



CITY COUNCIL AGENDA OF THE CITY OF KETCHUM, IDAHO

Monday, February 1, 2016, beginning at 5:30 p.m.

480 East Avenue, North, Ketchum, Idaho

1. CALL TO ORDER
2. CONSENT CALENDAR
 - a. [Approval of Minutes: Regular Meeting January 25, 2015](#)
 - b. [Approval of Current Bills](#)
3. COMMUNICATIONS FROM MAYOR AND COUNCILORS
 - a. Communications from Mayor & Council
4. COMMUNICATIONS FROM THE PUBLIC
 - a. Communications from the public. *For items not on the agenda.*
5. COMMUNICATIONS FROM STAFF
 - a. [American Rivers Grant Agreement – Robyn, Mattison](#)
 - b. [Light Industrial Workshop – Micah Austin, Director of Planning & Building](#)
6. PUBLIC HEARINGS
 - a. [Public hearing and consideration of an application for a text amendment submitted by the Community School to amend Title 17, the Zoning Ordinance, of the Ketchum Municipal Code by amending Section 17.08.020, Definitions, by adding a new use of School Residential Campus; amending 17.12.202 District Use Matrix; and by amending 17.124 Development Standards by adding for a School Residential Campus in the LI-3 Zone – Micah Austin Director of Planning & Building](#)
 - b. [Public hearing and consideration of an application for a rezone development agreement by the Community School to rezone property from Light Industrial District Number 2 \(LI-2\) to Light Industrial District Number 3 \(LI-3\); subject property is located at 280 Northwood Way, Ketchum, Idaho, 83340 and described as Resub of Northwood PUD Lot 4, AM Lot 21A – Micah Austin Director of Planning & Building](#)
 - c. [Public hearing and consideration on an application submitted by Brett Moellenberg, representing the Spot LLC., for amendments to Title 17, Ketchum Municipal Code, Section 17.12.020, District Use Matrix, and Section 17.125, Off-Street Parking and Loading, To Allow Assembly Uses in the LI-2 Zoning District and to Reduce Required Parking With a Shared Parking Permit – Micah Austin, Director of Planning & Building.](#)
7. RESOLUTIONS & ORDINANCES
 - a. [First Reading of Ordinance 1147 to rezone Lots 5, 6 and 7 of Block 21, Ketchum Townsite from Community Core \(CC\) to General Residential – Low \(GR-L\) – Morgan Brim Senior Planner](#)
8. NEW BUSINESS
 - a. [Findings of Fact – Thunder Spring residences, plan unit development conditional use permit – Micah Austin, Director of Planning & Building.](#)
9. EXECUTIVE SESSION to discuss:
 - a. Litigation pursuant to Idaho Code §74-206 1(f)
 - b. Discussion pursuant to Idaho Code §74-2061(a)
10. ADJOURNMENT
- 11.

If you need special accommodations, please contact the City of Ketchum in advance of the meeting.

This agenda is subject to revisions and additions. Revised portions of the agenda are underlined in bold.

Public information on agenda items is available in the Clerk's Office located at 480 East Ave. N. in Ketchum or by calling 726-3841.

Your participation and input is greatly appreciated. We would like to make this as easy as possible and familiarize you with the process. If you plan to speak, please follow the protocol below.

- Please come to the podium to speak.
- Stand approximately 4-6 inches from the microphone for best results in recording your comments.
- Begin by stating your name.
- Please avoid answering questions from audience members. All questions should come from City officials.
- Public comments will be limited by a time determined by the Mayor.
- You may not give your time to another speaker.
- If you plan to show a slide presentation or video, please provide a copy to the City Clerk by 5:00 p.m. on the meeting date.

Please note that all people may speak at public hearings.

Public comment on other agenda items is at the discretion of the Mayor and City Council.

Public comments may also be sent via email to participate@ketchumidaho.org

Visit www.ketchumidaho.org and sign up for notifications on agendas, meeting packets, dates and more.

Like us on [Facebook](#) and follow us on [Twitter](#).

Thank you for your participation.

We look forward to hearing from you!



City Council

Special Meeting

~ Minutes ~

480 East Avenue North
Ketchum, ID 83340

<http://ketchumidaho.org/>

Monday, January 25, 2016

5:30 pm

Ketchum City Hall

Present: Mayor Nina Jonas
Council President Jim Slanetz (by Skype)
Councilor Anne Corrock
Councilor Michael David
Councilor Baird Gourlay

Also Present: Ketchum City Administrator Suzanne Frick
Ketchum City Attorney Susan Buxton

1. CALL TO ORDER

Mayor Nina Jonas called the meeting to order at 5:30 pm.

Mayor Nina Jonas welcomed Sun Valley Mayor Peter Hendricks and Tom Bowman, Former Blaine County Commissioner.

- a. Approval of Minutes: Regular Meeting January 4, 2016
- b. Approval of Current Bills and Payroll Summary
- c. Visit Sun Valley Contract – Suzanne Frick, City Administrator

Motion to approve the consent agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael David, Councilor
SECONDER:	Jim Slanetz, Council President
AYES:	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

3. COMMUNICATIONS FROM MAYOR AND COUNCILORS

a. Communications from Mayor & Council

Councilor Baird Gourlay explained that this is the beginning phase of looking at a new city hall, fire and police location, that no firm plans have been made and Mayor and Council will be listening to all of the public comment before making any decision.

Council President Jim Slanetz is in agreement with Councilor Baird Gourlay and said that it is a good time to look at this project.

Councilor Anne Corrock asked for an update on the snow blower. Suzanne Frick, City Administrator explained that they have been repaired and the street clearing will continue.

Mayor Nina Jonas explained the outline of today's meeting.

4. COMMUNICATIONS FROM THE PUBLIC**a. Communications from the public. For items not on the agenda.**

No comments from the public.

5. COMMUNICATIONS FROM STAFF**a. *Presentation of the Space Plan, Project Costs, and Recommended Funding Approach for new Ketchum Essential Services Facilities (Police/Fire and City Administration)***

- i. Staff Report
- ii. Analysis
- iii. Election Schedule
- iv. Calendar of Events

City Administrator, Suzanne Frick presented the Space Study. She talked about Fire, Police, cost and square footage and the space study that was done in the past and the results of that study. Suzanne did a presentation of all the problems in the current building.

There are code violations throughout the building. Remodeling would not rectify this situation. The building is deteriorating.

Suzanne Frick, City Administrator talked about the first space study that was done 15 years ago and explained that the project costs escalate approximately 4% each. year. We are currently looking at 23.1 million dollars.

Mike Simmons ZGA Architect is here to present the space analysis. Suzanne Frick explained that if Mayor, Council and the public approve and the funding is approved, a design architect will be chosen thru the RFP process.

Suzanne Frick City Administrator talked about alternative sites for Administration, Police and Fire and explained the evaluation study at the different sites that are existing and if they would work for an Emergency Operation Center as well as work functionality. She explained the importance of the location and the security of that location. City Hall is an essential services building and that is a factor that needs to be considered.

Suzanne Frick, City Administrator talked about The Stock Building Site and the positives and negatives of the site. She talked about future projects that are being proposed for that site and the dynamics that exist. The Scott USA Building is a multi-tenant building and has subterranean parking. Our space needs could not be met at that site.

Mike Simmons, ZGA Architect presented the design for the current site and the goals. He outlined the cost and the budget.

Suzanne Frick City Administrator talked about how to fund this building and outlined the options.

If council decides to move forward, there will be another meeting to discuss the benefit's and negatives to the length of the bond.

Suzanne Frick, City Administrator outlined what will happen next if the council decides to move forward and she explained that the timeline would be approximately 3 years from the time the election occurs to

the time we could occupy the building. Suzanne Frick encouraged tours of the building for council as well as the public.

Councilor Anne Corrock questioned when special elections could be held. Susan Buxton, City Attorney explained that elections are held in May and November. The calendar for the election is outlined in the council packet.

Mayor Nina Jonas opened the meeting to public comment

Doug Brown said the need is justified and questioned the possibility of a 3 story design and the need for such a huge public space for a twice a month meeting.

Len Harlig had two questions. How long into the future would this continue to serve the city and if you don't get the bond passed what is Plan B.

Mickey Garcia said that it is a good time to go for a bond; and that Police and Fire should be together and a closer look needs to be taken at the current available office space.

Neil Bradsaw, Ketchum resident expressed his concern with the process and suggested the possibility of selling this site and locating City Hall elsewhere.

Bob Jonas would like to see comparable studies on this scale of development from other tourist communities.

Suzanne Frick, City Administrator said what they were trying to determine was size and location and explained that they are open to other ideas. The reason for a large council chambers is for meeting space for the community. It would become a community center. The community will definitely be involved with public input.

Mike Simmons, ZGA Architect explained that the new building would function for the next 50 to 70 years.

Suzanne Frick City Administrator explained that there is a basic formula for essential services. There have to be certain kinds of communication and response that exist in a building. Separating Fire, Police and Administration creates a problem. Suzanne Frick explained that they have looked at the sites that they know about but if somebody knows of other sites staff would be happy to look at them.

Suzanne Frick, City Administrator explained that this community has been at this since 2001. No progress has been made in regards to solidifying a solution. Micah Austin Director of Planning & Building explained the zoning concerns and issues with a 3 story building.

Suzanne Frick explained that there is not a Plan B for funding. There are not a lot of options at this time.

Council President Jim Slanetz questioned the dollar amount going to the bond? City Attorney Susan Buxton explained how the bond election works and the fact that it would have a not to exceed amount.

Mayor Nina Jonas opened the meeting back up to public comment.

Neil Bradshaw talked about the importance of a creative solution and suggested the buying of the post office, going to home delivery and reiterated that more thought needs to go into this process before moving forward.

Paul Conrad Ketchum Business Owner stated that a new City Hall is needed. He encouraged Mayor & Council to speak to the public and the business leaders. Paul Conrad said there are new options out there.

Doug Brown talked about the open space and the need for it and offered suggestions.

Bob Crosby had questions regarding the G.O. Bond and the existing budget.

Mickey Garcia talked about the location for the Fire Department and suggested getting Police and Fire built and then look at Administration space.

Gary Lipton, Ketchum resident thanked Suzanne Frick City Administrator and staff and suggested moving forward.

Mayor Nina Jonas closed public comment.

Mayor Nina Jonas explained the reason for the space study and the timeline if the process is to move forward.

Fire Chief, Mike Elle talked about Lewis Street not being large enough for Fire and Police.

Dave Kassner explained the importance of being located in the core. He feels that it is important to have emergency services in town.

Mayor Nina Jonas explained that the 23 million is the bare bones. She talked about the central location and explained the 23 million would be the most we would ask for but could certainly try to make it less. She went onto explain the current use of the council chambers and why they are looking at larger meeting space. Mayor Nina Jonas talked about the leases they have looked into and said it is not a closed topic.

Councilor Baird Gourlay commented that this is going really fast since this is the first time it is coming before them. He would like to see the public more involved and possibly put this on the ballot in November. He is not comfortable with putting this on the ballot in May.

Council President Jim Slanetz agrees that May is too quick and would like to get the community behind it.

Councilor Michael David is a huge supporter and sees this as a two-part bond sale to the public. He would like more public input before moving forward with an election.

Councilor Anne Corrock agrees with other councilors but since we are running a little bit late, the May election is not reasonable. She would like to see the public and the community in on this.

Councilor Baird Gourlay talked about the separation of the Fire Department from City Hall. Baird Gourlay suggested moving forward with a fire station bond in May. Mayor Nina Jonas does not think the community will pass two bonds. Suzanne Frick, City Administrator said the Police Department has more health and safety issues than the Fire Department.

Suzanne Frick, City Administrator would like this discussed in executive session.

Councilor Anne Corrock asked for clarification on Contingency costs. Mike Simmons, ZGA Architect explained the contingency will cover unknowns.

Mayor Nina Jonas asked Councilors Gourlay and David to be on the City Hall panel.

6. EXECUTIVE SESSION

- a. Litigation pursuant to Idaho Code §74-206 1(f)
- b. Discussion pursuant to Idaho Code §74-206 1(a)

Motion to go into Executive Session at 7:37 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael David, Councilor
SECONDER:	Baird Gourlay, Councilor
AYES:	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

Motion to come out of Executive Session at 8:30 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Baird Gourlay, Councilor
SECONDER:	Michael David, Councilor
AYES:	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

7. ADJOURNMENT

Motion to adjourn at 8:31 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Baird Gourlay, Councilor
SECONDER:	Michael David, Councilor
AYES:	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

Nina Jonas
Mayor

Robin Crotty
Interim City Clerk

Report Criteria:

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

[Report].GL Account Number = "0110000000"- "9449009999", "9910000000"- "9911810000"

Vendor Name	Invoice Number	Description	Net Invoice Amount
GENERAL FUND			
LEGISLATIVE & EXECUTIVE			
01-4110-2500 HEALTH INSURANCE-CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	45.00
01-4110-3200 OPERATING SUPPLIES			
SUN VALLEY NATURAL SPRING	00028382	Spring Water	24.47
Total LEGISLATIVE & EXECUTIVE:			69.47
ADMINISTRATIVE SERVICES			
01-4150-2500 HEALTH INSURANCE-CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	45.00
01-4150-3100 OFFICE SUPPLIES & POSTAGE			
COPY & PRINT, L.L.C.	69747	Copy Paper	37.99
SUN VALLEY NATURAL SPRING	00028382	Spring Water	24.47
UNIFIED OFFICE SERVICES	214430	Paper	39.99
01-4150-4200 PROFESSIONAL SERVICES			
CROTTY, ROBIN	012216	Contract	2,670.00
01-4150-5100 TELEPHONE & COMMUNICATIONS			
CENTURY LINK	2087264135 01	2087264135 011316	1,124.39
CENTURY LINK	2087265574 01	2087265574 011316	46.21
01-4150-5150 COMMUNICATIONS			
ACCELA	INV-ACC1727	Civic Streaming Monthly Subscription	475.00
01-4150-5200 UTILITIES			
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	1,467.51
01-4150-5900 REPAIR & MAINTENANCE-BUILDINGS			
FIRE SERVICES OF IDAHO	15202P	Annual Service on Fire Ext.	39.00
Total ADMINISTRATIVE SERVICES:			5,969.56
LEGAL			
01-4160-4200 PROFESSIONAL SERVICES			
MOORE SMITH BUXTON & TUR	011116	General	1,540.89
MOORE SMITH BUXTON & TUR	011116	General & P/Z	2,467.05
MOORE SMITH BUXTON & TUR	011116	Limelight Hotel	40.00
MOORE SMITH BUXTON & TUR	011116	1/2 of MASSV	4,076.38
MOORE SMITH BUXTON & TUR	011116	Thunder Springs	267.18
Total LEGAL:			8,391.50
PLANNING & BUILDING			

Vendor Name	Invoice Number	Description	Net Invoice Amount
01-4170-2500 HEALTH INSURANCE-CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	41.40
01-4170-3100 OFFICE SUPPLIES & POSTAGE			
COPY & PRINT, L.L.C.	62749	Office Supplies	42.58
COPY & PRINT, L.L.C.	63040	color paper	19.49
01-4170-4500 GEOGRAPHIC INFO SYSTEMS			
BLAINE COUNTY (GIS)	257	2nd Quarter Billing	4,402.09
01-4170-4960 TRAINING/TRAVEL/MTG-HOTEL			
THOMPSON, MARTA	012516	Travel Reimbursement	21.37
OWENS, KEISHA	012516	Travel Reimbursement	38.00
Total PLANNING & BUILDING:			4,564.93
FACILITY MAINTENANCE			
01-4194-2500 HEALTH INSURANCE - CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	24.75
01-4194-5200 UTILITIES			
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	59.41
INTERMOUNTAIN GAS	65669030002 0	65669030002 012516	128.56
Total FACILITY MAINTENANCE:			212.72
POLICE			
01-4210-4200 PROFESSIONAL SERVICES			
IDAHO STATE POLICE	S6043526	Fingerprint Processing	39.75
Total POLICE:			39.75
FIRE & Rescue			
01-4230-2500 HEALTH INSURANCE-CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	120.60
01-4230-3200 OPERATING SUPPLIES			
NORCO	17539037	54794 123015	58.26
NORCO	17561349	52355 0123115	31.68
NORCO	17562329	Cylinder Rent	248.00
NORCO	21461	54794 122315	106.27
01-4230-3500 MOTOR FUELS & LUBRICANTS			
UNITED OIL	817802	37267 011516	307.55
01-4230-4900 PERSONNEL TRAINING/TRAVEL/MTG			
BINNIE, MELISSA MOLLET	012016	Pro CPR Re-Certification	44.95
FELDMAN, RICHARD	012116	Pro CPR Renewal	37.46
MARTIN, GREG	012316	Pro CPR	49.95
01-4230-5100 TELEPHONE & COMMUNICATIONS			
BLAINE COUNTY EMERGENCY	KFD2016	Portable/Consolette	960.00
SUN VALLEY COMPANY	32477	Fire Distric Annual Rental	1,850.00
SUN VALLEY COMPANY	32584	Forest Service Fees	148.17

Vendor Name	Invoice Number	Description	Net Invoice Amount
01-4230-5900 REPAIR & MAINTENANCE-BUILDINGS			
CANFIELD, TORY	012416	CPR Recertification	49.95
FIRE SERVICES OF IDAHO	15425P	Services to Fire Extinguishers	205.64
THOMAS PLUMBING & HEATIN	62438	Plumbing Work on Toilet	344.90
01-4230-6910 OTHER PURCHASED SERVICES			
SUN VALLEY HELI SKI	580	Search and Rescue Flight Time - 2 guides included	4,550.00
Total FIRE & Rescue:			9,113.38
STREET			
01-4310-2500 HEALTH INSURANCE-CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	56.25
01-4310-3200 OPERATING SUPPLIES			
WAKE UP AND LIVE, INC.	11397	Snow Meals	480.91
01-4310-3500 MOTOR FUELS & LUBRICANTS			
UNITED OIL	817804	37269 011516	2,782.94
01-4310-4200 PROFESSIONAL SERVICES			
WESTERN STATES CAT	MR000511067	Dozer	5,100.00
01-4310-5100 TELEPHONE & COMMUNICATIONS			
VERIZON WIRELESS	9758742839	965494433 011016	14.94
01-4310-5200 UTILITIES			
IDAHO POWER	2204882910 01	2204882910 011316	896.45
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	906.92
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	509.59
INTERMOUNTAIN GAS	49439330009 0	49439330009 012516	251.04
01-4310-6000 REPAIR & MAINT--AUTOMOTIVE EQU			
NAPA AUTO PARTS	840810	Filter	27.98
RIVER RUN AUTO PARTS	6538-95450	#18 Flatbed	69.52
01-4310-6100 REPAIR & MAINT--MACHINERY & EQ			
B & R BEARING SUPPLY, INC.	112483	#16 Blower	777.50
FASTENAL COMPANY	IDJER60132	Plow Bolts and batteries for blowers	33.63
KENWORTH SALES COMPANY	JERIN1671071	#6 Truck Starter	415.23
KODIAK AMERICA LLC	0010260	#16 Blower	809.35
KODIAK AMERICA LLC	0010267	#16 Blower	371.66
NAPA AUTO PARTS	830932	Core Deposit	43.20-
NAPA AUTO PARTS	841062	Welding Rod	96.20
NAPA AUTO PARTS	841071	Blower Lights	12.98
SNAKE RIVER HYDRAULICS	264435	140 M Grader	123.00
WESTERN STATES CAT	PC040240119	140 M Grader	68.68
WESTERN STATES CAT	PC040240120	140 M Grader	483.19
WOOD RIVER WELDING, INC.	162589	Supplies	22.20
JACKSON GROUP PETERBILT	152471	Trucks & Equipment	45.90
01-4310-6910 OTHER PURCHASED SERVICES			
AMERIPRIDE LINEN	2400483313	241076800 012016	41.98
01-4310-6920 SIGNS & SIGNALIZATION			
TRAFFIC SAFETY STORE	000161850	Supplies	697.48

