The recreational use of the stream including access along any and all public pedestrian/fisherman's easements and the aesthetic beauty is not obstructed or interfered with by the proposed work.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

17. Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with a comparable amount and/or quality of new wetland area or riparian habitat improvement.

Staff Analysis: Wetlands are not present on the site.

Recommendation: This standard does not apply.

18. (Stream Alteration) Fish habitat is maintained or improved as a result of the work proposed.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

19. (Stream Alteration) The proposed work is not in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

20. (Stream Alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

FOR MOTION PURPOSES:

This project, Sun Valley Company mountain recreationist parking lot, **does not** meet the standards for approval under Chapters 17.56, 17.88, 17.116 and 17.124 of Ketchum Zoning Code Title 17 **because of the following standards** (Commission to insert reasons for denial).

or,

This project, Sun Valley Company mountain recreationist parking lot, **does** meet the standards for approval under Chapters 17.56, 17.88, 17.116 and 17.124 of Ketchum Zoning Code Title 17 provided the following conditions of approval are met.

PROPOSED CONDITIONS:

1. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
2. At least fifty (50) percent of the approved spaces must be designated as daily parking, excluding the spaces designated for employees: a minimum of 115 spaces must be designated as daily parking. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full;
3. Conditional use permits shall not be transferred;
4. Hours of operation shall be from seven (7:00) a.m. to seven (7:00) p.m. Appropriate signs indicating hours of operation shall be posted at each entry;
5. A dustless material shall be placed from the City right-of-way onto the lot, thereby maintaining a dust- and mud-free gravel-based surface;
6. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
7. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.
8. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant; and,
9. No lighting shall be installed.

Per Code Section 17.88.050(C) Uses Permitted, 3, 4, 5, 6, 7, and 8

10. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high water mark on any property within the city limits at any time;
11. No use of pesticides, herbicides, or fertilizers will be allowed within twenty five feet (25') of the mean high water mark on any property within the city limits unless approved by the city arborist. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates.

Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap within the riparian zone may be used throughout the growing season as needed; and

12. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

Attachment A
Application submittal, dated September 18, 2014

File No.: 14-112

CITY OF KETCHUM CONDITIONAL USE PERMIT APPLICATION

Name of Applicant: SUN VALLEY COMPANY

Name of Owner of Record: SUN VALLEY COMPANY

Mailing Address: P.O. BOX 10 SUN VALLEY, IDAHO 83353

Contact Phone Number: 208-622-6151

Street Address of Property Requiring a CUP: SOUTH END OF GATES ROAD

Legal Description of Property Requiring a CUP: LOT 16, GREYHAWK II SUBDIVISION AND
TAX LOT 6856

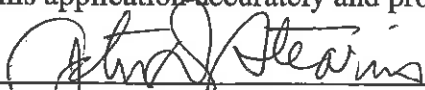
Description of Proposed Conditional Use: CONDITIONAL USE PERMIT FOR A SKIER
PARKING LOT

Description of Proposed and Existing Exterior Lighting: NONE

Zoning District: TOURIST - 3000 AND FLOODPLAIN MANAGEMENT OVERLAY

Overlay District: Flood X Avalanche _____ Pedestrian _____ Mountain _____

The Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Conditional Use Permit Application in which the City of Ketchum is the prevailing party to pay reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. **I hereby acknowledge** I have filled in this application accurately and provided the required information to the best of my knowledge.


Applicant's Signature

Date 9.16.2014

PREVIOUS FILE # 11-059

RECEIVED

SEP 18 2014

CITY OF KETCHUM

*Margaret
mwork@sunvalley.com*

Pursuant to Resolution No. 08-123, any direct costs incurred by the City of Ketchum to review this application will be the responsibility of the applicant. Costs include but are not limited to: engineer review, attorney review, legal noticing, and copying costs associated with the application. The City will require a retainer to be paid by the applicant at the time of application submittal to cover said costs. Following a decision or other closure of an application, the applicant will either be reimbursed for unexpended funds or billed for additional costs incurred by the City.

Attachment B.
Findings of Fact for expiring CUP dated October 10, 2011

IN RE:)	
)	
Sun Valley Company	)	KETCHUM PLANNING AND ZONING
Recreationist Parking Lot CUP	)	COMMISSION - FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW AND DECISION
File Number: 11-059)	

BACKGROUND FACTS

OWNER: Sinclair Oil Company, verified September 22, 2011 with Assessor

REPRESENTATIVE: Peter Stearns, Sun Valley Company

REQUEST: Conditional Use Permit for a Bald Mountain recreationist parking lot

LOCATION: Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6856 (south end of Gates Road)

NOTICE: On September 20, 2011, property owners within 300 feet of the subject property were mailed notice of said application. Notice of public hearing was published in the Idaho Mountain Express on September 21, 2011. At their regularly scheduled meeting of September 12, 2011, the Commission moved that no additional area beyond the three hundred feet may be substantially impacted. A copy of the public hearing notice was posted on the subject property on September 23, 2011.

ZONING: Tourist-3000 (T-3000) Zone
Floodplain Management Overlay (FP) Zone

LOT AREA: 41.54 acres

REVIEWER: Rebecca F. Bundy, Associate Planner

Regulatory Taking Notice: Applicant has the right, pursuant to section 67-8003, Idaho Code, to request a regulatory taking analysis.

GENERAL FINDINGS OF FACT

1. The applicant is proposing a Bald Mountain Recreationist parking lot with 300 parking spaces to be located on approximately six (6) acres of the 41.54 acre subject property. The plan includes 115 day parking spaces for recreationists and snow storage in the winter. A CUP for this parking lot was first approved in 2002 and has received subsequent approvals in 2005 and 2008.

2. The City Council approved an amendment to the Zoning Code to permit day parking as a conditional use in the Tourist (T), Tourist - 3000 (T-3000) and Tourist - 4000 (T-4000) Zones, subject to certain limitations.

3. The Commission last approved a Conditional Use Permit for skier day parking for this property on April 14, 2008 (CUP file number 08-006) subject to the following conditions:

- a. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
- b. At least fifty (50) percent of the approved spaces must be designated as daily parking, excluding the spaces designated for employees: a minimum of 115 spaces must be designated as daily parking. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full;
- c. Conditional use permits shall not be transferred;
- d. Hours of operation shall be from seven (7:00) a.m. to seven (7:00) p.m. Appropriate signs indicating hours of operation shall be posted at each entry;
- e. During summer usage of the lot, a dustless material shall be placed from the City right-of-way onto the lot extending a minimum of thirty (30) feet from the edge of the pavement;
- f. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
- g. Knapweed control and maintenance of the riparian plantings shall be accomplished by the applicant; and,
- h. No lighting shall be installed.

5. The Commission held a public hearing on this Conditional Use Permit application at their regular meeting of October 10, 2011. Property owners within 300 feet were noticed. No public comment was received in advance or given at the hearing. The Commission unanimously approved the CUP, with the following minor modifications, in strike through/underline format, to the wording in the Conditions:

5. A dustless material shall be placed from the City right-of-way onto the lot ~~extending a minimum of thirty (30) feet from the edge of the pavement;~~ thereby maintaining a dust- and mud-free gravel-based surface;

8. ~~Knapweed~~ Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant; and,

4. Attachments to the Staff Report, October 10, 2011:

- A. Application submittal, dated August 12, 2011
- B. Findings of Fact for expiring Bald Mountain Recreationist Parking Lot CUP (#08-006), dated April 28, 2008
- C. Plans depicting proposed Sun Valley Skier Parking Lot at Greyhawk, from 2002 CUP application
- D. Department comments

17.116.030 CONDITIONAL USE PERMIT CRITERIA:

1. A conditional use permit shall be granted by the Commission only if the applicant demonstrates that:

A. The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.

Findings: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The number of parking spaces proposed is equivalent to the number of spaces needed if the site were redeveloped as a hotel, a permitted use in the Tourist-3000 (T-3000) Zone.

Conclusion: This standard has been met.

B. The conditional use will not materially endanger the health, safety and welfare of the community.

Findings: The Greyhawk parking lot has operated at this site since 2002 with no detrimental effects to the community.

Conclusion: This standard has been met.

C. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

Findings: The Greyhawk parking lot has operated at this site since 2002 with no detrimental effects to the community. Access into the parking lot is via Gates Road (from Warm Springs Road) or Picabo Street (from Jane Lane). Access to the lot does not require vehicles to enter the Pedestrian Access Overlay (PA) Zone. An attendant will be on-site at all times. Analysis developed during the Commission and Council

deliberations on day parking at Warm Springs showed 100,000 less skiers utilizing the Warm Springs Base area since the opening of the River Run Lodge. The Code also requires that the applicant develop a system acceptable to the City, of alerting skiers at the YMCA/Park and Ride Lot when the skier day parking lot is full. This will mitigate unnecessary cars looking for parking. Sun Valley Company does post a sign at the corner of Saddle Road and Warm Springs Road to alert drivers if the parking lot is full.
Conclusion: This standard has been met.

D. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.

Findings: The Greyhawk parking lot has operated at this site since 2002 with no detrimental effects to the community. Access into the parking lot is via Gates Road (from Warm Springs Road) or Picabo Street (from Jane Lane). Access to the lot does not require vehicles to enter the Pedestrian Access Overlay (PA) Zone. An attendant will be on-site at all times. Analysis developed during the Commission and Council deliberations on day parking at Warm Springs showed 100,000 less skiers utilizing the Warm Springs Base area since the opening of the River Run Lodge. The Code also requires that the applicant develop a system acceptable to the City, of alerting skiers at the YMCA/Park and Ride Lot when the skier day parking lot is full. This will mitigate unnecessary cars looking for parking. Sun Valley Company does post a sign at the corner of Saddle Road and Warm Springs Road to alert drivers if the parking lot is full.
Conclusion: This standard has been met.

E. The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.

Findings: The Greyhawk parking lot has operated at this site since 2002, supporting access to the ski area for residents and tourists and providing parking for Warm Springs businesses. The signage at the entrance to Warm Springs indicating whether the lot is full helps to ensure that traffic does not negatively impact the neighborhood. The use of this site as a recreationist parking lot is not in conflict with the Comprehensive Plan or the basic purposes of this section.
Conclusion: This standard has been met.

Per Section 17.56.010.B, off street parking areas are permitted as a conditional use in the Tourist-3000 (T-3000) Zone and are subject to the requirements of Section 17.124.060, Off Street Parking Space, of the Zoning Code:

17.124.060.O.2: EVALUATION STANDARDS:

a. Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the city right-of-way.

Findings: The applicant has maintained gravel at the entry and exit of the lot.

Conclusion: This standard has been met.

b. Trash shall be removed daily from the parking area.

Findings: A Sun Valley Company employee will monitor the site daily during all hours of operation. A parking attendant hut has been added at the entrance to the lot.

Conclusion: This standard has been met.

c. The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the commission.

Findings: Access into the parking lot is via Gates Road (from Warm Springs Road) or Picabo Street (from Jane Lane). Access to the lot does not require vehicles to enter the Pedestrian Access Overlay (PA) Zone. An attendant will be on-site at all times. Analysis developed during the Commission and Council deliberations on day parking at Warm Springs showed 100,000 less skiers utilizing the Warm Springs Base area since the opening of the River Run Lodge. The Code also requires that the applicant develop a system acceptable to the City, of alerting skiers at the YMCA/Park and Ride Lot when the skier day parking lot is full. This will mitigate unnecessary cars looking for parking. Sun Valley Company does post a sign at the corner of Saddle Road and Warm Springs Road to alert drivers if the parking lot is full.

Conclusion: This standard has been met.

d. Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the city street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.

Findings: Traffic is contained within the subject property until it crosses Warm Springs Creek and accesses Gates Road, which has direct access to Warm Springs Road. The access is paved north of the bridge. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.

Conclusion: This standard has been met with a condition to identify and keep clear the ambulance loading zone.

e. The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:

(1) Forty-five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty-five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.

Findings: The lot is 41.54 acres or 1,809,482 square feet. Of this, 6.37 acres or 277,400 square feet is used for parking, circulation and snow storage. The applicant proposes to use 6.5 percent of the site for parking, circulation and snow storage including employee parking. 3.68 acres are designated for snow storage.

Conclusion: This standard has been met.

- (2) All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.

Findings: All proposed parking spaces and aisle widths meet the minimum dimensions.

Conclusion: This standard has been met.

- (3) The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.

- f. The parking area is consistent with the tourist zoning designation within which the lot is located.

Findings: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The number of parking spaces proposed is equivalent to the number of spaces needed if the site were redeveloped as a hotel, a permitted use in the Tourist-3000 (T-3000) Zone.

Conclusion: This standard has been met.

- g. Permanent landscaping is used to help assure that the character of the neighborhood as allowed under the applicable zoning ordinances is not significantly altered. The commission shall determine on a case by case basis if permanent landscaping is appropriate, including analysis of riparian areas.

Findings: Under an earlier CUP application, the applicant installed riparian plantings within twenty-five (25) feet of Warm Springs Creek. The plantings include cottonwood, quaking aspen and a mix of coyote willow and red twig dogwood which was used to fill in the mature landscaping that existed on the site.

Conclusion: This standard has been met.

- h. Curb cuts shall be located away from major intersections and off high volume roadways.

Findings: The access into the parking area is directly off the end of Gates Road (no curb cut is proposed).

Conclusion: This standard has been met.

Per Section (g) above, analysis of the adjacent riparian area along Warm Spring Creek is as follows:

17.88.060(E) WATERWAYS DESIGN REVIEW CRITERIA:

1. Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.

Findings: No work within the twenty-five (25) foot riparian zone is proposed.

Conclusion: This standard has been met.

2. Preservation of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone.

Findings: No work within the twenty-five (25) foot riparian zone is proposed.

Conclusion: This standard has been met.

3. Plan and time frame are provided for restoration of riparian vegetation damaged as a result of the work done.

Findings: No work within the twenty-five (25) foot riparian zone is proposed.

Conclusion: This standard has been met.

4. New or replacement planting and vegetation includes plantings that are low-growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common choke cherry, service berry, elder berry, river birch, skunk bush sumac, beeb's willow, drummond's willow, little wild rose, gooseberry, and honeysuckle.

Findings: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Conclusion: This standard does not apply.

5. Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Flood water carrying capacity is not diminished by the proposal. Surface drainage is controlled and does not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms are designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

Findings: The proposed permit will not alter existing characteristics.

Conclusion: This standard has been met.

6. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.

Findings: All parking, vehicles and man-made impacts will be located outside the twenty-five (25) foot riparian zone.

Conclusion: This standard has been met.

7. Building setback in excess of minimum required along waterways is encouraged.

Findings: No buildings are proposed.

Conclusion: This standard does not apply.

8. The bottom of the lowest floor in the floodplain is a minimum of one (1) foot above the I.R.F.

Findings: No buildings are proposed.

Conclusion: This standard does not apply.

9. The back fill used around the foundation in the floodplain provides a reasonable transition to existing grade, but is not used to fill the parcel to any greater extent.

Findings: No buildings or fill is proposed.

Conclusion: This standard does not apply.

10. Driveways comply with effective Street Standards; access for emergency vehicles has been adequately provided for.

Findings: Parking lot access is appropriate. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.

Conclusion: This standard has been met.

11. Landscaping or revegetation conceals cuts and fills required for driveways and other elements of the development.

Findings: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Conclusion: This standard does not apply.

12. (Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

13. (Stream Alteration) No increase to the 100-year floodplain upstream or downstream has been certified by a registered Idaho engineer.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

14. (Stream Alteration) The recreational use of the stream including access along any and all public pedestrian/fisherman's easements and the aesthetic beauty is not obstructed or interfered with by the proposed work.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

15. Wetlands are not diminished.

Findings: Wetlands are not present on the site.

Conclusion: This standard does not apply.

16. (Stream Alteration) Fish habitat is maintained or improved as a result of the work proposed.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

17. (Stream Alteration) The proposed work is not in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

18. (Stream Alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.

2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning code, Title 17.

3. The Commission has authority to hear the applicant's Conditional Use Permit application pursuant to Chapters 17.56, 17.88, 17.116 and 17.124 of Ketchum Code Title 17.

4. The City of Ketchum Planning Department provided adequate notice for the review of this application.

5. This project, Sun Valley Company Recreationist Parking Lot Conditional Use Permit, **does** meet the standards for approval under Chapters 17.56, 17.88, 17.116 and 17.124 of Ketchum Zoning Code Title 17 only if the following conditions of approval are met.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Conditional Use Permit application on the 10th day of October, 2011, subject to the following conditions:

1. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;

2. At least fifty (50) percent of the approved spaces must be designated as daily parking, excluding the spaces designated for employees: a minimum of 115 spaces must be designated as

daily parking. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full;

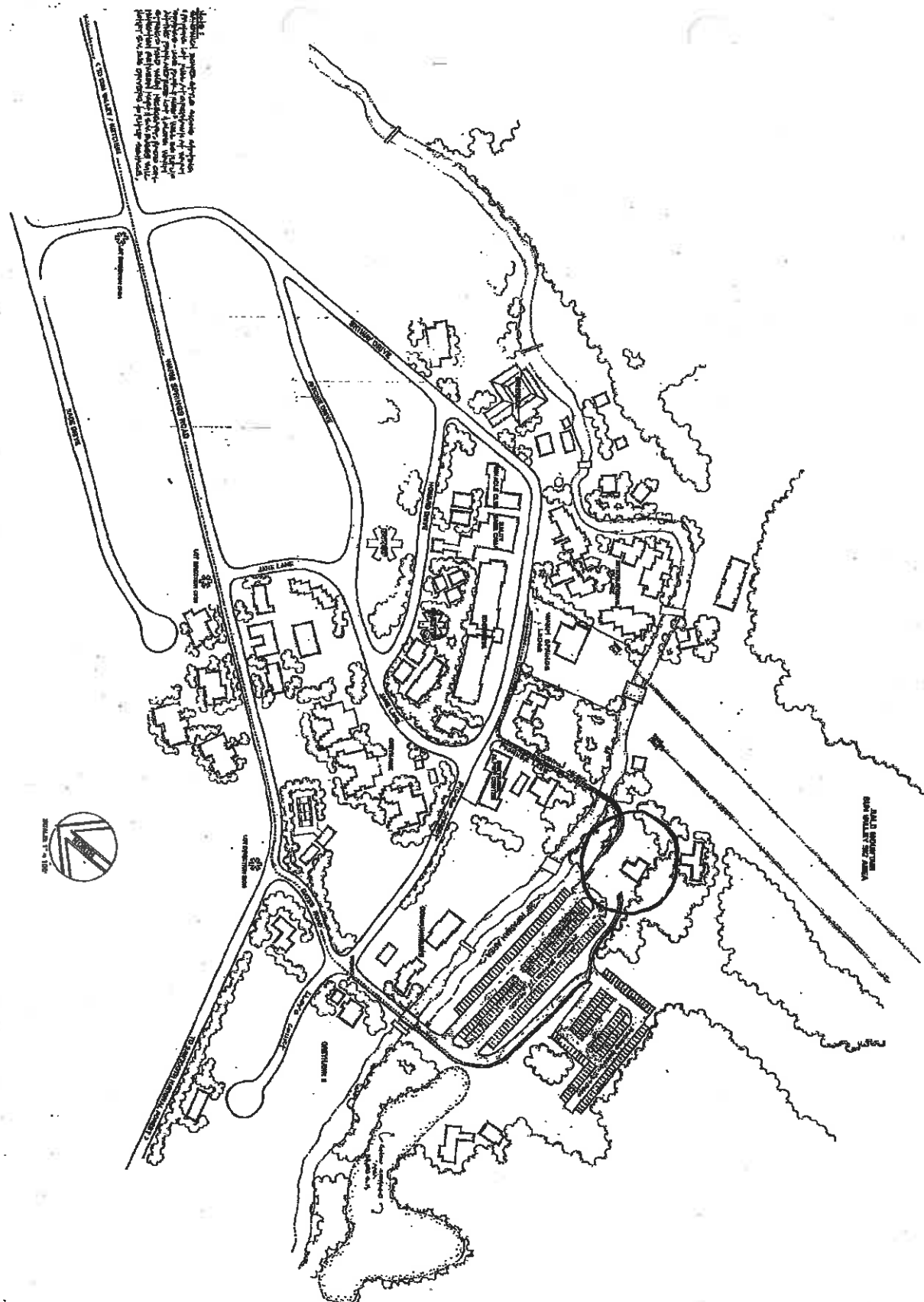
3. Conditional use permits shall not be transferred;
4. Hours of operation shall be from seven (7:00) a.m. to seven (7:00) p.m. Appropriate signs indicating hours of operation shall be posted at each entry;
5. A dustless material shall be placed from the City right-of-way onto the lot, thereby maintaining a dust- and mud-free gravel-based surface;
6. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
7. The ambulance loading zone at the bottom of the Greyhawk ski run shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief.
8. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant; and,
9. No lighting shall be installed.

Findings of Fact **adopted** this 24th day of October, 2011.



Rich Fabiano or Deborah Burns,
Co-Chair Planning and Zoning Commission

Attachment C.
Plans depicting proposed Sun Valley Skier Parking Lot at Greyhawk,
from 2002 CUP application



Attachment D.
Department comments

Rachel Martin

From: Dave Kassner
Sent: Wednesday, October 22, 2014 3:34 PM
To: Rachel Martin
Subject: RE: Sun Valley Company CUP's

Hi Rachel:

I don't have any issues with these permits.

DAVE KASSNER | KETCHUM POLICE

Chief of Police

P.O. Box 3008 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7819 | f: 208.726.7848

dkassner@ketchumpolice.org | www.ketchumidaho.org

Please note: All email correspondence with the City is subject to the Idaho Public Writings Act.

From: Rachel Martin
Sent: Monday, October 20, 2014 2:31 PM
To: Mike Elle; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: Sun Valley Company CUP's

Attached are two Conditional Use Permits for Sun Valley Company. They apply every 3 years for these permits for the Greyhawk parking lot and the equipment storage lot across Puchner bridge.

Please return any comments you'd like to have included in the staff report to me. These applications are scheduled for hearing on November 10th.

Thank you,

RACHEL MARTIN | CITY OF KETCHUM

Planning Technician

P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7801 | f: 208.726.7812

rmartin@ketchumidaho.org | www.ketchumidaho.org

Rachel Martin

From: Mike Elle
Sent: Wednesday, October 22, 2014 2:04 PM
To: Rachel Martin; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: RE: Sun Valley Company CUP's

No concerns or issues.

MIKE ELLE | KETCHUM FIRE DEPARTMENT

Chief of Fire and EMS

P.O. Box 966 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7805 | f: 208.726.7812 | KF7GAO

melle@ketchumfire.org | www.ketchumfire.org

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o: 203.726.7801 | f: 208.726.7812

rmartin@ketchumidaho.org | www.ketchumidaho.org

Rachel Martin

From: Brian Christiansen
Sent: Tuesday, October 21, 2014 9:35 AM
To: Rachel Martin; Mike Elle; Robyn Mattison; Dave Kassner
Subject: RE: Sun Valley Company CUP's

No comments.

BRIAN CHRISTIANSEN | CITY OF KETCHUM

Street Superintendent

P.O. Box 2315 | 200 Tenth Street | Ketchum, ID 83340

o: 208.726.7831 | f: 208.726.7843

bchristiansen@ketchumidaho.org | www.ketchumidaho.org

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No concerns or issues.

MIKE ELLE | KETCHUM FIRE DEPARTMENT

Chief of Fire and EMS

P.O. Box 966 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7805 | f: 208.726.7812 | KF7GAO

melle@ketchumfire.org | www.ketchumfire.org

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rmartin@ketchumidaho.org | www.ketchumidaho.org

CERTIFICATION OF POSTING ON SITE

I, MARGARET WOPK, Sun Valley Company, Sun Valley, Idaho, hereby
certify that the Notice concerning the application by Sun Valley Company for 2
CONDITIONAL USE PERMITS at 319 Puchner Lane and the South End of Gates
Road were posted on-site on 10/30/14, 2014.

CERTIFIED this 11/4/14, 2014.

[Signature]
Signed, Sun Valley Company.

LEGAL NOTICES

SUMMARY STATEMENT REVENUE AND EXPENDITURES JULY 1, 2013 TO JUNE 30, 2014 ALL FUNDS BLAINE COUNTY SCHOOL DISTRICT NO. 81		
REVENUES	BUDGET	ACTUAL
Beginning Balances	\$15,528,868	\$25,924,680
Local Revenue	\$39,453,564	\$41,351,297
Intermediate Revenue		
State Revenue	\$14,774,190	\$14,883,799
Federal Revenue	\$1,997,149	\$1,987,518
Other Revenue	\$1,850,000	\$1,987,033
TOTALS	\$73,598,672	\$86,014,307
EXPENDITURES		
Salaries	\$33,352,012	\$32,527,286
Benefits	\$12,974,725	\$13,380,468
Purchased Services	\$5,243,812	\$5,880,538
Supplies & Materials	\$2,326,768	\$3,218,848
Capital Objects	\$9,963,828	\$5,548,177
Debit Retirement	\$0	\$99,740
Insurance & Judgments	\$186,950	\$228,102
Transfers	\$3,836,332	\$2,076,505
Net Adjustments		
Ending Fund Balance	\$6,594,646	\$23,484,684
TOTALS	\$73,598,672	\$86,421,438

Copies of the school district budget and the annual report are available for public inspection in the administrative offices of the Blaine County School District located at 118 W. Benton St., Hailey, ID

PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22 & 29, 2014

BLAINE COUNTY ORDINANCE NO.
2014-04
AMENDMENTS RELATED TO SELF
STORAGE FACILITIES
IN THE GENERAL COMMERCIAL
DISTRICT

AN ORDINANCE OF BLAINE COUNTY, IDAHO, AMENDING BLAINE COUNTY CODE, TITLE 9, ZONING REGULATIONS, CHAPTER 14, GENERAL COMMERCIAL DISTRICT, SECTION 3, PERMITTED USES, BY ADDING A NEW SUBSECTION (J) SELF STORAGE FACILITIES, PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE.

RECITALS

WHEREAS, an application for this text amendment was filed by Picoabo Livestock Co. on June 26, 2014; WHEREAS, the hearings for this amendment have been noticed consistent with the requirements of Idaho and Blaine County Codes; WHEREAS, the Blaine County Planning and Zoning Commission recommended approval of a revised amendment on August 7, 2014; WHEREAS, the Board of Commission held a public hearing on the proposed amendments on September 23, 2014; WHEREAS, the Board made findings supporting the text amendment as requested by the applicant; WHEREAS, the text amendment as requested by the applicant will not negatively impact potable water sources or delivery of services; and WHEREAS, the text amendment as requested by the applicant is in accordance with the Land Use section of the Blaine County Comprehensive Plan. NOW, THEREFORE, be it ordained by the Board of County Commissioners of Blaine County, Idaho:

SECTION 1. That the Blaine County Code, Title 9, is hereby amended by the addition of the underlined language: 9-14-3. PERMITTED USES: Permitted uses for this district are limited to the following:

- Single-family residential use.
- Business, professional, public or social services offices.
- Gas stations, restaurants, bars, theaters, banks, motels, tourist homes and hotels, car washes, motor vehicles repairs or sales.
- Retail stores and related storage, including commercial nursery and building supply outlet.
- Public utility business offices, repair and storage facilities.
- Light industrial uses.
- Recreational facilities including bowl-

ing alleys.
H. Nursery for children, nursing homes.
I. Repair and personal services.
J. Self storage facilities.

SECTION 2. Severability Clause. The Board of County Commissioners intends that each separate provision of this Ordinance be deemed independent of all other provisions herein, and it is further the intention of said Board that if any of the provisions of this ordinance be declared to be invalid, then all other provisions thereof shall remain valid and enforceable.

SECTION 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

Regularly passed, approved and adopted by the Board of County Commissioners of Blaine County, Idaho, this 14th day of October, 2014.

BOARD OF COUNTY
COMMISSIONERS OF BLAINE
COUNTY, IDAHO

Lawrence Schoen, Chairman
Jacob Greenberg, Vice-Chairman
Angenie McCleary, Commissioner
ATTEST: JoLynn Drage, Clerk (seal)

PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22, 2014

ADVERTISEMENT FOR BIDS

PROJECT TITLE: CITY OF HAILEY,
SNOW REMOVAL SERVICES

Separate sealed BIDS for snow removal services for the 2014/2015 winter season will be received by the City of Hailey at City Hall, 115 Main St South, Hailey, Idaho, 83333, until 2:00 p.m. local time on November 10, 2014, and then at said office publicly opened and read aloud.

The work involves supplying equipment and/or equipment/CDL licensed operators to assist the City of Hailey with snow removal activities from November 2014 through April 2015. Bid forms and specific requirements are available at www.hailevidaho.org. It is the intent of these documents to describe the services required to complete snow removal activities in sufficient detail to secure comparable bids.

In determining the lowest responsible bid, the Owner will consider all acceptable bids on a basis consistent with the bid package. The Owner will also consider whether the bidder is a responsible bidder.

Before a contract will be awarded for work contemplated herein, the Owner will conduct such investigation as is neces-

sary to determine the performance record and ability of the apparent low bidder to perform the type of work specified under this Contract. Upon request, the bidder shall submit such information as deemed necessary by the Owner to evaluate the bidder's qualifications.

All bids must be signed and accompanied by evidence of authority to sign.

The City of Hailey reserves the right to reject any or all proposals, waive any non-material irregularities in the bids received, and to accept the proposal deemed most advantageous to the best interest of the City of Hailey.

October 22, 2014

Date
Marie Platt
City of Hailey, Public Works Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22 & 29, 2014

LEGAL NOTICE

NOTICE IS HEREBY GIVEN pursuant to Idaho State Code 67-6509 that on Monday November 10, 2014 at 6:00 P.M. The Bellevue Planning and Zoning Commission will hold a public meeting at the Bellevue Elementary School in the Cafeteria, located at 305 N. 5th Street, Bellevue, Idaho. A Public hearing shall be heard during the noticed meeting on the following:

The City of Bellevue initiated a text amendment to Resolution #324, known as The Comprehensive Plan for Bellevue and appointed a Citizen's Committee to make recommendations to the Planning and Zoning Commission. The following sections of the Comprehensive Plan are being considered by the Commission for amendment: Chapter 1 Private Property Rights, Chapter 2 Population, Chapter 3 School Facilities and Transportation, Chapter 4 Economic Development, Chapter 5 Land Use, Chapter 6 Natural Resources, Chapter 7 Hazardous Areas, Chapter 8 Public Services, Facilities, and Utilities, Chapter 9, Transportation, Chapter 10, Recreational and Open Space, Chapter 11 Special Areas and Sites, Chapter 12 Housing, Chapter 13 Community Design, Chapter 14 Implementation, and Chapter 15 Historical Preservation.