Vendor Name	Invoice Number	Description	Net Invoice Amount
01-4310-6930 STREET LIGHTING			
IDAHO POWER	2200059315 01	2200059315 011116	5.35
IDAHO POWER	2200506786 01	2200506786 011116	20.05
IDAHO POWER	2201174667 01	2201174667 011116	11.83
IDAHO POWER	2202627564 01	2202627564 011116	33.84
IDAHO POWER	2203027632 01	2203027632 011116	8.41
IDAHO POWER	2204882910 01	2204882910 011316	566.69
IDAHO POWER	2205963446 01	2205963446 011116	175.44
Total STREET:			15,873.93
PUBLIC WORKS ADMINISTRATION			
01-4320-2500 HEALTH INSURANCE - CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	9.00
Total PUBLIC WORKS ADMINISTRATION:			9.00
PARKS AND RECREATION			
01-4510-2500 HEALTH INSURANCE - CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	29.97
01-4510-3200 OPERATING SUPPLIES			
CHATEAU DRUG CENTER	1505093	Supplies	37.96
SYSCO	611488710	Operatiing Costs	19.67
01-4510-3300 RESALE ITEMS-CONCESSION SUPPLY			
ATKINSONS' MARKET	03070032	supplies	38.59
ATKINSONS' MARKET	06064870	concessions	84.51
SYSCO	611488710	Concessions	491.01
SYSCO	611489544	Concession & Supplies	109.74
SYSCO	611544304	Concession & Supplies	72.58
01-4510-3500 MOTOR FUELS & LUBRICANTS			
LUTZ RENTALS	55354-1	Propane	32.94
LUTZ RENTALS	55440-1	Propane	19.76
LUTZ RENTALS	55502-1	Propane	23.33
LUTZ RENTALS	55588-1	Propane	19.44
LUTZ RENTALS	55620-1	Propane	14.58
LUTZ RENTALS	55656-1	Propane	41.90
LUTZ RENTALS	55738-1	Propane	23.65
LUTZ RENTALS	55863-1	Propane	20.35
RIVER RUN AUTO PARTS	6538-95738	Fluid for Plow	13.50
01-4510-5200 UTILITIES			
INTERMOUNTAIN GAS	31904030009 0	31904030009 012516	345.13
Total PARKS AND RECREATION:			1,438.61
Total GENERAL FUND:			45,682.85
GENERAL CAPITAL IMPROVEMENT FD			
GENERAL CIP EXPENDITURES			
03-4193-7400 COMPUTER/COPIER LEASING			
INTEGRATED TECHNOLOGIES	40243	contract base rate for 12/08/15-01/07/16	63.53

Vendor Name	Invoice Number	Description	Net Invoice Amount
INTEGRATED TECHNOLOGIES	40321	contract base rate for 12/08/15-01/07/16	178.96
Total GENERAL CIP EXPENDITURES:			242.49
Total GENERAL CAPITAL IMPROVEMENT FD:			242.49
ORIGINAL LOT FUND			
ORIGINAL LOT TAX			
22-4910-2500 HEALTH INSURANCE-CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	6.03
22-4910-6060 EVENTS/PROMOTIONS			
ATKINSONS' MARKET	03070032	supplies	57.44
SYSCO	611488710	Pond Hockey Supplies	37.81
SYSCO	611489544	Pond Hockey Supplies	193.50
Total ORIGINAL LOT TAX:			294.78
Total ORIGINAL LOT FUND:			294.78
WATER FUND			
WATER EXPENDITURES			
63-4340-2500 HEALTH INSURANCE-CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	31.50
63-4340-3120 DATA PROCESSING			
BILLING DOCUMENT SPECIALIS	33459	Statement Processing for Utility Billing	514.96
63-4340-3200 OPERATING SUPPLIES			
AMERIPRIDE LINEN	2400485090	241076901 012716	21.60
AMERIPRIDE LINEN	2400485091	241076900 012716	85.47
63-4340-4200 PROFESSIONAL SERVICES			
FIRE SERVICES OF IDAHO	14315P	Services to Fire Extinguishers	233.25
FIRE SERVICES OF IDAHO	14316P	Services to Fire Extinguishers	173.50
MOORE SMITH BUXTON & TUR	011116	Water	1,142.77
63-4340-5100 TELEPHONE & COMMUNICATIONS			
VERIZON WIRELESS	9758742839	965494433 011016	14.94
63-4340-5200 UTILITIES			
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	301.13
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	53.15
Total WATER EXPENDITURES:			2,572.27
Total WATER FUND:			2,572.27
WASTEWATER FUND			
WASTEWATER EXPENDITURES			
65-4350-2500 HEALTH INSURANCE-CITY			
STARLEY-LEAVITT INS. AGENC	480436	Consulting Fee	76.50
65-4350-3120 DATA PROCESSING			
BILLING DOCUMENT SPECIALIS	33459	Statement Processing for Utility Billing	772.43

Vendor Name	Invoice Number	Description	Net Invoice Amount
65-4350-3200 OPERATING SUPPLIES			
AMERIPRIDE LINEN	2400485087	241021000 012716	109.85
AMERIPRIDE LINEN	2400485090	241076901 012716	21.60
McMASTER-CARR SUPPLY CO.	47151588	Supplies	54.55
PIPECO, INC.	S2293949.001	Supplies	18.67
65-4350-3500 MOTOR FUELS & LUBRICANTS			
NAPA AUTO PARTS	841820	Supplies	52.49
65-4350-3800 CHEMICALS			
GEM STATE WELDERS SUPPLY, I	E245898	Chemicals	252.24
65-4350-4200 PROFESSIONAL SERVICES			
FIRE SERVICES OF IDAHO	14317P	Services to Fire Extinguishers	152.75
FIRE SERVICES OF IDAHO	14318P	Services to Fire Extinguishers	26.00
65-4350-4900 PERSONNEL TRAINING/TRAVEL/MTG			
ATKINSONS' MARKET	04146695	Donuts	7.88
FIRE SERVICES OF IDAHO	14318P	Services to Fire Extinguishers	6.50
IDAHO BUREAU OF OCCUPATIO	012216	License Upgrade for Jeff Leamon	62.00
65-4350-5100 TELEPHONE & COMMUNICATIONS			
VERIZON WIRELESS	9758742839	965494433 011016	133.97
65-4350-5200 UTILITIES			
IDAHO POWER	2202158701 01	2202158701 011316	8,471.45
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	675.42
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	334.78
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	248.33
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	358.67
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	53.15
65-4350-6100 REPAIR & MAINT-MACH & EQUIP			
BUFFALO ELECTRIC, INC.	7160	Clairifier 2	803.00
CLEARWATER POWER EQUIPME	01211611	John Deere Pin Fastener	13.15
HACH	9751145	Supplies	74.49
McMASTER-CARR SUPPLY CO.	47151588	Supplies	35.60
RIVER RUN AUTO PARTS	6538-95855	John Deere Wiper Blades	12.95
65-4350-6900 COLLECTION SYSTEM SERVICES/CHA			
AMERIPRIDE LINEN	2400485087	241021000 012716	19.39
FIRE SERVICES OF IDAHO	14317P	Services to Fire Extinguishers	6.50
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	59.08
INTERMOUNTAIN GAS	32649330001 0	32649330001 012516	18.76
VERIZON WIRELESS	9758742839	965494433 011016	44.00
Total WASTEWATER EXPENDITURES:			12,976.15
Total WASTEWATER FUND:			12,976.15
PARKS/REC DEV TRUST FUND			
PARKS/REC TRUST EXPENDITURES			
93-4900-6500 ICE RINK-PRIVATE			
LES SCHWAB	11700289433	Tire for Blazer	107.99

Vendor Name	Invoice Number	Description	Net Invoice Amount
Total PARKS/REC TRUST EXPENDITURES:			107.99
Total PARKS/REC DEV TRUST FUND:			107.99
Grand Totals:			61,876.53

Report Criteria:

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

[Report].GL Account Number = "0110000000"- "9449009999", "9910000000"- "9911810000"



City of Ketchum

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

January 27, 2016

Mayor Jonas and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Jonas and City Councilors:

American Rivers Grant Agreement

Introduction/History

At the meeting on November 16th council gave permission to have city staff work with Idaho Conservation League to prepare and submit a Connecting Communities to Rivers grant application through American Rivers.

The grant application was submitted to American Rivers on December 1st 2015.

Current Report

The City, in partnership with Idaho Conservation League, has been awarded a grant in the amount of \$14,900 for the proposed "Happy Trails" project.

The project is an effort to enhance public access to the Big Wood River through the improvement of trails and riverside condition. Methods such as clearing overgrown vegetation, re-routing unsustainable trails, removing noxious weeds, clearly defining access points through natural trail base and signage, marking parking areas for the river, and creation of community river access maps are proposed as part of this project. In addition, this project proposes to engage and involve the local community and businesses through volunteer and celebratory events. The design and procurement of signage and maps can begin right away. Trail and parking area rehabilitation and sign installation will take place in the Spring or whenever the ground thaws.

Financial Requirement/Impact

Following approval of this grant agreement American Rivers will send the city \$10,000 to begin the project. The remaining \$4,900 will be disbursed following the submittal of the first report to American Rivers.

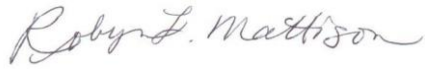
Recommendation

I respectfully recommend the City Council approve the grant agreement with American Rivers.

Recommend Motion

"I move to authorize the City Administrator to sign the grant agreement with American Rivers."

Sincerely,

A handwritten signature in cursive script that reads "Robyn L. Mattison".

Robyn L. Mattison, PE
Public Works Director/City Engineer



January 15, 2016

City of Ketchum, Public Works Department
PO Box 2315
Ketchum, ID 83340

Dear Robyn:

Congratulations! It is my pleasure to inform you that American Rivers has approved a one-year grant of \$14,900 to the City of Ketchum for “Happy Trails Program” as part of the 2016 Connecting Communities to Rivers grant program. We had a highly competitive applicant pool with a tremendous number of proposals requesting more than a million dollars.

Shortly following receipt of this letter signed by you, you will receive a check in the amount of \$10,000 representing the first installment of the grant “Happy Trails Program” to the City of Ketchum (Grantee) funded by the Communities to Rivers Grant Program. This grant is for the period January 1, 2016-December 31, 2016. By signing this letter agreement you are agreeing to the following terms and conditions:

- These funds may only be used to support the activities as described in your work plan (attached). The funds may not be used to influence political activities or to lobby, but may be used to perform nonpartisan analysis, study, or research of policy issues only within the scope of the grant.
- Such funding may be modified, curtailed, or discontinued, and any unexpended grant funds must be repaid, if it is determined that the purposes of the grant are not being met or Grantee no longer has the capacity to continue to fulfill the purposes of the grant.
- Grantee shall maintain such insurance as will fully protect both American Rivers and Grantee from any or all claims under any workers' compensation act or employer's liability laws, and from any and all claims of whatsoever kind or nature for the damage to property or for bodily injury, including death, made by anyone which may arise from operations carried on under this grant, either by Grantee or by anyone directly or indirectly engaged or employed by Grantee.
- Grantee shall indemnify, defend and hold harmless American Rivers from any liability, loss, cost, expense, injury, damage or other expense that may be incurred by the American Rivers or claimed by any third person against American Rivers as a result of this funding or any action or non-action taken in connection with this grant.
- Grantee shall not, directly or indirectly, engage in, support or promote violence or terrorist activities, pursuant to the provisions of Executive Order 13224 and the USA Patriot Act, and shall be checked against the terrorism watch list issued by the United States government - the Specially Designated Nationals (SDN) list.
- Grantee will coordinate with American Rivers in producing communication tools and publicity for this project, including but not limited to blog posts, photographs, short videos, etc. Grantee shall acknowledge the support of American Rivers' Communities to Rivers Grant Program in press releases, annual reports, brochures, video credits, dedications, and other public communications, obtaining prior approval from American Rivers before any public information releases concerning this grant and before using American Rivers' logos.
- If applicable, any works of intellectual property shall be works made for hire.

- Grantee must coordinate and obtain approval from American Rivers for any and all press releases, publications, annual reports, video credits, dedications, and other public communications regarding this grant agreement or any of the project deliverables associated with this grant agreement. Grantee also must obtain prior American Rivers' approval for the use of the American Rivers' logo.
- Financial records and related supporting documentation must be retained for a period of four (4) years following the end of the grant or any extension.
- Grantee is required to submit a mid-year progress report to Fay Augustyn outlining the use of funds disbursed in the first installment of the grant by June 1, 2016.
- The second disbursement of \$4,900 is contingent upon timely receipt of Grantee's first report.
- You are required to submit a final report at the end of the grant period. The report is due by December 15, 2016.

Please sign below, scan and email a copy of this letter to faugustyn@americanrivers.org as soon as possible. If you have any questions regarding this grant, please contact Fay Augustyn at 303-454-3369 or faugustyn@americanrivers.org.

Sincerely,

Fay Augustyn
Intermountain West Blue Trails Manager

Kristin M. May
Chief Financial Officer

ACCEPTANCE:

On behalf of the City of Ketchum, I hereby certify that I have read and understand this letter, and that the terms and conditions set forth in this letter are acceptable to the organization.

Printed Name of Authorized Signer:

Title:

Signature:

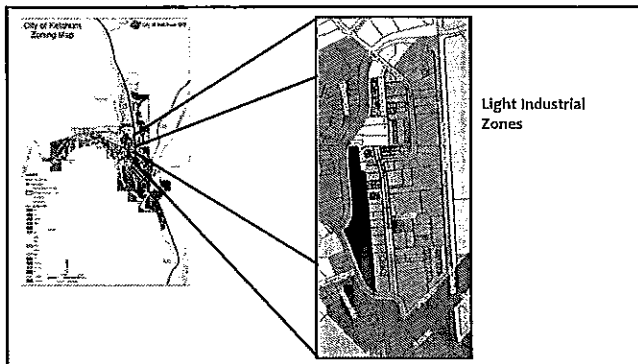
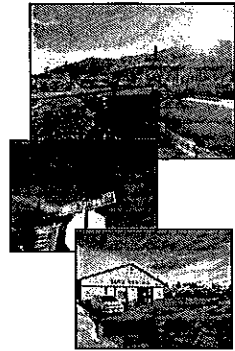
Date: _____

LI Zones: Powerhouse of Ketchum Employment

City Council Discussion: 2-1-2016

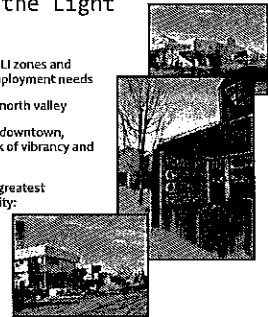
Discussion Contents

- Historical Background of the Light Industrial Zones
- Purpose of LI Zones
- Light Industrial Zone Statistics
- Flexibility of LI: Permitted Uses and Conditional Uses
- Live/Work Environment
- Employment Center for the North Valley
- Suggested Changes to the LI



Why does Ketchum need the Light Industrial Zones?

- No other zone in the city can take the place of LI zones and accommodate the wide variety of uses and employment needs
- LI zones create an employment center for the north valley
- Absent LI zones, Ketchum is left with a quaint downtown, surrounded by residential. This results in a lack of vibrancy and community.
- Light Industrial Zones address all three of the greatest economic development needs of our community:
 1. Housing
 2. Employment
 3. Transportation



Historical Background of the LI Zones

1884 to 2015

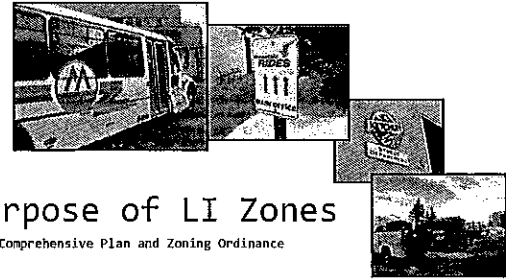


History of LI Zones 1884-1984

- 1884, Union Pacific's Wood River Branch was completed, connecting Ketchum and Shoshone at the current YMCA building. This depot remained in use through sheep, mining, and ski-town booms.
- 1961- Village of Ketchum established the Limited Manufacturing Zone
- 1965- Heavy industrial activity was permitted, including junkyards
- 1970- Zone was revised to a Light Industrial zone (LI), excluding junkyards, rendering plants, and other heavy industrial uses
- 1979- Design review became mandatory for projects in the LI
- 1984- LI Zone was split into three districts: LI-1, LI-2, LI-3. Housing was allowed with a maximum of 600 square feet for security personnel. Restaurants were allowed up to 1,000 square feet.

History of LI Zones (1984-current)

- 1999- Deed restricted housing allowed and housing allowed on second floor (current regulations)
- 2007- LI-2 zone was amendment to allow laundromats
- 2014- LI-2 amended to allow restaurants to operate after 9:00 pm with a conditional use permit
- 2015- Request from The Spot for an Assembly Use in the LI-2 (ongoing)
- 2015- Request from the Community School for a School Residential Campus in the LI-3 zone and a zone change request with a development agreement (ongoing)
- 2015- Request from Brian Barsotti to allow residential units on the ground floor in LI-3 and 100% housing for a development (ongoing with Planning and Zoning)



Purpose of LI Zones

2014 Comprehensive Plan and Zoning Ordinance

Purpose of Light Industrial Zones

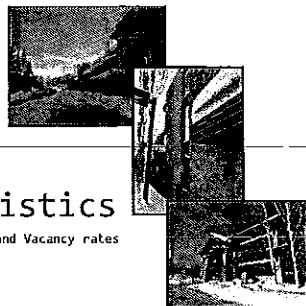
- Provide a location for uses that are generally noisy, create odor, provide services that typically have visual impacts not appropriate for other zones but are necessary to provide an employment center for the community.
- 2014 Comprehensive Plan designates "primary" and "secondary" uses within the LI zones
- Primary Uses: Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices
- 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.

Purpose of Light Industrial Zones (cont.)