All interested persons are invited to attend this public meeting and shall be given an opportunity to comment on the amendments being considered or may submit comments in writing by mailing them to the Bellevue City Clerk at P.O. Box 825, Bellevue, Idaho, 83313 or deliver to Bellevue City Hall at 115 East Pine Street, Bellevue, Idaho. Written comments received by the City Clerk addressed to the Bellevue Planning and Zoning Commission prior to 11-06-2014 will be included in the Commission report packet for their review and retained as part of the public record. Applicable documents prepared by the City for this noticed agenda are available upon request to the City Clerk. Needs for special accommodations to participate in the public meetings shall be sent to the Bellevue City Clerk at 208-788-6351 or dbarton@bellevueidaho.us.

PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22, 2014

NOTICE OF A PLANNING AND
ZONING COMMISSION
CONDITIONAL USE PERMIT
HEARINGS
REGARDING TWO APPLICATIONS BY
SUN VALLEY COMPANY
TO BE HELD ON NOVEMBER 10,
2014, 5:30 PM
KETCHUM CITY HALL, 480 EAST
AVENUE NORTH

NOTICE IS HEREBY GIVEN that on Monday, November 10, 2014 at 5:30 PM, in City Hall at 480 East Avenue North, Ketchum, Idaho, the Ketchum Planning and Zoning Commission will take public comment upon the application for two (2) Conditional Use Permits, with regard to the following described property:

- Lot 3, Greyhawk III Subdivision (319 Puchner Lane) and
- Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6556 (South end of Gates Road)

Both properties are located in the Tourist - 3000 (T-3000) and Floodplain Management Overlay (FP) Zones. The application is for equipment storage, employee parking spaces, a public skier/pedestrian pathway to Puchner Lane and

300 parking spaces.

NOTICE IS FURTHER GIVEN that at the aforementioned time and place, all interested persons may appear and shall be given an opportunity to comment on the matter stated above. A copy of the proposed application will be available on the City website (www.ketchumidaho.org) or at the Ketchum Planning Department. Comments and questions prior to the hearing should be directed to the Ketchum Planning Department, P.O. Box 2315, Ketchum, Idaho, 83340, via email to participate@ketchumidaho.org, or via facsimile to (208) 728-7812. Written comments received prior to the hearing shall be made part of the public record at the hearing. For additional information, please call (208) 728-7801.

BY ORDER OF THE KETCHUM
PLANNING AND ZONING
COMMISSION,
DATED this 16th day of October, 2014.

PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22, 2014

IN THE DISTRICT COURT OF THE
FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR
THE COUNTY OF BLAINE

IN THE MATTER OF THE ESTATE OF
CARL MAXIE MANUS,
Deceased.

CASE NO. CV-2014-688
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated, and filed with the Clerk of the Court. DATED this 7th day of October, 2014.
/s/ Kathleen L. Manus
do Lee Ritzau
Luboviski, Wygle, Fallowfield & Ritzau,
P.A.
P.O. Box 1172
Ketchum, ID 83340

PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22, 29 & Nov. 5, 2014

NOTICES OF TRUSTEE'S SALES**NOTICE OF TRUSTEE'S SALE**

Loan No.: 7140288841 T.S. No.: 12-01203-3A On January 16, 2015 10:30 AM, on the front steps of the west side of the Old Courthouse Building, 206 1st Avenue South, Hailey, ID 83333 in the County of Blaine, State of Idaho, Fidelity National Title Insurance Company, as Trustee, on behalf of Deutsche Bank National Trust Company, as Trustee for American Home Mortgage Asset Trust 2007-1, the current Beneficiary, will sell at public auction, to the highest bidder, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows: LOT 3 IN BLOCK 55 OF WOODSIDE SUBDIVISION FINAL PLAT NO. 14, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 162509, RECORDS OF BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Section 60-113 Idaho Code, the Trustee has been informed that the address of: 2950 BERRY CREEK DRIVE, HAILEY, ID, is sometimes associated with said real property. Said sale will be made without covenant or warranty regarding title, possession or encumbrance to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by SUSANNE ZEMAN, AN UNMARRIED WOMAN, as original grantor(s), to FIRST AMERICAN TITLE, as original trustee, for the benefit and security of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR AMERICAN BROKER CONDUIT ITS SUCCESSORS AND OR ASSIGNS, as original beneficiary, dated as of November 27, 2006, and recorded November 30, 2006, as Instrument No. 542330 in the Official Records of the Office of the Recorder of Blaine County,

Idaho, Please Note: The above grantor(s) intended to comply with section 45-1506(4)(A), Idaho Code. No representation is made that they are, or are not, presently responsible for this obligation set forth herein. The current beneficiary is: Deutsche Bank National Trust Company, as Trustee for American Home Mortgage Asset Trust 2007-1, (the "Beneficiary"). Said sale will be made without covenant or warranty, express or implied, regarding title, possession, or encumbrances, to pay the remaining unpaid balance of the obligations secured by and pursuant to the power of sale contained in that certain Deed of Trust. In addition to cash, the Trustee will accept a cashier's check drawn on a state or national bank, a check drawn by a state or federal credit union or a check drawn by a state or federal savings and loan association, savings association or savings bank specified in the Idaho Financial Code and authorized to do business in Idaho, or other such funds as may be acceptable to the trustee. The default(s) for which this sale is to be made under Deed of Trust and Note dated November 27, 2006 are: Failed to pay the monthly payments of \$1,270.73 due from January 1, 2012, together with all subsequent payments; together with late charges due; The principal balance owing as of this date on the obligation secured by said Deed of Trust is \$293,461.75, plus accrued interest at the rate of 2.75700% per annum from December 1, 2011. All delinquent amounts are now due, together with accruing late charges, and interest, unpaid and accruing taxes, assessments, trustee's fees, attorney's fees, and any amounts advanced to protect the security associated with this foreclosure and that the beneficiary elects to sell or cause the trust property to be sold to satisfy said obligation. Dated: September 11, 2014 Fidelity National Title Insurance Company, Trustee 11000 Olson Drive, Suite 101, Rancho Cordova, CA 95670 916-638-0114 Megan Curtis, Authorized Signature SALE INFORMATION CAN BE OBTAINED ON LINE AT www.service-linkapp.com FOR AUTOMATED SALES INFORMATION please call 714-730-2727 A-4486000

PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 1, 8, 15, & 22, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: September 23, 2014 File No.: 7042.13290 Sale date and time (local time): January 27, 2015 at 11:00 AM Sale location: In the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 213 South Third Street Bellevue, ID 83313 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 967 Bellevue, WA 98009 (425) 589-1900 Deed of Trust information (original grantor): Anthony R. Duxley, and Heather D. Duxley, husband and wife Original trustee: Fidelity National Title Insurance Company Original beneficiary: Mortgage Electronic Registration Systems, Inc. as nominee for America's Wholesale Lender Recording date: 11/07/2005 Recorder's instrument number: 528554 County: BLAINE Sum owing on the obligation: as of September 23, 2014: \$336,046.09 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lot 3 in Block 29 of the City of Bellevue, according to the official plat thereof, on file in the Office of the County Recorder, Blaine County, Idaho. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.nwtrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7042.13290) 1002.273122-File No.

PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 8, 15, 22, & 29, 2014

CERTIFICATION OF MAILING

I, Rachel Martin, Planning Technician for the City of Ketchum, Idaho Planning Department, hereby certify that the notice for conditional use permit at the end of gates road, by Sun Valley Co. was mailed to property owners within 300 feet on, Thursday, October 16, 2014. See Attached Mailing List.

CERTIFIED this Thursday, October 16, 2014



Rachel Martin
Planning Technician



**NOTICE OF A PLANNING AND ZONING COMMISSION
CONDITIONAL USE PERMIT HEARINGS
REGARDING TWO APPLICATIONS BY SUN VALLEY COMPANY
TO BE HELD ON NOVEMBER 10, 2014, 5:30 PM
KETCHUM CITY HALL, 480 EAST AVENUE NORTH**

NOTICE IS HEREBY GIVEN that on Monday, November 10, 2014 at 5:30 PM., in City Hall at 480 East Avenue North, Ketchum, Idaho, the Ketchum Planning and Zoning Commission will take public comment upon the application for two (2) Conditional Use Permits, with regard to the following described property:

Lot 3, Greyhawk III Subdivision (319 Puchner Lane)
and

Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6856 (South end of Gates Road)

Both properties are located in the Tourist - 3000 (T-3000) and Floodplain Management Overlay (FP) Zones. The application is for equipment storage, employee parking spaces, a public skier/pedestrian pathway to Puchner Lane and 300 parking spaces.

NOTICE IS FURTHER GIVEN that at the aforementioned time and place, all interested persons may appear and shall be given an opportunity to comment on the matter stated above. A copy of the proposed application will be available on the City website (www.ketchumidaho.org) or at the Ketchum Planning Department. Comments and questions prior to the hearing should be directed to the Ketchum Planning Department, P.O. Box 2315, Ketchum, Idaho, 83340, via email to participate@ketchumidaho.org, or via facsimile to (208) 726-7812. Written comments received prior to the hearing shall be made part of the public record at the hearing. For additional information, please call (208)726-7801.

BY ORDER OF THE KETCHUM PLANNING AND ZONING COMMISSION.

DATED this 21st day of September, 2011.

Rachel Martin
Planning Technician

Owner 1	Owner 2	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3
BARSOITI BRIAN	BCE DEVELOPMENT	BOX 370	KETCHUM ID 83340-0000	
BELANCH ROGER RES TRUST	BELANCH ROGER M TRUSTEE	22020 17TH AVE SE # 200	BOTHELL WA 98021-0000	
BLACKSTOCK REAL ESTATE LLC		579 E ORION CT	BOISE ID 83702-0000	
BLAZING SADDLES L L C		BOX 2990	SUN VALLEY ID 83353-0000	
BLOCK FAMILY LIMITED PARTNERSHIP		C/O CARSTENS HEALTH INDUSTRIES	7310 W WILSON AVE	CHICAGO IL 60656-0000
BLOOM JACOB A	MOORE DEMI GENE	C/O ML MANAGEMENT ASSOC	250 W 57TH ST FL 26	NEW YORK NY 10107-0000
CIMINO ROBERT ANTHONY		BOX 363328	SAN JUAN PR 00936-3328	
GEORGE JANET A		2821 2ND AVE APT 1102	SEATTLE WA 98121-3214	
GREYHAWK MASTER ASOC		BOX 228	SUN VALLEY ID 83353-0000	
GREYHAWK PROPERTIES LLC		BOX 830	KETCHUM ID 83340-0000	
HANCOCK ROBERT L TRUSTEE	HANCOCK AUDREY S TRUSTEE	PO BOX 9012	SEATTLE WA 98109-0000	
HIGH SPEED ASSOCIATES		3326 160TH AVENUE SE, SUITE 15	BELLEVUE WA 98008-0000	
LEWIS JOHN S	LEWIS ELIZABETH H TRUSTEES	425 WEST SANTA INEZ AVE	HILLSBOROUGH CA 94010-0000	
MELBY JAMES E [A]	MELBY PAULA J [A]	C/O THE HEMINGWAYS CONDO ASSOC	PO BOX 2990	SUN VALLEY ID 83353-0000
MERCER MANAGEMENT INC		5820 E MERCER WAY	MERCER ISLAND WA 98040-0000	
MONTE VILLA PROPERTIES LLC		PO BOX 1863	BELLEVUE WA 98009-0000	
NEXTENGINE VENTURES LLC		246 W BROADWAY	NEW YORK NY 10013-0000	
PICABO STREET UNITS 1 & 2 LLC		1752 NW MARKET ST #226	SEATTLE WA 98107-0000	
PINNACLE AT GREYHAWK CONDO		219 S 1ST AVE STE 101	HAILEY ID 83333-0000	
RAGUS MARK G	RAGUS PAM J	219 ANNANDALE RD	PASADENA CA 91105-1407	
RATLIFF MC GAVIK LLC		1114 39TH AVE E	SEATTLE WA 98112-0000	
RCH REALTY LLC		C/O RC HEDREEN	217 PINE ST STE 200	SEATTLE WA 98101-0000
ROBERTS DONN R	ROBERTS PATRICIA E	9435 NE 14TH STREET	BELLEVUE WA 98004-0000	
ROSENBERG LESLIE D		808 LAKESIDE SOUTH	SEATTLE WA 98144-0000	
SAVELLO LLC (D)		451 JACKSON ST	SAN FRANCISCO CA 94111-0000	
SINCLAIR OIL CORPORATION	DBA SUN VALLEY CO	C/O KATHY KERRICK	PO BOX 10	SUN VALLEY ID 83353-0000
SMITH W GRAHAM		BOX 752	KETCHUM ID 83340-0000	
SOMMERVILLE VINTON H TRUSTEE	SOMMERVILLE AMELIA J TRUSTEE	200 NE PACIFIC ST STE 102	SEATTLE WA 98105-0000	
SPALVINS JOHN G		PO BOX 10145	KETCHUM ID 83340-0000	
STEVENS PROPERTIES LP		100 N 9TH STREET STE 200	BOISE ID 83702-0000	
SUN VALLEY RESORTS		BOX 10	SUN VALLEY ID 83353-0000	
SUN VALLEY SKI EDUCATION FOUNDATION		BOX 203	SUN VALLEY ID 83353-0000	
TAYLOR MICKEY W	TAYLOR KAREN LEE	914 164TH S.E. ST #1703	MILL CREEK WA 98012-0000	
TAYLOR ROBERT S		8233 W MERCER WAY	MERCER ISLAND WA 98040-5630	
THOMPSON KEITH B TRUSTEE	THOMPSON BEVERLY B TRUSTEE	138 W LAKE SAMMANISH PKWY SE	BELLEVUE WA 98008-0000	
UNIT 302 LLC		PO BOX 6893	KETCHUM ID 83340-0000	
USFS		BOX 2356	KETCHUM ID 83340-0000	
VANDERKLOOT MATHEW	VANDERKLOOT BARBARA	1755 SUNSET LANE	BANNOCKBURN IL 60015-0000	
VILLAGE CONDO OWNERS		C/O CHARLES DONALDSON	PO BOX 5046	KETCHUM ID 83340-0000
WOODCOCK DOUGLAS A	WOODCOCK CHARLOTTE	16700 SW GREENBRIER	LAKE OSWEGO OR 97034-0000	

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

Pam Morris, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 1 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 22 day of

October, 20 14, and the date of the last publication was

on the 22 day of October, 20 14

Subscribed and sworn to before me this 22 day of

Oct., 20 14

Pam Morris

All Kindred

NOTARY PUBLIC

RESIDING AT HAILEY, IDAHO

MY COMMISSION EXPIRES ON 5/26/17

IDAHO MOUNTAIN EXPRESS

P.O. Box 1013

Ketchum, Idaho 83340

COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 62

Number of Insertions 1

Lines tabular at 9.0 cents/pica

62 Lines straight at 57.04 8.0 cents/pica

Subsequent lines at 7.0 cents/pica

TOTAL COST \$57.04

COPY OF NOTICE

Notice of Hearings
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

City of Ketchum
BILL TO

NOTICE OF A PLANNING AND ZONING COMMISSION CONDITIONAL USE PERMIT HEARINGS

REGARDING TWO APPLICATIONS BY
SUN VALLEY COMPANY

TO BE HELD ON NOVEMBER 10,
2014, 5:30 PM

KETCHUM CITY HALL, 480 EAST
AVENUE NORTH

NOTICE IS HEREBY GIVEN that on Monday, November 10, 2014 at 5:30 PM., in City Hall at 480 East Avenue North, Ketchum, Idaho, the Ketchum Planning and Zoning Commission will take public comment upon the application for two (2) Conditional Use Permits, with regard to the following described property:

Lot 3, Greyhawk III Subdivision (319 Puchner Lane)

and
Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6856 (South end of Gates Road)

Both properties are located in the Tourist - 3000 (T-3000) and Floodplain Management Overlay (FP) Zones. The application is for equipment storage, employee parking spaces, a public skier/pedestrian pathway to Puchner Lane and 300 parking spaces.

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BY ORDER OF THE KETCHUM

ATTACHMENT C.

Roger Belanich
678 West Prospect Street
Seattle, WA 98119

September 28, 2017

Ketchum Planning and Zoning Commission
480 East Ave. N
Ketchum, ID 83340

Re: Sinclair Oil Company
Conditional Use Permit; Parking Lot

Dear Sir or Madam:

We have reviewed the renewal application and in finding that no new structures are planned (Page 5, Article 11) approve of the Conditional Use Permit subject to the following request to the City of Ketchum to be included within the requirement of the Conditional Use Permit:

1. Gates Road is maintained by the Sun Valley Company. Snow removal from Gates Road should not be deposited on either private property adjacent to Gates Road. This is the usual depository and it often amounts to a mound large enough to block our view to the west and of Warm Springs.
2. Our subject property, being the west side of Lot 15, has access only from Gates Road. The Sun Valley Company should not allow snow to inhibit our access to our driveway in any way.

Subject to the foregoing requests I support the approval of the Conditional Use. I commend the Sun Valley Company's improvements and management of the parking lot.

Very truly yours,



Roger Belanich



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF OCTOBER 9th, 2017

PROJECT: Puchner Lane

FILE NUMBER: #17-106

OWNER: Sun Valley Company

REQUEST: Conditional Use Permit (CUP) Renewal for equipment storage, employee parking, and a public skier/pedestrian pathway to Puchner Lane

LOCATION: Lot 2 Greyhawk III Subdivision

ZONING: Tourist-3000 (T-3000)

OVERLAY: Floodplain Management Overlay (FP) Zone

NOTICE: Notice was mailed to Property owners within 300 foot radius of subject property were mailed notice on September 22nd. Notice was posted in three public City locations on September 27th, 2017 and on site on September 27th, 2017.

REVIEWER: Micah Austin, Director
Carl Anderson, Associate Planner

RECOMMENDATION:

ATTACHMENTS:

- A. Application
- B. Findings of Fact 14-111

BACKGROUND

1. The applicant is requesting a renewal of a conditional use permit (CUP #14-111) or employee parking, equipment storage, and a public skier/pedestrian pathway at the end of Puchner Lane. This site has been operating in this manner since the early 1990's, and CUP's have been obtained in 2002, 2005, 2008, 2011 and 2014. If approved, this permit will expire on October 1st, 2022.
2. Parking Facility, Off Site is a conditional use in the Tourist (T), Tourist - 3000 (T-3000) and Tourist - 4000 (T-4000) Zones.

3. The reason that this site is not considered to be accessory to the ski area is that it is a separate parcel.
4. The previous approvals for the conditional use permit stated that the permit shall be valid for three years. Because of the history of good standing with the Conditional Use Permit and the applicants continued use of the subject property for an off-site parking facility, and after consultation with the Ketchum Fire Department and Ketchum Parks Department, Staff recommends that the permit be valid for a five (5) year period from the date of approval.
5. The current application is for the Conditional Use Permit Review only. The previous Waterways Design Review is existing and a re-review is not required for a continuation of the existing use.
6. Staff recommends the conditional use permit duration be extended from the current period of three (3) years to a period of five (5) years.
7. The Commission last approved a Conditional Use Permit for skier day parking for this property on October 24, 2014 (CUP file number 14-111) subject to the following conditions:
 - a. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
 - b. This permit applies to the structure located on the lower level of the subject property only;
 - c. Conditional use permits shall not be transferred;
 - d. The bridge over Warm Springs Creek shall be maintained to its maximum width at all times;
 - e. The applicant shall post a sign on or near the bridge advising that “vehicles shall yield to pedestrians”;
 - f. Trash shall be picked up daily and trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
 - g. There shall be no retail sales conducted on the premises;
 - h. Knapweed control and maintenance of the riparian plantings shall be accomplished by the applicant;
 - i. Fire department access shall be maintained year around. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge.
 - j. Snow removed from the Puchner Lane Bridge shall be stored on Sun Valley Company property; and
 - k. Any and all lighting shall conform to Ketchum’s Dark Skies Ordinance.

Per Code Section 17.88.050(C) Uses Permitted, 3, 4, 5, 6, 7, and 8

- l. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high water mark on any property within the city limits at any time;
- m. No use of pesticides, herbicides, or fertilizers will be allowed within twenty five feet (25') of the mean high water mark on any property within the city limits unless approved by the city arborist. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap within the riparian zone may be used throughout the growing season as needed; and
- n. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

COMMISSION OPTIONS

1. **Denial of the Application:** "Motion to deny the application from owner Sun Valley Company for a Conditional Use Permit application for the equipment storage, employee parking, and a public skier/pedestrian pathway to Puchner Lane, finding the application **does not** meet the standards for approval under Chapter 17.116 of Ketchum Zoning Code, **for the following reasons:** [cite findings for denial]."
2. **Approval of the Application:** "Motion to approve the application from owner Sun Valley Company for a Conditional Use Permit application for the equipment storage, employee parking, and a public skier/pedestrian pathway to Puchner Lane, finding the application **does** meet the standards for approval under Chapter 17.116 of Ketchum Zoning Code, **only if the following conditions are met:** [insert conditions of approval here]"
3. **Continuation of the Application:** "Motion to continue the application from owner Sun Valley Company to a date certain of [insert date of meeting]."

RECOMMENDED CONDITIONS

1. The conditional use permit shall be valid for ~~three (3) years~~ five (5) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
2. This permit applies to the structure located on the lower level of the subject property only;
3. Conditional use permits shall not be transferred;
4. The bridge over Warm Springs Creek shall be maintained to its maximum width at all times;
5. The applicant shall post a sign on or near the bridge advising that "vehicles shall yield to pedestrians";
6. Trash shall be picked up daily and trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
7. There shall be no retail sales conducted on the premises;
8. Knapweed control and maintenance of the riparian plantings shall be accomplished by the applicant;
9. Fire department access shall be maintained year around. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge.
10. Snow removed from the Puchner Lane Bridge shall be stored on Sun Valley Company property; and

11. Any and all lighting shall conform to Ketchum's Dark Skies Ordinance.
12. The applicant shall stake the riparian setback in order to verify the riparian setback by November 1, 2017. Upon staking the riparian setback the applicant shall contact the Planning and Building Director to arrange a site visit with city staff to assess the condition of the riparian setback. By December 31, 2017 the applicant shall submit a Waterways Design Review application with a proposal to restore the riparian zone to a naturalized state.
13. Should the subject parking area encroach into the riparian setback, Sun Valley Company shall apply for an amendment to the existing waterways design review approval, and submit a detailed landscape plan for the entire length of the subject property.

Per Code Section 17.88.050(C) Uses Permitted, 3, 4, 5, 6, 7, and 8

14. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high water mark on any property within the city limits at any time;
15. No use of pesticides, herbicides, or fertilizers will be allowed within twenty five feet (25') of the mean high water mark on any property within the city limits unless approved by the city arborist. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap within the riparian zone may be used throughout the growing season as needed; and
16. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

Table 1: Requirements for All Applications

City Department Comments					
Compliant					
Yes	No	N/A	City Code	City Standards and Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police Department: No comment.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire Department: <ul style="list-style-type: none"> • Sun Valley Company has met its obligations to the fire department as far as ambulance access and maintaining the bridge clear. There have been instances requiring the Fire department to call Sun Valley Co. to clear the ice when the bridge becomes rutted. • I concur that reviewing the CUP every 5 years would be an acceptable change, however, the CUP requirement should remain in perpetuity. 		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Streets Department: No Comment or recommendation.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utilities: No comment.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Parks/Arborist: <ul style="list-style-type: none"> • I concur with Planning Dept.'s recommendation that 3-year review of CUP be dropped a 5 review should occur. • Conditions have been met and no new conditions need to be imposed. 		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: No comment.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the staff report.		

Table 2: Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.A	The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.
			<i>Staff Comments</i>	There is no change from the previous CUP approval in 2014. This standard continues to be met. The subject property is located within the Tourist-3000 zone, which is designated for tourism and related uses. The characteristics of the continued conditional use are compatible with the types of uses permitted in the applicable zone district, and serve to support the adjacent ski area.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.B	The conditional use will not materially endanger the health, safety and welfare of the community.
			<i>Staff Comments</i>	The Puchner Bridge employ parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community. The site can be accessed from either Puchner Lane or Gates Road. There is no change from the previous CUP approval given in 2014. This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.C	The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
			<i>Staff Comments</i>	The Puchner Bridge employ parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community. The site can be accessed from either Puchner Lane or Gates Road. There is no change from the previous CUP approval given in 2014. This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.D	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			<i>Staff Comments</i>	The Puchner Bridge employ parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community. The site can be accessed from either Puchner Lane or Gates Road. There is no change from the previous CUP approval given in 2014. This standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030.E	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.
			<i>Staff Comments</i>	This standard has been met. The 2014 Comprehensive Plan designates the site for commercial employment. The existing equipment storage, employee parking, and a public skier/pedestrian use has been in operation since the 1990's and is not in conflict with either of the policies designated within the Comprehensive Plan.

Table 3: Floodplain Design Review Requirements

1. EVALUATION STANDARDS: 17.88.060(E)				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and Staff Comments
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)1 FLOODPLAIN DEVELOPMENT/WATER WAYS DESIGN REVIEW	Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.
			<i>Staff Comments</i>	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)2	Preservation or enhancement of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone. No construction activities, encroachment or other disturbance into the twenty five foot (25') riparian zone shall be allowed at any time without written City approval per the terms of this ordinance.
			<i>Staff Comments</i>	<i>This standard has not been met. This standard shall be met through conditions.</i>

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)3	No development, other than development by the city of Ketchum or development required for emergency access, shall occur within the twenty five foot (25') riparian zone with the exception of approved stream stabilization work. The planning and zoning commission may approve access to property where no other primary access is available. Private pathways and staircases shall not lead into or through the riparian zone unless deemed necessary by the planning and zoning commission.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)4	Plan and time frame are provided for restoration of riparian vegetation damaged as a result of the work done.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)5	New or replacement planting and vegetation includes plantings that are low-growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common choke cherry, service berry, elder berry, river birch, skunk bush sumac, beeb's willow, drummond's willow, little wild rose, gooseberry, and honeysuckle.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)6	Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Flood water carrying capacity is not diminished by the proposal. Surface drainage is controlled and does not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms are designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.
			Staff Comments	<i>N/C. The proposed permit will not alter existing characteristics.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)7	Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)8	Building setback in excess of minimum required along waterways is encouraged.
			Staff Comments	<i>N/A. No buildings are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)9	The top of the lowest floor of a building located in the 1% annual chance floodplain shall be a minimum of twenty-four inches (24") above the base flood elevation of the subject property.
			Staff Comments	<i>N/A. No buildings are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)10	The back fill used around the foundation in the floodplain provides a reasonable transition to existing grade, but is not used to fill the parcel to any greater extent. Compensatory storage shall be required for any fill placed within the floodplain. A LOMA-F shall be obtained prior to placement of any additional fill in the floodplain.
			Staff Comments	<i>N/A. No buildings are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)11	All new buildings shall be constructed on foundations that are approved by a licensed professional engineer.
			Staff Comments	<i>N/A. No buildings are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)12	Driveways comply with effective Street Standards; access for emergency vehicles has been adequately provided for.
			Staff Comments	<i>N/C. Parking lot access is appropriate. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge. The snow removed from the bridge shall be moved to the south and stored on Sun Valley Company property. This standard has been met.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)13	Landscaping or revegetation conceals cuts and fills required for driveways and other elements of the development.
			Staff Comments	<i>This standard has not been met. This standard shall be met through conditions.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)14	(Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.
			Staff Comments	<i>N/A; no stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)15	(Stream Alteration) No increase to the 100-year floodplain upstream or downstream has been certified by a registered Idaho engineer.
			Staff Comments	<i>N/A; no stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)16	(Stream Alteration) The recreational use of the stream including access along any and all public pedestrian/fisherman's easements and the aesthetic beauty is not obstructed or interfered with by the proposed work.

			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)17	Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with a comparable amount and/or quality of new wetland area or riparian habitat improvement.
			<i>Staff Comments</i>	<i>N/A; no wetlands are affected by the proposed project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)18	(Stream Alteration) Fish habitat is maintained or improved as a result of the work proposed.
			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)19	(Stream Alteration) The proposed work is not in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)20	(Stream Alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.
			<i>Staff Comments</i>	<i>N/A; no stream alteration is proposed</i>

ATTACHMENT A.



City of Ketchum
Planning & Building



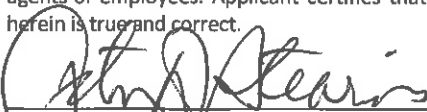
OFFICIAL USE ONLY	
File Number:	17-106
Date Received:	9/5/17
By:	A
Fee Paid:	\$1,600.00
Approved Date:	
Official Stamp:	
File:	

Conditional Use Permit Application

Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: www.ketchumidaho.org and click on Municipal Code.

OWNER INFORMATION	
Project Name: Puchner Parking Lot	
Name of Owner of Record: Sun Valley Company	
Physical Address: 1 Sun Valley Road, PO Box 10 Sun Valley, ID 83353	
Property Legal Description: Lot 2 Greyhawk III Subdivision	
Property Zoning District: Tourist 3000 and Floodplain Management Overlay	
Contact Phone: 208.622.6171	Contact Email: pstearns@sunvalley.com
PROJECT INFORMATION	
Description of Proposed Conditional Use: Renewal of the Conditional Use Permit for employee and guest parking of 26 spaces.	
Description of Proposed and Existing Exterior Lighting:	No proposed lighting with this conditional use.
ADDITIONAL COMMENTS	
Equipment storage and a public skier/pedestrian pathway to Puchner Lane. Previous File No. 14-111	
ACCOMPANYING SUPPORTING INFORMATION REQUIRED	
• Existing Site Plan • Proposed Site Plan • Landscape Plan • Grading and Drainage Plan • Exterior Lighting Plan and Specifications • Other plans and studies related to the social, economic, fiscal, environmental, traffic, and other effects of the proposed conditional use, as required by the Administrator	

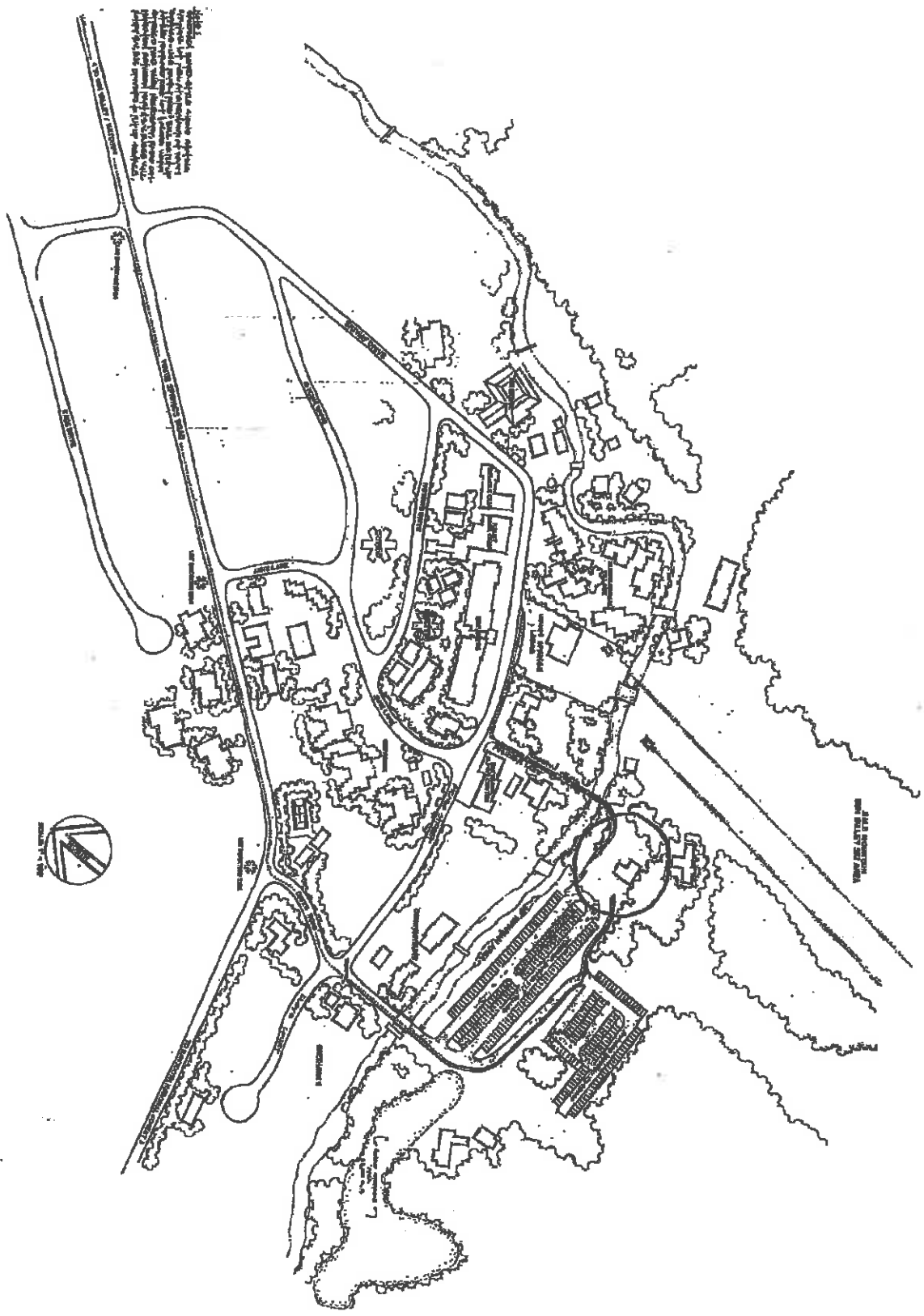
Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortious conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.


Applicant Signature

9.1.2017

Date





2002 SCHEMATIC SITE PLAN OF PROPOSED SUN VALLEY / GREYHAWK SKIER PARKING LOT

PREPARED FOR SUN VALLEY COMPANY
 14000 W. WILLOW AVE. KETCHIKAN, IDAHO
 CLARKSON ASSOCIATES PLANNING AND DESIGN CONSULTANTS KETCHIKAN, IDAHO

July 19, 1999-05

ATTACHMENT B.

File No.: 14-111

CITY OF KETCHUM CONDITIONAL USE PERMIT APPLICATION

Name of Applicant: SUN VALLEY COMPANY

Name of Owner of Record: SUN VALLEY COMPANY

Mailing Address: P.O. BOX 10 SUN VALLEY, IDAHO 83353

Contact Phone Number: 208.622.6151

Street Address of Property Requiring a CUP: 319 A PUCHNER LANE

Legal Description of Property Requiring a CUP: LOT 3, GREYHAWK III SUBDIVISION

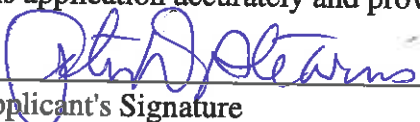
Description of Proposed Conditional Use: RENEWAL OF THE CONDITIONAL USE PERMIT FOR EMPLOYEE AND GUEST PARKING OF 26 SPACES, EQUIPMENT STORAGE AND A PUBLIC SKIER/PEDESTRIAN PATHWAY TO PUCHNER LANE

Description of Proposed and Existing Exterior Lighting: NO PROPOSED LIGHTING WITH THIS CONDITIONAL USE.

Zoning District: TOURIST-3000 AND FLOODPLAIN MANAGEMENT OVERLAY

Overlay District: Flood X Avalanche _____ Pedestrian _____ Mountain _____

The Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Conditional Use Permit Application in which the City of Ketchum is the prevailing party to pay reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. **I hereby acknowledge** I have filled in this application accurately and provided the required information to the best of my knowledge.


Applicant's Signature

Date 9.16.2014

PREVIOUS FILE # 11-058

RECEIVED
SEP 18 2014
CITY OF KETCHUM

Pursuant to Resolution No. 08-123, any direct costs incurred by the City of Ketchum to review this application will be the responsibility of the applicant. Costs include but are not limited to: engineer review, attorney review, legal noticing, and copying costs associated with the application. The City will require a retainer to be paid by the applicant at the time of application submittal to cover said costs. Following a decision or other closure of an application, the applicant will either be reimbursed for unexpended funds or billed for additional costs incurred by the City.

MEMORANDUM TO FILE

File #: 14-058 and 14-059
Application: Sun Valley Company Parking Lot CUP's
From: Rachel Martin, Planning Technician
Date: November 24, 2014



In hind sight after the approval of the 2014 Conditional Use Permits for Sun Valley Company I realized that these applications can be handled differently for their 2017 applications if the code has not been amended at that time and if the company chooses to do so.

If Sun Valley Company applies for an annual year round parking permit in 2017, then they would not be subject to the season parking requirements below. With this change that still requires a CUP, the permit would not expire or need to be renewed every 3 years and will not be subject to the 7am to 7pm hours of operation. The commission could add a condition limiting hours of use for all days except special events such as the end of season party.

The commission indicated their support for these changes at the November 10, 2014 Public Hearing.

The code states:

17.124.060: OFF STREET PARKING SPACE (O)

3. The following are minimum conditions for seasonal parking lots:
 - a. Approved applications shall be valid until May 2000, at which time they shall be reviewed, amended, if necessary, and approved. Thereafter, applications shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the administrator shall verify the complaint and schedule the application for a public hearing before the commission. Completed applications shall be submitted to the planning department by October 1 of each year. The planning and zoning administrator shall have the authority to waive such requirement only upon a showing of good cause.
 - b. Season parking passes only may be sold unless the lot contains more than one hundred (100) spaces. Lots over one hundred (100) spaces may sell daily parking passes. Lots which include daily parking must designate at least fifty percent (50%) of the approved spaces as daily parking, excluding the spaces designated for employees. The sale of daily passes is subject to the applicant staffing the entrance to the parking area and subject to the development of a system,

IN RE:)	
)	
Sun Valley Company Mountain	)	KETCHUM PLANNING AND ZONING
Operations Conditional Use Permit	)	COMMISSION - FINDINGS OF FACT, CONCLUSIONS OF
	)	LAW AND DECISION
File Number: 14-111)	

BACKGROUND FACTS

APPLICANT: Sinclair Oil Company, verified October 16, 2014 with Assessor

REPRESENTATIVE: Peter Stearns, Sun Valley Company

REQUEST: Conditional Use Permit for equipment storage, employee parking, and a public skier/pedestrian pathway to Puchner Lane

LOCATION: Lot 3, Greyhawk III Subdivision (319 Puchner Lane)

REVIEWER: Rachel Martin, Planning Technician

NOTICE: On October 16, 2014, property owners within 300 feet of the subject property were mailed notice of said application. Notice of public hearing was published in the Idaho Mountain Express on October 22, 2014. A copy of the public hearing notice was posted on the subject property on October 30, 2014.

ZONING: Tourist-3000 (T-3000) Zone
Floodplain Management Overlay (FP) Zone

LOT AREA: 2.091 acres

Regulatory Taking Notice: Applicant has the right, pursuant to section 67-8003, Idaho Code, to request a regulatory taking analysis.

GENERAL FINDINGS OF FACT

1. The applicant is proposing to renew the Conditional Use Permit for employee parking, equipment storage, and a public skier/pedestrian pathway at the end of Puchner Lane. This site has been operating in this manner since the early 1990's, and CUP's have been obtained in 2002, 2005, 2008 and 2011 for three (3) year terms. If approved this permit will expire in 2017.
2. Permit day parking is a conditional use in the Tourist (T), Tourist - 3000 (T-3000) and Tourist - 4000 (T-4000) Zones, subject to certain limitations.
3. The reason that this site is not considered to be accessory to the ski area is that it is a separate parcel.
4. The Commission last approved a Conditional Use Permit for mountain operations for this property on October 10, 2011 (CUP file number 11-058), subject to the following conditions:
 - a. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been

violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;

- b. This Permit applies to the structure located on the lower level of the subject property only;
- c. The Conditional Use Permit shall not be transferred;
- d. The bridge over Warm Springs Creek shall be maintained to its maximum width at all times;
- e. The Applicant shall post a sign on or near the bridge advising that "vehicles shall yield to pedestrians";
- f. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
- g. There shall be no retail sales conducted on the premises;
- h. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant;
- i. Fire Department access shall be maintained year around. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge.
- j. Snow removed from the Puchner Lane Bridge shall be stored on Sun Valley Company property; and,
- k. Any and all lighting shall conform to Ketchum's Dark Skies Ordinance.

5. No complaints have been received by the city since issuance of the last conditional use permit in 2011.

6. No public comments were received either written or oral for the public hearing.

EVALUATION STANDARDS

17.116.030 CONDITIONAL USE PERMIT CRITERIA:

1. A conditional use permit shall be granted by the Commission only if the applicant demonstrates that:

A. The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.

Finding: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of

multiple family complexes) and businesses specifically geared to ski related customers. The proposed use supports the neighboring ski area.

Decision: This standard has been met.

B. The conditional use will not materially endanger the health, safety and welfare of the community.

Finding: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community.

Decision: This standard has been met.

C. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

Finding: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community. The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road.

Decision: This standard has been met.

D. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.

Finding: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community. The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road.

Decision: This standard has been met.

E. The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.

Finding: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's, supporting parking for ski area employees and equipment storage. The use of this site as an employee parking lot and for storage is not in conflict with the Comprehensive Plan or the basic purposes of this section.

Decision: This standard has been met.

Per Section 17.56.010.B, off street parking areas are permitted as a conditional use in the Tourist-3000 (T-3000) Zone and are subject to the requirements of Section 17.124.060, Off Street Parking Space, of the Zoning Code:

17.124.060.O.2: EVALUATION STANDARDS:

a. Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the city right-of-way.

Finding: Puchner Lane is paved up to the bridge entrance.

Decision: This standard has been met.

b. Trash shall be removed daily from the parking area.

Finding: The site will be checked for trash along with the larger lot.

Decision: This standard has been met.

c. The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the commission.

Finding: The site contains only 26 employee spaces and will not detrimentally increase traffic.

Decision: This standard has been met.

d. Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the city street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.

Finding: The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge. The snow removed from the bridge must be pushed to the south and stored on Sun Valley Company property.

Decision: This standard has been met with the conditions outlined above.

e. The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:

- (1) Forty-five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty-five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.**

Finding: There is ample room towards the "Puchner House" and the Boot Room Building for stored snow.

Decision: This standard has been met.

- (2) All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.**

Finding: All proposed parking spaces and aisle widths meet the minimum dimensions.

Decision: This standard has been met.

- (3) The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.**

Finding: All proposed parking spaces and aisle widths meet the minimum dimensions. The site contains only 26 employee spaces

Decision: This standard has been met.

f. The parking area is consistent with the tourist zoning designation within which the lot is located.

Finding: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The number of parking spaces proposed is minimal.

Decision: This standard has been met.

g. Permanent landscaping is used to help assure that the character of the neighborhood as allowed under the applicable zoning ordinances is not significantly altered. The commission shall determine on a case by case basis if permanent landscaping is appropriate, including analysis of riparian areas.

Finding: The riparian area has mature landscaping, required by an earlier CUP.

Decision: This standard has been met.

h. Curb cuts shall be located away from major intersections and off high volume roadways.

Finding: The access into the parking area is directly off the end of Puchner Lane (no curb cut is proposed).

Decision: This standard does not apply.

Per Section (g) above, analysis of the adjacent riparian area along Warm Spring Creek is as follows:

17.88.060(E) WATERWAYS DESIGN REVIEW CRITERIA:

1. Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.

Finding: No work within the twenty-five (25) foot riparian zone is proposed.

Decision: This standard has been met.

2. Preservation or enhancement of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone. No construction activities, encroachment or other disturbance into the twenty five foot (25') riparian zone shall be allowed at any time without written City approval per the terms of this ordinance. Finding: Mature vegetation exists along Warm Springs Creek. The applicant planted riparian vegetation in 1999 to supplement the existing vegetation along the stream bank.

Decision: This standard has been met.

3. No development, other than development by the city of Ketchum or development required for emergency access, shall occur within the twenty five foot (25') riparian zone with the exception of approved stream stabilization work. The planning and zoning commission may approve access to property where no other primary access is available. Private pathways and staircases shall not lead into or through the riparian zone unless deemed necessary by the planning and zoning commission.

Finding: No work within the twenty-five (25) foot riparian zone is proposed.

Decision: This standard does not apply.

4. A landscape plan and time frame shall be provided to restore any vegetation within the twenty five foot (25') riparian zone that is degraded, not natural or which does not promote bank stability.

Finding: No work within the twenty-five (25) foot riparian zone is proposed.

Decision: This standard has been met.

5. New or replacement planting and vegetation shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle.

Finding: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Decision: This standard does not apply.

6. Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Floodwater carrying capacity is not diminished by the proposal. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

Finding: The proposed permit will not alter existing characteristics.

Decision: This standard has been met.

7. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.

Finding: All parking, vehicles and man-made impacts will be located outside the twenty-five (25) foot riparian zone.

Decision: This standard has been met.

8. Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback is encouraged to provide for yards, decks and patios outside the twenty five foot (25') riparian zone

Finding: No buildings are proposed.

Decision: This standard does not apply.

9. The top of the lowest floor of a building located in the 1% annual chance floodplain shall be a minimum of twenty four inches (24") above the base flood elevation of the subject property.

Finding: No buildings are proposed.

Decision: This standard does not apply.

10. The backfill used around the foundation in the floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent. Compensatory storage shall be required for any fill placed within the floodplain. A LOMA-F shall be obtained prior to placement of any additional fill in the floodplain.

Finding: No buildings or fill is proposed.

Decision: This standard does not apply.

11. All new buildings shall be constructed on foundations that are approved by a licensed professional engineer.

Finding: Parking lot access is appropriate. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge. The snow removed from the bridge must be pushed to the south and stored on Sun Valley Company property.

Decision: This standard shall be met with conditions.

12. Driveways comply with effective Street Standards; access for emergency vehicles has been adequately provided for.

Finding: The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge. The snow removed from the bridge must be pushed to the south and stored on Sun Valley Company property.

Decision: This standard has been met.

13. Landscaping or revegetation conceals cuts and fills required for driveways and other elements of the development.

Finding: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Decision: This standard has been met.

14. (Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.

Finding: No stream alteration is proposed.

Decision: This standard does not apply.

15. (Stream Alteration) No increase to the 1% annual chance floodplain upstream or downstream has been certified, with supporting calculations, by a registered Idaho hydraulic engineer.

Finding: No stream alteration is proposed.

Decision: This standard does not apply.

16. (Stream Alteration) The recreational use of the stream including access along any and all public pedestrian/fisherman's easements and the aesthetic beauty is not obstructed or interfered with by the proposed work.

Finding: No stream alteration is proposed.

Decision: This standard does not apply.

17. Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with a comparable amount and/or quality of new wetland area or riparian habitat improvement.

Finding: Wetlands are not present on the site.

Decision: This standard does not apply.

18. (Stream Alteration) Fish habitat is maintained or improved as a result of the work proposed.

Finding: No stream alteration is proposed.

Decision: This standard does not apply.

19. (Stream Alteration) The proposed work is not in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.

Finding: No stream alteration is proposed.

Decision: This standard does not apply.

20. (Stream Alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

Finding: No stream alteration is proposed.

Decision: This standard does not apply.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.

2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17.

3. The Planning and Zoning Commission has authority to hear the applicant's Conditional Use Permit application pursuant to Idaho Code Section 67-6512 of the Local Land Use Planning Act and Chapters 17.64 and 17.116 of Ketchum Zoning Code Title 17.

4. The Commission's November 10th, 2014 public hearing and consideration of the applicant's Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512.

5. The application does comply with Ketchum Zoning Code Title 17 and the Ketchum Comprehensive Plan.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Conditional Use Permit application, provided the following conditions are met:

1. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
2. This Permit applies to the structure located on the lower level of the subject property only;
3. The Conditional Use Permit shall not be transferred;
4. The bridge over Warm Springs Creek shall be maintained to its maximum width at all times;
5. The Applicant shall post a sign on or near the bridge advising that "vehicles shall yield to pedestrians";
6. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
7. There shall be no retail sales conducted on the premises;
8. Knapweed control and maintenance of the riparian plantings shall be accomplished by the applicant;
9. Fire Department access shall be maintained year around. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge.
10. Snow removed from the Puchner Lane Bridge shall be stored on Sun Valley Company property; and,
11. Any and all lighting shall conform to Ketchum's Dark Skies Ordinance.

Per Code Section 17.88.050(C) Uses Permitted, 3, 4, 5, 6, 7, and 8

12. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high water mark on any property within the city limits at any time;
13. No use of pesticides, herbicides, or fertilizers will be allowed within twenty five feet (25') of the mean high water mark on any property within the city limits unless approved by the city arborist. All

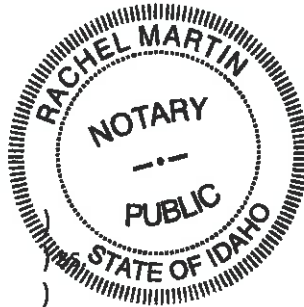
applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap within the riparian zone may be used throughout the growing season as needed; and

14. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

Findings of Fact **adopted** this 24th day of November, 2014.

STATE OF IDAHO

County of Blaine



SP. COOK
Chairperson or Vice Chairperson of the
Ketchum Planning and Zoning Commission

On this 24th day of November, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Steve Cook, known or identified to me to be the person whose name is subscribed to the within instrument.

WITNESS my hand and seal the day and year in this certificate first above written.

Rachel Martin
Notary Public for Idaho
Residing at: Blaine County
Commission Expires: NOV 5, 2019

**STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF NOVEMBER 10, 2014**

PROJECT: Sun Valley Company Mountain Operations Conditional Use Permit (CUP)

FILE NUMBER: 14-111

APPLICANT: Sinclair Oil Company, verified October 16, 2014 with Assessor

REPRESENTATIVE: Peter Stearns, Sun Valley Company

REQUEST: Conditional Use Permit for equipment storage, employee parking, and a public skier/pedestrian pathway to Puchner Lane

LOCATION: Lot 3, Greyhawk III Subdivision (319 Puchner Lane)

REVIEWER: Rachel Martin, Planning Technician

NOTICE: On October 16, 2014, property owners within 300 feet of the subject property were mailed notice of said application. Notice of public hearing was published in the Idaho Mountain Express on October 22, 2014. A copy of the public hearing notice was posted on the subject property on October 30, 2014.

ZONING: Tourist-3000 (T-3000) Zone
Floodplain Management Overlay (FP) Zone

LOT AREA: 2.091 acres

NOTE: Code criteria in bold type.

BACKGROUND:

1. The applicant is proposing to renew the Conditional Use Permit for employee parking, equipment storage, and a public skier/pedestrian pathway at the end of Puchner Lane. This site has been operating in this manner since the early 1990's, and CUP's have been obtained in 2002, 2005, 2008 and 2011 for three (3) year terms. If approved this permit will expire in 2017.
2. Permit day parking is a conditional use in the Tourist (T), Tourist - 3000 (T-3000) and Tourist - 4000 (T-4000) Zones, subject to certain limitations.
3. The reason that this site is not considered to be accessory to the ski area is that it is a separate parcel.

4. The Commission last approved a Conditional Use Permit for mountain operations for this property on October 10, 2011 (CUP file number 11-058), subject to the following conditions:

- a. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
- b. This Permit applies to the structure located on the lower level of the subject property only;
- c. The Conditional Use Permit shall not be transferred;
- d. The bridge over Warm Springs Creek shall be maintained to its maximum width at all times;
- e. The Applicant shall post a sign on or near the bridge advising that "vehicles shall yield to pedestrians";
- f. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
- g. There shall be no retail sales conducted on the premises;
- h. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant;
- i. Fire Department access shall be maintained year around. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge.
- j. Snow removed from the Puchner Lane Bridge shall be stored on Sun Valley Company property; and,
- k. Any and all lighting shall conform to Ketchum's Dark Skies Ordinance.

4. No complaints have been received by the city since issuance of the last conditional use permit in 2011.
5. Attachments to this staff report:
 - a. Application submittal, dated September 18, 2014
 - b. Findings of Fact for expiring Sun Valley Company, Mountain Operations Parking Lot CUP (#11-058), dated October 24, 2011
 - c. Plans depicting proposed Sun Valley Skier Parking Lot at Greyhawk, from 2002 CUP application
 - d. Department comments

17.116.030 CONDITIONAL USE PERMIT CRITERIA:

1. A conditional use permit shall be granted by the Commission only if the applicant demonstrates that:

A. The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.

Staff Analysis: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The proposed use supports the neighboring ski area.

Recommendation: This standard has been met.

B. The conditional use will not materially endanger the health, safety and welfare of the community.

Staff Analysis: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community.

Recommendation: This standard has been met.

C. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

Staff Analysis: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community. The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road.

Recommendation: This standard has been met.

D. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.

Staff Analysis: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community. The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road.

Recommendation: This standard has been met.

E. The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.

Staff Analysis: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's, supporting parking for ski area employees and equipment storage. The use of this site as an employee parking lot and for storage is not in conflict with the Comprehensive Plan or the basic purposes of this section.

Recommendation: This standard has been met.

Per Section 17.56.010.B, off street parking areas are permitted as a conditional use in the Tourist-3000 (T-3000) Zone and are subject to the requirements of Section 17.124.060, Off Street Parking Space, of the Zoning Code:

17.124.060.O.2: EVALUATION STANDARDS:

a. Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the city right-of-way.

Staff Analysis: Puchner Lane is paved up to the bridge entrance.

Recommendation: This standard has been met.

b. Trash shall be removed daily from the parking area.

Staff Analysis: The site will be checked for trash along with the larger lot.

Recommendation: This standard has been met.

c. The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the commission.

Staff Analysis: The site contains only 26 employee spaces and will not detrimentally increase traffic.

Recommendation: This standard has been met.

d. Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the city street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.

Staff Analysis: The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness

of the bridge. The snow removed from the bridge must be pushed to the south and stored on Sun Valley Company property.

Recommendation: This standard has been met with the conditions outlined above.

e. The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:

- (1) Forty-five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty-five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.

Staff Analysis: There is ample room towards the "Puchner House" and the Boot Room Building for stored snow.

Recommendation: This standard has been met.

- (2) All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.

Staff Analysis: All proposed parking spaces and aisle widths meet the minimum dimensions.

Recommendation: This standard has been met.

- (3) The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.

Staff Analysis: All proposed parking spaces and aisle widths meet the minimum dimensions. The site contains only 26 employee spaces

Recommendation: This standard has been met.

f. The parking area is consistent with the tourist zoning designation within which the lot is located.

Staff Analysis: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The number of parking spaces proposed is minimal.

Recommendation: This standard has been met.

g. Permanent landscaping is used to help assure that the character of the neighborhood as allowed under the applicable zoning ordinances is not significantly altered. The commission shall determine on a case by case basis if permanent landscaping is appropriate, including analysis of riparian areas.

Staff Analysis: The riparian area has mature landscaping, required by an earlier CUP.

Recommendation: This standard has been met.

h. Curb cuts shall be located away from major intersections and off high volume roadways.

Staff Analysis: The access into the parking area is directly off the end of Puchner Lane (no curb cut is proposed).

Recommendation: This standard does not apply.

Per Section (g) above, analysis of the adjacent riparian area along Warm Spring Creek is as follows:

17.88.060(E) WATERWAYS DESIGN REVIEW CRITERIA:

1. Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

2. Preservation or enhancement of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone. No construction activities, encroachment or other disturbance into the twenty five foot (25') riparian zone shall be allowed at any time without written City approval per the terms of this ordinance.

Staff Analysis: Mature vegetation exists along Warm Springs Creek. The applicant planted riparian vegetation in 1999 to supplement the existing vegetation along the stream bank.

Recommendation: This standard has been met.

3. No development, other than development by the city of Ketchum or development required for emergency access, shall occur within the twenty five foot (25') riparian zone with the exception of approved stream stabilization work. The planning and zoning commission may approve access to property where no other primary access is available. Private pathways and staircases shall not lead into or through the riparian zone unless deemed necessary by the planning and zoning commission.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard does not apply.

4. A landscape plan and time frame shall be provided to restore any vegetation within the twenty five foot (25') riparian zone that is degraded, not natural or which does not promote bank stability.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed.

Recommendation: This standard has been met.

5. New or replacement planting and vegetation shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Recommendation: This standard does not apply.

6. Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Floodwater carrying capacity is not diminished by the proposal. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

Staff Analysis: The proposed permit will not alter existing characteristics.

Recommendation: This standard has been met.

7. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.

Staff Analysis: All parking, vehicles and man-made impacts will be located outside the twenty-five (25) foot riparian zone.

Recommendation: This standard has been met.

8. Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback is encouraged to provide for yards, decks and patios outside the twenty five foot (25') riparian zone

Staff Analysis: No buildings are proposed.

Recommendation: This standard does not apply.

9. The top of the lowest floor of a building located in the 1% annual chance floodplain shall be a minimum of twenty four inches (24") above the base flood elevation of the subject property.

Staff Analysis: No buildings are proposed.

Recommendation: This standard does not apply.

10. The backfill used around the foundation in the floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent. Compensatory storage shall be required for any fill placed within the floodplain. A LOMA-F shall be obtained prior to placement of any additional fill in the floodplain.

Staff Analysis: No buildings or fill is proposed.

Recommendation: This standard does not apply.

11. All new buildings shall be constructed on foundations that are approved by a licensed professional engineer.

Staff Analysis: Parking lot access is appropriate. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to

the narrowness of the bridge. The snow removed from the bridge must be pushed to the south and stored on Sun Valley Company property.

Recommendation: This standard shall be met with conditions.

12. Driveways comply with effective Street Standards; access for emergency vehicles has been adequately provided for.

Staff Analysis: The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge. The snow removed from the bridge must be pushed to the south and stored on Sun Valley Company property.

Recommendation: This standard has been met.

13. Landscaping or revegetation conceals cuts and fills required for driveways and other elements of the development.

Staff Analysis: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Recommendation: This standard has been met.

14. (Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

15. (Stream Alteration) No increase to the 1% annual chance floodplain upstream or downstream has been certified, with supporting calculations, by a registered Idaho hydraulic engineer.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

16. (Stream Alteration) The recreational use of the stream including access along any and all public pedestrian/fisherman's easements and the aesthetic beauty is not obstructed or interfered with by the proposed work.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

17. Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with a comparable amount and/or quality of new wetland area or riparian habitat improvement.

Staff Analysis: Wetlands are not present on the site.

Recommendation: This standard does not apply.

18. (Stream Alteration) Fish habitat is maintained or improved as a result of the work proposed.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

19. (Stream Alteration) The proposed work is not in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

20. (Stream Alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

Staff Analysis: No stream alteration is proposed.

Recommendation: This standard does not apply.

FOR MOTION PURPOSES:

This project, Sun Valley Company mountain operations, **does not** meet the standards for approval under Chapters 17.56, 17.88, 17.116 and 17.124 of Ketchum Zoning Code Title 17 **because of the following standards** (Commission to insert reasons for denial).

or,

This project, Sun Valley Company mountain operations, **does** meet the standards for approval under Chapters 17.56, 17.88, 17.116 and 17.124 of Ketchum Zoning Code Title 17 provided the following conditions of approval are met.

PROPOSED CONDITIONS:

1. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
2. This Permit applies to the structure located on the lower level of the subject property only;
3. The Conditional Use Permit shall not be transferred;

4. The bridge over Warm Springs Creek shall be maintained to its maximum width at all times;
5. The Applicant shall post a sign on or near the bridge advising that "vehicles shall yield to pedestrians";
6. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
7. There shall be no retail sales conducted on the premises;
8. Knapweed control and maintenance of the riparian plantings shall be accomplished by the applicant;
9. Fire Department access shall be maintained year around. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge.
10. Snow removed from the Puchner Lane Bridge shall be stored on Sun Valley Company property; and,
11. Any and all lighting shall conform to Ketchum's Dark Skies Ordinance.

Per Code Section 17.88.050(C) Uses Permitted, 3, 4, 5, 6, 7, and 8

12. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high water mark on any property within the city limits at any time;
13. No use of pesticides, herbicides, or fertilizers will be allowed within twenty five feet (25') of the mean high water mark on any property within the city limits unless approved by the city arborist. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap within the riparian zone may be used throughout the growing season as needed; and
14. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

Attachment A
Application submittal, dated September 18, 2014

File No.: 14-111

CITY OF KETCHUM CONDITIONAL USE PERMIT APPLICATION

Name of Applicant: SUN VALLEY COMPANY

Name of Owner of Record: SUN VALLEY COMPANY

Mailing Address: P.O. BOX 10 SUN VALLEY, IDAHO 83353

Contact Phone Number: 208.622.6151

Street Address of Property Requiring a CUP: 319 A PUCHNER LANE

Legal Description of Property Requiring a CUP: LOT 3, GREYHAWK III SUBDIVISION


Description of Proposed Conditional Use: RENEWAL OF THE CONDITIONAL USE PERMIT FOR EMPLOYEE AND GUEST PARKING OF 26 SPACES, EQUIPMENT STORAGE AND A PUBLIC SKIER/PEDESTRIAN PATHWAY TO PUCHNER LANE

Description of Proposed and Existing Exterior Lighting: NO PROPOSED LIGHTING WITH THIS CONDITIONAL USE.

Zoning District: TOURIST - 3000 AND FLOODPLAIN MANAGEMENT OVERLAY

Overlay District: Flood X Avalanche Pedestrian Mountain

The Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Conditional Use Permit Application in which the City of Ketchum is the prevailing party to pay reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. **I hereby acknowledge** I have filled in this application accurately and provided the required information to the best of my knowledge.


Applicant's Signature

Date 9.16.2014

PREVIOUS FILE # 11-058

RECEIVED

SEP 18 2014

CITY OF KETCHUM

Pursuant to Resolution No. 08-123, any direct costs incurred by the City of Ketchum to review this application will be the responsibility of the applicant. Costs include but are not limited to: engineer review, attorney review, legal noticing, and copying costs associated with the application. The City will require a retainer to be paid by the applicant at the time of application submittal to cover said costs. Following a decision or other closure of an application, the applicant will either be reimbursed for unexpended funds or billed for additional costs incurred by the City.