- The LI Zones are "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." (2014 Comp Plan, page 70)
- Live/work environment with loft/second story apartments is encouraged and supported
- Employment center to provide flexible entrepreneurial opportunities
- Economic engine for the local economy

LI Zone Statistics

Land Mass, Parcels, Land Value, and Vacancy rates



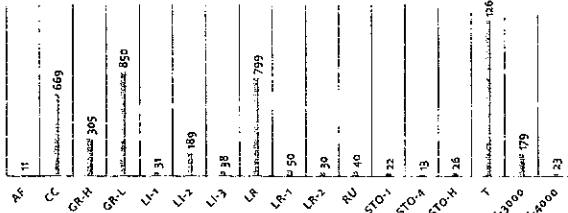
Land Mass of LI Zones

- LI-1: 12.36 acres
- LI-2: 42.32 acres
- LI-3: 6.26 acres
- LI total: 60.94 acres
- Ketchum Total: 2,073.01 acres
- LI Zones: 2.94% of total land mass of the City of Ketchum



Parcels and Ownership LI Zones

TOTAL PARCELS BY ZONE

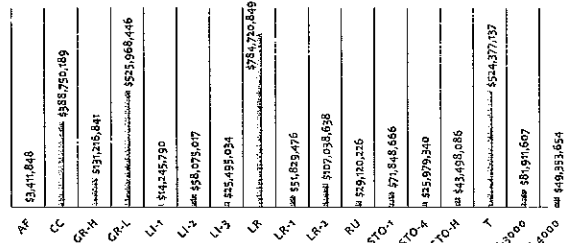


Light Industrial Parcels: 5.5% of Total

- LI-1: 31 parcels
- LI-2: 189 parcels
- LI-3: 38 Parcels
- Total LI Parcels: 258
- Total Ketchum: 4543
- LI Zones = 5.5% of total

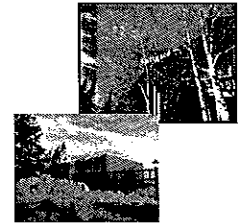


Assessed Value of Parcels by Zone



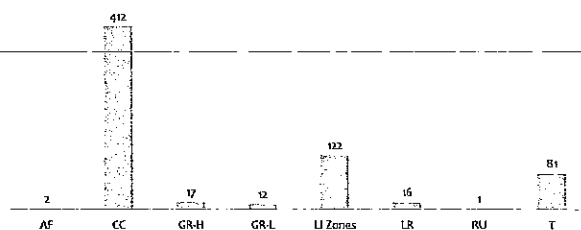
Light Industrial Assessed Value: 3.3% of Total

- LI-1: \$14,245,790
- LI-2: \$58,075,017
- LI-3: \$25,495,034
- Total LI Assessed Value: \$97,815,841
- Total Ketchum: \$2,916,840,844
- LI Zones = 3.3% of total



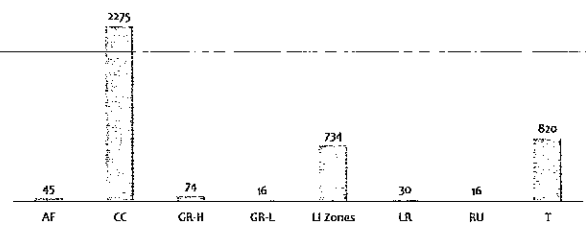
Businesses by Zone

Businesses



Employees by Zone

Employees



Light Industrial Employment Engine

- The Light Industrial zones are the employment engines for the north valley.
- Total Employees in LI Zones: 734 (511 full time, 223 part time)
- Total Employees in Ketchum: 4,010
- LI Zones Employment = 18.3% of all employees (CC 56.78%)
- Total Businesses in LI Zones: 122
- Total Ketchum Businesses: 662
- Total LI: 18.4% of all businesses in LI (62% in CC)

Stats Conclusion

- The Light Industrial Zones represent an extremely small area of the city with low values and few privately owned parcels.
- The LI Zones generate more than 18% of the jobs in Ketchum, but comprises less than 3% of total land mass.
- The LI Zones can address all of the three major economic development needs of the Wood River Valley



Variety and Flexibility of Uses in LI Zones

Zoning Ordinance

Permitted Uses in LI Zones

30 Total categories of permitted uses in LI Zones (CC has 31)	LI1	LI2	LI3
Business Support	P	P	
Service	P		
Convenience store	P	P	
Office, business	P		
Tenist house	P		
Nature preserve	P	P	P
Parking, shared	P		
Public utility	P	P	
Recreation facility, public	P	P	P
Adult only business	P		
Food service	P	P	P
Health and fitness facility	P	P	
Hybrid production facility		P	P
Instructional service	P	P	P
Medical building	P	P	P
Security building	P	P	P

Permitted Uses in LI Zones (cont.)

	LI1	LI2	LI3
Maintenance service facility	P	P	
Manufacturing	P	P	
Motor vehicle storage	P	P	
Personal service	P	P	
Professional service	P	P	
Repair shop	P	P	
Retail trade	P	P	
Self-service storage facility	P	P	
Storage yard	P	P	
Studio, commercial	P	P	
Truck terminal	P	P	
TV and radio	P	P	
Broadcasting station	P	P	
Veterinary service establishment	P	P	
Warehouse	P	P	
Wholesale	P	P	

Conditional Uses in LI Zones (cont.)

11 Categories of Conditional Uses (CC has 5)	LI1	LI2	LI3
Dwelling, multi-family	C	C	C
Daycare center	C	C	C
Daycare facility	C	C	C
Daycare facility	C	C	C
Daycare facility	C	C	C
Daycare facility	C	C	C
Daycare facility	C	C	C
Daycare facility	C	C	C
Daycare facility	C	C	C
Daycare facility	C	C	C
Daycare facility	C	C	C

Accessory Uses in LI Zones (cont.)

	LI-1	LI-2	LI-3
Accessory, urban dwelling unit, accessory	A	A	A
Energy system, solar	A	A	A
Energy system, wind	A	A	A
Home occupation	A	A	A
Recreation facility, residential	A	A	A
Daycare, on site employees		A	A

Variety of Uses Allowed

- Total Permitted and Conditional Uses in LI Zones: 41
- CC total Permitted and Conditional Uses: 36

Live/Work Developments Encouraged

- Residential Units allowed in all Light Industrial zones on the second floor
- Up to 50% of a building can be devoted to residential in LI-1 and LI-2
- Up to 66% of a building can be devoted to residential in LI-3
- No community housing requirement in LI-1 and LI-2 (1/3 requirement in LI-3)
- Residential units must be between 400-1000 square feet in LI-1 and LI-2
- In LI-3, residential units may be between 400-1400 square feet
- All dwelling units must be used for "Long-term Occupancy" (90+ days)

Why does Ketchum need the Light Industrial Zones?

- No other zone in the city can take the place of LI zones and accommodate the wide variety of uses and employment needs
- LI zones create an employment center for the north valley,
- Absent LI zones, Ketchum is left with a quaint downtown, surrounded by residential. This results in a lack of vibrancy and community.
- Light Industrial Zones address all three of the greatest economic development needs of our community:
 - 1. Housing
 - 2. Employment
 - 3. Transportation

Suggested Changes to LI Zoning District

Consider a Change of Name Designation

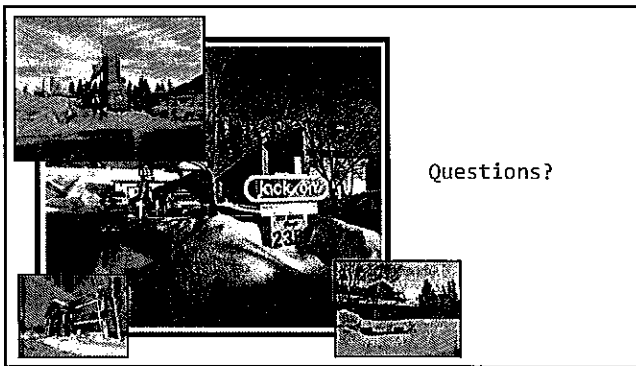
- Technology, Production & Industry (TPI)
- Office, Research & Development (ORD)
- Science, Commercial, Industrial (Sci)
- Or, keep Light Industrial (LI)

Establishing a Redevelopment District for Light Industrial Zones

- A Revenue Allocation Area (RAA) or Urban Renewal District may be a strong tool for improving the public infrastructure of Light Industrial Zones encourage job creation and economic development
- The Urban Renewal tool can be used to ensure the Light Industrial zones remain employment center for the economy
- NOTE: Statutory criteria for establishing a URA district must be met before considering a new district

Summary and Conclusion

- Well functioning and fulfilling their intended purpose
- Employment engine for the north valley and must remain so
- LI uses should be protected from expansion of uses that would drive out the current employment opportunities
- Comprehensive Plan provides direction on maintaining a healthy and robust area for the Light Industrial zones.
- Small land area providing a disproportionately large economic benefit
- Let's not mess with a good thing.





City of Ketchum
City Hall

February 1, 2016

Mayor Jonas and Ketchum City Council
City of Ketchum
Ketchum, Idaho

Mayor Jonas and Members of the City Council:

Application for a text amendment submitted by the Community School to amend Title 17, the Zoning Ordinance, of the Ketchum Municipal Code by amending Section 17.08.020, Definitions, by adding a new use of School Residential Campus; amending 17.12.202 District Use Matrix; and by amending 17.124 Development Standards by adding for a School Residential Campus in the LI-3 Zone

Introduction

The applicant, Community School Inc., is requesting to amend Title 17 of the Ketchum Municipal Code by amending Chapter 17.08.020, Definitions, by adding a new use of School Residential Campus; amending 17.12.020 District Use Matrix; and by amending 17.124 Development Standards by adding standards for a School Residential Campus in the LI-3 Zone.

Current Report

Public hearing and noticing requirements have been satisfied according to the Ketchum Municipal Code (KMC) and Idaho Statute §67-6509. A public hearing to consider the application with the City Council February 1, 2015. The attached staff report contains the objective analysis completed by staff for the City Council's deliberation.

Financial Requirement/Impact

No impacts have been identified.

Recommendation

Staff recommends approval of the text amendment application request submitted by the Community School Inc.

Recommended Motion

"I move to approve the proposed text amendments to Ketchum Municipal Code, Sections 17.08.020, 17.12.020, and 17.124 and direct staff to prepare an ordinance for a first reading."

Sincerely,

Micah Austin, AICP
Planning and Building Director



City of Ketchum
City Hall

February 1, 2016

Ketchum City Council
City of Ketchum
Ketchum, Idaho

**STAFF REPORT
KETCHUM CITY COUNCIL**

PROJECT: Community School Text Amendment Request affecting the Light Industrial – 3 Zoning District to accommodate a development project in the LI-3 Zone.

FILE NUMBER: #15-118

APPLICANT: Community School Inc.

REPRESENTATIVE: Ed Lawson, Linda Haavik

REQUEST: Applicant initiated text amendments to amend Title 17 of the Ketchum Municipal Code by amending Chapter 17.08.020, Definitions, by adding a new use of School Residential Campus; amending 17.12.020 District Use Matrix; and by amending 17.124 Development Standards by adding standards for a School Residential Campus in the LI-3 Zone.

NOTICE: Public notice is required by State Statute, §67-6509 and has been met. On January 8, 2016 a public notice was been placed in three locations in the city. On January 8, 2016 the notice was mailed to political subdivisions and outside agencies. On January 8, 2015 a notice was published in the Idaho Mountain Express.

PUBLIC HEARING: Planning and Zoning Commission

- November 9, 2015
- November 23, 2015
- December 4, 2015

City Council

- February 1, 2016

STAFF RECOMMENDATION

Staff recommends approval of the application to amend regulations for the Light Industrial – 3 zoning district, amend the definitions section, and add development standards for a School Residential Campus.

PLANNING AND ZONING RECOMMENDATION

The Planning and Zoning Commission held three public hearings on this application, which underwent significant revisions during this process. On December 4, 2015, the Commission held a final public hearing where they reviewed all information presented, including staff reports, applicant testimony, public comments, and other applicable information brought forward. After deliberation amongst the Commission, they recommended approval of the text amendment, finding that, on the whole, it is in compliance with the Comprehensive Plan, the Subdivision Ordinance, and other adopted city policies and regulations.

PROPOSED TEXT AMENDMENT

The Community School has requested a number of changes, described below, that would accommodate them to operate a School Residential Campus on 280 Northwood Way for educational purposes. All of the amendments listed below would amend regulations only for the LI-3 zone.

- **Definitions Amendment**

- The applicant proposes to amend the Definitions section, Chapter 17.08, by the addition of a new definition:

SCHOOL RESIDENTIAL CAMPUS: Multiple-use building(s) and outdoor facilities/areas directly affiliated with an established public or semi-public educational institution for learning that include but are not limited to spaces devoted to dormitory, central kitchen and dining, office, classroom, study, school employee dwelling unit, study hall, gym/fitness, meeting, and parking.

- **District Use Matrix amendments**

- The applicant proposes to amend the District Use Matrix by adding the use defined above and allowing the use to be permitted, with a development agreement, in the LI-3 zone only. The proposal is to amend Chapter 17.12, by adding SCHOOL RESIDENTIAL CAMPUS to the matrix section entitled "Public and Institutional" by placing a "P³⁰" in the column under the heading LI-3 and adding footnote 30 stating "Development Agreement Required".

- **Development Standards Amendment**

- To address a number of use-specific impacts that a School Residential Campus may cause to an area, the applicant is proposing a list of amendments to the Development Standards section, Chapter 17.124.090, Residential, Light Industrial Districts by adding Subsection C with development standards, which are listed in full in the attached ordinance. These standards provide general parameters for any School Residential Campus that may be developed in the LI-3 zone in the future. For standards specific to this project, staff has addressed those in the development agreement required for the rezone request.

The text amendment now reflects all comments and revisions from staff, the city attorney, the Planning and Zoning Commission, and the application. Below is a summary of the changes that have been made to date through the public process and that are now reflected in the amendment presented to the City Council:

1. The City Attorney's changes have been reflected in the revised ordinance concerning the definition of School Residential Campus. The definition now includes the words, "public or semi-public institution" which have been added.
2. The text amendment no longer affects any zone other than the Light Industrial 3 (LI-3) Zoning District. This was removed in response to the Commission and staff's concerns over inadequate infrastructure for supporting a School Residential Campus in the GR-H, T, T3000, T4000, and CC zones. As proposed, a School Residential Campus would be permitted in the LI-3 zone with a development agreement. This is noted with a footnote to the District Use Matrix.

3. Total residential use of the building is limited to less than 50% of the total square footage of the building, which includes the basement. This language is more specific than the current language for addressing residential usage in the LI zones.
4. Dormitory units are restricted from the ground floor, however employee housing units are still allowed in the current proposal on the ground floor.
5. All residential units, which includes both employee units and dormitory units, shall be used for long-term occupancy only. This language was in the development agreement, but is now mirrored in the text amendment.
6. Employee Housing Units are limited to 2,000 square feet on the ground floor of the building. This allows the Community School to provide up to two employee housing units on the ground floor. The current floor plan only shows one unit.
7. Various formatting changes were made to the proposed amendment that do not alter the language, such as the outline numbering.
8. The final development standard was amended to currently read, "Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in 1 through 11 of this subsection, or to promote the public health, safety and welfare." This was added in response to the Commission's concerns over any infrastructure issues that may be identified through an analysis to accommodate safe pedestrian circulation for the students.

Of all the changes noted above, the most significant amendment to the proposal is withdrawing the School Residential Campus from all zones except LI-3. The LI-3 zone is limited to a small geographic area with few privately owned parcels. Only two parcels remain undeveloped in the LI-3 zone, which could be used by another entity for a variety of permitted uses within the LI-3 district.

The development standards would be required as minimum standards for a School Residential Campus and a starting point for the Development Agreement. For requests specific to the Community School program, the City Council should address these concerns through the development agreement. The Development Agreement was also amended, however these changes are discussed in the staff report for the Rezone Development Agreement application.

STAFF ANALYSIS

Implications of this Text Amendment

The currently proposed text amendment has been significantly altered from the original proposal to limit any anticipated and unanticipated implications of this text amendment. All issues outlined below can be addressed in a development agreement, which is the tool staff has used to resolve these concerns with the Community School. The following issues have been addressed and resolved in the current text amendment:

- In the event the initially proposed text amendment were approved as requested, a School Residential Campus would be permitted or conditionally permitted in a significant portion of the City of Ketchum, including all applicable locations in GR-H, T, T3000, T4000 and CC zones. The impacts from a School Residential Campus in many of these locations would be a significant departure from the currently established neighborhood. Traffic, noise, neighborhood compatibility, safety concerns, infrastructure requirements, emergency response requirements, and other factors would likely cause significant impacts to an existing neighborhood where this would be a conditional use.
- With the exception of Warm Springs and locations within the CC zone, the neighborhoods in the GR-H, T, and much of the CC zones are currently not built with adequate streets, sidewalks, bike infrastructure, transit stops, and other circulation considerations that would be necessary for a School Residential Campus.
- This text amendment would open up all of those locations to this use and to all the potential impacts this use can have on a neighborhood. The proposed use of a School Residential Campus should be placed in a similar planning category as a school requiring supporting infrastructure that

stretches far beyond the property lines of the project. Getting students and faculty to and from school must be fully addressed.

- Traffic and circulation concerns could be addressed during the conditional use permit process in zones other than LI-3.

With these implications resolved, there are still other consequences that can be anticipated for this use in the LI-3 zone that may have impacts throughout the city. For example, for the LI-3 zone, the implications of allowing residential units on the ground floor is a significant departure from the rigid development standards for allowing residential units in any of the LI districts. Residential uses are secondary in nature to traditional light industrial uses in these zones, however an exception to a ground floor residential use ignores this distinction and establishes a precedent that has not been allowed to date. If the proposed ground floor use is approved, other requests to amend the zoning ordinance to allow other exceptions for residential uses on the ground floor will likely occur. In fact, since the Community School has submitted their application, a separate applicant has submitted for a text amendment to the LI-3 zoning district to allow residential units on the ground floor. Staff anticipates this will be a constant conversation if the text amendment is approved. In the development agreement, this concern has been addressed by allowing ground floor residential units only for employee housing units. Staff does not recommend expanding residential uses on the ground floor in any of the Light Industrial zones.

As currently presented, the proposed School Residential Campus could expand to other lots within the LI-3, creating a larger campus. With a larger campus comes public safety and welfare concerns that may require significant infrastructure upgrades to the area. Emergency access to the site is not encumbered at the moment and all future expansions and developments would need to comply with all Fire Department and Building Code requirements to ensure the safety of the campus occupants. This is not an issue to address in the text amendment, however it is a real concern that this text amendment could create a scenario that allows for campus developments that cannot be supported by the current infrastructure in Ketchum. To address this concern with the Community School's project, staff has made changes to the development agreement that restrict the Community School from expanding beyond the limitations of their current building and lot.

Mobility requirements to accommodate a Residential School Campus represents another area of concern for staff. The proposed use must rely on sidewalks and other pedestrian improvements that will need to be improved if this use is expanded to other areas of the City and even within the LI-3 zone. To address this concern and implication, staff recommends the City Council require improvements with the development agreement in the form of sidewalks and pedestrian improvements that will facility mobility to and from the School Residential Campus.

Statutory Requirements for Zoning Text Amendments

Title 67-6511 requires that all zoning ordinance text amendments must not be, "in conflict with the policies of the adopted comprehensive plan." In addition, the local jurisdiction is required to make a finding that the text amendment is in compliance with the Comprehensive Plan and with existing policies of the city. The Comprehensive Plan analysis follows below.

Comprehensive Plan Analysis

The following table summarizes goals and policy statements from the Ketchum Comprehensive Plan that are relevant to the Community School's application for text amendment. While the Comprehensive Plan is filled with goals and policies that address multiple facets of community development, staff identified seven goals and/or policies that were most relevant to the Community School's application. In total, there are five goals and policies aligned with the request and two indicated that are in non-compliance with the requests. The City Council should consider all the facts concerning compliance with the Comprehensive Plan and make a finding based on the evidence presented as a whole.