Attachment B.
Findings of Fact for expiring CUP dated October 10, 2011

IN RE:)	
)	
Sun Valley Company	)	KETCHUM PLANNING AND ZONING
Mountain Operations CUP	)	COMMISSION - FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW AND DECISION
File Number: 11-058)	

BACKGROUND FACTS

OWNER: Sinclair Oil Company, verified September 22, 2011 with Assessor

REPRESENTATIVE: Peter Stearns, Sun Valley Company

REQUEST: Conditional Use Permit for equipment storage, employee parking, and a public skier/pedestrian pathway to Puchner Lane

LOCATION: Lot 3, Greyhawk III Subdivision (319 Puchner Lane)

NOTICE: On September 20, 2011, property owners within 300 feet of the subject property were mailed notice of said application. Notice of public hearing was published in the Idaho Mountain Express on September 21, 2011. At their regularly scheduled meeting of September 12, 2011, the Commission moved that no additional area beyond the three hundred feet may be substantially impacted. A copy of the public hearing notice was posted on the subject property on September 23, 2011.

ZONING: Tourist-3000 (T-3000) Zone
Floodplain Management Overlay (FP) Zone

LOT AREA: 2.091 acres

REVIEWER: Rebecca F. Bundy, Associate Planner

Regulatory Taking Notice: Applicant has the right, pursuant to section 67-8003, Idaho Code, to request a regulatory taking analysis.

GENERAL FINDINGS OF FACT

1. The applicant is proposing to renew the Conditional Use Permit for employee parking, equipment storage, and a public skier/pedestrian pathway at the end of Puchner Lane. This site has been operating in this manner since the early 1990's, and CUP's have been obtained in 2002, 2005 and 2008.

2. The City Council approved an amendment to the Zoning Code to permit day parking as a conditional use in the Tourist (T), Tourist - 3000 (T-3000) and Tourist - 4000 (T-4000) Zones, subject to certain limitations.
3. The reason that this site is not considered to be accessory to the ski area is that it is a separate parcel.
4. The Commission last approved a Conditional Use Permit for mountain operations for this property on April 14, 2008 (CUP file number 08-005), subject to the following conditions:
 - a. The Conditional Use Permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
 - b. This Permit applies to the structure located in the lower level of the subject property only;
 - c. The Conditional Use Permit shall not be transferred;
 - d. The bridge over Warm Springs Creek shall be maintained to its maximum width at all times;
 - e. The Applicant shall post a sign on or near the bridge advising that "vehicles shall yield to pedestrians;
 - f. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
 - g. There shall be no retail sales conducted on the premises;
 - h. Knapweed control and maintenance of the riparian plantings shall be accomplished by the Applicant;
 - i. Fire Department access shall be maintained year around. This shall include maintaining free of obstruction access to and through the adjacent parking lot as depicted on the site plan and the pedestrian walkway between the parking lot and the structure located on the lower level of the subject property; and,
 - j. Any and all lighting shall conform to Dark Sky Ordinance.
5. The Commission held a public hearing on this Conditional Use Permit application at their regular meeting of October 10, 2011. Property owners within 300 feet were noticed. No public comment was received in advance or given at the hearing. The Commission unanimously approved the CUP, with a minor modification to the wording in Condition 8 (inserting "Noxious weed" for "Knapweed"), at their meeting.
6. Attachments to the Staff Report, October 10, 2011:

- A. Application submittal, dated August 12, 2011
- B. Findings of Fact for expiring Mountain Operations CUP (#08-005), dated April 28, 2008
- C. Plans depicting proposed Sun Valley Skier Parking Lot at Greyhawk, from 2002 CUP application
- D. Department comments

17.116.030 CONDITIONAL USE PERMIT CRITERIA:

1. A conditional use permit shall be granted by the Commission only if the applicant demonstrates that:

- A. The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.**

Findings: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The proposed use supports the neighboring ski area.

Conclusion: This standard has been met.

- B. The conditional use will not materially endanger the health, safety and welfare of the community.**

Findings: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community.

Conclusion: This standard has been met.

- C. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.**

Findings: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community. The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road.

Conclusion: This standard has been met.

- D. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.**

Findings: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's with no detrimental effects to the community. The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road.

Conclusion: This standard has been met.

- E. The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.**

Findings: The Puchner Bridge employee parking lot and equipment storage area has operated at this site since the 1990's, supporting parking for ski area employees and equipment storage. The use of this site as an employee parking lot and for storage is not in conflict with the Comprehensive Plan or the basic purposes of this section.

Conclusion: This standard has been met.

Per Section 17.56.010.B, off street parking areas are permitted as a conditional use in the Tourist-3000 (T-3000) Zone and are subject to the requirements of Section 17.124.060, Off Street Parking Space, of the Zoning Code:

17.124.060.O.2: EVALUATION STANDARDS:

- a. Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the city right-of-way.**

Findings: Puchner Lane is paved up to the bridge entrance.

Conclusion: This standard has been met.

- b. Trash shall be removed daily from the parking area.**

Findings: The site will be checked for trash along with the larger lot.

Conclusion: This standard has been met.

- c. The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the commission.**

Findings: The site contains only 26 employee spaces and will not detrimentally increase traffic.

Conclusion: This standard has been met.

- d. Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the city street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.**

Findings: The site can be accessed both by Puchner Lane and via a fire lane through the skier parking lot to Gates Road. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge. The snow removed from the bridge must be pushed to the south and stored on Sun Valley Company property.

Conclusion: This standard has been met with the conditions outlined above.

- e. The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:**

- (1) Forty-five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty-five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.

Findings: There is ample room towards the "Puchner House" and the Boot Room Building for stored snow.

Conclusion: This standard has been met.

- (2) All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.

Findings: All proposed parking spaces and aisle widths meet the minimum dimensions.

Conclusion: This standard has been met.

- (3) The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.

- f. The parking area is consistent with the tourist zoning designation within which the lot is located.

Findings: The subject property is at the base of the ski mountain. The property is zoned for tourism and related uses. The neighborhood includes residential units (mostly in the form of multiple family complexes) and businesses specifically geared to ski related customers. The number of parking spaces proposed is minimal.

Conclusion: This standard has been met.

- g. Permanent landscaping is used to help assure that the character of the neighborhood as allowed under the applicable zoning ordinances is not significantly altered. The commission shall determine on a case by case basis if permanent landscaping is appropriate, including analysis of riparian areas.

Findings: The riparian area has mature landscaping, required by an earlier CUP.

Conclusion: This standard has been met.

- h. Curb cuts shall be located away from major intersections and off high volume roadways.

Findings: The access into the parking area is directly off the end of Puchner Lane (no curb cut is proposed).

Conclusion: This standard does not apply.

Per Section (g) above, analysis of the adjacent riparian area along Warm Spring Creek is as follows:

17.88.060(E) WATERWAYS DESIGN REVIEW CRITERIA:

1. Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.

Findings: No work within the twenty-five (25) foot riparian zone is proposed.

Conclusion: This standard has been met.

2. Preservation of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone.

Findings: Mature vegetation exists along Warm Springs Creek. The applicant planted riparian vegetation in 1999 to supplement the existing vegetation along the stream bank.

Conclusion: This standard has been met.

3. Plan and time frame are provided for restoration of riparian vegetation damaged as a result of the work done.

Findings: No work within the twenty-five (25) foot riparian zone is proposed.

Conclusion: This standard does not apply.

4. New or replacement planting and vegetation includes plantings that are low-growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common choke cherry, service berry, elder berry, river birch, skunk bush sumac, beeb's willow, drummond's willow, little wild rose, gooseberry, and honeysuckle.

Findings: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Conclusion: This standard does not apply.

5. Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Flood water carrying capacity is not diminished by the proposal. Surface drainage is controlled and does not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms are designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

Findings: The proposed permit will not alter existing characteristics.

Conclusion: This standard has been met.

6. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.

Findings: All parking, vehicles and man-made impacts will be located outside the twenty-five (25) foot riparian zone.

Conclusion: This standard has been met.

7. Building setback in excess of minimum required along waterways is encouraged.

Findings: No buildings are proposed.

Conclusion: This standard does not apply.

8. The bottom of the lowest floor in the floodplain is a minimum of one (1) foot above the I.R.F.

Findings: No buildings are proposed.

Conclusion: This standard does not apply.

9. The back fill used around the foundation in the floodplain provides a reasonable transition to existing grade, but is not used to fill the parcel to any greater extent.

Findings: No buildings or fill is proposed.

Conclusion: This standard does not apply.

10. Driveways comply with effective Street Standards; access for emergency vehicles has been adequately provided for.

Findings: Parking lot access is appropriate. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge. The snow removed from the bridge must be pushed to the south and stored on Sun Valley Company property.

Conclusion: This standard shall be met with conditions.

11. Landscaping or revegetation conceals cuts and fills required for driveways and other elements of the development.

Findings: No work within the twenty-five (25) foot riparian zone is proposed. The applicant planted the riparian zone under the previous conditional use permit.

Conclusion: This standard has been met.

12. (Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

13. (Stream Alteration) No increase to the 100-year floodplain upstream or downstream has been certified by a registered Idaho engineer.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

14. (Stream Alteration) The recreational use of the stream including access along any and all public pedestrian/fisherman's easements and the aesthetic beauty is not obstructed or interfered with by the proposed work.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

15. Wetlands are not diminished.

Findings: Wetlands are not present on the site.

Conclusion: This standard does not apply.

16. (Stream Alteration) Fish habitat is maintained or improved as a result of the work proposed.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

17. (Stream Alteration) The proposed work is not in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

18. (Stream Alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

Findings: No stream alteration is proposed.

Conclusion: This standard does not apply.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.

2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning code, Title 17.

3. The Commission has authority to hear the applicant's Conditional Use Permit application pursuant to Chapters 17.56, 17.88, 17.116 and 17.124 of Ketchum Code Title 17.

4. The City of Ketchum Planning Department provided adequate notice for the review of this application.

5. This project, Sun Valley Company Mountain Operations Conditional Use Permit, **does** meet the standards for approval under Chapters 17.56, 17.88, 17.116 and 17.124 of Ketchum Zoning Code Title 17 only if the following conditions of approval are met.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Conditional Use Permit application on the 10th day of October, 2011, subject to the following conditions:

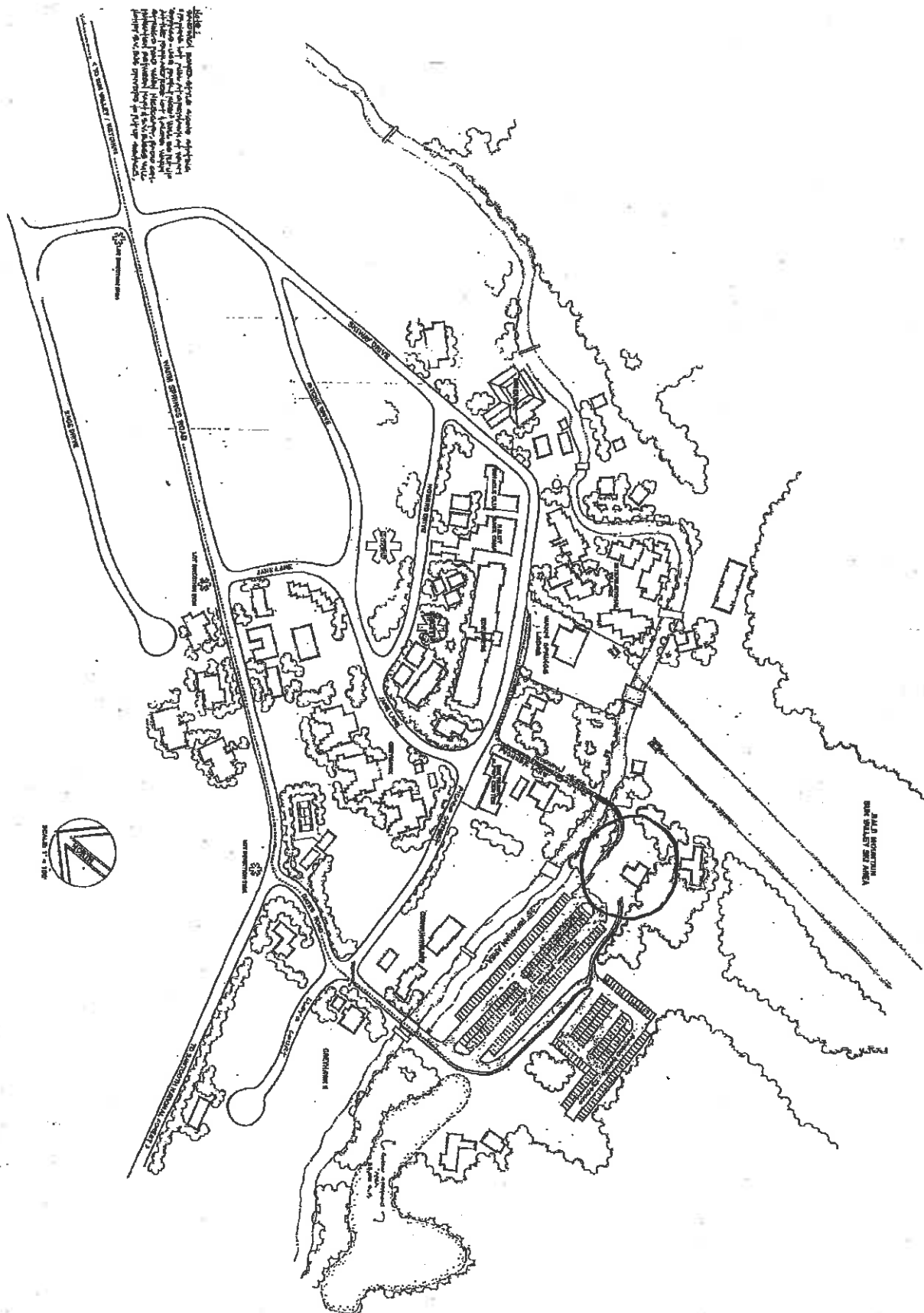
1. The conditional use permit shall be valid for three (3) years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have authority to waive said requirement only upon a showing of good cause;
2. This Permit applies to the structure located on the lower level of the subject property only;
3. The Conditional Use Permit shall not be transferred;
4. The bridge over Warm Springs Creek shall be maintained to its maximum width at all times;
5. The Applicant shall post a sign on or near the bridge advising that "vehicles shall yield to pedestrians";
6. Trash shall be picked up daily and a trash container shall be located where the pathway to the ski area and the Fire Department turnaround intersect;
7. There shall be no retail sales conducted on the premises;
8. Noxious weed control and maintenance of the riparian plantings shall be accomplished by the applicant;
9. Fire Department access shall be maintained year around. The ambulance loading zone at the Puchner Lane location shall be clearly marked as such and maintained clear and unobstructed at all times, pursuant to the requirements to the Ketchum Fire Chief. The bridge over Warm Springs at Puchner Lane shall be plowed and maintained clear of ruts in the ice to prevent damage to emergency vehicles due to the narrowness of the bridge;
10. Snow removed from the Puchner Lane Bridge shall be stored on Sun Valley Company property; and,
11. Any and all lighting shall conform to Ketchum's Dark Skies Ordinance.

Findings of Fact **adopted** this 24th day of October, 2011.

A handwritten signature in black ink, appearing to be 'RF' or 'DB' with a long horizontal stroke extending to the right.

Rich Fabiano or Deborah Burns,
Co-Chair Planning and Zoning Commission

Attachment C.
Plans depicting proposed Sun Valley Skier Parking Lot at Greyhawk,
from 2002 CUP application



2002 SCHEMATIC SITE PLAN OF PROPOSED SUN VALLEY / GREYHAWK SKIER PARKING LOT

PREPARED FOR SUN VALLEY COMPANY
 GALENA ENGINEERING, KETCHUM, IDAHO
 CLENN'S ASSOCIATES' PLANNING AND DESIGN CONSULTANTS, KETCHUM, IDAHO



Attachment D.
Department comments

Rachel Martin

From: Dave Kassner
Sent: Wednesday, October 22, 2014 3:34 PM
To: Rachel Martin
Subject: RE: Sun Valley Company CUP's

Hi Rachel:

I don't have any issues with these permits.

DAVE KASSNER | KETCHUM POLICE

Chief of Police

P.O. Box 3008 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7819 | f: 208.726.7848

dkassner@ketchumpolice.org | www.ketchumidaho.org

Please note: All email correspondence with the City is subject to the Idaho Public Writings Act.

From: Rachel Martin
Sent: Monday, October 20, 2014 2:31 PM
To: Mike Elle; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: Sun Valley Company CUP's

Attached are two Conditional Use Permits for Sun Valley Company. They apply every 3 years for these permits for the Greyhawk parking lot and the equipment storage lot across Puchner bridge.

Please return any comments you'd like to have included in the staff report to me. These applications are scheduled for hearing on November 10th.

Thank you,

RACHEL MARTIN | CITY OF KETCHUM

Planning Technician

P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7801 | f: 208.726.7812

rmartin@ketchumidaho.org | www.ketchumidaho.org

Rachel Martin

From: Mike Elle
Sent: Wednesday, October 22, 2014 2:04 PM
To: Rachel Martin; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: RE: Sun Valley Company CUP's

No concerns or issues.

MIKE ELLE | KETCHUM FIRE DEPARTMENT

Chief of Fire and EMS

P.O. Box 966 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7805 | f: 208.726.7812 | KF7GAO

melle@ketchumfire.org | www.ketchumfire.org

From: Rachel Martin
Sent: Monday, October 20, 2014 2:31 PM
To: Mike Elle; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: Sun Valley Company CUP's

Attached are two Conditional Use Permits for Sun Valley Company. They apply every 3 years for these permits for the Greyhawk parking lot and the equipment storage lot across Puchner bridge.

Please return any comments you'd like to have included in the staff report to me. These applications are scheduled for hearing on November 10th.

Thank you,

RACHEL MARTIN | CITY OF KETCHUM

Planning Technician

P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7801 | f: 208.726.7812

rmartin@ketchumidaho.org | www.ketchumidaho.org

Rachel Martin

From: Brian Christiansen
Sent: Tuesday, October 21, 2014 9:35 AM
To: Rachel Martin; Mike Elle; Robyn Mattison; Dave Kassner
Subject: RE: Sun Valley Company CUP's

No comments.

BRIAN CHRISTIANSEN | CITY OF KETCHUM

Street Superintendent

P.O. Box 2315 | 200 Tenth Street | Ketchum, ID 83340

o: 208.726.7831 | f: 208.726.7843

bchristiansen@ketchumidaho.org | www.ketchumidaho.org

From: Rachel Martin
Sent: Monday, October 20, 2014 2:31 PM
To: Mike Elle; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: Sun Valley Company CUP's

Attached are two Conditional Use Permits for Sun Valley Company. They apply every 3 years for these permits for the Greyhawk parking lot and the equipment storage lot across Puchner bridge.

Please return any comments you'd like to have included in the staff report to me. These applications are scheduled for hearing on November 10th.

Thank you,

RACHEL MARTIN | CITY OF KETCHUM

Planning Technician

P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7801 | f: 208.726.7812

rmartin@ketchumidaho.org | www.ketchumidaho.org

CERTIFICATION OF POSTING ON SITE

I, MARGARET WORK, Sun Valley Company, Sun Valley, Idaho, hereby certify that the Notice concerning the application by Sun Valley Company for 2 CONDITIONAL USE PERMITS at 319 Puchner Lane and the South End of Gates Road were posted on-site on 10/30/14, 2014.

CERTIFIED this 11/4/14, 2014.

MW
Signed, Sun Valley Company.

LEGAL NOTICES

SUMMARY STATEMENT REVENUE AND EXPENDITURES JULY 1, 2013 TO JUNE 30, 2014 ALL FUNDS BLAINE COUNTY SCHOOL DISTRICT NO. 81		
REVENUES	BUDGET	ACTUAL
Beginning Balances	\$15,523,988	\$25,824,880
Local Revenue	\$39,453,564	\$41,351,287
Intermediate Revenue		
State Revenue	\$14,774,190	\$14,883,799
Federal Revenue	\$1,897,149	\$1,887,518
Other Revenue	\$1,850,000	\$1,887,033
TOTALS	\$73,598,872	\$86,014,307
EXPENDITURES		
Salaries	\$33,352,012	\$32,527,295
Benefits	\$12,974,725	\$13,380,489
Purchased Services	\$5,243,612	\$5,880,538
Supplies & Materials	\$2,326,768	\$3,216,048
Capital Objects	\$8,983,828	\$5,540,177
Debt Retirement	\$0	\$98,740
Insurance & Judgments	\$180,950	\$226,102
Transfers	\$3,638,332	\$2,978,505
Net Adjustments		
Ending Fund Balance	\$8,584,946	\$23,484,964
TOTALS	\$73,598,872	\$86,014,307

Copies of the school district budget and the annual report are available for public inspection in the administrative offices of the Blaine County School District, located at 118 W. Sullivan St., Hailey, ID.

**PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22 & 29, 2014**

**BLAINE COUNTY ORDINANCE NO.
2014-04
AMENDMENTS RELATED TO SELF
STORAGE FACILITIES
IN THE GENERAL COMMERCIAL
DISTRICT**

AN ORDINANCE OF BLAINE COUNTY, IDAHO, AMENDING BLAINE COUNTY CODE, TITLE 9, ZONING REGULATIONS, CHAPTER 14, GENERAL COMMERCIAL DISTRICT, SECTION 3, PERMITTED USES, BY ADDING A NEW SUBSECTION (J) SELF STORAGE FACILITIES, PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE.

RECALLS

WHEREAS, an application for this text amendment was filed by Picozo Livestock Co. on June 26, 2014; WHEREAS, the hearings for this amendment have been noticed consistent with the requirements of Idaho and Blaine County Codes; WHEREAS, the Blaine County Planning and Zoning Commission recommended approval of a revised amendment on August 7, 2014; WHEREAS, the Board of Commission held a public hearing on the proposed amendments on September 23, 2014; WHEREAS, the Board made findings supporting the text amendment as requested by the applicant; WHEREAS, the text amendment as requested by the applicant will not negatively impact potable water sources or delivery of services; and WHEREAS, the text amendment as requested by the applicant are in accordance with the Land Use section of the Blaine County Comprehensive Plan. NOW, THEREFORE, be it ordained by the Board of County Commissioners of Blaine County, Idaho:

SECTION 1. That the Blaine County Code, Title 9, is hereby amended by the addition of the underlined language: 9-14-3: PERMITTED USES: Permitted uses for this district are limited to the following:

- Single-family residential use.
- Business, professional, public or social services offices.
- Gas stations, restaurants, bars, theaters, banks, motels, tourist homes and hotels, car washes, motor vehicles repairs or sales.
- Retail stores and related storage, including commercial nursery and building supply outlet.
- Public utility business offices, repair and storage facilities.
- Light industrial uses.
- Recreational facilities including bowl-

ing alleys.
H. Nursery for children, nursing homes.
I. Repair and personal services.
J. Self storage facilities.

SECTION 2. Severability Clause. The Board of County Commissioners intends that each separate provision of this Ordinance be deemed independent of all other provisions herein, and it is further the intention of said Board that if any of the provisions of this ordinance be declared to be invalid, then all other provisions thereof shall remain valid and enforceable.

SECTION 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

Regularly passed, approved and adopted by the Board of County Commissioners of Blaine County, Idaho, this 14th day of October, 2014.

**BOARD OF COUNTY
COMMISSIONERS OF BLAINE
COUNTY, IDAHO**

Lawrence Schoen, Chairman
Jacob Greenberg, Vice-Chairman
Angerie McGee, Commissioner
ATTEST: JoLynn Drage, Clerk (seal)

**PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22, 2014**

ADVERTISEMENT FOR BIDS

**PROJECT TITLE: CITY OF HAILEY,
SNOW REMOVAL SERVICES**

Separate sealed BIDS for snow removal services for the 2014/2015 winter season will be received by the City of Hailey at City Hall, 115 Main St. South, Hailey, Idaho, 83333, until 2:00 p.m. local time on November 10, 2014, and then at said office publicly opened and read aloud.

The work involves supplying equipment and/or equipment/CDL licensed operators to assist the City of Hailey with snow removal activities from November 2014 through April 2015. Bid forms and specific requirements are available at www.haileyidaho.org. It is the intent of these documents to describe the services required to complete snow removal activities in sufficient detail to secure comparable bids.

In determining the lowest responsible bid, the Owner will consider all acceptable bids on a basis consistent with the bid package. The Owner will also consider whether the bidder is a responsible bidder.

Before a contract will be awarded for work contemplated herein, the Owner will conduct such investigation as is neces-

sary to determine the performance record and ability of the apparent low bidder to perform the type of work specified under this Contract. Upon request, the bidder shall submit such information as deemed necessary by the Owner to evaluate the bidder's qualifications.

All bids must be signed and accompanied by evidence of authority to sign.

The City of Hailey reserves the right to reject any or all proposals, waive any non-material irregularities in the bids received, and to accept the proposal deemed most advantageous to the best interest of the City of Hailey.

**October 22, 2014
Date
Meredith Platt
City of Hailey, Public Works Director**

**PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22 & 29, 2014**

LEGAL NOTICE

NOTICE IS HEREBY GIVEN pursuant to Idaho State Code 67-45009 that on Monday November 10, 2014 at 8:00 P.M. The Bellevue Planning and Zoning Commission will hold a public meeting at the Bellevue Elementary School in the Cafeteria, located at 305 N. 5th Street, Bellevue, Idaho. A public hearing shall be heard during the noticed meeting on the following.

The City of Bellevue initiated a text amendment to Resolution #324, known as The Comprehensive Plan for Bellevue and appointed a Citizens Committee to make recommendations to the Planning and Zoning Commission. The following sections of the Comprehensive Plan are being considered by the Commission for amendment: Chapter 1 Private Property Rights, Chapter 2 Population, Chapter 3 School Facilities and Transportation, Chapter 4 Economic Development, Chapter 5 Land Use, Chapter 6 Natural Resources, Chapter 7 Hazardous Areas, Chapter 8 Public Services, Facilities, and Utilities, Chapter 9 Transportation, Chapter 10 Recreational and Open Space, Chapter 11 Special Areas and Sites, Chapter 12 Housing, Chapter 13 Community Design, Chapter 14 Implementation, and Chapter 15 Historical Preservation.

All interested persons are invited to attend this public meeting and shall be given an opportunity to comment on the amendments being considered or may submit comments in writing by mailing them to the Bellevue City Clerk at P.O. Box 825, Bellevue, Idaho, 83313 or deliver to Bellevue City Hall at 115 East Pine Street, Bellevue, Idaho. Written comments received by the City Clerk addressed to the Bellevue Planning and Zoning Commission prior to 11-06-2014 will be included in the Commission report packet for their review and retained as part of the public record. Applicable documents prepared by the City for this noticed agenda are available upon request to the City Clerk. Needs for special accommodations to participate in the public meetings shall be sent to the Bellevue City Clerk at 208-788-5351 or cbarton@bellevueidaho.us.

**PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22, 2014**

**NOTICE OF A PLANNING AND
ZONING COMMISSION
CONDITIONAL USE PERMIT
HEARINGS
REGARDING TWO APPLICATIONS BY
SUN VALLEY COMPANY
TO BE HELD ON NOVEMBER 10,
2014, 5:30 PM
KETCHUM CITY HALL, 480 EAST
AVENUE NORTH**

NOTICE IS HEREBY GIVEN that on Monday, November 10, 2014 at 5:30 PM, in City Hall at 480 East Avenue North, Ketchum, Idaho, the Ketchum Planning and Zoning Commission will take public comment upon the application for two (2) Conditional Use Permits, with regard to the following described property:

- Lot 3, Greyhawk III Subdivision (319 Puchner Lane) and
- Lot 18, Block 2, Greyhawk II Subdivision and Tax Lot 6856 (South end of Gates Road)

Both properties are located in the Tourist - 3000 (T-3000) and Floodplain Management Overlay (FP) Zones. The application is for equipment storage, employee parking spaces, a public stair/ pedestrian pathway to Puchner Lane and

300 parking spaces.

NOTICE IS FURTHER GIVEN that at the aforementioned time and place, all interested persons may appear and shall be given an opportunity to comment on the matter stated above. A copy of the proposed application will be available on the City website (www.ketchumidaho.org) or at the Ketchum Planning Department. Comments and questions prior to the hearing should be directed to the Ketchum Planning Department, P.O. Box 2315, Ketchum, Idaho, 83340, via email to participate@ketchumidaho.org, or via facsimile to (208) 726-7812. Written comments received prior to the hearing shall be made part of the public record at the hearing. For additional information, please call (208) 726-7801.

**BY ORDER OF THE KETCHUM
PLANNING AND ZONING
COMMISSION,
DATED this 16th day of October, 2014.**

**PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22, 2014**

**IN THE DISTRICT COURT OF THE
FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR
THE COUNTY OF BLAINE**

**IN THE MATTER OF THE ESTATE OF
CARL MAXIE MANUS,
Deceased.**

**CASE NO. CV-2014-666
NOTICE TO CREDITORS**

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated, and filed with the Clerk of the Court. DATED this 7th day of October, 2014.
/s/ Kathleen L. Manus
c/o Lee Ritzau
Lubovskii, Wygle, Fallowfield & Ritzau,
P.A.
P.O. Box 1172
Ketchum, ID 83340

**PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 22, 29 & Nov. 5, 2014**

**NOTICES OF
TRUSTEE'S SALES**

NOTICE OF TRUSTEE'S SALE

Loan No.: 7140288841 T.S. No.: 12-01203-3A On January 16, 2015 10:30 AM, on the front steps of the west side of the Old Courthouse Building, 206 1st Avenue South, Hailey, ID 83333 in the County of Blaine, State of Idaho, Fidelity National Title Insurance Company, as Trustee, on behalf of Deutsche Bank National Trust Company, as Trustee for American Home Mortgage Asset Trust 2007-1, the current Beneficiary, will sell at public auction, to the highest bidder, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows: LOT 3 IN BLOCK 55 OF WOODSIDE SUBDIVISION FINAL PLAT NO. 14, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 152509, RECORDS OF BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Section 60-113 Idaho Code, the Trustee has been informed that the address of: 2250 BERRY CREEK DRIVE, HAILEY, ID, is sometimes associated with said real property. Said sale will be made without covenant or warranty regarding title, possession or encumbrance to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by SANNIE ZEMAN, AN UNMARRIED WOMAN, as original grantor(s), to FIRST AMERICAN TITLE as original trustee, for the benefit and security of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR AMERICAN BROKER CONDUIT ITS SUCCESSORS AND OR ASSIGNS, as original beneficiary, dated as of November 27, 2006, and recorded November 30, 2006, as Instrument No. 542330 in the Official Records of the Office of the Recorder of Blaine County.