Comprehensive Plan Goals and Policy Analysis			
Chapter	Goal/Policy and Page	Analysis of Amendment Request	Consistent with Comp Plan: Yes/No
Chapter 2: Strong and Diverse Economy	Goal E-2 (page 16): Ketchum will support and attract businesses and industries that diversify and sustain the local economy and level out seasonal fluctuations.	The proposal would expand the Community School's educational offerings in the community and bring in national and international students who are new to Ketchum. The proposal is generally in alignment with this Goal, however it is not in alignment with Policy E-2(a) of this goal.	Yes
	Policy E-2(a), page 16: Light Industrial Area as the primary location for new traditional light industrial and corporate park business growth and jobs.	The intended use of a School Residential Campus is not a traditional light industrial business and not aligned with this policy of the Plan.	No
	Goal E-3 (page 17): Ketchum will continue to support our tourism economic base	The Community School has successfully operated a Residential Program in Warm Springs for five years, which capitalizes on the world-class recreational opportunities in our area. The School Residential Campus would be an expansion of the Warm Springs Residential Program and generally in alignment with this goal.	Yes
Chapter 3: Housing	Policy H-1.4 (page 20): Integrated Housing in Business and Mixed-Use Areas.	While student housing is not addressed in the comprehensive plan, workforce housing is one of the greatest housing priorities for Ketchum. The proposed use would provide housing for the five adult "live in staff members" as designated in the application. The facility would house 30-40 students at any given time and could provide temporary housing for other non-profits in times when the School is not using the dormitory.	Yes
Chapter 11: High Performing Community	Goal HI-2 (page 60): Understand and promote the qualities that make Ketchum a community where people choose to live. These include strong schools, a community values learning, and the many grassroots organizations that work for positive change.	The Community School has indicated that this proposal would strengthen their Residential Program and bring in significantly more students from national and international locations.	Yes
	Policy HI 2.1 (page 60): Learning Community	The proposal would allow for "growth and learning in the community" by expanding the Residential Program currently offered by the Community School. It would also "encourage more of the many informal learning opportunities that are sponsored by a wide range of organizations."	Yes

Chapter 12: Future Land Use	Policy LU-1.1 (page 71): Integrated and Compatible Mix of Land Uses	The proposal is not in alignment with the Comprehensive Plan with this policy because the Mixed Use Industrial designates traditional light industrial uses as primary uses.	No
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SUMMARY

The Comprehensive Plan and the current zoning ordinance clearly does not anticipate a School Residential Campus for any of the Light Industrial zones. To counter this inconsistency with the Comprehensive Plan as it relates to the proposed use in the Light Industrial 3 zone, Chapter 17.154 of the Zoning Ordinance allows for a Development Agreement to be used to provide controllable and reasonable flexibility for uses not specifically defined or allowed in any particular zone when a zone change is requested. Generally and as a community asset, the Comprehensive Plan seems to support the application for the addition of a School Residential Campus within the City of Ketchum. As it relates to the residential component of the proposal for an industrial zone, the LI-3 zone is the most supportive of residential uses and does support a variety of residential uses that are not anticipated in the other two light industrial zones. The non-consistency with the Future Land Use chapter and the economic development policies guiding the light industrial areas must be addressed in a separate development agreement required for the project.

The text amendment has undergone significant changes from the initial proposal. Any concerns staff still has over allowing a School Residential Campus in the LI-3 zone can be addressed with a required development agreement. As such, staff recommends approval of the request.

CITY COUNCIL OPTIONS FOR APPROVAL, DENIAL, CONTINUANCE, TABLE

Staff recommends approval of the application to amend regulations for the Light Industrial – 3 zoning district, amend the definitions section, and add development standards for a School Residential Campus. Based on the facts presented at the public hearing, the City Council may consider the following:

1. Approve the text amendment as recommended.
2. Deny the text amendment.
3. Direct staff to work with the applicant to modify or amend the text amendment.
4. Other options may be presented at the meeting.

MOTION LANGUAGE

Approval

“I move to approve the proposed text amendment application submitted by the Community School Inc. to Title 17 of the Ketchum Municipal Code by amending Chapter 17.08.020, Definitions, by adding a new use of School Residential Campus; amending 17.12.202 District Use Matrix; and by amending 17.124 Development Standards by adding standards for a School Residential Campus in the LI-3 Zone, finding the request is in compliance with the Comprehensive Plan, the Subdivision Ordinance, and other adopted city policies and regulations.”

Attachments

1. Application Form, Narrative, and applicant materials
2. Proposed Ordinance
3. Summary of Public Comment



Hand Delivered

Honorable Mayor and Councilpersons
City Of Ketchum
Post Office Box 2315
Ketchum, ID 83340

Re: Community School Application For Rezone Of 280 Northwood Way

Ladies and Gentlemen:

Enclosed is the Community School's Application ("Application") for the Rezone of the property at 280 Northwood Way, Ketchum, Idaho ("Property") which we are requesting together with a development agreement and a text amendment. Also enclosed is our check payable to the City in the amount of \$ 750.00 which represents your application fee. The Application was prepared with the assistance of Ed Lawson and Linda Haavik, as legal and land planning consultants, respectively, both of whom will continue to represent us in connection with the approval process.

The Application is made pursuant to Ketchum Municipal Code § 17.154.030 and includes your basic form of application with the following attachments:

Attachment Number	Description
1	Description of Proposed Amendments
2	Current Owner's Consent to Application
3	Pro Forma Policy of Title Insurance for the Property
4	Concept plans for interior remodel and site work
5	Community School's Program narrative
6	Analysis of Conformance To Comprehensive Plan
7	Draft Ordinance
8	Draft of Development Agreement
9	Draft of Resolution Regarding Development Agreement

We respectfully submit that the requirements of paragraphs B2 c through m, B6 and B8, of Ketchum Municipal Code § 17.154.030 are not appropriate for the Application given that only interior changes are to be made to the existing structures on the Property all of which will take place in one phase. We ask, therefore, that these items be waived by the Administrator in considering whether to certify the Application as complete.

In processing our Application we ask that you consider that the Community School's proposed School Residential Campus is consistent with uses that are either permitted or conditionally permitted in the LI-3 zoning district which is intended to provide a transition between light industrial uses in the LI-2 district and residential uses. Importantly, the Property adjoins the Saddle Road right-of-way which

appears to be the key physical distinction between the properties in the LI-2 and LI-3 zoning districts. The request to rezone the Property with a development agreement essentially allows the City of Ketchum to consider the use in the proposed location just as any other conditionally permitted use in a more efficient and streamlined manner. We think our proposed use of the Property will actually be more conforming than the existing use to the permitted uses in the LI-3 zone.

The Residential Campus will be a *multi-family dwelling* that is allowable in the LI-3 district. It is important to note that the Campus provides a setting for Upper School students (ages 14-18 in grades 9-12) with daily living much like home. While this is not a "*daycare*" that is allowable in the LI-3, it does operate with 24/7 adult supervision that prioritizes trust, respect, honesty, responsibility, team work, and healthy living together with academic instruction at the Campus as well as at the School. A narrative description of the Residential Program is attached to the application.

Business offices are permitted in the LI-3. The staff office space within the Campus will not generate public traffic. The recreation facilities planned are similar to *residential recreation facilities* that are permitted in the LI-3 as accessory to residential projects. While potentially high traffic *public recreation facilities* are permitted, the School's fitness/gym facility may be shared with other student athlete programs in the area.

The area surrounding the Property that we propose to become the School Residential Campus includes, a bakery/restaurant, vacant lots, single family dwellings, multiple-unit residential projects, and offices. Many buildings in the area are mixed use, as the Campus will be. The conversion of a quality building to a new, innovative use will further many of the City of Ketchum Comprehensive Plan goals and policies. A review of the Plan is attached to the application.

The Property is situated with excellent access to Saddle Road, Warm Springs Road and SH75 via Northwood Way. Saddle Road leads directly to The Community School for academic instruction. Warm Springs Road and SH75 accessed from Saddle Road provide access to recreation areas and facilities that support the various Programs offered at the School. The Residential Program includes a description of the transportation and circulation plan the School uses.

Safety of the students is of utmost concern for the School. All fire and building safety codes will be met. Supervision and safety of the students is described in the Program summary.

Thank you in advance for your anticipated assistance and cooperation in helping us through the process. If you require any additional information or documentation please contact me, John Baker or Ed Lawson.

Sincerely,
Community School

A handwritten signature in black ink, appearing to read "Ben Pettit", enclosed within a simple, hand-drawn oval border.

Ben Pettit, Head of School

Enclosures: (11)

Copies by pdf: S. Frick
M. Austin

**APPLICATION FOR AMENDMENT TO
ZONING CODE TITLE 17 OR SUBDIVISION CODE TITLE 16**

Applicant: Community School, Inc. Phone Number: 622-3955

Mailing Address: Post Office Box 2118, Sun Valley, Idaho 83353

Representative: Ben Pettit, Head of School Phone Number: 622-3955

Mailing Address: Post Office Box 2118, Sun Valley, Idaho 83353

Section of Code to be amended: 17.08.020 (Definitions); 17.12.010 (Zoning Map);
17.12.202 (Use Matrix); 17.124.090 (Development Standards)

Please describe the proposed change, or provide proposed amended language (attach separate sheet if necessary).

See Attachment No. 1

OTHER INFORMATION may be reasonably required by the Administrator in order to process this application.

See Attachment Nos. 2 through 9, inclusive.

I hereby acknowledge I have filled in this application accurately and provided the required information to the best of my knowledge.

Community School, Inc.

Ben Pettit

Signature of Owner or Authorized Representative
Ben Pettit, Head of School

Date September, 2015

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.

-----Administration Use Only-----

Applicant: _____

Representative: _____

Mailing Address: _____

Date Application Received: _____

PLANNING AND ZONING COMMISSION ACTION:

Date of Public Hearing: _____ Date Applicant Notified: _____

Administrative Comments: _____

Comments/Actions Taken by Planning & Zoning Commission: _____

CITY COUNCIL ACTION:

Date of Public Hearing: _____ Date Applicant Notified: _____

Administrative Comments: _____

Comments/Actions Taken by City Council: _____

Application Fee: _____ Date Paid: _____

Notice/Mailing Fee: _____ Date Paid: _____

Comments: _____

Date of First Reading: _____ Second Reading: _____ Third Reading: _____

Date Ordinance Number _____ adopted: _____

Administered By: _____

ATTACHMENT NO. 1 – Description of Proposed Amendments
THE COMMUNITY SCHOOL APPLICATION FOR AMENDMENT TO ZONING CODE

The following are the proposed amendments sought to Zoning Code Title 17, Zoning Regulations:

- 1) Chapter 17.08, Definitions, Section 17.08.020, Definitions, is hereby amended, altered and changed by the addition of a new definition, as follows:

SCHOOL RESIDENTIAL CAMPUS: Multiple-use building(s) and outdoor facilities/areas directly affiliated with an established semi-public institution for learning that include but are not limited to spaces devoted to dormitory, central kitchen and dining, office, classroom, study, school employee dwelling unit, study hall, gym/fitness, meeting, and parking.

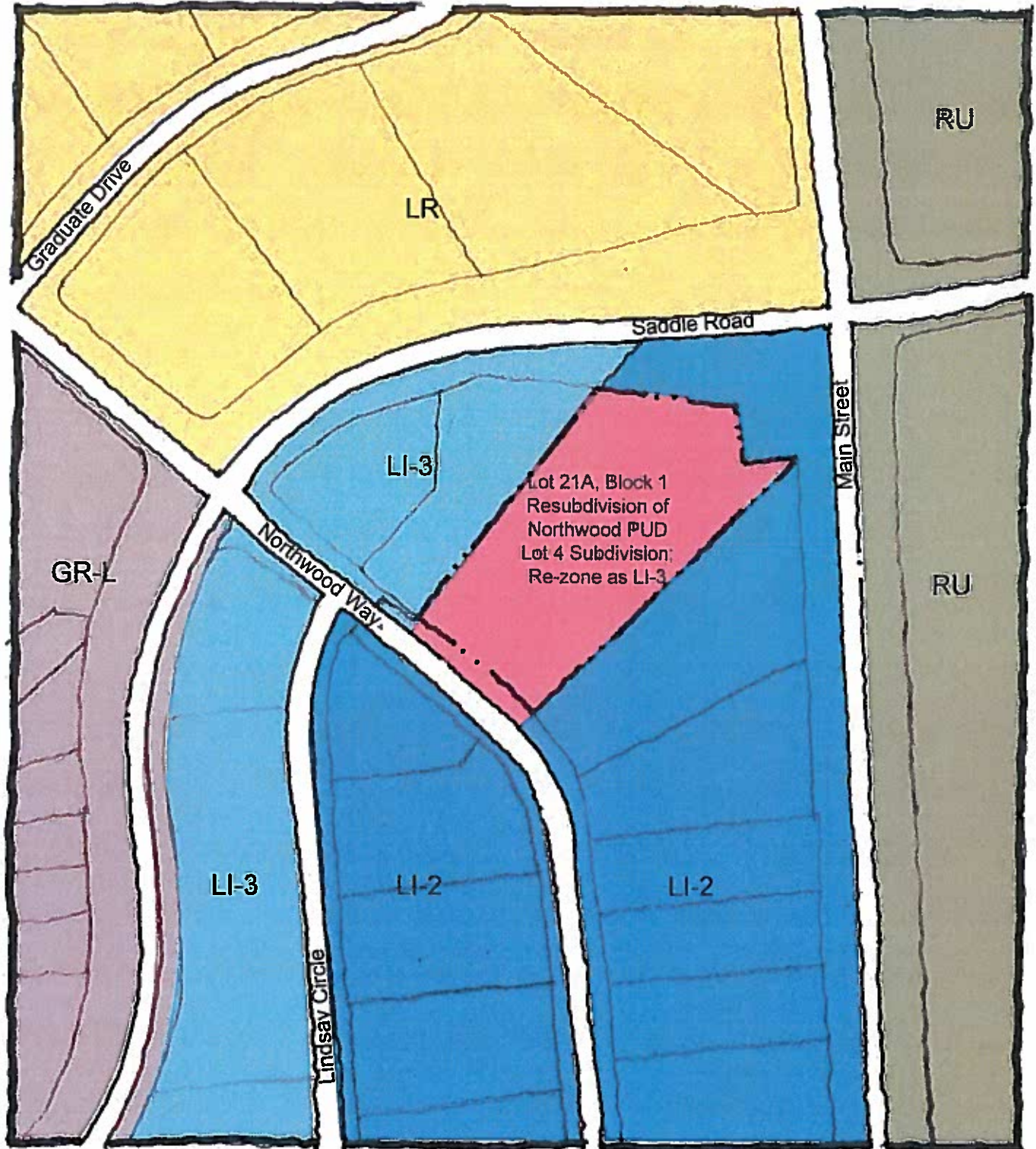
- 2) Chapter 17.12, Establishment Of Districts And Zoning Matrices, Section 17.12.010, Zoning Map Districts, Subsection B. Boundaries, is hereby amended, altered and changed by amending the Official Zoning District Map by changing the zoning district applicable to Lot 21A, Resubdivision of Northwood PUD Lot 4 Subdivision from Light Industrial 2 (LI-2) Zoning District to Light Industrial 3 (LI-3) Zoning District.
- 3) Chapter 17.12, Establishment Of Districts And Zoning Matrices, Section 17.12.202 District Use Matrix, Subsection A, District Use Matrix, is hereby amended by adding SCHOOL RESIDENTIAL CAMPUS to the matrix section entitled "Public and Institutional" placing a "P³⁰" in the column under the heading LI-3; and placing a "C" or "P" under the headings GRH, T, T3000, T4000, CCSDA, CCSDB, CCSDC, and CCSDD as shown for Semi-Public Use; and adding footnote 30 stating "Development Agreement Required".
- 4) Chapter 17.124, Development Standards, Section 17.124.090, Residential, Light Industrial Districts, is hereby amended, altered and changed by adding Subsection C, as follows:

C. School Residential Campus in the light industrial 3 district (LI-3), shall comply with the following minimum criteria in lieu of the requirements of subsections 17.124.090.A and B, above:







1. Dwelling units to be occupied by employees of the institution may be located on the ground floor.
2. Dormitory units may be developed, sized and changed over time as deemed appropriate for occupancy by 2 or more persons each.
3. Dormitory bathrooms are expected to be clustered for use by occupants of dormitories.
4. Dormitory kitchen and dining spaces are expected to be designed to be used in common by occupants.
5. Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of the exterior of an existing building.
6. Dwelling units shall be used for "long term occupancy" and shall not be separated in any manner for sale as individual units.
7. Dwelling units shall be a minimum of four hundred (400) square feet and shall not exceed one thousand four hundred (1,400) square feet total and shall contain not more than three (3) bedrooms.

8. 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.
9. The institution that provides living space within the mixed use building in the light industrial 3 district (LI-3) 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.
10. Conditions including, but not limited to, the following may be attached to the development agreement:
 - a. Restrictions on exterior storage of personal property of occupants;
 - b. Certificate of occupancy required prior to occupancy of dormitory rooms and living units;
 - c. Ketchum fire department and Ketchum building department requirements shall be met prior to occupancy;
 - d. Snow removal required to ensure utility of parking spaces;
 - e. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in 1 through 9 of this subsection.

CITY OF KETCHUM, ID | PROPOSED ZONING MAP DISTRICT AMENDMENT
Community School - School Residential Campus



SEPTEMBER 2015

- | | |
|---|--------------------------------------|
|  | Subject Property |
|  | LI-3 Light Industrial 3 |
|  | LI-2 Light Industrial 2 |
|  | GR-L General Residential Low Density |
|  | LR Limited Residential |
|  | RU Recreation Use |

ATTACHMENT NO 2 – Owner's Consent

THE COMMUNITY SCHOOL APPLICATION FOR AMENDMENT TO ZONING CODE

September 11, 2015

City of Ketchum
Planning and Zoning Department
Post Office Box 2215
Ketchum, ID 83340

Re: 280 Northwood Way, Ketchum, Idaho

Dear Sirs/Mesdames:

Safilo Realty Corp, a Delaware corporation owns the above referenced real property commonly referred to as the S you you mith Building and more particularly described as Lot 21A, Block 1 of Lot 21A, Resubdivision Northwood P.U.D. Subdivision Lot 4, according to the plat thereof, recorded as Instrument No. 436879, records of Blaine County, Idaho ("Property").

This letter serves as our permission for The Community School, Inc., and its employees and consultants to make and prosecute applications for rezoning the Property, design approvals and building permits.

This letter may be executed in counterparts, in which event the signature pages thereof shall be combined in order to constitute a single document. The undersigned parties agree that signatures transmitted by facsimile machine or signatures transmitted via e-mail in a "PDF" format may be used in place of original signatures on this letter.

By: _____

Name:

Roberto Risi

Title:

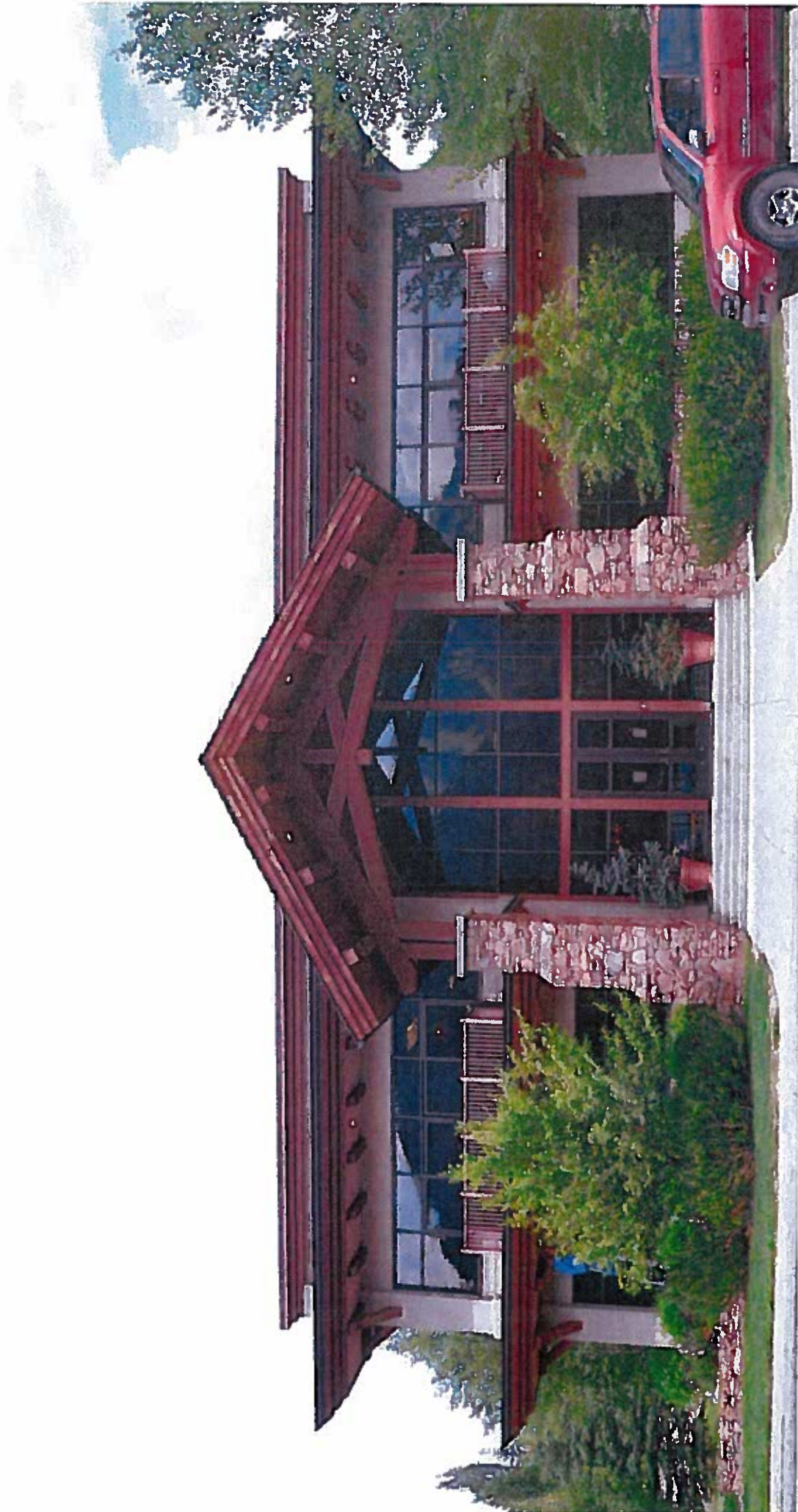
VP, Finance & Administration

ATTACHMENT NO. 3 – Pro Forma Title Policy
THE COMMUNITY SCHOOL APPLICATION FOR AMENDMENT TO ZONING CODE

NOTE: Title policy is available upon request from the Planning and Building Department.

ATTACHMENT NO. 4 – Project Concept Plans

THE COMMUNITY SCHOOL APPLICATION FOR AMENDMENT TO ZONING CODE



SCHOOL RESIDENTIAL CAMPUS
ZONING APPLICATION / SEPTEMBER 2015

MITHUN

© 2015 ZONING APPLICATION

COMMUNITY SCHOOL
from here...anywhere
SCHOOL RESIDENTIAL CAMPUS Meridian, Idaho

SITE AERIAL PHOTO

Existing Parking Requirement (2000 Zoning Ordinance)
 Wholesale: 18,770 SF x (1) Space/500 SF = 37.5
 Storage (Basement): 6,315 SF x (1)/800 SF = 7.9
 Total Parking Spaces Required: 45.4 = 45 Spaces
 Total Parking Spaces Provided: 70 Spaces (3 Accessible)



EXISTING SITE CONDITIONS

EXISTING BUILDING



SOUTHWEST ELEVATION (ENTRY)

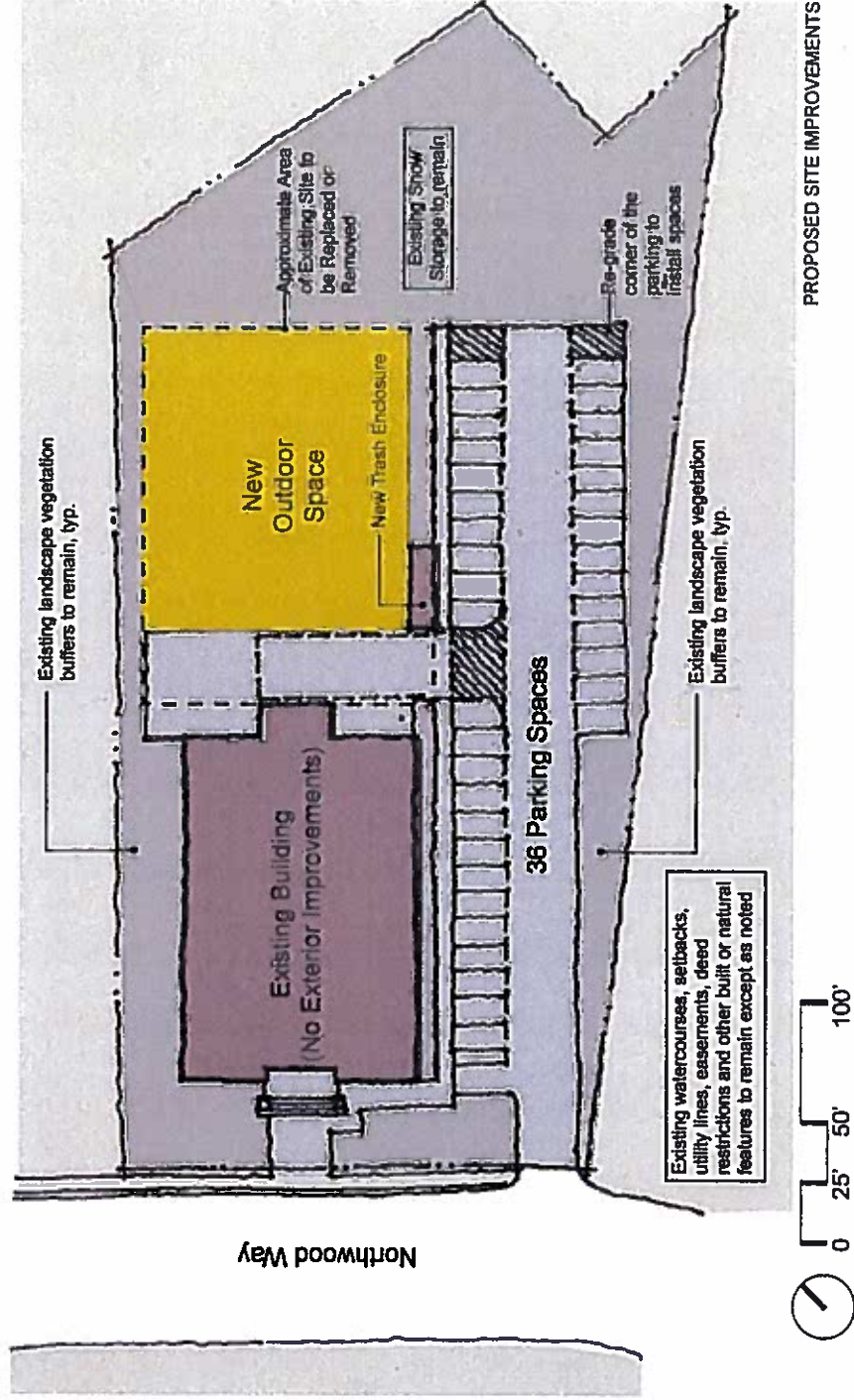


SOUTHEAST ELEVATION (NORTHWEST SIMILAR)



NORTHEAST ELEVATION

CONCEPTUAL SITE PLAN



PROPOSED SITE IMPROVEMENTS

New Parking Requirement (17,125.050 Zoning Ordinance)

Residential Dwelling Unit Spaces:

13,188 SF x (1) Space/1500 SF = 8.7 x 1.5 = 13.2 Spaces

Building Maintenance:

6,795 SF x (1) Space/800 SF = 8.5 Spaces

Health + Fitness, Industrial District:

2,523 SF x (1) Space/250 SF = 10.1 Spaces

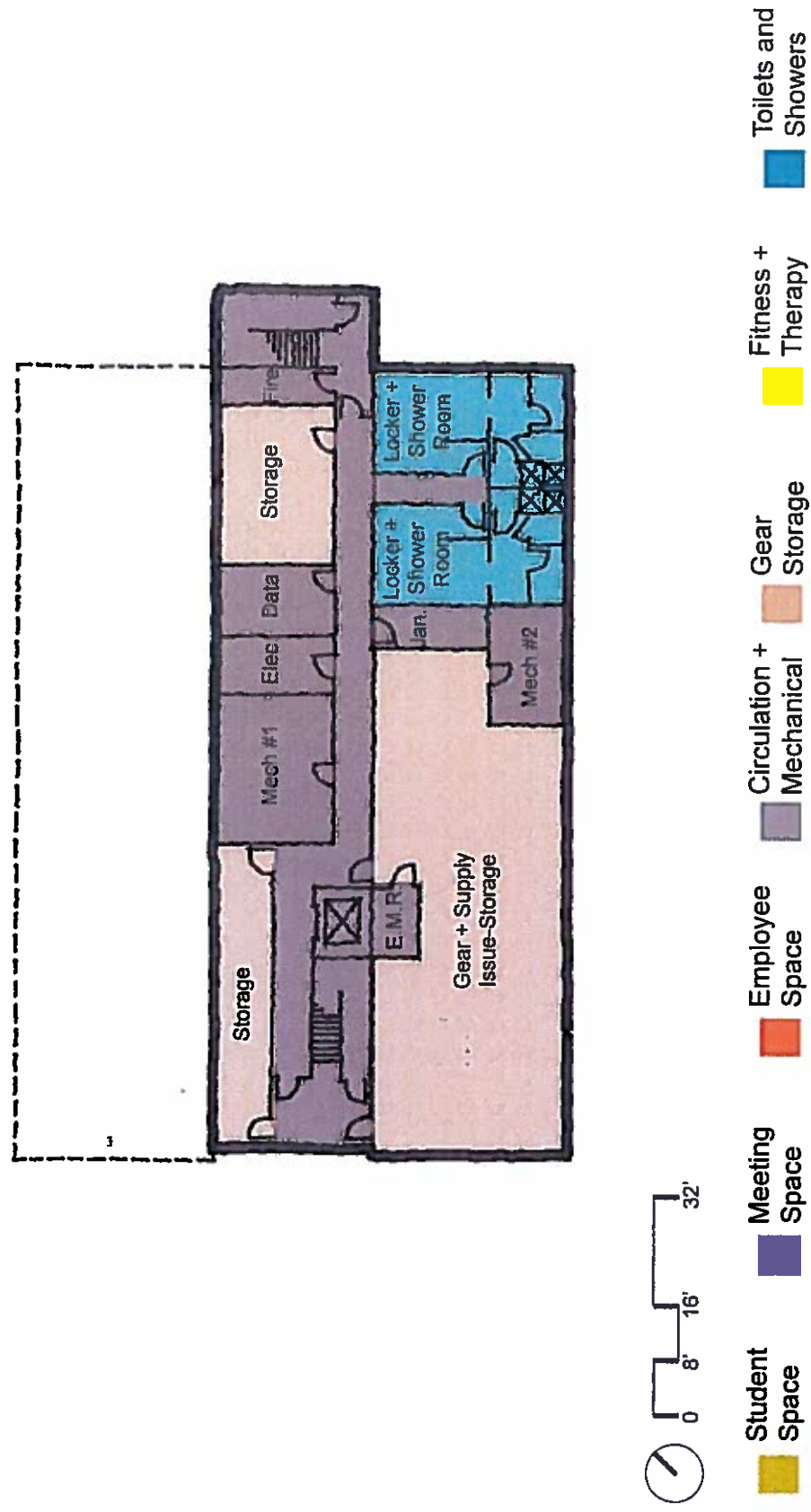
Office, Industrial District:

841 SF x (1) Space/250 SF = 3.4 Spaces

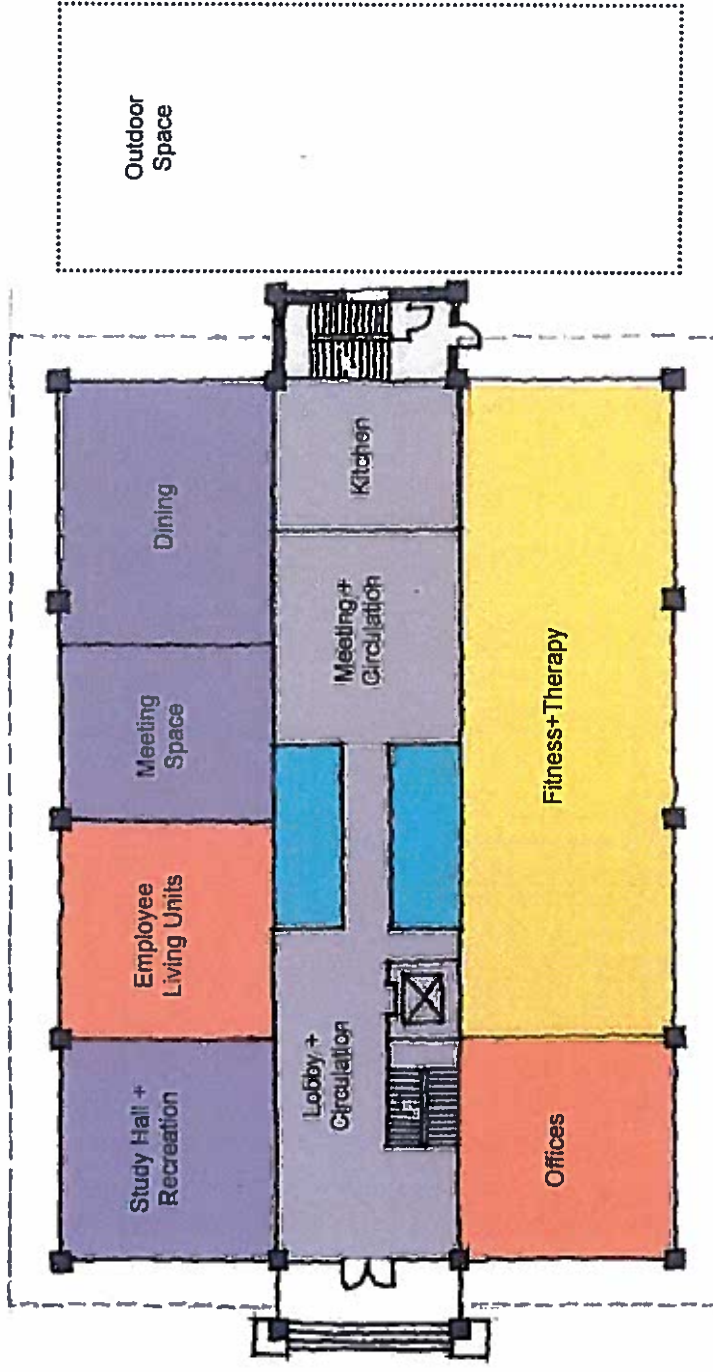
Total Parking Spaces Required: 35.1 = 35 Spaces

Total Parking Spaces Provided: 36 Spaces (2 Accessible)

CONCEPTUAL BASEMENT FLOOR PLAN

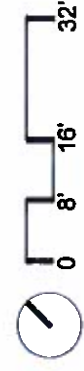
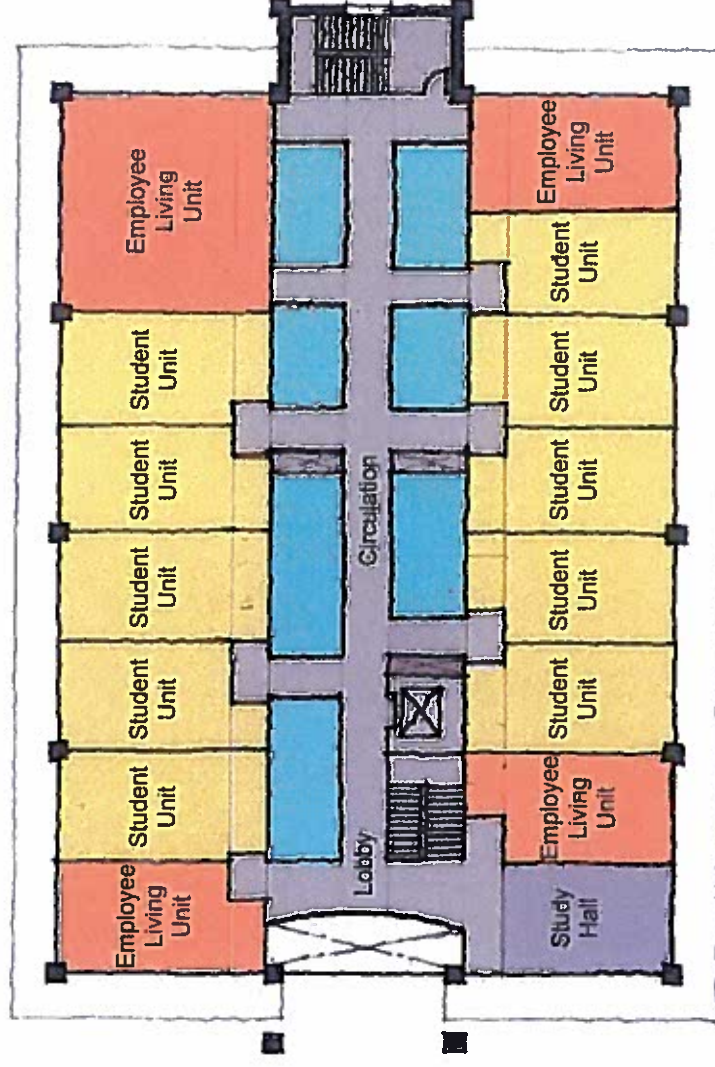


CONCEPTUAL MAIN FLOOR PLAN



- Student Space
- Meeting Space
- Employee Space
- Circulation + Mechanical
- Gear Storage
- Fitness + Therapy
- Toilets and Showers

CONCEPTUAL UPPER FLOOR PLAN



- Student Space
- Meeting Space
- Employee Space
- Circulation + Mechanical
- Gear Storage
- Fitness + Therapy
- Toilets and Showers

ATTACHMENT NO. 5 Community School's Program Narrative
THE COMMUNITY SCHOOL APPLICATION FOR AMENDMENT TO ZONING CODE

The aim of Community School's Residential Program is to provide the opportunity for talented, committed, and creative scholar-athletes from across the country and around the globe to attend Community School and experience life in the Wood River Valley. Students take advantage of and contribute to the Sun Valley Ski Academy, Outdoor Leadership Academy, or other mission-aligned pursuits.

The Residential program allows Community School to create a more diverse and global school program, while capitalizing on our natural strengths as a mountain community. The connection of a world class education and outdoor pursuits is highlighted within the mission and guiding principles of the school.

Within the Residential community, we prioritize trust, respect, honesty, responsibility, teamwork and healthy living. Our program capitalizes on the close relationships between students and teachers that Community School students and families have always valued. Additionally, teachers and other residential staff live in the Residence Hall, giving it a "family" vibe. The staff of the Residential Program provide the structure, support, compassion, and guidance that students would receive from a typical home setting.

The Residential building serves as a home for all residential students. Similar to a supportive home environment, the Residential building provides a safe and quiet location for students to thrive academically and within their personal athletic, outdoor, or school pursuits.

Listed are key elements, numbers, and policies for the Residential Program:

Student Demographics

1. Ages of Students
 - a. Students in the residential program are 14 - 18 years old
 - b. Students who live in the Residential Hall are in grades 9 - 12
2. Academics and Student Athletes
 - a. Families inquiring about the Residential Program are attracted by Community School's stellar academic reputation. Families select the Community School Residential Program knowing that a strong academic foundation will provide multiple opportunities for their child/children in the future.
 - b. Residential students are encouraged to participate in Community School activities and sports. Boarding students excel across the campus. In addition, approximately 75% of our residential students are members of the Sun Valley Ski Academy (alpine, cross country, freestyle, and freeride skiing, and snowboarding) and participate with the Sun Valley Ski Education Foundation.
3. Places of origin
 - a. Past and present domestic residential students have come from: Alaska, California, Connecticut, Idaho, Michigan, Montana, New Mexico, New York, Oregon, Texas, Utah, Washington, and Wyoming.
 - b. International students have also joined us from Brazil, Canada, China, Norway, Sweden, and the Philippines.
 - c. Potential scholar-athletes from Japan, Germany, and Norway are inquiring and/or touring for possible admission to Community School for the 2016/17 academic year.