Idaho. Please Note: The above grantor(s) are named to comply with section 45-1506(4)(A), Idaho Code. No representation is made that they are, or are not, presently responsible for this obligation set forth herein. The current beneficiary is: Deutsche Bank National Trust Company, as Trustee for American Home Mortgage Asset Trust 2007-1, (the "Beneficiary"). Said sale will be made without covenant or warranty, express or implied, regarding title, possession, or encumbrances, to pay the remaining unpaid balance of the obligations secured by and pursuant to the power of sale contained in that certain Deed of Trust. In addition to cash, the Trustee will accept a cashier's check drawn on a state or national bank, a check drawn by a state or federal credit union or a check drawn by a state or federal savings and loan association, savings association or savings bank specified in the Idaho Financial Code and authorized to do business in Idaho, or other such funds as may be acceptable to the trustee. The default(s) for which this sale is to be made under Deed of Trust and Note dated November 27, 2006 are: Failed to pay the monthly payments of \$1,270.73 due from January 1, 2012, together with all subsequent payments; together with late charges due; The principal balance owing as of this date on the obligation secured by said Deed of Trust is \$293,461.75, plus accrued interest at the rate of 2.75700% per annum from December 1, 2011. All delinquent amounts are now due, together with accruing late charges, and interest, unpaid and accruing taxes, assessments, trustee's fees, attorney's fees, and any amounts advanced to protect the security associated with this foreclosure and that the beneficiary elects to sell or cause the trust property to be sold to satisfy said obligation. Dated: September 11, 2014 Fidelity National Title Insurance Company, Trustee 11000 Olson Drive, Suite 101, Rancho Cordova, CA 95670 916-636-0114 Megan Curtis, Authorized Signature SALE INFORMATION CAN BE OBTAINED ON LINE AT www.servicelinksap.com FOR AUTOMATED SALES INFORMATION please call 714-730-2727 A-4486000

**PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 1, 8, 15, & 22, 2014**

NOTICE OF TRUSTEE'S SALE

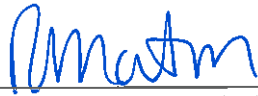
Idaho Code 45-1506 Today's date: September 23, 2014 File No.: 7042.13290 Sale date and time (local time): January 27, 2015 at 11:00 AM Sale location: In the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 213 South Third Street Bellevue, ID 83313 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 987 Bellevue, WA 98009 (425) 588-1900 Deed of Trust Information Original grantor: Anthony R. Dudley, and Heather D. Dudley, husband and wife Original trustee: Fidelity National Title Insurance Company Original beneficiary: Mortgage Electronic Registration Systems, Inc. as nominee for America's Wholesale Lender Recording date: 11/07/2005 Recorder's instrument number: 528554 County: BLAINE Sum owing on the obligation: as of September 23, 2014: \$338,048.09 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lot 3 in Block 29 of the City of Bellevue, according to the official plat thereof, on file in the Office of the County Recorder, Blaine County, Idaho. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7042.13290) 1002.273122-File No.

**PUBLISH
IDAHO MOUNTAIN EXPRESS
Oct. 8, 15, 22, & 29, 2014**

CERTIFICATION OF MAILING

I, Rachel Martin, Planning Technician for the City of Ketchum, Idaho Planning Department, hereby certify that the notice for conditional use permit at 319 Puchner Lane, by Sun Valley Co. was mailed to property owners within 300 feet on, Thursday, October 16, 2014. See Attached Mailing List.

CERTIFIED this Thursday, October 16, 2014



Rachel Martin
Planning Technician



**NOTICE OF A PLANNING AND ZONING COMMISSION
CONDITIONAL USE PERMIT HEARINGS
REGARDING TWO APPLICATIONS BY SUN VALLEY COMPANY
TO BE HELD ON NOVEMBER 10, 2014, 5:30 PM
KETCHUM CITY HALL, 480 EAST AVENUE NORTH**

NOTICE IS HEREBY GIVEN that on Monday, November 10, 2014 at 5:30 PM., in City Hall at 480 East Avenue North, Ketchum, Idaho, the Ketchum Planning and Zoning Commission will take public comment upon the application for two (2) Conditional Use Permits, with regard to the following described property:

Lot 3, Greyhawk III Subdivision (319 Puchner Lane)
and

Lot 16, Block 2, Greyhawk II Subdivision and Tax Lot 6856 (South end of Gates Road)

Both properties are located in the Tourist - 3000 (T-3000) and Floodplain Management Overlay (FP) Zones. The application is for equipment storage, employee parking spaces, a public skier/pedestrian pathway to Puchner Lane and 300 parking spaces.

NOTICE IS FURTHER GIVEN that at the aforementioned time and place, all interested persons may appear and shall be given an opportunity to comment on the matter stated above. A copy of the proposed application will be available on the City website (www.ketchumidaho.org) or at the Ketchum Planning Department. Comments and questions prior to the hearing should be directed to the Ketchum Planning Department, P.O. Box 2315, Ketchum, Idaho, 83340, via email to participate@ketchumidaho.org, or via facsimile to (208) 726-7812. Written comments received prior to the hearing shall be made part of the public record at the hearing. For additional information, please call (208)726-7801.

BY ORDER OF THE KETCHUM PLANNING AND ZONING COMMISSION.

DATED this 21st day of September, 2011.

A handwritten signature in blue ink, appearing to read "Rachel Martin".

Rachel Martin
Planning Technician

Owner 1	Owner 2	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3
BARSOITI BRIAN	BCE DEVELOPMENT	BOX 370	KETCHUM ID 83340-0000	
BELANICH ROGER RES TRUST	BELANICH ROGER M TRUSTEE	22020 17TH AVE SE # 200	BOTHELL WA 98021-0000	
BLACKSTOCK REAL ESTATE LLC		579 E ORION CT	BOISE ID 83702-0000	
BLAZING SADDLES L L C		BOX 2990	SUN VALLEY ID 83353-0000	
BLOCK FAMILY LIMITED PARTNERSHIP		C/O CARSTENS HEALTH INDUSTRIES	7310 W WILSON AVE	CHICAGO IL 60656-0000
BLOOM JACOB A	MOORE DEMI GENE	C/O ML MANAGEMENT ASSOC	250 W 57TH ST FL 26	NEW YORK NY 10107-0000
CIMINO ROBERT ANTHONY		BOX 363328	SAN JUAN PR 00936-3328	
GEORGE JANET A		2821 2ND AVE APT 1102	SEATTLE WA 98121-3214	
GREYHAWK MASTER ASOC		BOX 228	SUN VALLEY ID 83353-0000	
GREYHAWK PROPERTIES LLC		BOX 830	KETCHUM ID 83340-0000	
HANCOCK ROBERT L TRUSTEE	HANCOCK AUDREY S TRUSTEE	PO BOX 9012	SEATTLE WA 98109-0000	
HIGH SPEED ASSOCIATES		3326 160TH AVENUE SE, SUITE 15	BELLEVUE WA 98008-0000	
LEWIS JOHN S	LEWIS ELIZABETH H TRUSTEES	425 WEST SANTA INEZ AVE	HILLSBOROUGH CA 94010-0000	
MELBY JAMES E [A]	MELBY PAULA J [A]	C/O THE HEMINGWAYS CONDO ASSOC	PO BOX 2990	SUN VALLEY ID 83353-0000
MERCER MANAGEMENT INC		5820 E MERCER WAY	MERCER ISLAND WA 98040-0000	
MONTE VILLA PROPERTIES LLC		PO BOX 1863	BELLEVUE WA 98009-0000	
NEXTENGINE VENTURES LLC		246 W BROADWAY	NEW YORK NY 10013-0000	
PICABO STREET UNITS 1 & 2 LLC		1752 NW MARKET ST #226	SEATTLE WA 98107-0000	
PINNACLE AT GREYHAWK CONDO		219 S 1ST AVE STE 101	HAILEY ID 83333-0000	
RAGUS MARK G	RAGUS PAM J	219 ANNANDALE RD	PASADENA CA 91105-1407	
RATLIFE MC GAVIK LLC		1114 39TH AVE E	SEATTLE WA 98112-0000	
RCH REALTY LLC		C/O RC HEDREEN	217 PINE ST STE 200	SEATTLE WA 98101-0000
ROBERTS DONN R	ROBERTS PATRICIA E	9435 NE 14TH STREET	BELLEVUE WA 98004-0000	
ROSENBERG LESLIE D		808 LAKESIDE SOUTH	SEATTLE WA 98144-0000	
SAVELLO LLC (D)		451 JACKSON ST	SAN FRANCISCO CA 94111-0000	
SINCLAIR OIL CORPORATION	DBA SUN VALLEY CO	C/O KATHY KERRICK	PO BOX 10	SUN VALLEY ID 83353-0000
SMITH W GRAHAM		BOX 752	KETCHUM ID 83340-0000	
SOMMERVILLE VINTON H TRUSTEE	SOMMERVILLE AMELIA J TRUSTEE	200 NE PACIFIC ST STE 102	SEATTLE WA 98105-0000	
SPALVINS JOHN G		PO BOX 10145	KETCHUM ID 83340-0000	
STEVENS PROPERTIES LP		100 N 9TH STREET STE 200	BOISE ID 83702-0000	
SUN VALLEY RESORTS		BOX 10	SUN VALLEY ID 83353-0000	
SUN VALLEY SKI EDUCATION FOUNDATION		BOX 203	SUN VALLEY ID 83353-0000	
TAYLOR MICKY W	TAYLOR KAREN LEE	914 164TH S.E. ST #1703	MILL CREEK WA 98012-0000	
TAYLOR ROBERT S		8233 W MERCER WAY	MERCER ISLAND WA 98040-5630	
THOMPSON KEITH B TRUSTEE	THOMPSON BEVERLY B TRUSTEE	138 W LAKE SAMMAMISH PKWY SE	BELLEVUE WA 98008-0000	
UNIT 302 LLC		PO BOX 6893	KETCHUM ID 83340-0000	
USFS		BOX 2356	KETCHUM ID 83340-0000	
VANDERKLOOT MATHEW	VANDERKLOOT BARBARA	1755 SUNSET LANE	BANNOCKBURN IL 60015-0000	
VILLAGE CONDO OWNERS		C/O CHARLES DONALDSON	PO BOX 5046	KETCHUM ID 83340-0000
WOODCOCK DOUGLAS A	WOODCOCK CHARLOTTE	16700 SW GREENBRIER	LAKE OSWEGO OR 97034-0000	

Rachel Martin

From: Dave Kassner
Sent: Wednesday, October 22, 2014 3:34 PM
To: Rachel Martin
Subject: RE: Sun Valley Company CUP's

Hi Rachel:

I don't have any issues with these permits.

DAVE KASSNER | KETCHUM POLICE

Chief of Police

P.O. Box 3008 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7819 | f: 208.726.7848

dkassner@ketchumpolice.org | www.ketchumidaho.org

Please note: All email correspondence with the City is subject to the Idaho Public Writings Act.

From: Rachel Martin
Sent: Monday, October 20, 2014 2:31 PM
To: Mike Elle; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: Sun Valley Company CUP's

Attached are two Conditional Use Permits for Sun Valley Company. They apply every 3 years for these permits for the Greyhawk parking lot and the equipment storage lot across Puchner bridge.

Please return any comments you'd like to have included in the staff report to me. These applications are scheduled for hearing on November 10th.

Thank you,

RACHEL MARTIN | CITY OF KETCHUM

Planning Technician

P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7801 | f: 208.726.7812

rmartin@ketchumidaho.org | www.ketchumidaho.org

Rachel Martin

From: Mike Elle
Sent: Wednesday, October 22, 2014 2:04 PM
To: Rachel Martin; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: RE: Sun Valley Company CUP's

No concerns or issues.

MIKE ELLE | KETCHUM FIRE DEPARTMENT

Chief of Fire and EMS

P.O. Box 966 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7805 | f: 208.726.7812 | KF7GAO

melle@ketchumfire.org | www.ketchumfire.org

From: Rachel Martin
Sent: Monday, October 20, 2014 2:31 PM
To: Mike Elle; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: Sun Valley Company CUP's

Attached are two Conditional Use Permits for Sun Valley Company. They apply every 3 years for these permits for the Greyhawk parking lot and the equipment storage lot across Puchner bridge.
Please return any comments you'd like to have included in the staff report to me. These applications are scheduled for hearing on November 10th.
Thank you,

RACHEL MARTIN | CITY OF KETCHUM

Planning Technician

P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7801 | f: 208.726.7812

rmartin@ketchumidaho.org | www.ketchumidaho.org

Rachel Martin

From: Brian Christiansen
Sent: Tuesday, October 21, 2014 9:35 AM
To: Rachel Martin; Mike Elle; Robyn Mattison; Dave Kassner
Subject: RE: Sun Valley Company CUP's

No comments.

BRIAN CHRISTIANSEN | CITY OF KETCHUM

Street Superintendent
P.O. Box 2315 | 200 Tenth Street | Ketchum, ID 83340
o: 208.726.7831 | f: 208.726.7843
bchristiansen@ketchumidaho.org | www.ketchumidaho.org

From: Rachel Martin
Sent: Monday, October 20, 2014 2:31 PM
To: Mike Elle; Robyn Mattison; Brian Christiansen; Dave Kassner
Subject: Sun Valley Company CUP's

Attached are two Conditional Use Permits for Sun Valley Company. They apply every 3 years for these permits for the Greyhawk parking lot and the equipment storage lot across Puchner bridge.
Please return any comments you'd like to have included in the staff report to me. These applications are scheduled for hearing on November 10th.
Thank you,

RACHEL MARTIN | CITY OF KETCHUM

Planning Technician
P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340
o: 208.726.7801 | f: 208.726.7812
rmartin@ketchumidaho.org | www.ketchumidaho.org



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
SPECIAL MEETING OF OCTOBER 09th, 2017

PROJECT: 100 Northwood Mixed - Use

FILE NUMBER: #17-117

REPRESENTATIVE: C. Michael Barker, AIA

OWNER: 100 Northwood Way, LLC

REQUEST: Pre-Application Design Review approval for a new mixed-use building.

LOCATION: 100 Northwood Way
(Northwood Light Industrial Lot 9)

ZONING: Light Industrial District Number 2 (LI-2)

OVERLAY: None

NOTICE: Noticing is not required for Pre-Application Design Review.

REVIEWER: Micah Austin, Director
Carl Anderson, Associate Planner

RECOMMENDATION: Staff recommends advancement of the pre-applicant design review for the 100 Northwood Mixed-Use project provided that all action items are addressed.

ATTACHMENTS:

- A. Application
- B. Pre-Application Design Review Plan Set, dated September 19th, 2017

BACKGROUND

The subject property is located at 100 Northwood Way, on Northwood Light Industrial Lot 9. The owner of the subject property is listed as 100 Northwood Way, LLC represented by C. Michael Barker. The property is currently vacant and is designated as Light Industrial District Number 2 (LI-1). The applicant is proposing to construct a new 5,073 square foot mixed-use building on the subject 9,191 square foot lot. The lower level is proposed to be utilized as a hybrid production facility and the upper level will contain two residential units.

The project is subject to pre-application design review per City Code 17.96.010. C.1. The purpose of pre-application design review is to allow the commission to exchange ideas and give direction to the applicant on the "design concept", keeping in mind the purpose of this chapter and the application of the evaluation standards. Per City Code 17.96.040.C.4 the administrator has waived some submittal requirements as it was determined that some information was not necessary for the Commission to exchange ideas and give direction to the applicant on the design concept. The applicant has indicated that all design review application materials will be submitted at the time of design review. See staff analysis below for a discussion on the outstanding items that will need to be addressed at design review.

STAFF ANALYSIS

Staff recommends advancement of the Pre-Application Design Review application for the 100 Northwood Mixed-Use project. The applicant is aware of the outstanding action items described below and has indicated all items listed will be addressed at design review. A full analysis and explanation of this recommendation is detailed within the staff report. The following items will need to be addressed by the applicant prior to Design Review approval.

Outstanding action items:

1. 17.12.020 District Use
 - Dwelling, Multi-Family is considered a Conditional Use subject to 17.116 & 17.124.090.
 - The applicant shall receive approval for a conditional use permit before a complete Design Review application may be considered.
2. 17.96.040. C.2.b Drainage plan (grading, catch basins, piping, and dry wells).
3. 17.96.040. C.2.e Landscape plan (existing landscaping on the site shown and adjacent right-of-way as retained, relocated or removed; proposed landscaping including species type, size and quantity).
4. 17.96.040. C.2.j. Construction management plan showing where staging will occur, where materials are stored, and a parking plan for contractors. If any staging or parking shall occur off site, a staging/parking plan must be submitted including materials storage, excavation (backfill) stockpile areas, job trailers, blue rooms, dumpsters and contractor parking.
5. 17.96.060. C. Drainage standards 1-4.
 - Must be addressed at design review. The applicant has indicated that a drainage plan will be provided at design review.
6. 17.96.060. F.7 Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.
 - Screening for garbage storage area is required.
7. 17.96.060. I Landscaping standards 1-4
 - Must be addressed at design review. The applicant has indicated that a Landscaping plan will be provided at design review.

PRE-APPLICATION

The purpose of Design Review is to maintain and enhance appearance, character, beauty and function of the city, to ensure that new development is complementary to the design of existing city neighborhoods and to protect and enhance the economic base of the City of Ketchum. Keeping in mind the purpose of this chapter and the application of the evaluation standards.

17.96.010. C. Pre-application Design Review:

1. Pre-application review is required for all new nonresidential construction and all multi-family developments of five (5) or more units.
2. The purpose of pre-application review is to allow the commission to exchange ideas and give direction to the applicant on the "design concept", keeping in mind the purpose of this chapter and the application of the evaluation standards.
3. Pre-application review materials shall be submitted according to the application requirements of section 17.96.040 of this chapter.
4. The commission may require a model of the project or computer simulation renderings showing the proposal from one or more key vantage points for presentation at regular design review meetings in order to assist in the understanding of the project. Models and computer

renderings must include surrounding properties in sufficient detail for the proposal to be viewed in context.

5. The administrator may waive the requirement for pre-application review if the project is found to have no significant impact

COMMISSION OPTIONS

1. **Advance the application to Design Review:** “Motion to advance the application from the applicant for the for the Pre-application Design Review of the 100 Northwood Mixed-Use Project to Design Review, finding the application meets the standards for approval under Chapter 17.96 of Ketchum Zoning Code, with the following conditions/design changes: [insert conditions of approval here]”
2. **Continuation of the Application:** “Motion to continue the application for Pre-Application Design Review for the 100 Northwood Mixed-Use Project to a date certain of [insert date of meeting] in order to address the following design changes [Commission to insert design changes]”

Table 1: Comprehensive Plan Analysis

SUPPORTING SECTION	SUMMARY OF COMPLIANCE OF PROPOSED AMENDMENTS WITH THE 2014 COMPREHENSIVE PLAN
Future Land Use	
Mixed-Use Industrial	<p>CHARACTERISTICS AND LOCATION: The Mixed-Use Industrial category is intended to provide critical lands for Ketchum's economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</p> <p>PRIMARY USES: Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</p> <p>SECONDARY USES: A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</p>
Community Design and Neighborhoods	
Policy CD-1.3 Compatible Infill and Redevelopment Projects	Infill and redevelopment projects should be contextually appropriate to the neighborhood and development in which they will occur. Context refers to the natural and manmade features adjoining a development site; it does not imply a certain style.

Table 2: Requirements for All Applications

City Department Comments				
Compliant				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police Department: No comment at this time.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire Department: The above project shall meet all 2012 International Fire Code requirements in addition to specific City Building and Fire Ordinances. Approved address numbers shall be placed in such a position to be plainly visible and legible from the road fronting the property. Numbers and letters shall be a minimum of four (4) inches tall, contrast with their background and be positioned a minimum of forty-eight (48) inches above final grade. Vehicle parking and material storage during construction shall not restrict or obstruct public streets or access to any building. A <u>minimum</u> twenty-foot travel lane for emergency vehicle access shall be maintained clear and unobstructed at all times. All required Fire Lanes, including within 15 feet of fire hydrants, shall be maintained clear and unobstructed at all times. An approved automatic fire sprinkler system shall be installed throughout the building per City of Ketchum Ordinance #1125 (www.ketchumfire.org) and the National Fire Protection Association Standard 13. An approved fire sprinkler flow bell, Knox box and Fire Department Connection shall be installed in an approved location visible to approaching firefighters. Water service lines to structures shall be hydraulically calculated for size to meet fire sprinkler flow requirements. Fire sprinkler systems shall be annually tested and maintained per NFPA 25. An approved fire department connection and flow bell shall be installed in a location approved by the fire department and the system shall be supervised by an approved alarm system. NOTE: One electronic set of fire sprinkler system plans must be submitted to the Ketchum Fire Department as well as the State Fire Marshal's office and a Ketchum Fire Department Permit must be obtained prior to installation of fire sprinkler systems. Inspections of fire sprinkler systems by the Fire Chief or an appointee are required. Inspections must be scheduled at least 48 hours in advance. An approved monitored fire sprinkler alarm system shall be installed per City of Ketchum Ordinance #1125 (www.ketchumfire.org) and the requirements of NFPA 72. Two (2) sets of alarm system plans shall be	

			<p>submitted to the Ketchum Fire Department for approval and a permit is required prior to installation of alarm systems. Inspections of fire detection systems by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance.</p> <p>Fire extinguishers shall be installed and maintained per 2012 IFC Section 906 both during construction and upon occupancy of the building.</p> <p>Spark arresters are required on all solid fuel burning appliance chimneys to reduce potential fires from burning embers.</p> <p>An approved key box shall be installed, with the appropriate keys, for emergency fire department access in a location approved by the fire department. The key box shall be a Knox box brand and sized to accommodate keys to every door of the project.</p> <p>Inspections of fire department permit required installations shall be scheduled at least 48 hours in advance.</p> <p>An 8 ½ by 11 color coded site map of this project shall be provided on paper and electronically to the fire department. This site map shall show the locations of gas shut-offs, power shut-offs, fire sprinkler riser rooms, fire department connections, alarm panels, Knox boxes, access doors, egress windows, stairways and any additional fire department requirements. Exact details for color coded "On-Sites" can be found at www.ketchumfire.org.</p> <p>Final inspections of all fire department permit required installations by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance. A Final Inspection Checklist can be found at www.ketchumfire.org.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Streets Department:</p> <ul style="list-style-type: none"> Property drainage must be maintained on site. Curb cuts will need to meet City and ADA standards, recommend that Northwood entry to remain rolled. Damaged sidewalks will need to be replaced. Landscaping around corner will need to be inspected in order to maintain proper site distance of intersection.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Utilities:</p> <ul style="list-style-type: none"> Separate meters for the commercial and residential unit are required. The current standard is for the commercial or lower floor unit to provide the landscaping water, common practice not by ordinance. Impact Fees: <ul style="list-style-type: none"> - Two impact fees for water, one impact fee and sewer inspection fee, and two water meter costs. Will verify the sewer impact fee.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Parks/Arborist:</p> <p>The applicant shall consider the roadway intersection irregularities and potential sight line or signage interference with any vegetation plantings near corner of intersection.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>ADA Consultant:</p> <p>The 2010 Standards for Accessible Design set minimum requirements – both scoping and technical – for newly designed and constructed or altered state and local government facilities, public accommodations or businesses, and commercial facilities to be readily accessible to and usable by people with disabilities. The 2010 ADA Standards for Accessible Design guidance can be found at www.ADA.gov.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Building:</p> <p>The building must meet 2012 International Building Code.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Planning and Zoning:</p> <p>Comments are denoted throughout the staff report.</p>

Table 3: Zoning Standards Analysis

Compliance with Zoning Standards				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and Staff Comments

17.12 Establishment of Districts and Zoning Matrices				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.020	District Use
			Staff Comments	<p>Proposed Use:</p> <p>DWELLING, MULTIPLE-FAMILY: A building, under single or multiple ownership, containing two (2) or more dwelling units used for residential occupancy.</p> <ul style="list-style-type: none">The applicant is proposing two dwelling units located on-site. The applicant shall receive approval of a Conditional Use permit prior to Design Review approval. <p>HYBRID PRODUCTION FACILITY: A <u>commercial operation or use</u>, on one or more premises within the same zoning district, <u>where finished consumer goods are manufactured or produced and those same goods are offered for sale to the general public</u>. Hybrid production facilities must be similar in size, scale and scope of operation with adjacent or nearby uses</p> <ul style="list-style-type: none">1,740 Square feet of coffee roaster.400 square feet of coffee bar/retail
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Lot Area
			Staff Comments	<p>Required: 8,000 square feet minimum.</p> <p>Existing: 9,191 square feet existing.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Maximum Building Coverage
			Staff Comments	<p>Maximum Permitted: 75%</p> <p>Proposed: 37% (3,404 SF / 9,191 SF)</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Building Setbacks
			Staff Comments	<p>Minimum:</p> <p>Front: 20’</p> <p>Side: 0’ for internal side yards and a minimum of 10’ for street side yards.</p> <p>Rear: 0’</p> <p>Proposed:</p> <p>Front: 24.0’</p> <p>Side (north): 20.0’</p> <p>Side (west): 13.33’</p> <p>Rear (south): 0’</p> <p><i>Note: Due to the unique nature of the subject property at the northwest corner, the applicant worked with staff to determine the setbacks of the property as it transitions from the side setback to the front setback. The Side yard setback along Lewis Street is 13.33’ and transitions to 20’ along Northwood Way.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Height
			Staff Comments	<p>Maximum Permitted: 35’</p> <p>Proposed: 24’ + parapet (27’ at the top of parapet)</p>
17.125 Off Street Parking and Loading				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030.H	Curb Cut
			Staff Comments	<p>Permitted:</p> <p><i>Street Frontage: A maximum of thirty five percent (35%) of the linear footage of any street frontage can be devoted to access off street parking. Corner lots that front two (2) or more streets may select either or both streets as access but shall still not devote more than thirty five percent (35%) of the total linear footage of street frontage to access off street parking.</i></p> <p>Proposed: The combined linear footage for the subject property is 200’. The combined approvable linear footage devoted to access off street parking is 70’ (35%). The proposed access to off-street parking does not exceed the maximum permitted. See comments from the Streets Department located in Table 2 regarding the proposed curb cut. The applicant coordinate with the Streets Department on the curb design prior to full Design Review approval.</p> <p>Lewis Street Access: 13’</p> <p>Northwood Way: 24’</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.040	Off Street Parking and Loading Areas
			Staff Comments	<p>Permitted: In the LI-1, LI-2 and LI-3 districts, off street loading areas (containing 180 square feet with no 1 dimension less than 10 feet) shall be required as an accessory use for new construction or major additions involving an increase in floor area, as follows: One off street loading space for floor area in excess of two thousand (2,000) square feet, provided no loading space occupies any part of a public street, alley, driveway or sidewalk; except, that where practicable to do so, an alley may be used in lieu of the requirement of this section if prior permission is granted by the commission.</p> <p>Proposed: The applicant has proposed one (1) off-street loading space, accessed from Lewis Street. The loading area does not occupy a public street, alley, driveway or sidewalk. The dimensions of the loading area are 10' x 18' (180 SF).</p>
			17.125.050	Off Street Parking
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Comments	<p>Off-street parking standards of this chapter apply to any new development and to any new established uses.</p> <p>Required: The proposed mixed-use has been defined as residential and hybrid production. There is not a parking requirement for a hybrid production facility, therefore, the following parking requirement has been established for the proposed use.</p> <ul style="list-style-type: none"> • Residential Units, Industrial Districts: 1 space per bedroom = 2 (2 units/ 1 bed each) • Restaurant, bars and eating/drinking establishments: 1 space per 100 square feet of assembly area. (400 SF/100 SF) = 4 • Manufacturing, industrial district: 1 space per 500 gross square feet, + adequate loading area for trucks (1,740 SF / 500 SF) 3.48 <p>Total Required = 8 on-site parking spaces. Note: see Staff comment in under section 17.125.040 Off Street Parking and Loading Areas for loading area requirements.</p> <p>Proposed: Commercial Area: 1,740 SF / 500 SF = 3.48 Retail / Assembly: 400 SF / 100 SF = 4 Residential: 2 units, 1 bedroom each = 2 Total: 8 Summary: Eight (8) surface parking spaces, including 1 ADA space. Two (2) enclosed residential spaces.</p>

Table 4: Design Review Standards for all projects

Design Review Requirements				
IMPROVEMENTS AND STANDARDS: 17.96.060				
Improvements and standards for all projects listed in subsection 17.96.010.A of this chapter:				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.040	Complete Application
17.96.060.A Streets				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.A.1	The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development.
			Staff Comments	The property is located at the corner of Lewis St. and Northwood Way and the applicant will provide connection from Northwood Way to the proposed project. The applicant is proposing a loading area at the southwest portion of the property, to be accessed from Lewis St. The applicant shall be responsible for all costs of connections form the existing City street to the development.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.A.2	All street designs shall be approved by the City Engineer.
			Staff Comments	The subject property is located at the corner of Lewis St. and Northwood Way.
17.96.060.B Sidewalks				
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060. B.1	All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department.
			Staff Comments	N/A

				17.08 Substantial Improvement: Includes the following: A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure over a three (3) year time frame either: 1. Before the improvement or repair is started; or 2. If the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. B.2	Sidewalk width shall conform to the City's right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion.
			Staff Comments	Sidewalks are existing and all new sidewalk construction will conform to the City's right-of-way standards.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060. B.3	Sidewalks may be waived if one of the following criteria is met: a. The project comprises an addition of less than 250 square feet of conditioned space. b. The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public.
			Staff Comments	N/A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. B.4	The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.
			Staff Comments	The existing sidewalk is equal to the length of the subject property line adjacent to Northwood Way and Lewis St. All new sidewalk improvements shall remain equal to the length of the subject property line.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. B.5	New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.
			Staff Comments	Sidewalks are existing and connect to the existing sidewalks adjacent to the subject property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. B.6	The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy.
			Staff Comments	A contribution in-lieu for this project is not recommended.
17.96.060.C Drainage				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060. C.1	All storm water shall be retained on site.
			Staff Comments	Drainage improvements are not shown on the current plan set. The applicant shall provide a drainage plan at the time of Design Review, detailing all applicable grading, catch basins, piping and dry-wells.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060. C.2	Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.
			Staff Comments	Drainage improvements are not shown on the current plan set. The applicant shall provide a drainage plan at the time of Design Review, detailing all applicable grading, catch basins, piping and dry-wells. All drainage improvements shall be equal to the length of the subject property lines.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060. C.3	The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.
			Staff Comments	Drainage improvements are not shown on the current plan set. The applicant shall provide a drainage plan at the time of Design Review, detailing all applicable grading, catch basins, piping and dry-wells.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060. C.4	Drainage facilities shall be constructed per City standards.
			Staff Comments	The final design of drainage facilities shall be constructed per City standards.

17.96.060.D Utilities

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. D.1	All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.
			<i>Staff Comments</i>	<i>The applicant is aware of this requirement and all utility improvements for the development shall be improved and installed at the sole expense of the applicant.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. D.2	Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.
			<i>Staff Comments</i>	<i>All utilities shall be located underground. All utilities, power and communication lines within the development shall be concealed from public view.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. D.3	When extension of utilities is necessary all developers will be required to pay for and install two (2") inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with city of Ketchum standards and at the discretion of the City Engineer.
			<i>Staff Comments</i>	<i>The applicant is aware of this requirement and should the extension of utilities be required, the applicant will install and pay for two 2-inch SDR11 fiber optic conduits in accordance with City of Ketchum stands and at the discretion of the City Engineer.</i>

17.96.060.E. Compatibility of Design

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. E.1	The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.
			<i>Staff Comments</i>	<i>The property is located within the Light Industrial Number 2 Zoning District. The materials selected are complementary with the townscape and surrounding light-industrial neighborhood.</i> <i>Corrugated metal siding-upper floor: Charcoal</i> <i>Corrugated metal siding-upper floor: Matte Black</i> <i>Weathered wood siding at main entry</i> <i>Plaster finish at the upper floor</i> <i>Commercial aluminum window/doors throughout: Black</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. E.2	Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.
			<i>Staff Comments</i>	<i>There are no identified landmarks on the property which provide a historical and/or cultural importance to the neighborhood/community.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. E.3	Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.
			<i>Staff Comments</i>	<i>The site is currently vacant and the proposed building will be all new construction.</i>

17.96.060.F Architectural

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. F.1	Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.
			<i>Staff Comments</i>	<i>The proposed building and site layout provide unobstructed pedestrian accesses to the existing sidewalk adjacent to Lewis Street and Northwood Way. The entryway is clearly defined.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. F.2	The building character shall be clearly defined by use of architectural features.
			<i>Staff Comments</i>	<i>The proposed 100 Northwood Mixed-Use building will contain a hybrid production facility on the first (1) floor and two residential units on the second (2) floor. The total structure will be two stories with a total proposed height of twenty-four (24') feet. The proposed building character is clearly defined by the use of architectural features.</i> <i>The proposed building is primarily horizontal in form when viewed from Lewis Street (west Elevation). The upper level is stepped back from the lower level, and includes glazing throughout. The materials shown include the matte-black and charcoal corrugated metals, and the smooth plaster finish at the upper level.</i> <i>The front entrance hybrid production use is accessed from Northwood way (North Elevation). The combination of undulation, materials selection, and glazing will clearly distinguish the front entrance and define the building character.</i>

				<p>The east side of the building (East Elevation) is horizontal in form when viewed from the east most property line. The combination of glazing, materials and undulation will reduce the appearance of bulk and flatness and define the character of the building.</p> <p>The bulk of the south portion of the building is proposed to be built to the property line. The portion of the building adjacent to the adjoin structure at the south is proposed to include a CMU wall and fence wall. This portion of the building will not be visible from public view.</p> <p>All roof mounted mechanical equipment shall be screened from public view.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. F.3	There shall be continuity of materials, colors and signing within the project.
			Staff Comments	The materials shown provide a continuity of materials and colors within the project. See Staff comment in section 17.96.060. E.1.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. F.4	Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.
			Staff Comments	Accessory structures, fences, walls and landscape features have not been proposed at this time. The applicant has indicated that a landscape plan will be submitted at design review. See Staff comment located in 17.96.060. I.1.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. F.5	Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.
			Staff Comments	The proposed building walls provide undulation/relief which will reduce the appearance of bulk and flatness. See staff comment in in section 17.96060.F.2 for further description.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. F.6	Building(s) shall orient towards their primary street frontage.
			Staff Comments	The proposed building is located at the corner of Lewis Street and Northwood Way. The front entrance is located off of Northwood Way and the building is primarily oriented towards Northwood Way.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060. F.7	Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.
			Staff Comments	The garbage storage areas are shown at the southeast corner of the parking lot screening is not shown.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. F.8	Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.
			Staff Comments	The applicant is proposing a flat-roof system. Based on the proposed roof system, it is not anticipated that water will drip and snow will fall on areas where pedestrians will gather and circulate.
17.96.060.G Circulation Design				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. G.1	Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.
			Staff Comments	Pedestrian and bicycle access is located from the existing sidewalk adjacent to Lewis Street and Northwood Way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. G.2	Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.
			Staff Comments	Awnings are not proposed to extend over a public sidewalk. Per City Code: 17.08.020, an awning is defined as a covered architectural projection that extends from the exterior wall of a building for the purpose of providing shade, shelter or aesthetic value to the building facade.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. G.3	Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to adequate sight distances and proper signage.
			Staff Comments	Based on the preliminary site plan, traffic will flow safely within the project and onto Northwood Way, and the loading area is accessed from Lewis Street. See comment from the Public Works Department located in Table 2.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. G.4	Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right

				of way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.
			<i>Staff Comments</i>	<i>The proposed driveway entrances are greater than 20' to the intersection of Lewis Street and Northwood Way. See comment from the Public Works Department located in Table 2.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. G.5	Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.
			<i>Staff Comments</i>	<i>Emergency vehicles, snow plows and service vehicles will be able to access the subject property from Northwood Way. The applicant shall coordinated with Clear Creek Disposal so that the location of the trash enclosure will allow for unobstructed access to the trash truck.</i>
17.96.060.H Snow Storage				
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060. H.1	Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.
			<i>Staff Comments</i>	<i>N/A. See staff comment located in section 17.96.060.H.4.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060. H.2	Snow storage areas shall be provided on site.
			<i>Staff Comments</i>	<i>N/A. See staff comment located in section 17.96.060.H.4.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060. H.3	A designated snow storage area shall not have any dimension less than five (5') feet and shall be a minimum of twenty-five (25) square feet.
			<i>Staff Comments</i>	<i>N/A. See staff comment located in section 17.96.060.H.4.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060. H.4	In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.
			<i>Staff Comments</i>	<i>In lieu of providing snow storage areas, the applicant states that all snow is to be hauled off site.</i>
17.96.060.I Landscaping				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060. I.1	Landscaping is required for all projects.
			<i>Staff Comments</i>	<i>The applicant indicates that a detailed landscaping plan will be provided at design review.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060.I.2	Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.
			<i>Staff Comments</i>	<i>See Staff comment located in 17.96.060. I.1.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060.I.3	All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.
			<i>Staff Comments</i>	<i>See Staff comment located in 17.96.060. I.1.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060.I.4	Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.
			<i>Staff Comments</i>	<i>See Staff comment located in 17.96.060. I.1.</i>
17.96.060.J Public Amenities				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.J.1	Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.
			<i>Staff Comments</i>	<i>The site is served by an existing sidewalk and pedestrian amenities are not required.</i>

Table 4. Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090.A.1	Dwelling units shall not occupy the ground floor.
			<i>Staff Comments</i>	<i>The two proposed dwelling units are located on the second floor.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090.A.2	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.
			<i>Staff Comments</i>	<i>The applicant is seeking Design Review and Conditional Use approval. This standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090.A.3	Up to fifty percent (50%) of any light industrial building may be devoted to dwelling units, unless otherwise specified in the section.

			<i>Staff Comments</i>	<i>The applicant is proposing two separate dwelling units. The total building gross square footage is 5,073 square feet, fifty-percent (50%) of which is 2,535 square feet.</i> <ul style="list-style-type: none"> <i>Combined Residential Units: 1,912.5 square feet.</i> <i>Stair, storage, and circulation: 383.5 square feet.</i> <i>Total: 2,296 Square feet.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090.A.4	Dwelling units shall be owner occupied or used for "long term occupancy", defined as a minimum of ninety (90) consecutive days, and shall not be separated in any manner for sale as individual units.
			<i>Staff Comments</i>	<i>The applicant is aware for this requirement and the proposed dwelling units shall be used for long term occupancy, and may not be separated in any manner for sale as individual units.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090.A.5	Dwelling units shall be a minimum of four hundred (400) square feet and shall not exceed one thousand (1,000) square feet total and shall contain not more than two (2) bedrooms, unless otherwise specified in this section.
			<i>Staff Comments</i>	<i>Each dwelling unit contains one (1) bedroom and neither unit exceeds one thousand (1,000) square feet.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090.A.6	The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.
			<i>Staff Comments</i>	<i>The applicant is aware of this requirement.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090.A.7	All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.
			<i>Staff Comments</i>	<i>All persons who rent or sublet any residential living unit will notify the tenant, lessee or subtenant with written notice that the unit is located within the light industrial zone, and is therefore subordinate in nature to all legal light industrial activities.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090.A.8	Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone
			<i>Staff Comments</i>	<i>All future real estate agent, sales person, broker, and/or each private party who offers for rent or show any of the dwelling units located in the proposed building, will provide written notice that the building is located within such light industrial zone.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090.A.9	All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.
			<i>Staff Comments</i>	<i>The applicant will meet this requirement.</i>

ATTACHMENT A.



City of Ketchum
Planning & Building

**CERTIFIED
COMPLETE**

9-20-17
MP

OFFICIAL USE ONLY	
17-117	
9-19-17	
C Anderson	
\$1100.00	

Design Review Application

APPLICANT INFORMATION

Project Name: 100 NORTHWOOD WAY	Phone: 208-720-2259
Owner: 100 NORTHWOOD WAY, LLC	Mailing Address: 1930 HEROLD RD.
Email: lroquet@lizzysfreshcoffee.com	HAILEY, ID 83333
Architect/Representative: C. MICHAEL BARKER, AIA	Phone: 208-720-3690
Email: cmbarker@cox.net	Mailing Address: P.O. BOX 2702
Architect License Number: AR-2029	KETCHUM, ID 83340
Engineer of Record: LIV JENSEN, P.E.	Phone: 208-720-5549
Email: liv@cox.net	Mailing Address: 441 EAST RIDGE DR.
Engineer License Number: PE-9211	HAILEY, ID 83333

All design review plans and drawings for public commercial projects, residential buildings containing more than four (4) dwelling units and development projects containing more than four (4) dwelling units shall be prepared by an Idaho licensed architect or an Idaho licensed engineer.

PROJECT INFORMATION

Legal Land Description: LOT 9 NORTHWOOD LIGHT INDUSTRIAL
Street Address: 100 NORTHWOOD WAY
Lot Area (Square Feet): 9,191 SF
Zoning District: LI-2
Overlay District: <input type="checkbox"/> Floodplain <input type="checkbox"/> Avalanche <input type="checkbox"/> Mountain
Type of Construction: <input checked="" type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Remodel <input type="checkbox"/> Other
Anticipated Use: COFFEE ROASTER / RESIDENCE
Number of Residential Units: 2

TOTAL FLOOR AREA GROSS

	Proposed	Existing
Basements N/A		
1 st Floor		
2 nd Floor	3,103.5 Sq. Ft.	Sq. Ft.
3 rd Floor	1,969.5 Sq. Ft.	Sq. Ft.
Mezzanine		
Total	5,073 Sq. Ft.	Sq. Ft.

FLOOR AREA RATIO

Community Core:	Tourist:	General Residential-High:
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BUILDING COVERAGE/OPEN SPACE

Percent of Building Coverage: $3,103.5 \text{ SF} + \text{COVERED AREA } 301 \text{ SF} = 3,404.5 \div 9,191 = 37\%$

DIMENSIONAL STANDARDS/PROPOSED SETBACKS

Front: 20'	Side: LEVIST 1333'	Side: EAST 24'	Rear: 0
Building Height: 24' + PARAPET			

OFF STREET PARKING

Parking Spaces Provided: (8) SURFACE INCLOS (1) ADA (1) LOADING (2) ENCLOSED GARAGE
Curb Cut: Sq. Ft. %

WATER SYSTEM

<input checked="" type="checkbox"/> Municipal Service	<input type="checkbox"/> Ketchum Spring Water
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The Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Design Review Application in which the city of Ketchum is the prevailing party, to pay the reasonable attorney fees, including attorney fees on appeal and expenses of the city of Ketchum. I, the undersigned, certify that all information submitted with and upon this application form is true and accurate to the best of my knowledge and belief.

C. Michael Dunbar, AIA
Signature of Owner/Representative
Architectural Representative

9/19/2017
Date

DESIGN REVIEW EVALUATION STANDARDS

(May not apply to Administrative Design Review):

17.96.060: IMPROVEMENTS AND STANDARDS FOR ALL PROJECTS

A. Streets:

1. The applicant shall be responsible for all costs associated with providing a connection from an existing city streets to their development.
2. All streets designs shall be in conformance with the right-of-way standards and approved by the Public Works Director.

B. Sidewalks:

1. All projects under 17.96.010(A) that qualify as a "Substantial Improvement" shall install sidewalks in conformance with the right-of-way standards. Sidewalk improvements may be waived for projects that qualify as a "Substantial Improvement" which comprise additions of less than 250 square feet of conditioned space.
2. The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.
3. New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.
4. The city may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the city and not used for any purpose other than the provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the Public Works Director. Any approved in-lieu contribution shall be paid before the city issues a certificate of occupancy.

C. Drainage:

1. All storm water shall be retained on site.
2. Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.
3. The Public Works Director may require additional drainage improvements as necessary, depending on the unique characteristics of a site.

4. Drainage facilities shall be constructed per city standards and designed by a licensed civil engineer.

D. Utilities:

1. All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.
2. Utilities shall be located underground and utility, power and communication lines within the development site shall be concealed from public view.
3. When extension of utilities is necessary all developers will be required to pay for and install two (2") inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with city of Ketchum standards and approved by the Public Works Director.

E. Compatibility of Design:

1. The project's materials, colors and signing shall be complementary to the townscape, surrounding neighborhoods and adjoining structures.
2. Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.
3. Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.

F. Architectural:

1. Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.
2. The building character shall be clearly defined by use of architectural features.
3. There shall be continuity of materials, colors and signing within the project.
4. Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.
5. Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.
6. Building(s) shall orient towards their primary street frontage.
7. Sufficient garbage and recycling areas shall be provided onsite.
8. Garbage and recycling storage areas, satellite receivers and mechanical equipment shall be screened from public view and located off alleys.
9. Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.

G. Circulation Design:

1. Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.
2. Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.

3. Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to adequate sight distances and proper signage.
4. Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right of way. Due to site conditions or current/projected traffic levels or speed, the Public Works Director may increase the minimum distance requirements.
5. Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.

H. Snow Storage:

1. Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.
2. Snow storage areas shall be provided on-site.
3. A designated snow storage area shall not have any dimension less than five (5') feet and shall be a minimum of twenty-five (25) square feet.
4. In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.

I. Landscaping:

1. Landscaping is required for all projects.
2. Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.
3. All plant species shall be drought tolerant. Native species are recommended but not required.
4. Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.

J. Public Amenities:

1. Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall be approved by the Public Works Director prior to design review approval from the Commission.

17.96.070: COMMUNITY CORE (CC) PROJECTS

In addition to the requirements of section 17.96.060, unless otherwise specified, the below standards apply to projects in the Community Core district.

A. Streets:

1. A minimum of one (1) street tree shall be required for every forty (40') feet of street frontage, including both street frontages on corner lots, the location of which shall be determined by the Public Works Director.
2. Street trees, street lights, street furnishings and all other street improvements are required to be in conformance with the right-of-way standards and approved by the Public Works Director.

B. Architectural:

1. Facades facing a street or alley or located more than five (5') feet from an interior side property line shall be designed with both solid surfaces and window openings to avoid the creation of blank walls and employ similar architectural elements, materials and colors as the front façade.
2. For nonresidential portions of buildings, front building facades and facades fronting a pedestrian walkway shall be designed with ground floor storefront windows and doors with clear transparent glass. Landscaping planters shall be incorporated into facades fronting pedestrian walkways.
3. For nonresidential portions of buildings, front facades shall be designed to not obscure views into windows.
4. Roofing forms and materials shall be compatible with the overall style and character of the structure. Reflective materials are prohibited.
5. All pitched roofs shall be designed to sufficiently hold all snow with snow clips, gutters and downspouts.
6. Roof overhangs shall not extend more than three (3') feet over a public sidewalk. Roof overhangs that extend over the public sidewalk shall be approved by the Public Works Director.
7. Front porches and stoops shall not be enclosed on the ground floor by permanent or temporary walls, windows, window screens, or plastic or fabric materials.

C. Service Areas and Mechanical/Electrical Equipment:

1. Trash disposal areas and shipping and receiving areas shall be located within parking garages or to the rear of buildings. Trash disposal areas shall not be located within the public right of way and shall be screened from public views.
2. Roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. Screening shall be compatible with the overall building design.

D. Landscaping:

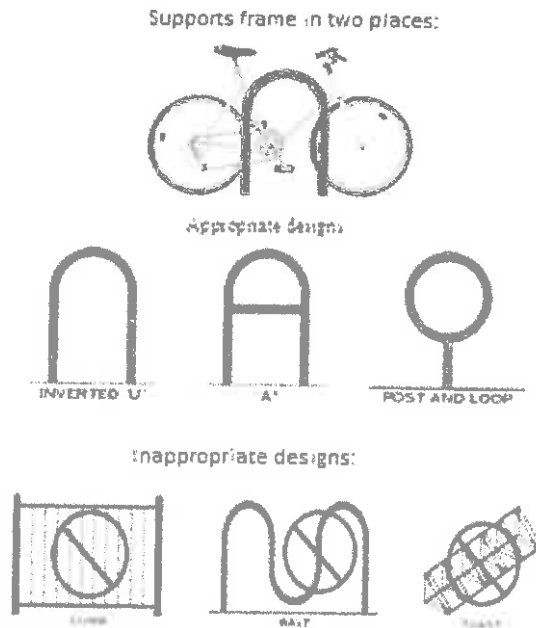
1. When a healthy and mature tree is removed from a site, it shall be replaced with a new tree. Replacement trees may occur on or off site.
2. Trees that are placed within a courtyard, plaza or pedestrian walkway shall be placed within tree wells that are covered by tree grates.
3. The city arborist shall approve all parking lot and replacement trees.

E. Surface Parking Lots:

1. Surface parking lots shall be accessed from off the alley and shall be fully screened from the street.
2. Surface parking lots shall incorporate at least one (1) tree and one (1) additional tree per ten (10) onsite parking spaces. Trees shall be planted in landscaped planters, tree wells and/or diamond shaped planter boxes located between parking rows. Planter boxes shall be designed so as not to impair vision or site distance of the traveling public.
3. Ground cover, low lying shrubs, and trees shall be planted within the planters and planter boxes. Tree grates or landscaping may be used in tree wells located within pedestrian walkways.

F. Bicycle Parking:

1. One (1) bicycle rack, able to accommodate at least two (2) bicycles, shall be provided for every four (4) parking spaces as required by the proposed use. At a minimum, one (1) bicycle rack shall be required per development.
2. When the calculation of the required number of bicycle racks called for in this section results in a fractional number, a fraction equal to or greater than one-half ($1/2$) shall be adjusted to the next highest whole number.
3. Bicycle racks shall be clearly visible from the building entrance they serve and not mounted less than fifty (50') feet from said entrance or as close as the nearest non-ADA parking space, whichever is closest. Bicycle racks shall be located to achieve unobstructed access from the public right-of-way and not in areas requiring access via stairways or other major obstacles.



17.96.080: NOTICE:

All property owners adjacent to properties under application for design review shall be notified by mail ten (10) days prior to the meeting of the date at which said design review is to be considered by the Commission.

17.96.090: TERMS OF APPROVAL:

A. Design Review Approval

1. The term of design review approval shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are adopted by the Commission or upon appeal, the date the approval is granted by the Council subject to changes in zoning regulations.
2. Application must be made for a building permit with the Ketchum planning and building department during the twelve (12) month term. Once a building permit has been issued, the design review approval shall be valid for the duration of the building permit.
3. Unless an extension is granted as set forth below, failure to file a complete building permit application for a project in accordance with these provisions shall cause said approval to be null and void.

B. Extensions of Design Review Approval.

1. For design review approvals pertaining to "civic" buildings, the Administrator may, upon written request by the holder, grant a maximum of two (2) twelve (12) month extensions to an unexpired design review approval.

2. For design review approvals pertaining to all other buildings, the city may, upon written request by the holder, grant a maximum of two (2) twelve (12) month extensions to an unexpired design review approval. The first twelve (12) month extension shall be reviewed by the Administrator. The second twelve (12) month extension shall be reviewed by the Commission. Whether or not an extension is warranted shall be based on the following considerations:
 - a. Whether there have been significant amendments to ordinances which will apply to the subject design review approval;
 - b. Whether significant land use changes have occurred in the project vicinity which would adversely impact the project or be adversely impacted by the project;
 - c. Whether hazardous situations have developed or have been discovered in the project area; or
 - d. Whether community facilities and services required for the project are now inadequate.
3. If any of the foregoing considerations are found to exist with regard to the project for which an extension is sought, an extension will not be granted and the city shall issue this decision in writing; otherwise the city shall approve such an extension. No extensions shall be granted for an expired design review approval.

17.96.100: FEES AND COSTS:

Each applicant for design review approval shall pay to the city certain fees and costs to reimburse the city the reasonable costs of administering and regulating this chapter, including reimbursement for city engineer fees. Said fees and refunds, if any, shall be set by resolution of the Council and shall be paid prior to scheduling of an application before the Commission for design review consideration. Said fees shall be nonrefundable.

DESIGN REVIEW APPLICATION CERTIFICATION OF COMPLETENESS

Project Name: 100 Northwood Way	Reviewed by: M Puddicombe
Date: 9-20-2017	Time: 9:25

REQUIRED DOCUMENTS (CHECK ALL THAT APPLY):

☒ Design review application form including project name, location, applicant, owner, project representatives and contact information.

☐ One (1) PDF electronic set of the complete application containing all requirements as listed below, plans appropriately scaled, shall be submitted. Electronic record of the materials and color sample board may be satisfied with photos. One (1) hardcopy set of scalable plans showing at a minimum the following:

☒ Vicinity map, to scale, showing the project location in relationship to neighboring buildings and the surrounding area. Note: a vicinity map must show location of adjacent buildings and structures.

☒ Drainage plan (grading, catch basins, piping, and dry-wells).

☒ Utilities plan (location and size of water and sewer mains and services, gas, electric, TV and phone).

☒ Site plan, to scale, showing proposed parking (including parking stall dimensions), loading, general circulation and snow storage. List square footage of subject property including lot dimensions.

☒ Landscape plan (existing landscaping on the site shown and adjacent right-of-way as retained, relocated or removed; proposed landscaping including species type, size and quantity).

☒ Floor plan. List gross and net square footage for each floor. List occupancy classification and type of construction.

☒ Detailed elevations of all sides of the proposed building and other exterior elements (colors, materials).

☒ Exterior lighting plan, pursuant to chapter 17.132, showing location, height, type and lumen output; spec sheets for fixtures; illuminance levels/photometrics for area lighting.

☒ One (1) 11" x 17" materials and colors sample board showing all exterior materials used on the façade of the structure. A digital copy may be sufficient as approved by the Administrator.

☐ Construction management plan showing where staging will occur, where materials are stored and parking plan for contractors. If any staging or parking shall occur off-site, a staging/parking plan must be submitted including materials storage, excavation (backfill) stockpile areas, job trailers, blue rooms, dumpsters and contractor parking.

☒ Building corners for all proposed buildings and additions shall be staked on the site and all trees proposed to be removed shall be flagged at least one week prior to the Commission meeting. The applicant shall install story poles, or other approved method, at the maximum roof peaks of the proposed buildings as required by the Administrator.

☒ For projects requiring pre-application design review, a model or computer simulation renderings, as described in subsection 17.96.010(C) of this chapter shall be required.

- For new multi-tenant buildings, a master signage plan shall be submitted.
- The Administrator may waive some submittal requirements if it is determined the information is not relevant to the design review.
- Other information as required by the Administrator or the Commission.
- Design review fee shall be submitted as described in section 17.96.100 of this chapter.

STAFF COMMENTS:

Due at DR:
Drainage Plan
Landscape Plan
Construction Management Plan

**CITY OF KETCHUM**

P.O. Box 2315
Ketchum ID 83340
Phone: (208) 726-7801
Fax: (208) 726-7812

INVOICE

Date	Number	Page
09/19/2017	1801	1

Bill To: C. MICHAEL BARKER AIA
PO BOX 2702
KETCHUM ID 83340

Customer No. 966

Project:

Terms: Due Upon Receipt

Invoice Due Date: 09/29/2017

Quantity	Description	Unit Price	Net Amount
1	DESIGN REVIEW FEES <i>PAID</i>	1,100.00	1,100.00

Notes:

Amount 1,100.00

Balance Due 1,100.00

Please remit payment to:
City of Ketchum
Post Office Box 2315
Ketchum, Idaho 83340

City of Ketchum
480 E Ave North
PO Box 2315
Ketchum ID 83340

208-726-3841

Receipt No: 2.072572

Sep 20, 2017

966
C. MICHAEL BARKER AIA
PO BOX 2702
KETCHUM ID 83340

Previous Balance:	1,100.00
ACCOUNTS RECEIVABLE - Payment	1,100.00
<hr/>	
Total:	1,100.00
New Balance:	.00
<hr/>	
Check	Check No: 4369
	Payor: C. MICHAEL BARKER AIA
Total Applied:	1,100.00
<hr/>	
Change Tendered:	.00
<hr/>	

Duplicate Copy

09/19/2017 4:57 PM

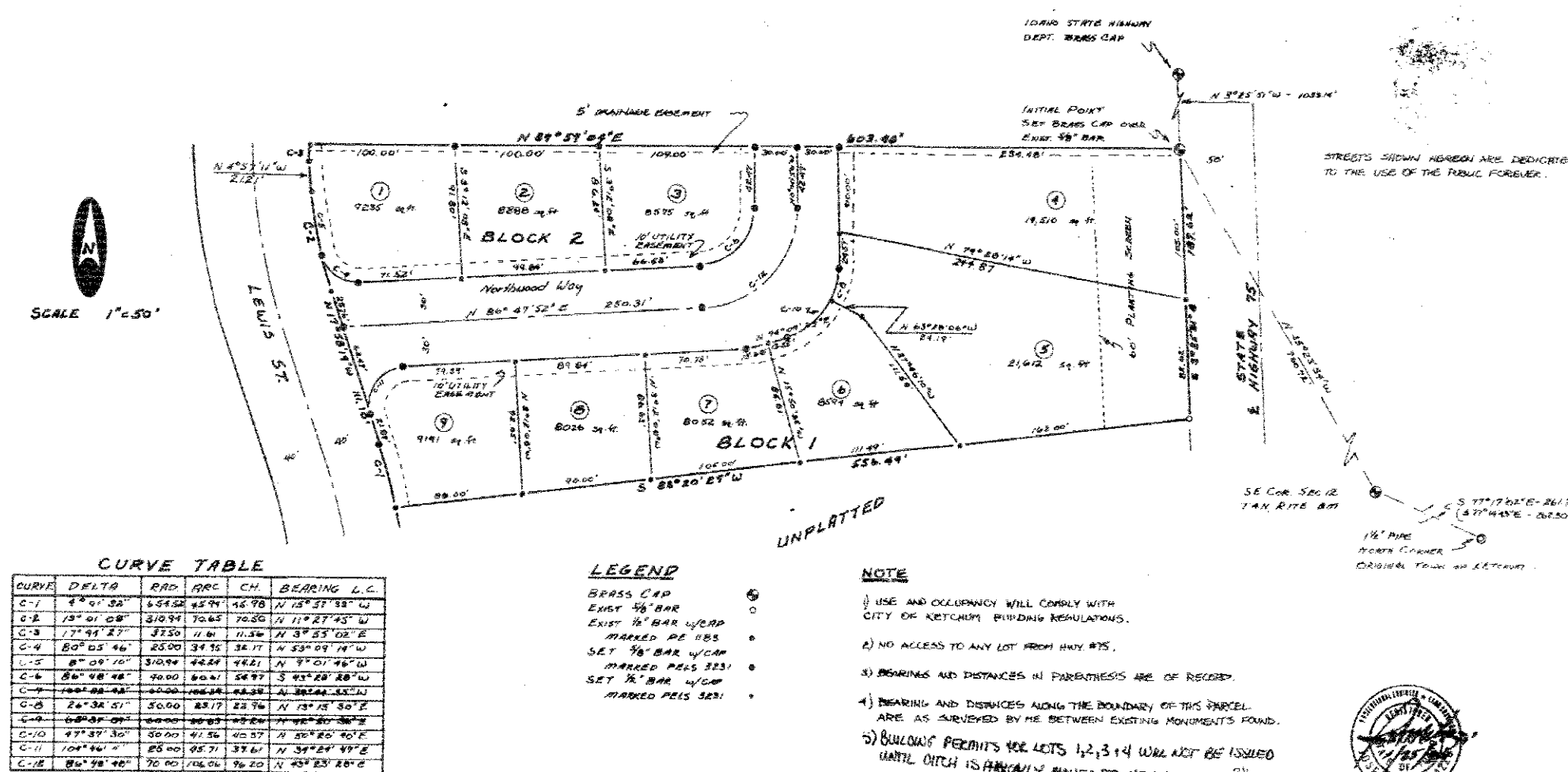
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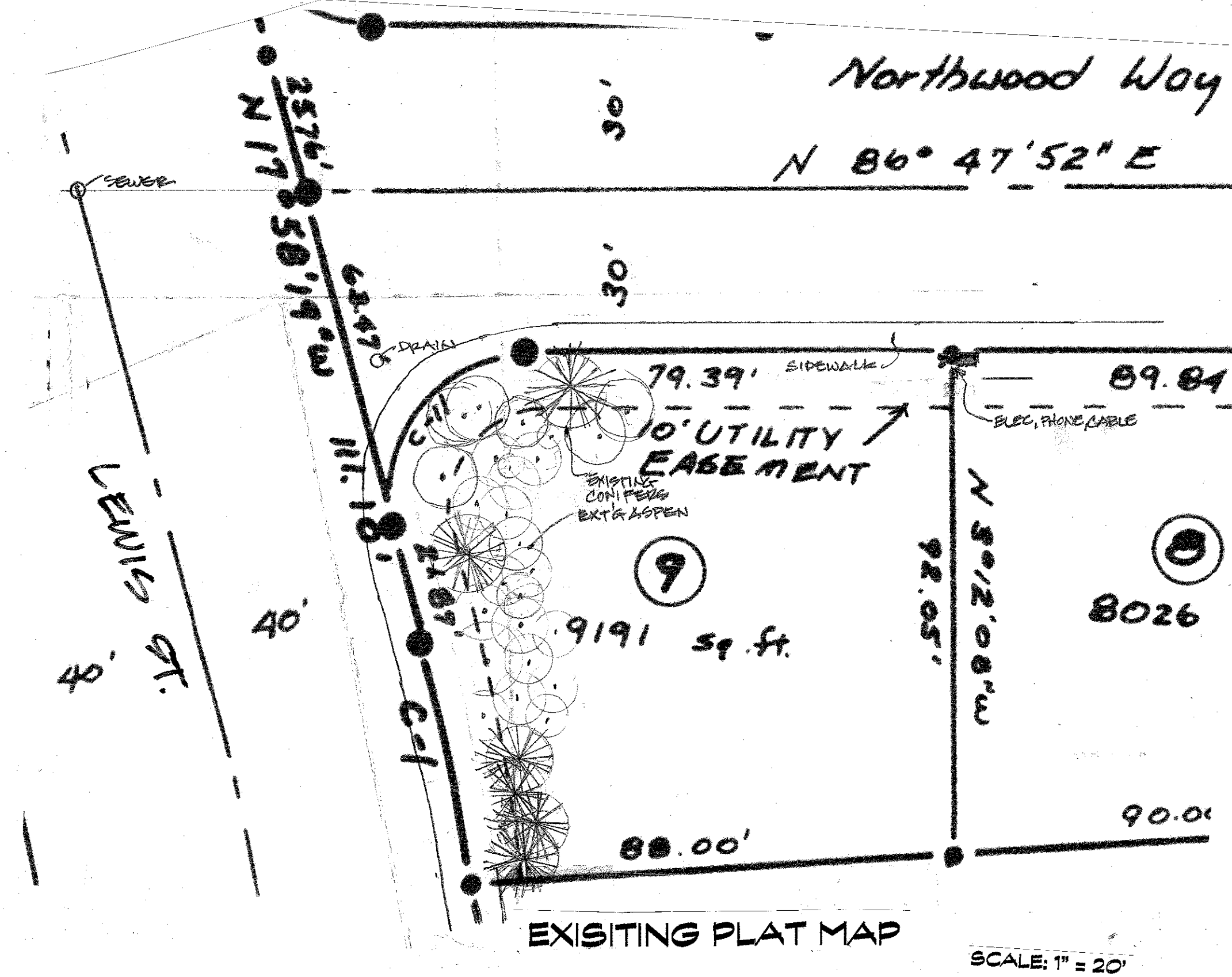
VICINITY MAP