Schedule

DAILY SCHEDULE

	Start Time	Dismissal Fall	Dismissal Winter	Dismissal Spring	After School Care
Upper School	8:00 a.m.	3:00 p.m.	1:30 p.m. (3:00 p.m. dismissal on Monday)	3:00 p.m.	N/A

Typical Fall/Spring Schedule

Monday through Friday:

6:00 - 6:45 a.m. Wake up and prepare for the day
7:00 - 7:30 a.m. Breakfast
6:45 - 7:45 a.m. Alpine U16/FIS conditioning at High Altitude Fitness (Monday, Thursday)
7:30 a.m. Students transported to Community School from the residential hall and High Altitude Fitness
8:00 a.m. - 3:00 p.m. School is in session
3:30 - 5:15 p.m. Cross Country Conditioning at Lake Creek Headquarters (Tuesday - Thursday)
4:00 - 5:30 p.m. Cross Country Conditioning at Lake Creek Headquarters (Monday)
4:00 - 5:30 p.m. Alpine U16/FIS Conditioning at High Altitude (Monday, Thursday)
4:00 - 5:30 p.m. Alpine U16/FIS Conditioning at the Air Barn (Tuesday)
4:00 - 5:30 p.m. Alpine U16/FIS Conditioning at Sun Valley Pavilion Lawn (Wednesday)
4:00 - 6:00 p.m. Soccer Practice at Sagewillow (Monday - Friday)
4:00 - 6:00 p.m. Freestyle/Snowboard Conditioning at the Sage Willow Air Barn (Friday)
6:00 - 8:00 p.m. Freestyle/Snowboard Conditioning at the Sage Willow Air Barn (Monday and Thursday)

Typical Winter Schedule

6:00 - 6:45 a.m. Wake up and prepare for the day
7:00 - 7:30 a.m. Breakfast is served
8:00 a.m. - 1:30 p.m. School is in session
1:40 p.m. Skiers and snowboarders are shuttled to their respective training venues (Dollar Mountain, Sage Willow Air Barn, SVSEF's Warm Springs alpine and freestyle/freeride training center, SVSEF's Lake Creek cross country training center. Basketball players stay at Community School for practice

1. Evening schedules (year round)

5:00 - 6:00 p.m. Most students arrive home from their respective sports or Community School extracurricular activities that are based throughout the Wood River Valley. This is their only free unstructured time of the day. They most often use this time to shower, Skype with parents, play musical instruments/foosball/air hockey, or, during very busy academic times, study.

6:00 p.m. Dinner

7:30 - 9:30 p.m. Supervised and proctored study hall

10:00 p.m. Curfew and Quiet Hours Begin

2. Typical weekend (Fall/Spring & Winter)

- a. Most student athletes are busy during the weekends participating in their respective sport. SVSA athletes out of the Residential Hall from 8:00 until early to late afternoon training with their designated teams. They also travel frequently with their teams and are competing throughout the western region on a regular basis.
- b. Activities are also planned by the residential staff for the students throughout the weekend. Some of these may be local, such as going for a hike or to play frisbee golf. Other times, trips are planned for Twin Falls or Boise. Many students also choose to go to the houses of their family or friends on the weekends.

3. Mandatory Study Hall

- a. We have mandatory study halls for the students from 7:30 - 9:30 p.m. Sunday through Thursday throughout the school year. Study halls are proctored by residential staff members and are fully supervised.
- b. On-line grading helps Residential Staff support student efforts in the classroom. Additionally, many Residential Staff teach Upper School classes and offer direct support during study hall.
- c. Other teachers also occasionally visit the dorm during this time to run review sessions or provide individual support for the students.

Supervision/Security

1. General structure of supervision

- a. The Director of Residential Life oversees five live-in staff members, with the support of four Community School employees who help oversee the dorm. Our policy is to have two staff members in the building, or surrounding property during all hours that students are in the building. The live-in staff members reside in the facility with the students, eat meals with the students, and provide adult supervision, support, and guidance to the students. The Director of Residential Life oversees meals, housekeeping, transportation and logistical issues for the students. The residential staff on duty monitors a Residential Program phone 24/7. Students and parents may call this phone should they need information or assistance. Students are also encouraged to call this phone to locate residential staff or to update the staff on duty regarding changes to their plans while not in the Residence Hall.

2. Adult-supervised 24/7

- a. The Residential Program is supervised 24 hours per day, with Community School Residential staff overseeing students during non-school hours when the students are in the residential facility. Community School's Sun Valley Ski Academy and Outdoor

Program staff offices will be located in the new building, thus adding an additional layer of adult supervision.

- b. Most student athletes are busy during the weekends participating in their respective sport or activity. For example, the SVSA athletes are out of the Residential Hall from 8:00 until early to late afternoon training with their designated teams. They also travel frequently with their teams for competitions.
- c. Activities are also planned by the residential staff for the students throughout the weekend. Some of these may be local, such as going for a hike or to play frisbee golf. Other times, trips are planned for Twin Falls or Boise. Many students also choose to visit the homes of family or friends on the weekends.
- d. Students often use their evening time to join friends for dinner, watch movies, or catch up on sleep. All students are back in the dorm for an 11:00pm curfew, and quiet hours at 11:30pm.
- e. There are two staff members on duty at all times during the weekend. They are responsible for the safety of our students and knowing the whereabouts and activities of our students.
- f. Weekends are often a very quiet time at the Residential Hall, with most scholar athletes training, resting and recovering, traveling for their sports, or exploring the Wood River Valley.

3. Security

- a. The Residence Hall is equipped with a security system that includes four security cameras that run 24 hours a day, and doors to the building are locked from the outside at all times. While student rooms are not locked, the Residence Hall does provide a safe for students to secure valuable possessions. Students should secure any items of value. Neither Community School nor the residential staff accepts responsibility for lost, stolen, or damaged items.
- b. Each student is assigned a key card upon arrival. Students must carry these at all times in order to gain access to the building. This key must be returned at the end of each school year. If a key card is lost or stolen the student must immediately notify the residential staff. A fee may be charged for key card replacement.
- c. In addition to establishing a set of general rules and guidelines, residential staff will review emergency information and procedures with students during orientation. Each student will have contact information so that they can reach residential staff and emergency services at any time, day or night. Emergency contact information for each student is kept on file at both the Residence Hall and at the school. Students are required to have cell phones by which they can be reached at any time when they are not in school or at the Residence Hall.
- d. Compliance with fire regulations is a necessity. All rooms are equipped with smoke detectors, and a sprinkler system, and fire extinguishers are present in the dorm. Students are also asked to comply with several rules related to fire safety, which can be accessed in the residential handbook linked at the bottom of this document.

Transportation

1. School Transportation

- a. Students are transported to school each day at 7:30 a.m. by a chartered Mountain Rides bus. They are also transported to sports practices, training, school plays, and other

school-related activities via school vehicles. Athletes who are departing for competitions are transported to and from their designated drop-off and pick-up points.

- b. Dorm staff are not expected to provide transport to non-school activities. For these, students use local transportation options.
2. Local Transportation
 - a. The Sun Valley area also has a dependable, convenient, safe and free public transportation system with stops next to both the current and proposed Residence Hall and the Community School. Students are familiarized with this system during orientation. Most students and staff use this system as their primary personal mode of transportation.
 - b. Residential students are allowed to travel with other Community School students, faculty, staff, and parents with advance written permission from their parents. Names of any other friends or family that are approved to drive a student will also need to be shared.
3. Student Driving - seniors only
 - a. Twelfth grade students who wish to keep a car may do so, and they must sign the Responsible Driving Pledge. It is the responsibility of the parents to ensure their child's vehicle is properly insured.
 - b. Failure to abide by this pledge will result in the revoking of driving privileges. The school reserves the right to refuse and revoke driving privileges at its own discretion. Students in poor academic or disciplinary standing will not be awarded driving privileges, and any student facing a disciplinary hearing will likely lose privileges.
 - c. No student will be permitted to drive a school owned vehicle or a vehicle that belongs to another student.
 - d. Ninth, Tenth, and Eleventh grade residential students are not allowed to drive or keep a personal vehicle.
4. Bicycle accessibility
 - a. The Sun Valley area boasts an extensive network of bike paths and is very accommodating to cyclists in the non-snowy months. There is a bike path that connects the residence hall and the school, so some students and staff choose to cycle to school.
 - b. Most students bring their own bikes each year, and ride them often on the bike paths or on designated mountain trails. The Residence Hall also owns several bicycles that students can check out. All bicycles, whether school property or the property of the student, must be ridden with a helmet.

Residential Curriculum

1. Staff meetings
 - a. All residential staff meet once a week to discuss curriculum, protocols, and students. These allow all staff to have the same information and support our students in every aspect.
 - b. Senior members of the residential team also meet once a week to develop plans and topics for all residential meetings, and to monitor the program and students' success.
2. Soliciting Feedback
 - a. There are multiple opportunities throughout the year for the Residential Program to receive feedback. Parents and students give formal feedback twice a year, and they are always encouraged to share ideas informally throughout the year.
 - b. In the spring of 2015, a committee of faculty and staff met to discuss the program as a whole and the integration of the program into the larger community. Many outside of the

residential staff are committed to be involved and strengthening the program for our students, families, and staff members.

3. Student RAs

- a. There are four students who act as Student Residential Assistants (SRAs) in the dorm. These are upperclassmen who are willing to take on this role and have proven their leadership abilities to the staff.
- b. The SRAs are supervised by the Director of Residential Life, and they meet regularly once a week. These meetings include planning of activities, discussion of student expectations, and finding solutions to any concerns. These students are a key component to helping to set the tone and live in a safe, respectful community.
- c. Our SRAs assist the Director of Residential Life in leading a weekly meeting for residential students after dinner each Wednesday evening. These meetings are for residential students to discuss ways to improve residential programming, team build, learn more about each other, and how they can ensure success at school.

Food Preparation

1. Who

- a. A professionally trained chef cooks breakfast and dinner for the residential hall residents Sunday through Friday.
- b. Community School's goal is to increase/adjust food service to provide meals 7 days per-week in the new Residential Building. Staff will stay in commensurate with the number of boarding students living in the Residential Hall.

2. When

- a. Breakfast is served at 7:00 - 7:30 a.m. Monday through Friday
- b. Dinner is served at 6:00 p.m. Sunday through Thursday

3. Family Meal Structure

- a. All dorm students are expected to be at breakfast and dinner unless cleared by a dorm staff member.
- b. Each night we have a rotating group of dorm staff and students who wash dishes and clean the kitchen and dining hall areas as a team.
- c. Additional Dorm chores are expected of each student, similar to what is expected of most students in their own homes.

4. Lunch

- a. We do not provide lunch meal service. Dorm students can pack their lunches from our residential hall commercial kitchen every day if they wish. They can also order delivery from several restaurants that deliver to Community School daily.

Occupancy

1. Primary school year

- a. We currently house between 20 - 23 student athletes plus 6 residential staff members.
- b. An expected increase to 30 students in the new facility is expected in the first two years of occupancy and up to 40 students in subsequent years.

2. Summer sessions and occupancy

- a. Summer term has been increasingly popular with students, and this summer we hosted 16 students at the Bald Mountain Inn facility from June 15 - July 2.
- b. In the future, student needs will continue to drive our summer session scheduling.

- c. Providing housing in our residential facility to the Sun Valley Symphony musicians and staff has occurred annually in July and August for the past three years. Similar community partnerships are anticipated in future years at the Northwoods way location as possible.

Important Links:

[Community School Residential Program Home Page](#)

[Sun Valley Ski Academy Home Page](#)

[Community School Outdoor Program Home Page](#)

[Residential Student and Parent Agreement and Handbook](#)

ATTACHMENT NO. 6 - Analysis of Conformance of Rezone to Comprehensive Plan.
THE COMMUNITY SCHOOL APPLICATION FOR AMENDMENT TO ZONING CODE

COMMUNITY SCHOOL
Application for Rezone with Development Agreement and Text Amendment

CONFORMANCE WITH THE POLICIES AND GOALS OF THE KETCHUM COMPREHENSIVE PLAN
September, 2015

Community School makes application for a Rezone with Development Agreement to Light-Industrial-3 Zoning (LI-3) District along with text amendments to add a definition for the use "School Residential Campus" and amendment to the District Use Matrix.

The Development Agreement will allow the use to be conditionally permitted and allow the City of Ketchum and Community School to mutually agree upon important aspects of the proposal and how it relates to its surroundings.

The Rezone from LI-2 to LI-3 is proposed for Lot 21A of Resubdivision of Northwood PUD Lot 4 Subdivision.

The Ketchum Comprehensive Plan supports the proposal and, in turn, the proposal conforms to and is in accordance with the Plan in a number of ways that are summarized below.

A New Way Forward	Ketchum's planning perspective is based on the principle of sustainability.... the community's stability, resilience, social health, and the ability to thrive. Ketchum's sustainable future depends on • Diversifying the job base; • Creating a greater variety of housing options; • Continuing a strong focus on educational excellence along with many other goals. The role that Ketchum plays in the regional growth patterns and quality is significant.
Chapter 1: Community Vision And Core Values	1. A Strong and Diverse Economy: Ketchum hopes to achieve a stable and diverse economy, promoting its friendly and safe small-town character, including excellent schools. Community School is a high quality excellent school that has a temporary presence in Ketchum and proposes to permanently locate in Ketchum thereby creating an increase in opportunity for learning in Ketchum. 4. A Variety of Housing Options: A varied supply of housing choices is important to those who live & work in Ketchum; the Plan looks to creative solutions by evaluating zoning, density, and infill policies. This proposal offers permanent student dormitory and on-site employee dwelling units in a multi-use building that already exists on the property. 8. Enlivened by the Arts and Culture: While not mentioned in this section, schools contribute to the culture of a community. This proposal is to enhance Ketchum's culture with a permanent addition. Community School's proposal will have no adverse impact on a vibrant downtown and will enhance community character. How the proposal relates to other key values identified in the Plan are addressed in Chapters hereafter.

Chapter 2: A Strong And Diverse Economy	<p>Ketchum recognizes Community School's existing contribution to educational opportunities in Ketchum; desires specialized higher learning than is available with the existing public and private elementary schools; sees schools as infrastructure that can contribute to the marketing of a larger year-around community. Community School's proposal is one business/industry that will help the goal of achieving diversity and sustaining the local economy. The proposal is critical to the school's sustainability and growth through increased enrollment from out of area students resulting in additional families moving to the area, strengthening of programs and the associated stimulus of jobs and the regional economy.</p> <p>The Plan calls for clean industries and mixed use as a goal for the Light industrial zones. The proposal is indeed a mixed use, and will show a minimal impact on surrounding light industrial uses.</p>
Chapter 3: Housing	<p>A goal is to increase the supply of a variety of housing. Dormitories have served an important purpose and support to schools and have been shown to be viable in Ketchum. The proposal integrates housing for students and school employees into an existing building well-suited to the use, given its past use. While students are not characterized in the class of "special needs", providing the proposed form of housing for upper school students in Ketchum addresses a need and promotes the permanent expansion of programs at Community School. Further, the proposal includes housing opportunities for other nonprofit groups to use the dormitory facility when not in use by the School.</p>
Chapter 4: Community Design And Neighborhoods	<p>The mixed-use proposal is located very close to existing, residential neighborhoods, with convenient public transportation for students without their own vehicles, as only a limited number of senior class students are permitted who use vehicles while attending Community School. Utilizing a satellite campus is a common practice for successful, expanding schools and colleges. In addition, it utilizes an existing building putting life back into that part of town.</p>
Chapter 5: Natural Resource Stewardship	<p>While this chapter discusses protecting natural resources and recycling, it is silent to the re-use of quality, existing buildings. Community School's proposal will initially fit within the walls of the existing, Smith Building upon remodel. The size and location of the lot affords the opportunity for outdoor space needs of the School and its Programs.</p>
Chapter 6: Parks, Recreation, And Open Space	<p>Community School's programs emphasize the student's use of and respect for the recreation afforded by Bald Mountain and the surrounding public lands. The proposed location is ideal for connecting students to these resources.</p>
Chapter 7: Mobility	<p>The proposed location is ideal in terms of connectivity, access to recreation and services, busses, and non-motorized pathways – particularly for the vast majority of students who rely on transportation by other means.</p>
Chapter 8: Arts And Culture	<p>The Plan is silent to education and furthering those opportunities as part of the culture of the community. Community School's programs that may be expanded through the proposal contribute to the conglomerate of uses and events and make up the culture and could conceivably be a catalyst for other ventures to do the same.</p>

Chapter 9: Public Safety And Utilities	The Smith Building exists with public safety and utility needs in place. The necessary re-model of spaces within the building will comply with fire and building codes. Student safety is of utmost importance to Community School.
Chapter 10: Community Health And Wellness	The proposal helps meet goals to support existing and new school growth while acknowledging there is a regional approach to education in the area. Community School would become a partner of sorts in the quest for expanded educational opportunities that contribute to the community's health.
Chapter 11: High Performing Community	Ketchum will be "coordinating" with a local private school to provide for growth and learning within the community. Collaboration with organizations to work toward Ketchum's sustainable goals is achieved through this process. The Plan calls for coordinating with service provider in needs assessment, facility siting, operations, etc., to ensure the continuity of the delivery of effective urban services, which must include educational expansion.
Chapter 12: Future Land Use	Industrial areas are considered mixed-use and provide opportunities for economic development, tourism and jobs. Offices are considered a primary use in the industrial areas while mixed use is encouraged. The LI-3 is particularly suited to the mixed-use being proposed by Community School due to its location and the surrounding uses. Semi-public uses, which include schools, are allowed in the LI; however, Community School is proposing a rezone to LI-3 with a Development Agreement so that Ketchum and the School can mutually agree with what is proposed for the future of an existing office building. Infill and redevelopment that take advantage of the proximity to services and transportation are encouraged. With the quality of the existing building, neither infill nor redevelopment is necessary for this to become a positive succession to the Smith Sport Optic use.

Attachment 2:

Proposed ordinance for text amendment.

NOTE: The following ordinance contains language for the rezone request as well as the text amendment, however the two requests are separate and the ordinance is subject to change, depending on the City Council's decision.

ATTACHMENT NO. 7– Draft Ordinance (Rev 113015)
THE COMMUNITY SCHOOL APPLICATION FOR AMENDMENT TO ZONING CODE

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO AMENDING KETCHUM MUNICIPAL CODE, TITLE 17, ZONING REGULATIONS BY ADDING TO CHAPTER 17.08, DEFINITIONS, SCHOOL RESIDENTIAL CAMPUS DEFINITION; BY AMENDING CHAPTER 17.12, ESTABLISHMENT OF DISTRICTS AND ZONING MATRICES, SECTION 17.12.010, ZONING MAP DISTRICTS, SUBSECTION B. BOUNDARIES, AMENDING THE OFFICIAL ZONING DISTRICT MAP CHANGING THE ZONING DISTRICT FROM LIGHT INDUSTRIAL 2 DISTRICT (LI-2) TO LIGHT INDUSTRIAL 3 DISTRICT (LI-3) ON LOT 21A, RESUBDIVISION OF NORTHWOOD PUD LOT 4 SUBDIVISION; BY AMENDING CHAPTER 17.12, ESTABLISHMENT OF DISTRICTS AND ZONING MATRICES, SECTION 17.12.202 DISTRICT USE MATRIX, SUBSECTION A, DISTRICT USE MATRIX ADDING SCHOOL RESIDENTIAL CAMPUS TO THE MATRIX SECTION ENTITLED "PUBLIC AND INSTITUTIONAL"; BY AMENDING CHAPTER 17.124, DEVELOPMENT STANDARDS, SECTION 17.124.090, RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS NEW SUBSECTION C. MINIMUM CRITERIA FOR A SCHOOL RESIDENTIAL CAMPUS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

SECTION 1. That Zoning Code Title 17, Zoning Regulations, Chapter 17.08, Definitions, Section 17.08.020, Definitions, is hereby amended, altered and changed by the addition of a new definition, as follows:

SCHOOL RESIDENTIAL CAMPUS: Multiple-use building(s) and outdoor facilities/areas directly affiliated with an established public or semi-public educational institution for learning that include but are not limited to spaces devoted to dormitory, central kitchen and dining, office, classroom, study, school employee dwelling unit, study hall, gym/fitness, meeting, and parking.

SECTION 2. That Zoning Code Title 17, Zoning Regulations, Chapter 17.12, Establishment Of Districts And Zoning Matrices, Section 17.12.010, Zoning Map Districts, Subsection B. Boundaries, is hereby amended, altered and changed by amending the Official Zoning District Map by changing the zoning district applicable to Lot 21A, Resubdivision of Northwood PUD Lot 4 Subdivision from Light Industrial 2 (LI-2) Zoning District to Light Industrial 3 (LI-3) Zoning District.

SECTION 3: That Zoning Code Title 17, Zoning Regulations, Chapter 17.12, Establishment Of Districts And Zoning Matrices, Section 17.12.202 District Use Matrix, Subsection A, District Use Matrix, is hereby amended by adding SCHOOL RESIDENTIAL CAMPUS to the matrix section entitled "Public and Institutional" placing a "P³⁰" in the column under the heading LI-3;; and adding footnote 30 stating "Development Agreement Required".

SECTION 4: That Zoning Code Title 17, Zoning Regulations, Chapter 17.124, Development Standards, Section 17.124.090, Residential, Light Industrial Districts, is hereby amended, altered and changed by adding Subsection C, as follows:

C. School Residential Campus in the light industrial 3 district (LI-3), shall comply with the following minimum criteria in lieu of the requirements of subsections 17.124.090.A and B, above:

1. Square footage of the building dedicated for residential use, including dormitory and employee housing units and common bathrooms and showers but excluding the common kitchen and circulation areas, shall be less than fifty percent (50%) of the total square footage of the building including any basement area.
2. Dwelling units to be occupied by employees of the institution may be located on the ground floor. Dormitory units shall not be located on the ground floor.
3. Dormitory units may be developed, sized and changed over time as deemed appropriate for occupancy by 2 or more persons each.
4. Dormitory bathrooms are to be clustered for use by occupants of dormitories.
5. Dormitory kitchen and dining spaces are to be designed to be used in common by occupants.
6. Design review under chapter 17.96 of this title shall be required for a new building, addition to existing building or remodel of the exterior of an existing building.
7. Employee Housing units shall be used for "long term occupancy" and shall not be separated in any manner for sale as individual units.
8. All residential units can only be used for "long term occupancy" except in the case of occasional use by other nonprofit organizations.
9. Employee Housing units shall be a minimum of four hundred (400) square feet and shall not exceed one thousand four hundred (1,400) square feet total and shall contain not more than three (3) bedrooms.
10. No more than two (2) Employee Housing units consisting of less than two thousand square feet total may be located on the ground floor of the building.
11. 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.
12. The institution that provides living space within the mixed use building in the light industrial 3 district (LI-3) 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.
13. Conditions including, but not limited to, the following may be attached to the development agreement:
 - a. Restrictions on exterior storage of personal property of occupants;
 - b. Certificate of occupancy required prior to occupancy of dormitory rooms and living units;
 - c. Ketchum fire department and Ketchum building department requirements shall be met prior to occupancy;
 - d. Snow removal required to ensure utility of parking spaces;
 - e. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in 1 through 12 of this subsection, or to promote the public health, safety and welfare.

SECTION 5. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. All City of Ketchum ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO AND APPROVED BY THE MAYOR THIS ___ DAY OF _____, 2015.

Nina Jonas, Mayor

Attest:

Sandra E. Cady, City Clerk

Attachment 3A:

**Summary of Public Comment Recieved prior to the Planning and
Zoning public hearings.**

#	Date Submitted	Person Entity	Main Points	In Favor	Against	Neutral
1	10/29/15	Jack Kueneman	Not in favor of residential on ground floor, sets precedent for undesirable outcomes, Increase in noise and traffic at night.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	10/31/15	Katherine Weekes	Dynamic addition to the LI District, economic activity, added jobs and attracts families to the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	11/1/15	Andrew G. Cooley	Attracts residents to the city, no time for hooliganism (students are busy), is a decrease in traffic compared to the former use, fits in with uses in the area, encourages biking and reuses a currently vacant building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	11/1/15	Scott & Laura Carlin	Catalyst for future development, economic growth, complimentary to other uses in the LI Districts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	11/1/15	Peter Smith	Proposed uses of the school are already in existence in the LI Districts. Building has convenient access to public transit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	11/1/15	Ed Viestures	Will benefit the school, City and SVSEF and provide economic value to the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	11/1/15	Andy Munter	Student housing, economic driver, expansion of the school would be beneficial to his specific business. Reuse of an existing building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	11/1/15	Steven Shafran	School expansion, adds permanent residents, adds jobs, tourism and proposed uses are already in the LI District.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	11/1/15	Kirk Riedinger	Enhance economic development, jobs and educational choices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	11/1/15	Jean Taglia	Community asset.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	11/1/15	Dawn Webber	Email stated letter was attached, but was not. Did not indicate level of support.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12	11/1/15	Lisa Whorton	Economic growth and positive community exposure.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	11/1/15	Mark Eshman	Economic growth, educational opportunities and job creation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	11/2/15	Cort Blackburn	Economic growth and job creation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	11/2/15	Paula Perry	Benefits the school and city, expansion of the residential program, economic and educational driver.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16	11/2/15	Ellen Gillespie	Benefits the city and business, exposure to families outside the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	11/2/15	James Gillespie	Community depends on success of school, brings in new families to the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18	11/2/15	Rob McGowan	Neighbor of current location of school. Great neighbors. Overall in favor of project.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19	11/2/15	Peter Whittaker	Proposed use aligns with current LI uses, responsible growth.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	11/2/15	John Gorham	Fill an empty building, creates jobs, and brings youth and full time residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21	11/2/15	Katie Robbins	Brings vitality and life, diverse students from across the world, and new families and tourism. Valuable economic and educational driver.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22	11/2/15	Cordy Snyder	Benefits local economy, enhances community jobs, stronger school and stimulates economy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23	11/2/15	Randy Flynn submitting letter for Northwood Property Owners' Association: James P. Conger, Gwen Raney, William B. Sanders and Jacob Tyler	Questions and concerns were addressed by the school during a meeting. Use fits in well with LI-3 District. In favor of allowing residential on the ground floor for this specific type of use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24	11/2/15	Terry Ring	Positive economic benefits, local jobs, diversity of well educated families, reduces reliance on tourism and second homeowners, students help market the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	11/2/15	Jason Fry	Economic benefits and jobs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26	11/2/15	Eva & Jim DeWolfe	Jobs, educational opportunities and local economy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

27	11/2/15	Elizabeth Shumway submitting on behalf of Pirie Jones Grossman	Valuable economic and educational driver, uses proposed are already in existence in the LI districts. Limited parking impacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28	11/2/15	Krista Detwiler	Educational, professional and economic benefits.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29	11/2/15	Morley R. Golden	Economic and educational benefits. Use is consistent with current uses in the LI districts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30	11/2/15	Nichole and Aaron Moos	Helps create a multi-generational community, long term economic success, year round community. Mutually beneficial to city and school.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31	11/2/15	Julie and Peter LaFleur	Attracting new businesses, more students & families to the area, economic impacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32	11/2/15	Hank Minor	Solution to filling the Smith Building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33	11/2/15	Jill Eshman	Support, but no letter was attached.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34	11/2/15	Jason and Janine Seymour	Economically sensible and sustainable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35	11/2/15	Ryan Waterfield	Local economy and City character.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
36	11/2/15	Jack Dies	No downside, will bolster the LI Districts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
37	11/2/15	Mark W. Elsbree	Economic and educational benefits, jobs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
38	11/2/15	Jim Figge	Proposed uses is similar to existing LI uses. Use of vacant building, no traffic concerns and bring families to the city.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
39	11/2/15	Michelle Ferris	No negative impacts, brings in young families.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40	11/2/15	Will Hovey	Use of vacant building, attract high caliber students and families to the area. Use is consistent to existing LI District uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
41	11/2/15	Michael Herlinger	Uses are compatible with LI uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
42	11/2/15	William, Missi, Avery, Alex and Billy Griffin (Family)	Moved to Ketchum for Community School, community exposure and revitalization.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43	11/2/15	Gay Cherp	Strengthens residential program, invests in the building, improves area and markets the city.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
44	11/2/15	Brian Kotara	Vital purpose to community, jobs and local economy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
45	11/2/15	Brain Barsotti	Not opposed to the rezone or to the text amendment. He is opposed to the process.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
46	11/2/15	Bob Rosso	Building is a perfect fit for use, adds young families, and businesses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
47	11/2/15	Greg Moss	Use compliments the LI Districts, jobs and educational opportunities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
48	11/2/15	Brian Webber	Local economy and community benefits, new families to the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attachment 3B

**Public comment received prior to City Council public
hearing on February 1, as of January 27, 2015**

Mr. Micah Austin
Planning & Zoning Director
City Of Ketchum
Post Office Box 2315
Ketchum, ID 83340
maustin@ketchumidaho.org

Dear Mr. Austin,

I am writing to you as a business owner in Ketchum and I would like to go on record as a supporter of The Community School's applications for a text amendment and a rezone of its property at 280 Northwood Way.

By refurbishing the old Smith Building and supporting the Community School's efforts to develop a residential hall for their students and athletes the city and greater community of Blaine County will benefit in the following ways:

- Make use of a recently vacated large building within the city limits which will add additional good paying employment opportunities in Ketchum.
- Provide a larger residential hall closer to the school's existing Trail Creek Campus expanding the program and making for a more integrated experience for students and faculty. This will ultimately result in an even better educational experience at Community School and draw additional families (and resources) to our town.
- Provide students and residential faculty closer proximity to Ketchum businesses which will only benefit those businesses.

The School's partnership with a SVSEF, one of the larger nonprofits in our valley will also be enhanced through an expanded residential program. We are fortunate that Community School is willing to invest in this property and our Ketchum community.

Sincerely,



Trent Stumph

Sawtooth Environmental Consulting, LLC
P.O. Box 2707
540 North 1st Avenue
Ketchum, ID 83340

Mr. Micah Austin

Planning & Zoning Director

City of Ketchum

Post Office Box 2315

Ketchum, Id 83340

maustin@ketchumidaho.org

Dear Mr. Austin,

We would like to go on record as a supporter of The Community School's applications for a text amendment and a rezone of its property at 280 Northwood Way. From the first moment I heard about this project I thought it was fantastic, creative, and certainly the way to our future as a diverse and extremely active community. The physical location of the "Smith Building" is perfect for this wonderfully planned Residential Program. Blending the Merits of the Community School and the Dynamic and Exciting programs offered by the Sun Valley Ski Education Foundation...this is a Win Win for everyone.

When Smith Optics was there all those years it was full of bright young professionals who all were extremely active in the community and the outdoor sports world. This new plan is a wonderful continuance of the active and creative lifestyle.

Our community critically needs new young people coming here to live, to train, to do business, to start families, to eventually become the new leaders of our community.

I urge you to approve this application, and to celebrate the increased diversity of our community now and into the future for us all.

Respectfully submitted; Bob & Kate Rosso....The Elephant's Perch, Ketchum

brosso@elephantsperch.com

Micah Austin

From: Charlie Dunn <charliedbr@cox.net>
Sent: Monday, January 25, 2016 9:18 AM
To: Micah Austin
Subject: Community School Rezone

Mr. Austin,

I am writing to voice my support for the proposed text amendment and rezone of the former Smith building at 280 Northwood Way. I believe this will be a benefit to the school, the city of Ketchum and our community as a whole. As businesses have moved out of Ketchum I feel like its important to seize this opportunity to provide more Jobs more housing and bring more people to the Wood River Valley. I have children that attend the Community school and I am a board member of the Sun Valley Ski Education Foundation.

Sincerely ,

Charlie Dunn

Charlie Dunn
208-309-0326

Mr. Micah Austin
Planning & Zoning Director
City Of Ketchum
Post Office Box 2315
Ketchum, ID 83340

Dear Mr. Austin,

I writing in support of The Community School's applications for a text amendment and a rezone of its property at 280 Northwood Way. This new intended use of the currently vacant property will benefit both Ketchum, and the Wood River Valley. I would encourage that each application be approved by the Ketchum City Council. With these approvals, the Community School will be able to improve and expand its residential program commensurately and the City will benefit through the jobs created and the economic stimulus brought into existence by the addition of up to 40 new families engaging with the Wood River Valley annually, once the new residential facility is functioning at full capacity. .

We should all be glad that the Community School, a significant part of our community, had the courage to purchase the Smith Building which would probably have remained vacant for an extended period of time.

The Community School's proposal offers Ketchum and the Valley previously nonexistent opportunities for good-paying jobs and an increased diversity of educational opportunities that will provide substantial stimulus to our current economy. Please get

Best,
Rob Clayton
Executive Director
Sun Valley Ski Education Foundation

Mr. Micah Austin
Planning & Zoning Director
City Of Ketchum
Post Office Box 2315
Ketchum, ID 83340
maustin@ketchumidaho.org

Dear Mr. Austin,

As you may or may not know, my business is actively engaged in zoning and rezoning across the western US so we have lots of opportunity to see both good and bad consequences (and rationale). My experience is that, generally, focus on the macro benefit typically creates a better outcome than micro policy (i.e. strict adherence to codes that often don't fully contemplate all possible circumstances).

In this instance, I support Community School's applications for a text amendment and a rezone of its property at 280 Northwood Way. The school's proposed use of the property will benefit both the school and the City of Ketchum, and each application should be approved.

This project benefits our community economically, educationally, and culturally:

- Community School gains a long-term housing solution for its Residential Program, which is important to the school's present and future.
- The city secures the immediate and dynamic utilization of the Smith Sport Optics Building, a building with an important legacy in our community.
- Local businesses, residents, and the city derive the economic, educational, and cultural advantages of having a thriving independent school in the community.

We are fortunate that Community School has undertaken this exciting development. Please support economic growth, educational diversity, and vibrant cultural opportunities in our valley by supporting this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Wolff', with a stylized, cursive script.

Tim Wolff



City of Ketchum
City Hall

February 1, 2016

Mayor Jonas and Ketchum City Council
City of Ketchum
Ketchum, Idaho

Mayor Jonas and Members of the City Council:

Public hearing and consideration of an application for a rezone development agreement by the Community School to rezone property from Light Industrial District Number 2 (LI-2) to Light Industrial District Number 3 (LI-3); subject property is located at 280 Northwood Way, Ketchum, Idaho, 83340 and described as Resub of Northwood PUD Lot 4, AM Lot 21A

Introduction

The applicant, Community School Inc., is requesting to rezone Lot 21A of the Resubdivision of Northwood PUD Subdivision Lot 4 from Light Industrial District Number 2 (LI-2) to Light Industrial District Number 3 (LI-3) through a Development Agreement.

Current Report

Public hearing and noticing requirements have been satisfied according to the Ketchum Municipal Code (KMC) and Idaho Statute §67-6509. A public hearing to consider the application with the City Council February 1, 2015. The attached staff report contains the objective analysis completed by staff for the City Council's deliberation.

Financial Requirement/Impact

No impacts have been identified.

Recommendation

Staff recommends approval of the rezone with a development agreement as proposed, including the public benefit requirements and other conditions of approval.

Recommended Motion

"I move to approve the application for rezoning Lot 21A of the Resubdivision of Northwood PUD Subdivision Lot 4 from Light Industrial District Number 2 (LI-2) to Light Industrial District Number 3 (LI-3) through a Development Agreement as proposed, finding the request is in compliance with the Comprehensive Plan, the Subdivision Ordinance, and other adopted city policies and regulations."

Sincerely,

Micah Austin, AICP
Planning and Building Director



City of Ketchum
City Hall

February 1, 2016

Ketchum City Council
City of Ketchum
Ketchum, Idaho

**STAFF REPORT
KETCHUM CITY COUNCIL**

PROJECT: Community School Rezone and Development Agreement

FILE NUMBER: #15-119

APPLICANT: Community School Inc.

REPRESENTATIVE: Ed Lawson, Linda Haavik, Ben Pettit

REQUEST: Applicant initiated request to rezone Lot 21A of the Resubdivision of Northwood PUD Subdivision Lot 4 from Light Industrial District Number 2 (LI-2) to Light Industrial District Number 3 (LI-3) through a Development Agreement.

NOTICE: Public notice is required by State Statute, §67-6509 and has been met. On January 8, 2016 a public notice was been placed in three locations in the city. On January 8, 2016 the notice was mailed to political subdivisions and outside agencies. On January 8, 2015 a notice was published in the Idaho Mountain Express.

PUBLIC HEARING: Planning and Zoning Commission

- November 9, 2015
- November 23, 2015
- December 4, 2015

City Council

- February 1, 2016

STAFF RECOMMENDATION

With the conditions of approval and public benefit requirements currently listed in the proposed development agreement, Staff recommends approval of the rezone and development agreement.

PLANNING AND ZONING RECOMMENDATION

The Planning and Zoning Commission held three public hearings on this rezone with a development agreement, which underwent significant revisions during this process. On December 4, 2015, the Commission

held a final public hearing where they reviewed all information presented, including staff reports, applicant testimony, public comments, and other applicable information brought forward. After deliberation amongst the Commission, they recommended approval of the rezone with the accompanying development agreement, finding that, on the whole, it is in compliance with the Comprehensive Plan, the Subdivision Ordinance, and other adopted city policies and regulations.

PROPOSED DEVELOPMENT AGREEMENT

The applicant is requesting to rezone Lot 21A of the Resubdivision of Northwood PUD Subdivision Lot 4 from Light Industrial District Number 3 (LI-2) to Light Industrial District Number 3 (LI-3) through a development agreement. This request has been made in conjunction with a text amendment request that would allow for a School Residential Campus in the LI-3 zone, as proposed and defined by the applicant. This request involves adding a definition to 17.08.020, amending the District Use Matrix in 17.12.020, and adding a specific list of development standards to 17.124.090. The applicant is proposing development standards for the School Residential Campus that dictate size restrictions of dormitory units, occupancy limits and restrictions in dormitory units, design of dormitory facility, and other restrictions. While the rezone request should be considered in tandem with request for text amendment, they are two distinctly separate applications.