NORTHWOOD LIGHT INDUSTRIAL PARK phase I

Section 12, T4N, R17E
KETCHUM, BLAINE COUNTY
IDAHO
AMENDED PLAT
1984

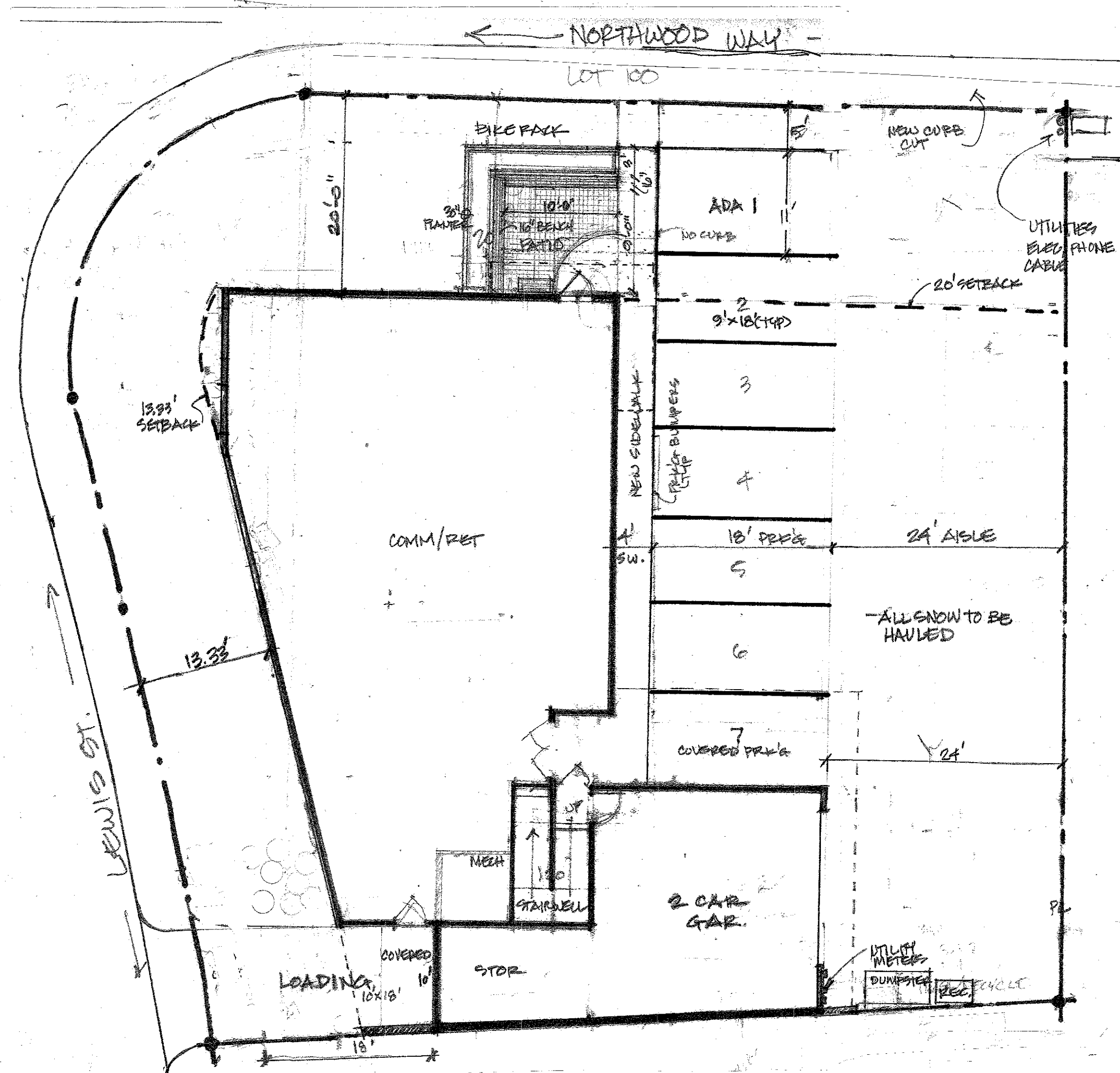


SUBDIVISION MAP



EXISTING PLAT MAP

SCALE: 1" = 20'



SITE PLAN/ LANDSCAPE PLAN/ DRAINAGE/UTILITY

PROJECT INFORMATION

Owner:
MONTRO, LLC
C/O LIZ ROQUET
1930 HEROIC RD
HAILEY, ID 83333

Architect:
C. Michael Barker, AIA
Contact: Michael Barker
Po box 2702
Ketchum, ID 83340
cmbarke@cox.net
208-720-3690

Structural Engineer:
LIV JENSEN, PE STRUCTURAL ENGINEERING
441 EAST RIDGE DR
HAILEY, ID 83333
liv@cox.net
208-720-5549

Civil Engineer:
BENCHMARK ENGINEERS
KETCHUM, ID 83333
don@bme5b.com
208-726-9512

Landscape Architect:
CLEMENS ASSOCIATES
110 5th ST
KETCHUM, ID 83340
rob@clemensassociates.com
208-726-5331

BUILDING INFORMATION

PROJECT ADDRESS: 100 NORTHWOOD WAY
KETCHUM, ID 83340

LEGAL LAND DESCRIPTION: LOT 9, NORTHWOOD LIGHT INDUSTRIAL

ZONING DISTRICT: LT-2

OCCUPANCY: MIXED

TYPE OF CONSTRUCTION: 100 NORTHWOOD WAY
KETCHUM, ID 83340

LOT AREA (SQUARE FTG): 9,191 SF

LOT COVERAGE:
3,103.5 SF + COVERED AREAS 3015F = 3,404.5 SF
3,404.5 SF + 9,191 SF = 37%

BUILDING HEIGHT ALLOWED: 35'

BUILDING HEIGHT PROPOSED: 24'

BUILDING CORNER SETBACKS:
NORTH: 20.0'
EAST: 24.0'
WEST: 13.33'
SOUTH: 0' LOTLINE

BUILDING FLOOR AREA (GROSS):
MAIN FLOOR: 3,103.5 SF
UPPER FLOOR: 1,969.5 SF
TOTAL: 5,073 SF

RESIDENTIAL ALLOWABLE AREA:
TOTAL BUILDING GROSS SF: 5,073 SF
5,073 SF + 2 = 2,536.5 SF ALLOWED
TOTAL PROPOSED NET SF: 1,912.5 SF
STAIR, STOR., CIRCULATION: 383.5 SF
REMAINING: <240.5 SF

PARKING REQUIREMENTS CALCS:
COMMERCIAL AREA: 1,740 SF + 500 SF PER = 3.48
RETAIL/ASSEMBLY: 400 SF + 100 SF PER = 4
LOADING SPACE: = 1
TOTAL REQUIRED SURFACE SPACES = 8
RESIDENTIAL: 2 UNITS, 1 BDRM EA = 2

PARKING SPACES PROVIDED:
8 SURFACE INCLUDING 1 ADA, 1 LOADING
2 ENCLOSED IN GARAGE

SNOW STORAGE:
*ALL SNOW TO BE HAULED OFF SITE

SHEET SCHEDULE

GENERAL:
CS.0 - PROJECT INFORMATION, MAPS, EXISTING PLAT, SITE/LANDSCAPE/DRAINAGE/UTILITY

ARCHITECTURAL:
A1 - FLOOR PLAN & ELEVATIONS

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LICENSED ARCHITECT
AR-2029

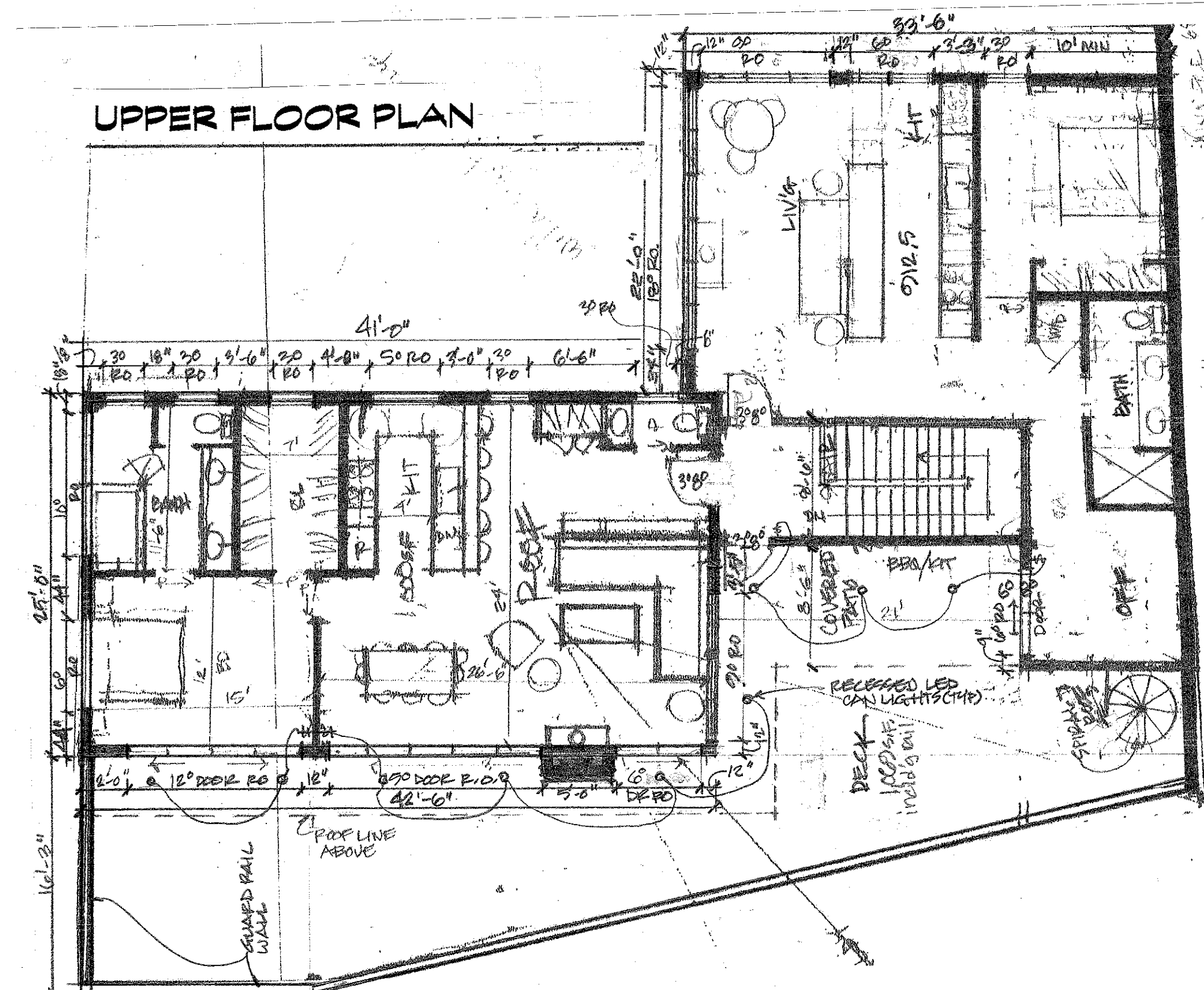
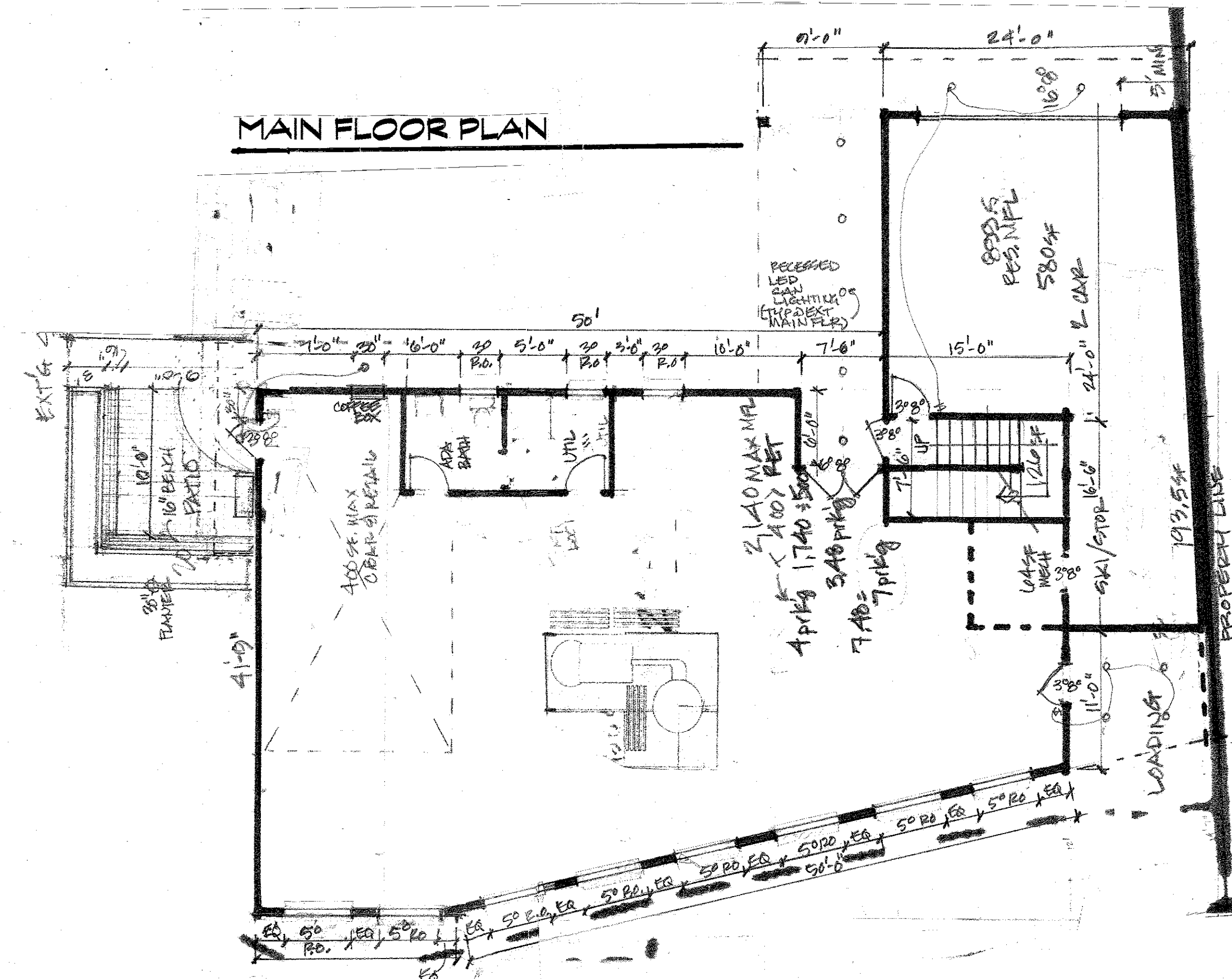
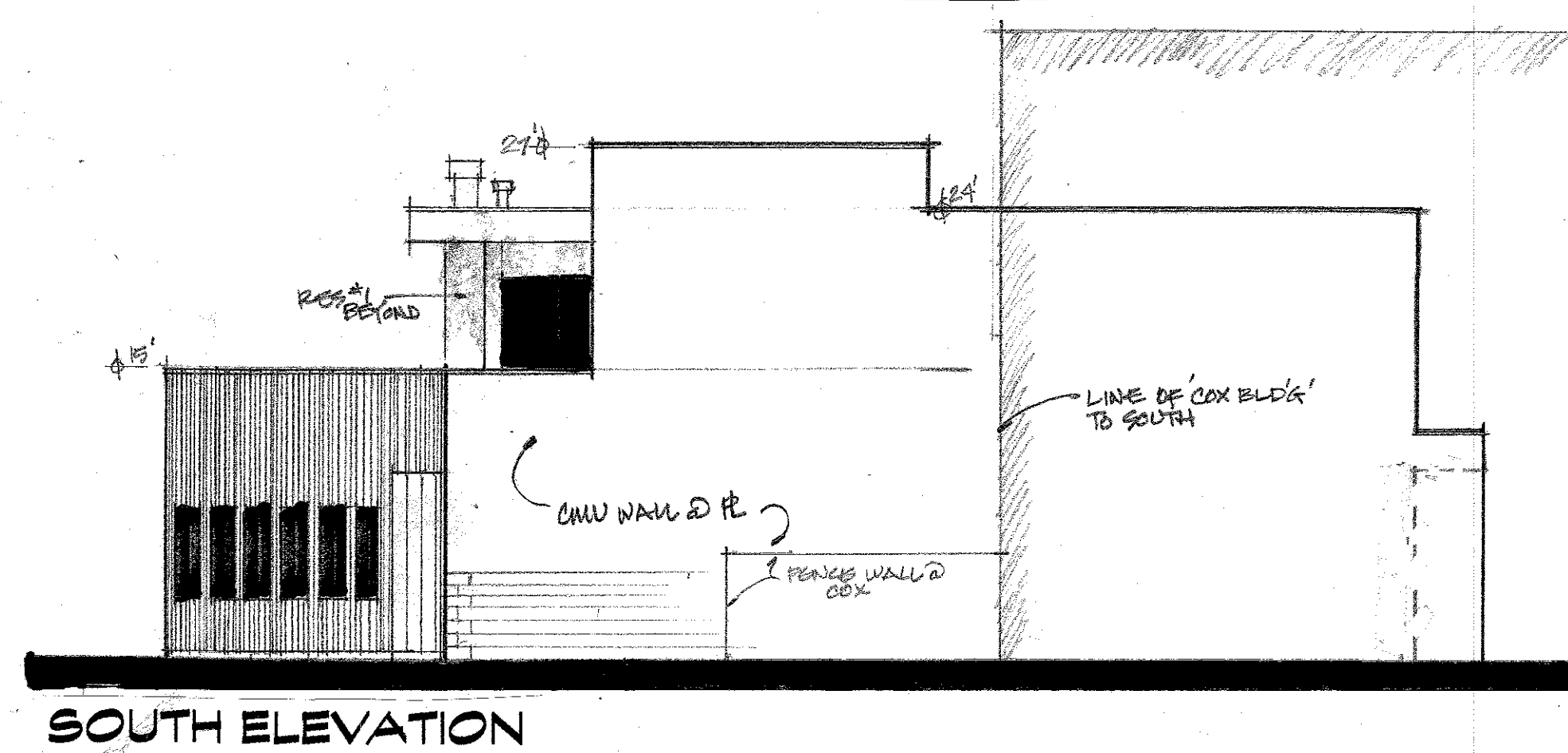
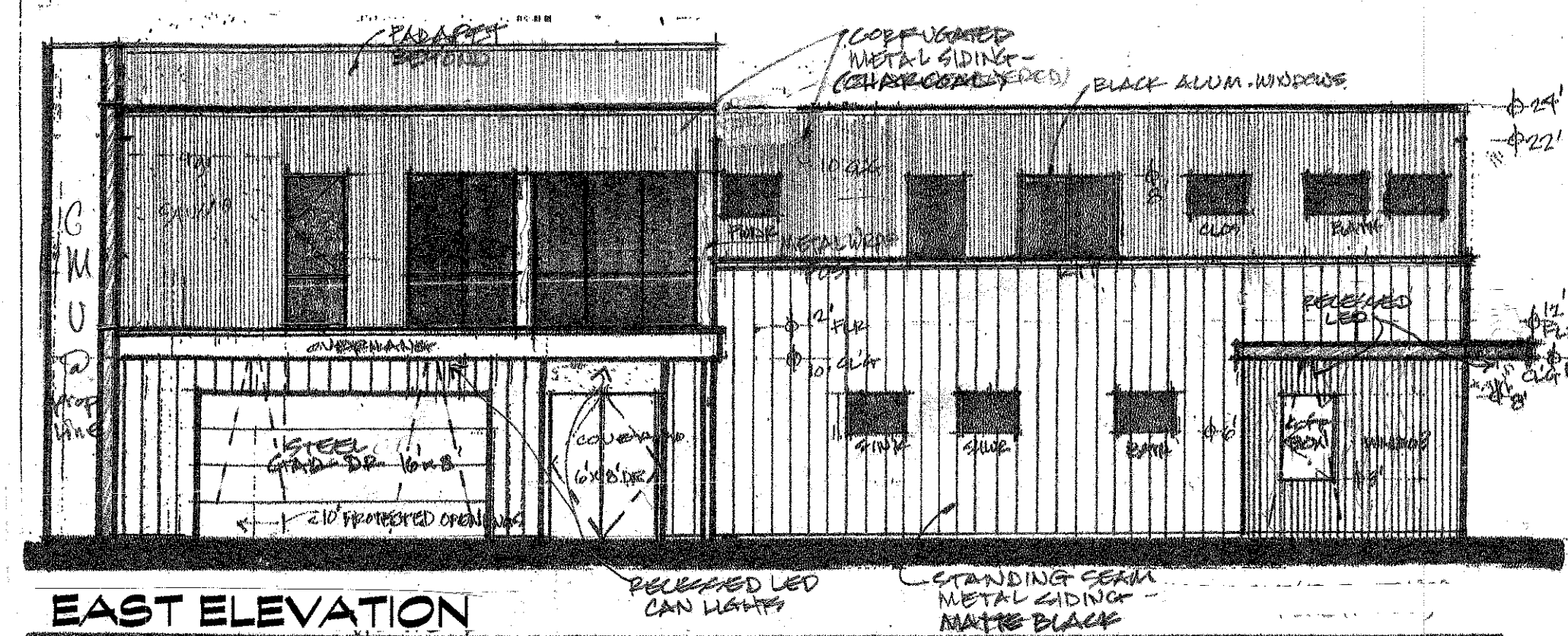
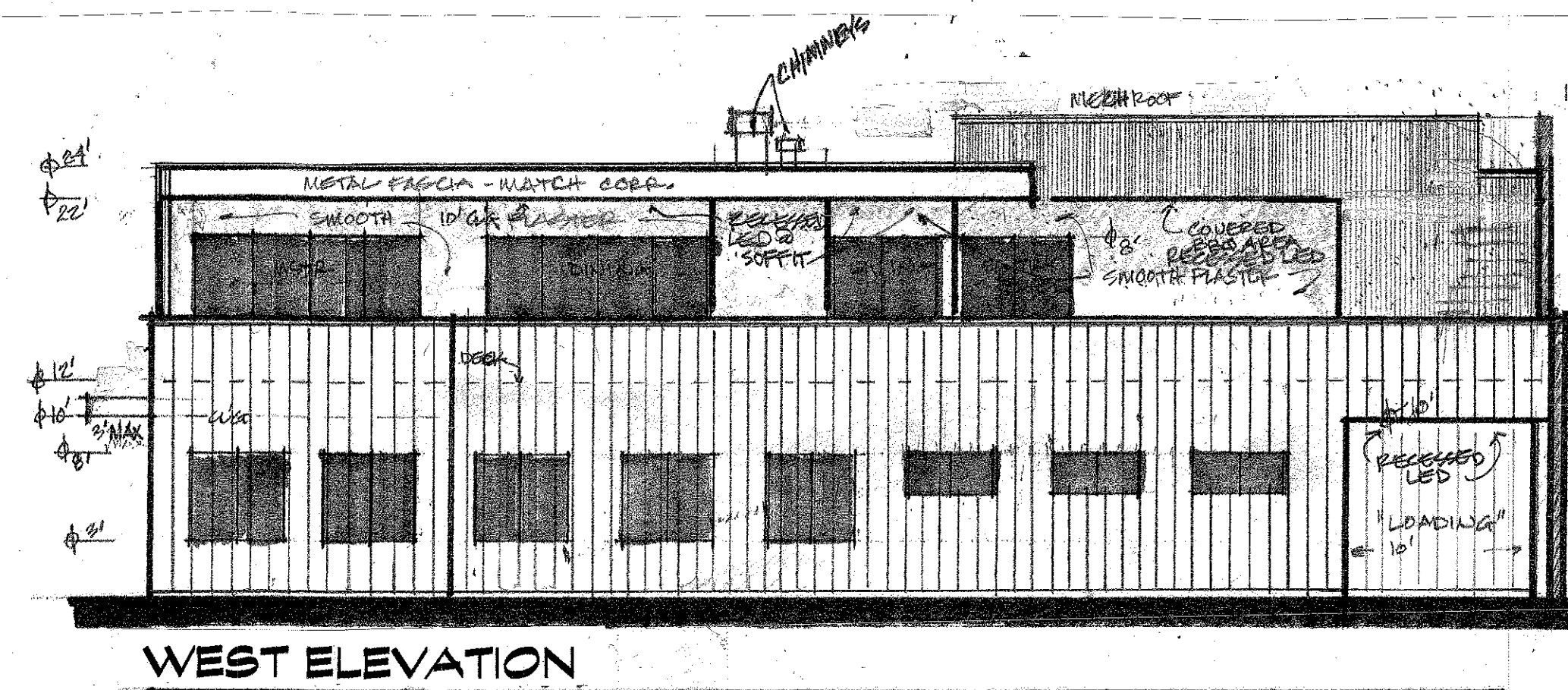
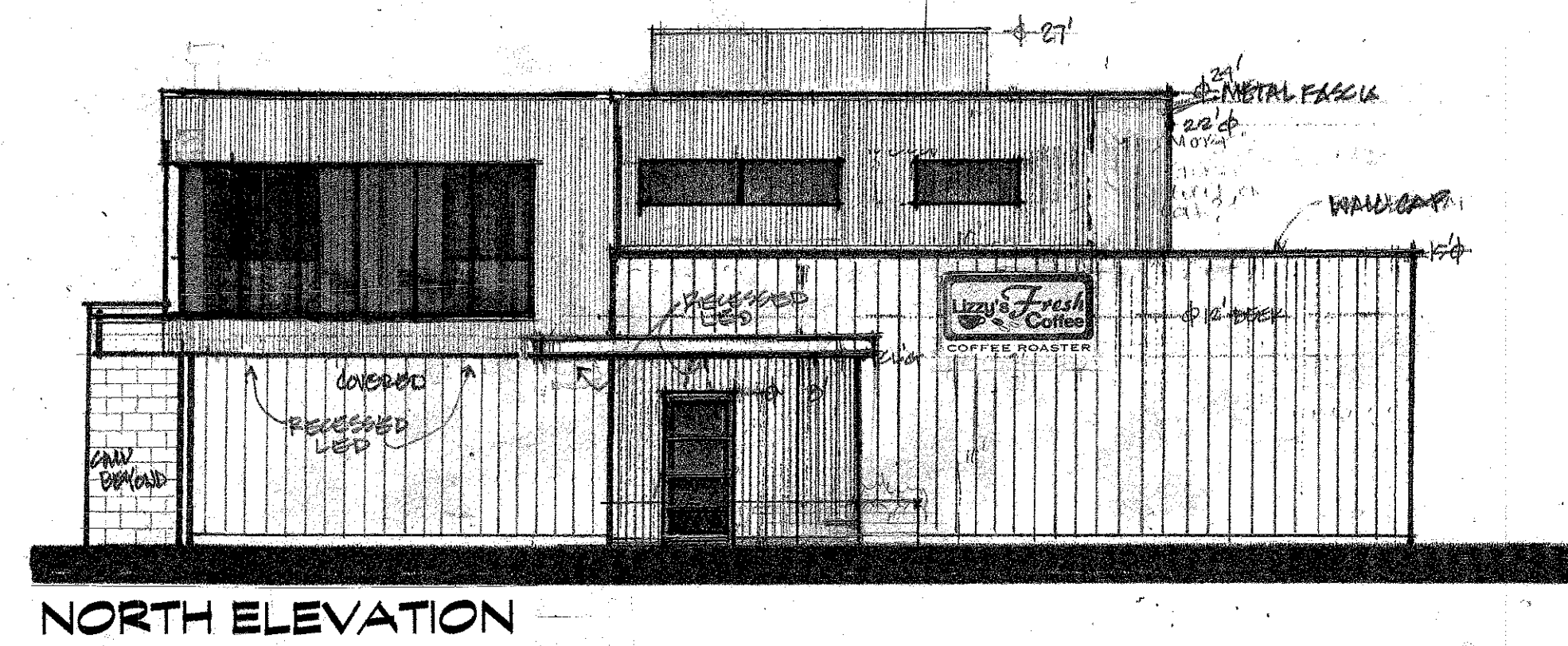
C. MICHAEL BARKER
STATE OF IDAHO
LICENSED ARCHITECT

PROJECT INFORMATION/ EXISTING
PLAT MAP/ LANDSCAPE PLAN
SITE PLAN/ DRAINAGE/ UTILITY
SCALE: as noted

100 NORTHWOOD WAY, LLC
100 NORTHWOOD WAY
KETCHUM, IDAHO 83340

C. MICHAEL BARKER, AIA
P.O. BOX 2702
KETCHUM, IDAHO 83340
PH: 208-720-3690
email: cmbarke@cox.net

SHEET: CS
DATE: 02/19/2017



FLOOR PLANS & EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"

100 NORTHWOOD WAY, LLC
100 NORTHWOOD WAY
KETCHUM, IDAHO 83340

C. MICHAEL BARKER, AIA.
P.O. BOX 2702
KETCHUM, IDAHO 83340
PH: 208-720-3690
email: cmbarker@cox.net

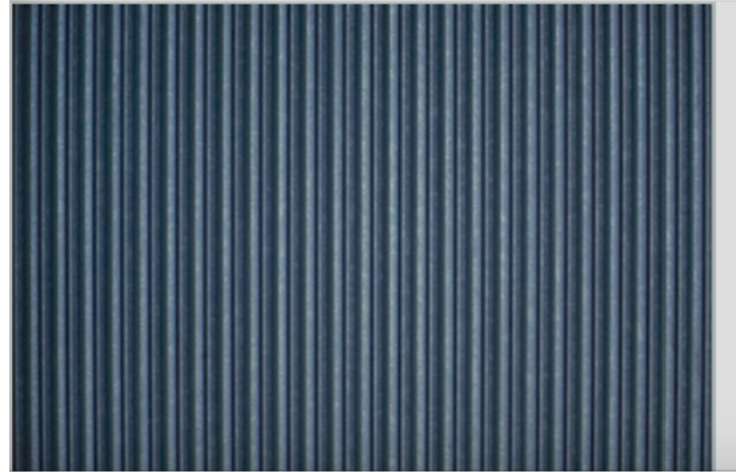
SHEET 12
A-1
DATE 09/19/2017



Charcoal



Matte Black



corrugated metal siding-upper floor



corrugated metal siding-upper floor

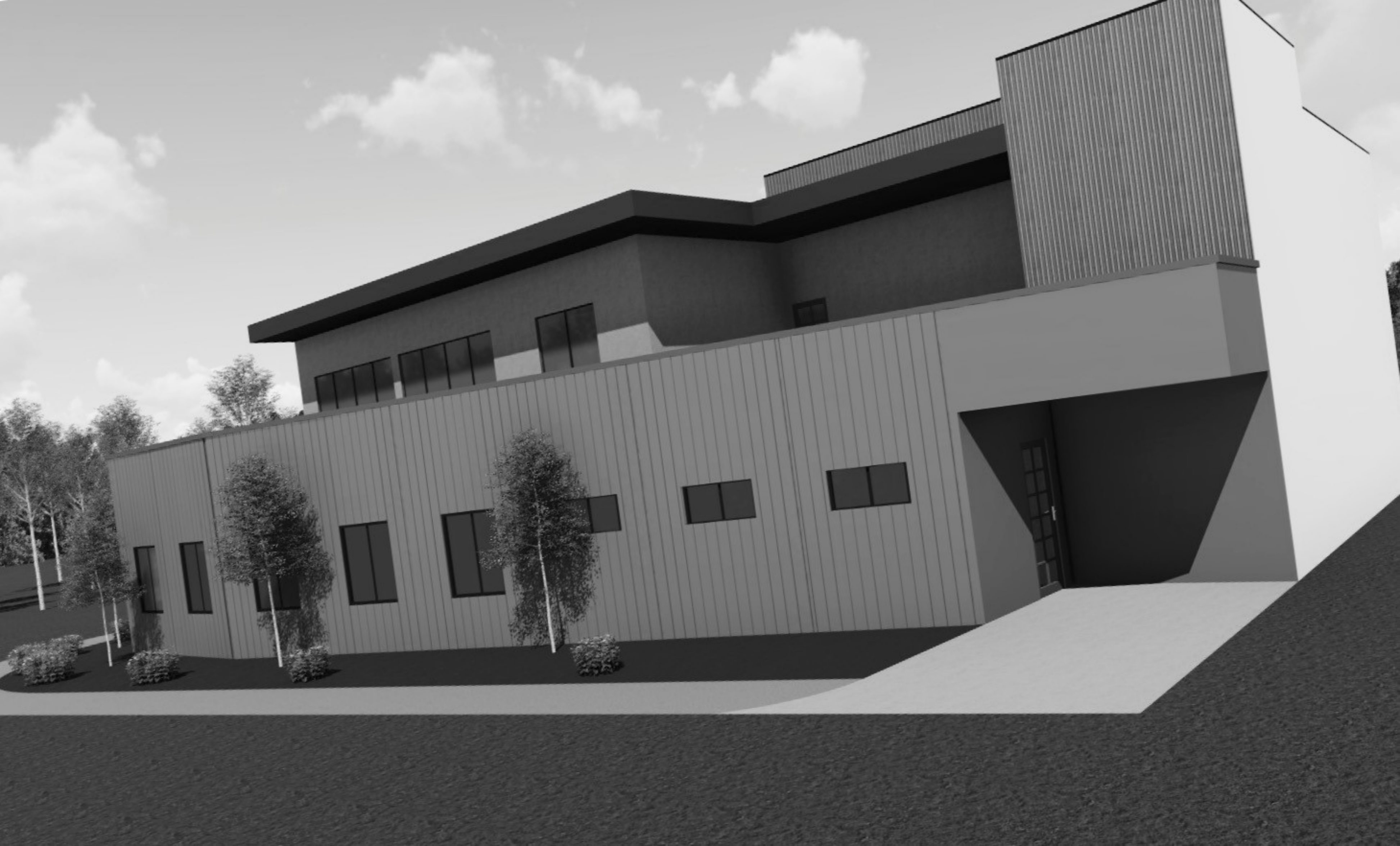
weathered wood siding at main entry



plaster finish @ upper floor & black commercial aluminum window/ doors throughout











Planning and Zoning

Regular Meeting

~ Minutes ~

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

Admin

Monday, September 11, 2017

5:00 PM

Ketchum City Hall

Commissioners Present: Jeff Lamoureux, Chairperson
Erin Smith, Vice-Chairperson
Neil Morrow, Commissioner
Betsy Mizell, Commissioner
Matthew Mead, Commissioner

Staff Present: Micah Austin, Director of Planning & Building
Brittany Skelton, Senior Planner
Carl Anderson, Associate Planner

1. Call to Order

2. 5:00 PM – SITE VISIT: Northwood Mixed Use Pre-Application Design Review: 180 Northwood Way, Ketchum, ID (Northwood Light Industrial AM Lot 5A 28,358 SF).

3. 5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho

Chair Jeff Lamoureux called the meeting to order at 5:31 p.m.

4. PUBLIC COMMENT - Communications from the public for items not on the agenda.

No public comment.

5. COMMUNICATIONS FROM STAFF

- a. **Continued from May 23, June 12, July 10, and August 14, 2017 Sun Valley Dental Arts Design Review: 100 7th Street East Ketchum, Idaho (Ketchum Townsite, Lot 5, Block 34). The Commission will consider and take action on an application by Ben Franz for Design Review approval of a new mixed use three-story building with ground floor commercial space with two residential units on the second floor and one residential unit on the third floor.**

Director of Planning & Building Micah Austin explained that this agenda item will need to be continued to the October 9, 2017 meeting.

Motion to continue to the October 9, 2017 meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Commissioner
SECONDER:	Betsy Mizell, Commissioner
AYES:	Lamoureux, Morrow, Mead, Smith, Mizell

- b. **Peter Residence Mountain Overlay Design Review: 124 Sage Road, Ketchum, ID (Warm Springs Village 4th Add Lot 7 BLK 3 31,363 SF). The Commission will consider and take action on an application by Pete Peter for Mountain Overlay Design Review for a new 4,907 square foot residence.**

Applicant Craig Maxwell presented his project to the Commissioners and talked about the site visit last month. He talked about the two items the Commission had requested be resolved from the last meeting and advised he is compliant with the requests.

Commissioner Matthew Mead asked about the avalanche forces in the model and expressed a concern about the possibility of this project damaging neighbors' houses. Craig Maxwell advised that this has been looked at and it is not a concern and explained the flow of an avalanche. He advised that he has worked with Avalanche Expert Bruce Smith on this topic.

Motion to approve the application for the Pete Peter Mountain Overlay Review application finding the application meets standards for approval under chapter 17.96 of the Ketchum Zoning Code with conditions 1-9.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Mead, Commissioner
SECONDER:	Betsy Mizell, Commissioner
AYES:	Lamoureux, Morrow, Mead, Smith, Mizell

- c. **Northwood Mixed Use Pre-Application Design Review: 180 Northwood Way, Ketchum, ID (Northwood Light Industrial AM Lot 5A 28,358 SF). The Commission will consider and take action on an application by Elisabeth Grabher for Pre-Application Design Review of a new mixed commercial use two-story building with ground floor parking, warehouse, office and retail space, a mezzanine, and second floor office space.**

Michael Allaire with Michael Doty Architects, representing Elisabeth and Elmar Grabher, showed an aerial view of the site and gave a detailed explanation of each screen. He talked about the site plan and about the parking, and loading zones. He showed the retail space and garage space as well as the mezzanine and 2nd floor, as well as the bathrooms, and kitchenette. He talked about the plans for the roof. Michael Allaire went over the proposed materials and showed samples to the Commissioners. Elevations were presented in detail. He showed 3D views of the building and talked about the landscaping.

Commissioner Matthew Mead asked about the construction method. Michael Allaire explained that it would be a wood structure. Vice Chair Erin Smith questioned the mezzanine use. He advised it would be a rail looking over the warehouse. The stucco design was questioned.

Associate Planner Carl Anderson advised that staff recommends the project going forward to design review and explained where items 1-10 fall in the process.

Vice Chair Erin Smith questioned 17.08 substantial improvement and asked how that qualifies since it's a vacant lot. Director of Planning & Building Micah Austin explained it's based on the current value and explained the new construction definition.

Commissioner Matthew Mead questioned the need to move a fire hydrant to accommodate the entrance. Associate Planner Carl Anderson advised that will be addressed during design review. Chair Jeff Lamoureux asked about the standard on the driveway width. Associate Planner Carl Anderson explained they are within the standard and satisfy the requirement. Director of Planning & Building Micah Austin explained that we base this on the 30% rule and take that on a case by case basis. Commissioner Betsy Mizell asked about solar panels and sky lights for natural light and lower energy use. Michael Allaire talked about the windows in the garage door to allow natural light. Matthew Mead questioned the visible flat roof on highway 75 and if anything will be done to change that. Michael Allaire explained that no changes are proposed at this.

Commissioners all agreed that the building looks good.

Motion to advance 180 Northwood Way to Full Design Review.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Vice Chair
SECONDER:	Matthew Mead, Commissioner
AYES:	Lamoureux, Morrow, Smith, Mizell

6. CONSENT CALENDAR**a. Minutes: June 12, 2017**

Minutes were amended. Commissioner Mathew Mead was not present at that meeting.

Motion to approve June 12, 2017 minutes with corrections.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Vice Chair
SECONDER:	Jeff Lamoureux
AYES:	Lamoureux, Smith, Mizell, Morrow

b. Minutes: July 7, 2017

Minutes were amended. Chair Jeff Lamoureux and Commissioner Mathew Meade were not present at that meeting.

Motion to approve July 7, 2017 minutes as amended.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mathew Mead, Commissioner
SECONDER:	Neil Morrow, Commissioner
AYES:	Morrow, Smith, Mizell

c. Minutes: July 10, 2017

Vice Chair Erin Smith requested that Chair Jeff Lamoureux be listed as the first commissioner present when he is present at a meeting.

Motion to approve July 10, 2017 minutes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Vice chair
SECONDER:	Betsy
AYES:	Lamoureux, Morrow, Mead, Smith, Mizell

d. Minutes: August 14, 2017

Minutes were amended. Under 5. the last sentence needs to be moved under 6. On page 5 under E., second paragraph, the word areas need to be changed to units. On page 7, number 11, it should say incentivizes.

Motion to approve August 14, 2017 as amended.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mathew Mead, Commissioner
SECONDER:	Betsy Mizell, Commissioner
AYES:	Morrow, Mead, Smith, Mizell

- e. **Hotel Ketchum Coffee Shop Design Review: 620 North Main Street, Ketchum, ID (Ketchum Lots 2, S 2' of 3 BLK 7 3,179SF): Findings of Fact and Conclusions of Law.**
- f. **Flynt Residence Mountain Overlay Design Review: 207 Jade Street, Ketchum, ID (Ketchum FR SE SW TL 3593 SEC 18 4N 18E): Findings of Fact and Conclusions of Law.**

Items e and f on this agenda were presented together.

Vice Chair Erin Smith is good with the Flynt Residence. Chair Jeff Lamoureux would like Erin Smith's name to be put on the Findings of Fact in the signature line since he was not present at that meeting.

Vice Chair Erin Smith questioned if the location of Hotel Ketchum is considered downtown. Director of Planning & Building Micah Austin explained that it is the Community Core zoning district, at the edge of downtown. Erin Smith questioned a reference on Page 5, to Boulder Mountain Sub, and the size. Associate Planner Carl Anderson explained that the Boulder Mountain Sub is the lot the Hotel Ketchum sits on and advised that he will get the exact language for the name of the lot and add it. Erin Smith questioned page 8, standard 17.96.060E3, stating she believes the Commission was told the coffee shop would not be occupying the existing foundation. Carl Anderson will make the correction to the wording. Erin Smith also questioned the need for conditions #7 and #11 because they seem to be repetitive. Carl Anderson stated he will make that change.

Move to approve both findings of fact as amended.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neil Morrow, Commissioner
SECONDER:	Betsy Mizell, Commissioner
AYES:	Lamoureux, Morrow, Mead, Smith, Mizell

7. **FUTURE PROJECTS AND NOTICING REQUIREMENTS**

Senior Planner Brittany Skelton advised that at the Monday Oct. 9, 2017 meeting there will be a continuation of the Franz mixed use development and tentatively the applicant will present an update at that meeting.

There is a scheduled review of Grumpy's conditional use permit. Complaints were received regarding hours of operation. Director of Planning & Building Micah Austin explained the complaint process and its relation to the review of the Conditional Use Permit (CUP). The CUP has not been evaluated since 1997. Micah Austin explained to the Commissioners that the restaurant is supposed to close at 9 p.m. Micah Austin explained to commissioners what they will be looking at and what has been done up to this point. Chair Jeff Lamoureux said this is an enforcement issue. Micah Austin advised that there is a requirement that when there is a written complaint the topic will need to come back to the commissioners. Commissioners have requested somebody from the Police Department be present to explain what enforcement actions have been taken up to this point.

Brittany Skelton added that two additional CUP renewals will be reviewed for renewal, the first one being the Sun Valley Skier Parking Lot at Gates Road and the other being the Sun Valley Skier Parking Lot at Puchner Lane. Brittany Skelton added that there is a Mountain Overlay Pre-Application Design Reivew tentatively scheduled for a property located at 6th and Walnut and that the Findings of Fact for the Peters residence will also be reviewed at the October 9th meeting.

8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Director of Planning & Building Micah Austin reported that the Parking Ordinance is scheduled for a public hearing with City Council for October 2nd. Micah Austin gave the history of the proposed Ordinance.

Associate Planner Carl Anderson advised that he has accepted a Job in Pocatello. His last day at the City of Ketchum will be October 2nd.

Senior Planner Brittany Skelton will be out of the office under the Family and Medical Leave Act beginning in October and returning in January of 2018.

Director of Planning & Building Micah Austin gave Carl Anderson and his prior employees who left the city of Ketchum to advance in their careers kudos for their efforts and congratulated them for moving on.

9. Commission reports and ex parte discussion disclosure

Vice Chair Erin Smith questioned how old the avalanche studies are and what we need to do to get them updated. Director of Planning & Building Micah Austin explained they are dated back to 1978 and 1979 and advised that he has gotten direction from council to begin looking at the studies.

Vice Chair Erin Smith questioned a house going up on Corrock Drive and the top of Warm Springs. Director of Planning & Building Micah Austin explained that property line that goes onto Corrock Dr. and about the dividing line and how it was approved at the time. He explained the building code and what was required at the time of approval and advised that the house meets all building codes.

Chair Jeff Lamoureux wanted to make a comment about the Sun Valley Dental Arts application. He has concerns that the city needs to communicate more with the applicant. He wants the city to work with him so the application can move forward. Micah Austin advised that he is confident that staff has done their jobs and explained the process to the applicant. He advised that from the beginning this project has not met standards. Carl Anderson explained that the applicant has been working on all the requirements. Micah Austin advised that staff continue to work with the applicant. Lamoureux voiced his concerns in regard to the applicant and our communication. Micah Austin explained that the architect has changed and they will continue to work with the applicant.

10. ADJOURNMENT

Motion to adjourn at 6:43 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mathew Mead, Commissioner
SECONDER:	Neil Morrow, Commissioner
AYES:	Lamoureux, Morrow, Mead, Smith, Mizell

Jeff Lamoureux
Planning and Zoning Commission Chairperson



City of Ketchum
Planning & Building

IN RE:)
)
Peter Residence)
Design Review) KETCHUM PLANNING AND ZONING COMMISSION
Date: October 09, 2017) FINDINGS OF FACT, CONCLUSIONS OF LAW AND
) DECISION
File Number: #17-099)

BACKGROUND FACTS

PROJECT: Peter Residence

FILE NUMBER: #17-099

OWNERS: Pete P. Peter

REPRESENTATIVE: Craig Maxwell, P.E., Maxwell Structural Design Studio

REQUEST: Mountain Overlay Design Review for a new single-family residence.

LOCATION: 124 Sage Road (Lot 7, Block 3, Warm Springs Village 4th Addition, 31,363 SF)

ZONING: General Residential – Low Density (GR-L)

OVERLAY: Mountain Overlay Design Review and Avalanche Overlay Zone

NOTICE: Notice was mailed to adjacent property owners of the subject property and posted in three public City locations on Tuesday, August 29th, 2017.

**NOTICE OF CONSIDERATION BEFORE THE PLANNING AND ZONING COMMISSION:
REGULAR MEETING**

Meeting Date:	September 11, 2017
Meeting Time:	5:30 PM, or thereafter as the matter can be heard.
Meeting Location:	City Hall Council Chambers, 480 East Avenue North, Ketchum, Idaho
Project Name:	Peter Residence
Project Location:	124 Sage Road (Lot 7, Block 3, Warm Springs Village 4 th Addition)
Applicant:	Pete P. Peter
Representative:	Craig Maxwell, P.E., Maxwell Structural Design Studio
Application Type:	Mountain Overlay Design Review
Project Description:	The applicant is proposing to construct a new single family residence within the Mountain Overlay Design Review zoning district. The property is 0.718 acres in size and the underlying zoning district is GR-L, General Residential –

Low Density. The property is also located within the Avalanche Overlay zoning district.

BACKGROUND

The project was advanced from Pre-Application Mountain Overlay Design Review to Mountain Overlay Design Review by the Planning and Zoning Commission on August 14th, 2017. The applicant is proposing to construct a new single-family residence in the Mountain Overlay Design Review and Avalanche overlay zoning districts. The lot is currently vacant but is bordered by development on its east and west sides. The lot is located on the north side of Sage Road; all lots on the north side of Sage Road are characterized by having several hundred feet of lot depth and significant gain in elevation from the lot front to the lot rear.

COMPREHENSIVE PLAN ANALYSIS

SUPPORTING SECTION	SUMMARY OF COMPLIANCE OF PROPOSED AMENDMENTS WITH THE 2014 COMPREHENSIVE PLAN
Future Land Use	
Low Density Residential	<p>Primary Uses: Single-family and duplex residences and accessory units.</p> <p>Secondary Uses: Supporting and complementary uses, including open space and recreation, agriculture/gardens, schools, places of worship, and other public uses. Senior housing facilities are also appropriate if compatible with the surrounding areas.</p> <p>The intent is for the average density of a residential area in this category is not to exceed about five units per acre.</p> <p>Characteristics and Location: New residences should be within neighborhoods that have pedestrian-oriented, connected local streets and sidewalks. New housing should also have access to parks, open space, schools, and other civic activities. Neighborhoods within this category should be accessible via local streets with access to collector streets for circulation.</p>
Community Design and Neighborhoods	
Goal CD-2 Protect and enhance views of the surrounding mountains and natural features.	<p>Policy CD-2.2 - Mountain Overlay Zone Continue to protect hillsides within the City and the Area of City Impact from further development. Enforce and encourage strengthening of the Mountain Overlay standards of the City and County, by using a variety of techniques; such as clustering at lower elevations, creating conservation easements, or purchasing private property on hillsides.</p> <p>Policy CD-2.4 Development Designed for Natural Feature Preservation Protect and incorporate natural features into newly developing areas. Conserve the natural patterns of streams, ridgelines, topography, riparian areas, and wildlife habitat areas.</p>

FINDINGS OF FACT

Table 2: City Department Comments

City Department Comments				
Compliant				
Yes	No	N/A	City Code	City Standards and Commission Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Police Department: No comment at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Fire Department: It is the General Contractor's responsibility to understand and adhere to all Fire Protection

			<p>Ordinance #1125 requirements in addition to any and all other City of Ketchum requirements in effect at the time of Building Permit issuance. Failure to comply with all local ordinances and codes may result in project work stoppage as well as criminal penalties.</p> <p>The above project shall meet all 2012 International Fire Code requirements in addition to specific City Building and Fire Ordinances.</p> <p>IF a monitored fire detection system exists or is installed, it shall meet NFPA 72 and be monitored by an approved alarm monitoring station. An approved key box shall be installed, with the appropriate keys, for emergency fire department access in a location approved by the fire department.</p> <p>Approved address numbers shall be placed in such a position to be plainly visible and legible from the road fronting the property. Numbers and letters shall be a minimum of four (4) inches tall, contrast with their background and be positioned a minimum of forty-eight (48) inches above final grade.</p> <p>Vehicle parking and material storage during construction shall not restrict or obstruct public streets or access to any building. A minimum twenty-foot travel lane for emergency vehicle access shall be maintained clear and unobstructed at all times. All required Fire Lanes, including within 15 feet of fire hydrants, shall be maintained clear and unobstructed at all times.</p> <p>Fire extinguishers shall be installed and maintained per 2012 IFC Section 906 both during construction and upon occupancy of the building.</p> <p>Spark arresters are required on all solid fuel burning appliance chimneys to reduce potential fires from burning embers.</p> <p>Final inspections of all fire department permit required installations by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance. A Final Inspection Checklist can be found at www.ketchumfire.org.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Streets Department: ROW improvements need to meet or exceed standards. A minimum size drain pipe in the ROW is 12", minimum slope in R/M shoulder is 5%. Staff has met with the applicant and has approved a minimum slope of no less than 3% for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Utilities: Applicant shall bring water stub to the subject property.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Parks/Arborist: No Comment.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Building: The building must meet 2012 International Building Code.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Planning and Zoning: Comments are denoted throughout the staff report.</p>

Table 3: Zoning Standards Analysis

Compliance with Zoning Standards				
Compliant			Standards and Commission Comments	
Yes	No	N/A	Regulation	City Standards and Commission Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Lot Coverage:
			Commission Comments	<p><u>Maximum Allowed Building Lot Coverage:</u> 35%</p> <p><u>Proposed Building Lot Coverage:</u> The applicant is proposing 2,726 square feet of building coverage on a 31,250-square foot lot, with a proposed building coverage of 8.7%</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.0030	Building Height
			Commission Comments	<p><u>Maximum Allowed Building Height:</u> 35 feet</p>

				<u>Proposed Building Height:</u> 32'-3"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Height & Setbacks
			Commission Comments	<u>Minimum Allowed Building Setbacks:</u> Front: 15 feet Side: One (1) foot for every three (3') feet in building height, or 5', whichever is greater; for this project, the proposed building is 32'-3" in height, which would require a 10'-9" side setback. Rear: One (1) foot for every three (3') in building height, or 15', whichever is greater. <u>Proposed Building Setbacks:</u> Front: 20' Rear: 160' East Side: 14'-9" West Side: 14' – 10"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030. H	Street Frontage
			Commission Comments	<u>Maximum curb cut allowed:</u> A maximum of thirty five percent (35%) of the linear footage of any street frontage can be devoted to access off street parking. <u>Proposed:</u> The lot is 104.59' in width. The applicant is proposing one driveway 30' in width, equal to 29% of the total street frontage.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.050	Parking Spaces
			Commission Comments	<u>Required:</u> Dwelling, one-family: 1.5 spaces per dwelling unit <u>Proposed:</u> The applicant is proposing a two (2) car garage. One (1) additional parking spaces are proposed for the driveway.

Table 4: Mountain Overlay Design Review Standards

Mountain Overlay Design Review Standards				
EVALUATION STANDARDS: 17.107. 070.A				
Compliant			Standards and Commission Comments	
Yes	No	N/A	Reference	City Standards and Commission Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104 MOUNTAIN OVERLAY	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.1	There is no building on ridges or knolls which would have a material visual impact on a significant skyline visible from a public vantage point entering the City or within the City. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this Ordinance.
			Commission Comments	There are no ridges or knolls identified on the subject parcel; the ridge line is located beyond the extent of the property boundary. This property is not located adjacent to an identified or protected view corridor. Nearly all of Sage Road is screened from view from the Warm Springs Road corridor by vegetation planted on the properties fronting Warm Springs Road and properties on the south side of Sage Road. Additionally, because the applicant's proposing to build at the lowest elevation point on the site there is no risk of visual impact on the skyline.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.2	Building, excavating, filling and vegetation disturbance on hillsides which would have a material visual impact visible from a public vantage point entering the City or within the City is minimized. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this

				Ordinance.
			Commission Comments	<i>Building, excavation, filling and vegetation disturbance will not have a material visual impact visible from a point within the city due to the proposed building site and limits of disturbance being located at the lower elevation portion of the site. Other than the proposed building site and limit of disturbance, the project will retain its existing grade and vegetation.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.3	Driveway standards as well as other applicable standards contained in Street Standards Chapter 12.04 are met.
			Commission Comments	<i>The city standards require a driveway slope of 5% and the applicant is proposing a slope of 3% for eight (8') from the edge of asphalt due to the topography on the site and relatively short length of driveway. The applicant has coordinated with the Streets Department on the proposed driveway slope. The Streets department has approved a driveway slope of no less than 3% due to site constraints. See comment from Ketchum Streets Department located in table 2.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.4	All development shall have access for fire and other emergency vehicles to within one hundred fifty feet (150') of the furthest exterior wall of any building.
			Commission Comments	<i>The Fire Department has reviewed the proposed design and has found that all access requirements for emergency vehicles has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.5	Significant rock outcroppings are not disturbed.
			Commission Comments	<i>No rock outcroppings have been identified on the subject property.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.6	International Building Code (IBC) and International Fire Code (IFC) and Ketchum Fire Department requirements shall be met.
			Commission Comments	<i>The applicant is aware of all building code requirements and indicates that this project will be compliant with all International Building Code 2012 and the Ketchum Fire Department requirements. All IBC, IFC and Ketchum Fire Department requirements shall be verified and met prior to the issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.7	Public water and sewer service comply with the requirements of the City.
			Commission Comments	<i>Requirements for public water and service connection will be verified prior to issuance of a building permit. The City Utilities Department has indicated that the applicant shall bring the water stub to the subject property. The applicant is aware of this requirement and indicates that the water stub will be brought to the subject property.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.8	Drainage is controlled and maintained to not adversely affect other properties.
			Commission Comments	<i>The applicant proposes an interceptor trench drain uphill from the proposed residence and two drywells and two catch basins to be sized and designed to meet city standards per Steve Butler, P.E., with the specs and locations to be finalized prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.9	Cuts and fills allowed for roadways shall be minimized; lengths of driveways allowed shall be minimized; all cuts and fills shall be concealed with landscaping, revegetation and/or natural stone materials. Revegetation on hillsides with a clear zone of thirty feet (30') around all structures is recommended. Said clear zone shall include low combustible irrigated vegetation with appropriate species, on file with the Ketchum planning department. Revegetation outside of this clear zone should be harmonious with the surrounding hillsides.
			Commission Comments	<i>There are no proposed cuts and fills for roadways on the site, however, there is an existing cut for a roadway on the site; the cut was made when the adjacent property to the east was constructed and the cut was never filled. The proposed location of the residence takes advantage of the existing cut and the proposed residence will largely conceal the existing cut. The proposed garage exists at the front plane of the residence and is the nearest façade to the right-of-way, minimizing the length of the driveway.</i> <i>The limits of disturbance shown on sheet A 1.2 indicate that the site and its native vegetation will largely remain undisturbed.</i> <i>The applicant has indicated that a clear zone around the structure will be provided</i>

				<i>and will include primarily low-combustible vegetation. All vegetation is proposed to be irrigated by an automatic sprinkler system. Revegetation outside of the clear zone will be such to ensure that the natural grasses blend with the surrounding hillside. All non-native trees along the eastern property line are proposed to be removed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.10	There are not other sites on the parcel more suitable for the proposed development in order to carry out the purposes of this Ordinance.
			Commission Comments	<i>The property is 0.718 acres in size and the grade changes from 5,907' at the lowest point (southwest corner) to an elevation of 6,069' at the highest point (northwest corner). This represents a 162' gain in elevation over the length of the lot on the western property line, which is a distance of 304.6'. The applicant has utilized the area of the property most suitable for development, which has the flattest natural grade. This area happens to be the closest to the right-of-way and Sage Road.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.11	Access traversing 25% or greater slopes does not have significant impact on drainage, snow and earth slide potential and erosion as it relates to the subject property and to adjacent properties.
			Commission Comments	<i>There is one driveway access proposed which is located at the front of the subject property. The proposed driveway does not traverse a slope greater than 25%.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.12	Utilities shall be underground.
			Commission Comments	<i>The applicant is aware of this requirement and indicates that all of the onsite utilities will be located underground.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.13	Limits of disturbance shall be established on the plans and protected by fencing on the site for the duration of construction.
			Commission Comments	<i>Limits of disturbance are depicted on Sheet A1.2, Construction Activity Plan. The applicant is aware of requirements for fencing and sheet A1.2 contains notes stating a limit of disturbance/construction fence and a wind control & debris control fence will be constructed. The established limits of disturbance shall be protected by fencing on the site for the duration of construction.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.14	Excavations, fills and vegetation disturbance on hillsides not associated with the building construction shall be minimized.
			Commission Comments	<i>There are no proposed excavations or fills not associated with building construction.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.15	Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.
			Commission Comments	<i>No significant landmarks have been identified.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning code, Title 17;
3. The Commission has authority to hear the applicant's Design Review Application pursuant to Chapter 17.96 of Ketchum Code Title 17;
4. The project **does** meet the standards of approval under Chapter 17.104 of Zoning Code Title 17;
5. The City of Ketchum Planning Department provided adequate notice for the review of this application;

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Design Review application this Monday, September 11th, 2017 subject to the following conditions:

1. All governing ordinances pertinent to the Fire Department, Building Department, Utilities Department, Street Department and Ketchum City Engineer shall be met prior to Certificate of Occupancy;
2. Per Title 17, Section 17.96.090: TERM OF APPROVAL: The term of design review approval shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are adopted by the Commission or upon appeal, the date the approval is granted by the Council subject to changes in zoning regulations;
3. Design review elements shall be completed prior to final inspection/occupancy;
4. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. The applicant shall submit a final revised plan for the official Planning Division files. Building Permit plans must conform to the approved mountain overlay design review plans unless otherwise approved in writing by the Commission or Planning Department. Any building or site discrepancies which do not conform to the approved plans will be subject to removal;
5. Construction fencing at the limits of disturbance shall be located on the site as approved by the Planning Department prior to any excavation or earthwork;
6. A final drainage/grading plan for the subject property and the city right of way shall be submitted to the Planning Division for review and approval by the Planning Department, Streets Department, and City Engineer prior to the issuance of a building permit. Such plan shall be designed and stamped by a licensed civil engineer;
7. As the property is located within the Avalanche Zone, the project shall comply with all applicable standards located in Chapter 17.92 Avalanche Zone District prior to the issuance of a building permit.
8. Any work in the right-of-way will require a right-of-way encroachment permit, reviewed and approved by the City before installation; and
9. All exterior lighting must comply with City Code, Chapter 17.132 Dark Skies.

Findings of Fact **adopted** this 09th day of October 2017.

Jeff Lamoureux
Chairperson
Planning and Zoning Commission