With all development agreements, the applicant acknowledges their proposal does not fit neatly within the existing zoning ordinance and thereby is willing to accept conditions of approval and provide community benefits as an exchange for rezoning the property to accommodate a project. In this situation, the rezone would accommodate a unique project that is not anticipated for the Light Industrial – 3 zoning district, or any zoning district in the City of Ketchum. A School Residential Campus does not fit the original intent of the light industrial area and the development agreement obligates the applicant to providing community benefits to compensate the impacts imposed by introducing the new use to the LI-3 zone. As proposed, the development agreement requires the following public benefits as conditions of approval for the rezone:

1. Provide at least two (2) Employee Housing units within the building situated on the property at 280 Northwood. These units would be on the ground floor of the building.
2. Construction of a bus stop and shelter on the south east corner of Northwood Way and Saddle Road, or at a location as determined by the City. Sidewalks for pedestrian access to the bus stop are also required from the closest adjacent sidewalk.
3. Construction of a pedestrian sidewalk along the south side of the Saddle Road right-of-way from the existing sidewalk at the intersection of Northwood Way and Saddle Road to the traffic signal on Idaho State Highway 75.
4. Construction of a pedestrian sidewalk along the south side of the Saddle Road right-of-way from the existing sidewalk at the intersection of Northwood Way and Saddle Road to the existing sidewalk at Park Circle.
5. Provide two additional pedestrian crosswalks at the intersection of Northwood Way and Saddle Road.
6. Provide two additional pedestrian crosswalks at the intersection of Saddle Road and Highway 75.
7. Provide a pedestrian activated, solar powered rapid flashing beacon crosswalk sign at the intersection of Saddle Road and Northwood Way at a location determined by the Public Works Director.
8. Offer facilities of the School Residential Campus for use by other nonprofit organizations, as appropriate and available.

The majority of public benefit requirements are recommended to address the mobility concerns with adding this new and unique use to the Light Industrial – 3 zoning district.

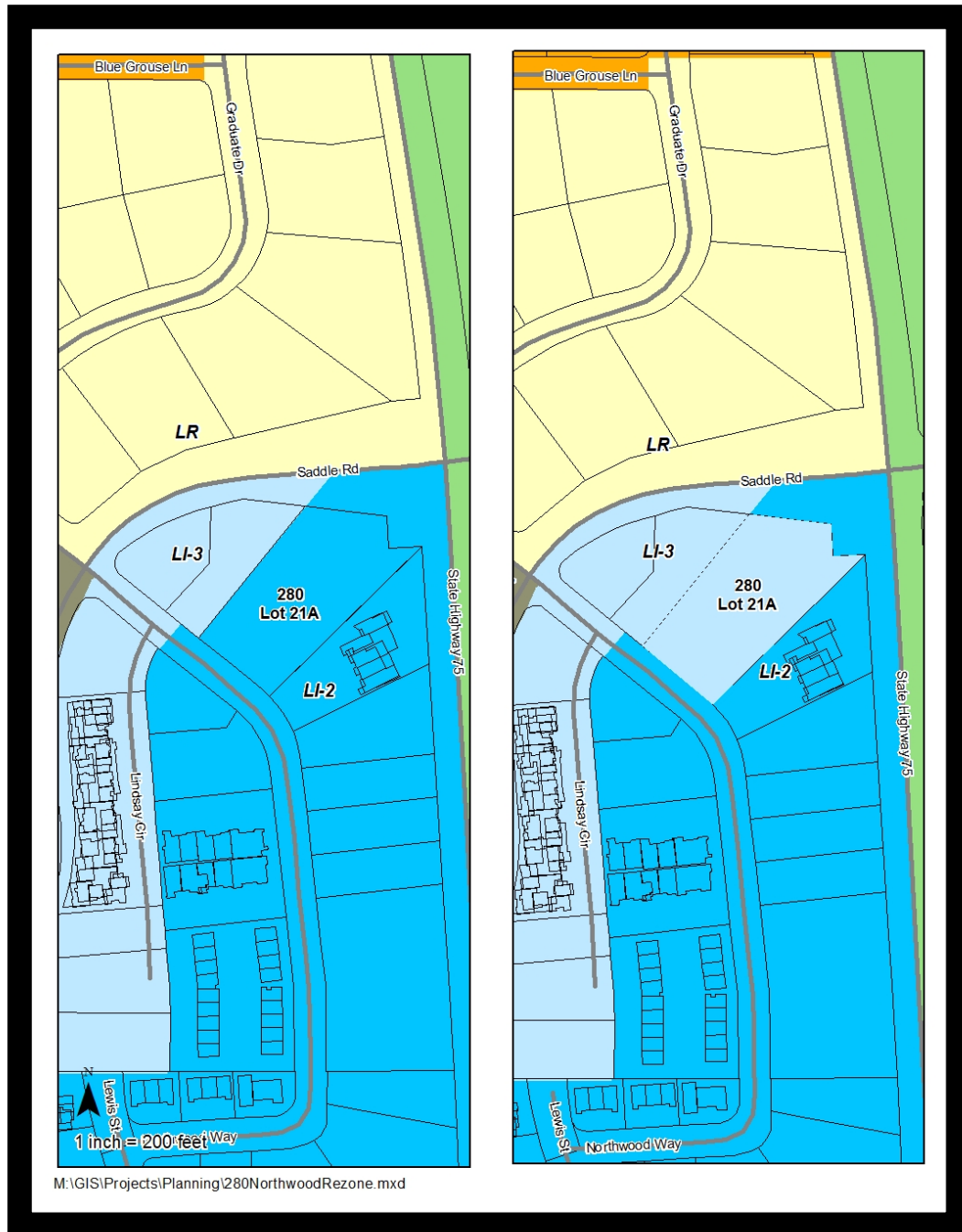
The development agreement further states that the applicant maintains the right to develop the property for the purpose of operating a School Residential Campus with the following components:

1. Not less than two (2) Employee Housing units for employees of the Owner;
2. A full service kitchen and dining area sufficient to accommodate at least 50 people;

3. Dormitory Units sufficient to accommodate at least forty (40) students;
4. All required utilities, parking and other transportation facilities, landscaping improvements, and all other improvements needed to support and complete the Project.

In addition to the project components above, the agreement also dictates that no less than 35 onsite parking spaces must be maintained at all times by the applicant. Other sections of the agreement address phasing, vesting rights, and provisions that identify the terms of the agreement. The Development Agreement references a city ordinance for finalizing the rezone action and development agreement by approval from the City Council. The draft ordinance has been prepared by the applicant and is contained in the supporting application materials.

The following map illustrates the applicant's proposal to rezone Lot 21A of the Northwood PUD:



STAFF ANALYSIS

Zoning Code Compliance

Without the development agreement and the conditions imposed therein, staff could not recommend approval of this rezone request. However, chapter 17.154 of the Zoning Ordinance allows for zoning development agreements when “a requested rezone by itself cannot satisfy the requirements set forth in [the zoning ordinance] and the comprehensive plan.” In other words, when a use is not specifically allowed or defined for a particular zone and a zone change is requested to accommodate a unique use, a development agreement may be used to satisfy the requirements of the zoning code and comprehensive plan. The standards of approval for a development agreement require a complete application, proper noticing, a public hearing, compliance with the Comprehensive Plan, and compliance with city codes. The development agreement, as proposed meets the requirements for the Zoning Ordinance with the required conditions.

Section 17.154.040 allows for the applicant to include community or employee housing as a condition of approval in a development agreement when addressing compliance with the Comprehensive Plan. The development agreement currently proposes two dedicated employee housing units as a public benefit. These units would not be deed restricted and available only to employees of School Residential Campus.

The Comprehensive Plan also places a high priority on improving public transit facilities, mobility standards, and sidewalks throughout the City of Ketchum. These priorities of the Comprehensive Plan are satisfied by the sidewalk, bus stop and shelter, and other mobility improvements required by the development agreement. In addition, offering the facility to other local non-profits satisfies the Comprehensive Plan to create a vibrant and robust economy where businesses of all types can thrive. These specific benefits are not identified in Chapter 17.154 when evaluating rezoning development agreements; however they are recognized as public benefits to the community.

The development agreement strictly defines the parameters by which the proposed project can exist. Square footage limitations are imposed on specific uses, long-term occupancy is required for residential units, and expansion of the School Residential Campus is not allowed in the proposed agreement. These limitation provide staff the assurance to comfortable recommend the project for approval within the bounds of the development agreement.

Additional staff analysis follows in the sections below.

Traffic and Circulation Analysis

The applicant submitted a Pedestrian and Bicycle Study to evaluate the connectivity within the vicinity of the proposed Community School Residential Campus. The study concludes that additional public infrastructure is required for students during the “tightly scheduled” daytime activities currently proposed by the Community School for their scholar athletes. To better accommodate student mobility during these daytime hours, the study recommends the addition of a crosswalk at the intersection of Saddle Road and Northwood Way and a crosswalk at the intersection of Highway 75 and Saddle Road. The study also supports constructing a bus stop on Saddle Road and additional pedestrian safety mechanisms on Saddle Road if the need arises. Staff accepts the conclusions of the study and these recommendations for improvements have been added to the development agreement as conditions of approval. The academic schedule for the School Residential as currently proposed involves the students from 8:00 to 6:00 pm, Monday thru Friday. On Mondays and Friday, the students can participate in activities until 8:00 pm and weekends are open to the students.

Outside of the tightly scheduled academic program for the “scholar athletes,” additional mobility infrastructure is necessary to accommodate pedestrian and bicycle traffic generated from the School

Residential Campus. These additional upgrades primarily include construction of sidewalks along Saddle Road from Highway 75 to Park Circle and additional crosswalks not mentioned in the Pedestrian and Bicycle Study. A rapid flashing beacon for pedestrian safety is also required and was discussed in the study for pedestrian safety. By introducing a new and unanticipated use to this area of the City where the students are obligated to walk or bike outside of their academic schedule, these upgrades are necessary to accommodate their request to rezone the project for the project.

Statutory Requirements for Zoning Text Amendments

Title 67-6511 requires that all zoning ordinance text amendments and rezones must not be, “in conflict with the policies of the adopted comprehensive plan.” In addition, the local jurisdiction is required to make a finding that the text amendment or rezone is in compliance with the Comprehensive Plan and with existing policies of the city. The Comprehensive Plan analysis follows below.

Comprehensive Plan Analysis

The following table summarizes goals and policy statements from the Ketchum Comprehensive Plan that are relevant to the Community School’s application for text amendment and rezone. While the Comprehensive Plan is filled with goals and policies that address multiple facets of community development, staff identified seven goals and/or policies that were most relevant to the Community School’s application. In total, there are five goals and policies aligned with the request and two indicated non-compliance with the requests. The City Council should consider all the facts concerning compliance with the Comprehensive Plan and make a finding based on the evidence presented as a whole.

Comprehensive Plan Goals and Policy Analysis			
Chapter	Goal/Policy and Page	Analysis of Amendment Request	Consistent with Comp Plan: Yes/No
Chapter 2: Strong and Diverse Economy	Goal E-2 (page 16): Ketchum will support and attract businesses and industries that diversify and sustain the local economy and level out seasonal fluctuations.	The proposal would expand the Community School’s educational offerings in the community and bring in national and international students who are new to Ketchum. The proposal is generally in alignment with this Goal, however it is not in alignment with Policy E-2(a) of this goal.	Yes
	Policy E-2(a), page 16: Light Industrial Area as the primary location for new traditional light industrial and corporate park business growth and jobs.	The intended use of a School Residential Campus is not a traditional light industrial business and not aligned with this policy of the Plan.	No
	Goal E-3 (page 17): Ketchum will continue to support our tourism economic base	The Community School has successfully operated a Residential Program in Warm Springs for five years, which capitalizes on the world-class recreational opportunities in our area. The School Residential Campus would be an expansion of the Warm Springs Residential Program and	Yes

		generally in alignment with this goal.	
Chapter 3: Housing	Policy H-1.4 (page 20): Integrated Housing in Business and Mixed-Use Areas.	While student housing is not addressed in the comprehensive plan, workforce housing is one of the greatest housing priorities for Ketchum. The proposed use would provide housing for the four adult “live in staff members” as designated in the application. The facility would house 30-40 students at any given time and could provide temporary housing for other non-profits in times when the School is not using the dormitory.	Yes
Chapter 11: High Performing Community	Goal HI-2 (page 60): Understand and promote the qualities that make Ketchum a community where people choose to live. These include strong schools, a community values learning, and the many grassroots organizations that work for positive change.	The Community School has indicated that this proposal would strengthen their Residential Program and bring in significantly more students from national and international locations.	Yes
	Policy HI 2.1 (page 60): Learning Community	The proposal would allow for “growth and learning in the community” by expanding the Residential Program currently offered by the Community School. It would also “encourage more of the many informal learning opportunities that are sponsored by a wide range of organizations.”	Yes
Chapter 12: Future Land Use	Policy LU-1.1 (page 71): Integrated and Compatible Mix of Land Uses	The proposal is not in alignment with the Comprehensive Plan with this policy because the Mixed Use Industrial designates traditional light industrial uses as primary uses.	No

SUMMARY

The Comprehensive Plan and the current zoning ordinance clearly does not anticipate a School Residential Campus for any of the Light Industrial zones. To counter this inconsistency with the Comprehensive Plan as it relates to the proposed use in the Light Industrial 3 zone, Chapter 17.154 of the Zoning Ordinance allows for a Development Agreement to be used to provide controllable and reasonable flexibility for uses not specifically defined or allowed in any particular zone when a zone change is requested. The current draft of the development agreement requires public benefits that are necessary to accommodate the new and unique use in a zone where it was never anticipated and further align the request with the Comprehensive Plan and Zoning Ordinance. Without the conditions of approval in the development agreement, staff could not recommend approval, however the conditions strictly regulate the School Residential Campus and ensure the use is compatible with the area for the foreseeable future.

CITY COUNCIL OPTIONS FOR APPROVAL, DENIAL, CONTINUANCE, TABLE

Staff recommends approval of the Rezone request with a Development Agreement as presented. Based on the facts presented at the public hearing, the City Council may consider the following:

1. Approve the Rezone Development Agreement as recommended.

2. Deny the request.
3. Direct staff to work with the applicant to modify or amend the Rezone Development Agreement.
4. Other options may be presented at the meeting.

MOTION LANGUAGE

Approval

"I move to approve the application for rezoning Lot 21A of the Resubdivision of Northwood PUD Subdivision Lot 4 from Light Industrial District Number 2 (LI-2) to Light Industrial District Number 3 (LI-3) through a Development Agreement as proposed, finding the request is in compliance with the Comprehensive Plan, the Subdivision Ordinance, and other adopted city policies and regulations."

Attachments:

(NOTE: To reduce redundancy, the application materials for the Text Amendment and Rezone Development Agreement are attached to the staff report for the Text Amendment, except for the revised Development Agreement)

A. Rezone Development Agreement

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:	
--	--

(SPACE ABOVE LINE FOR RECORDER'S USE)

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement") is dated for reference purposes this _____ day of _____, 2016, by and between the CITY OF KETCHUM, IDAHO, a municipal corporation ("Ketchum" or "City") and THE COMMUNITY SCHOOL, INC., an Idaho nonprofit corporation ("Owner", and together with the City, the "Parties").

BACKGROUND AND CONTEXT

A. Ketchum is a municipal corporation possessing all powers granted to municipalities under the applicable provisions of the Idaho Code, including the power to zone property in connection with a development agreement; to enforce zoning within the boundaries of property so zoned; and the power to contract. B. Owner is a nonprofit corporation engaged in education and development of children through grade 12, including a residential program that attracts talented, committed and creative scholar-athletes from across the country and internationally.

C. Owner owns the real property situated in the State of Idaho, County of Blaine, commonly known as 280 Northwood Way, Ketchum, Idaho and more particularly described as Lot 21A, Block 1 of Lot 21A, Resubdivision Northwood P.U.D. Subdivision Lot 4, according to the plat thereof, recorded as Instrument No. 436879, records of Blaine County, Idaho ("Property").

D. The Property is currently developed with an office building consisting of approximately 25,085 square feet of Gross Floor Area ("Existing Structures"). The Property has also been developed with significant areas of impervious surface, including parking areas and pedestrian circulation areas.

E. The Owner has applied for a rezone of the Property from Light Industrial – 2 to Light Industrial – 3; for a map amendment and for a text amendment to facilitate the Owner's use and development of the Property as a School Residential Campus which will provide substantial public benefits, including expansion of its residential program.

F. As presented by the Owner, a School Residential Campus ("Project") is defined as: Multiple-use building(s) and outdoor facilities/areas directly affiliated with an established public or semi-public educational institution for learning that include but are not limited to spaces

devoted to dormitory, central kitchen and dining, office, classroom, study, school employee dwelling unit, study hall, gym/fitness, meeting, and parking

G. The Parties agree that the Property shall be developed in accordance with this Agreement; all applicable City ordinances; and any additional conditions and requirements imposed upon the Property by the Ketchum Planning and Zoning Commission (“Commission”) and/or City Council (“Council”) during approval of the rezone, or as the result of design review.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, promises, agreements, terms and conditions set forth herein, the Parties agree as hereinafter provided.

1. Rezoning. The Council has determined the Property shall be zoned in accordance with the Rezone Ordinance, and pursuant to approval of Owner’s application to rezone the Property from Light Industrial – 2 to Light Industrial - 3. Both parties acknowledge that no zoning of the Property can exist solely by virtue of this Agreement. Pursuant to Idaho Code § 67-6511A and Ketchum Municipal Code § 17.154, and as a condition of rezoning of the Property, Owner agrees that:

a) Use of the Property shall be limited to a multiple-use building and outdoor facilities/areas directly affiliated with the school operated by Owner that include but are not limited to spaces devoted to dormitory, central kitchen and dining, office, classroom, study, school employee dwelling unit, study hall, gym/fitness, meeting, and parking.

b) Square footage of the building dedicated for residential use, including dormitory and employee housing units and common bathrooms and showers but excluding the common kitchen and circulation areas, shall be less than fifty percent (50%) of the Gross Floor Area of the building including any basement area.

c) Square footage for all other uses, except as specifically defined herein, in the building shall be limited to the areas shown in Exhibit A of this agreement.

d) Dwelling units to be occupied by employees of the institution may be located on the ground floor. Dormitory units shall not be located on the ground floor.

e) Dormitory units may be developed, sized and changed over time as deemed appropriate for occupancy by no more than 4 or more persons each and not to exceed 50 students in total.

f) Dormitory bathrooms are to be clustered for use by occupants of dormitory units.

g) Dormitory kitchen and dining spaces are to be designed to be used in common by occupants.

h) Design review under chapter 17.96 of the Ketchum Municipal Code (“KCC”) shall be required for a new building, addition to existing building or substantial remodel of the exterior

of an existing building. Design review under chapter 17.96 shall not be required for landscaping alterations, site circulation modifications, or any other alterations or projects as exempted by the chapter 17.96.

i) All Employee Housing units can only be used for "long term occupancy", defined as a minimum of ninety (90) consecutive days of continuous habitation.

j) Employee Housing units on the second floor shall be a minimum of four hundred (400) square feet and shall not exceed one thousand four hundred (1,400) square feet total and shall contain not more than three (3) bedrooms.

k) No more than two (2) Employee Housing units consisting of less than two thousand (2,000) square feet total may be located on the ground floor of the building.

l) Owner shall provide the following public improvements. All improvements, and associated public infrastructure, shall be approved by the Public Works Director and completed to the satisfaction of the Public Works Director prior to issuance of a Certificate of Occupancy for any structures on the Property.

1. Owner shall install a bus stop and shelter on the south east corner of Northwood Way and Saddle Road, or at a location as determined by the City. Sidewalks for pedestrian access to the bus stop shall be provided from the closest adjacent sidewalk.
2. Owner shall construct a pedestrian sidewalk, and all public infrastructure associated with the sidewalk, along the south side of the Saddle Road right-of-way from the existing sidewalk at the intersection of Northwood Way and Saddle Road to the traffic signal on Idaho State Highway 75.
3. Owner shall construct a pedestrian sidewalk, and all public infrastructure associated with the sidewalk, along the south side of the Saddle Road right-of-way from the existing sidewalk at the intersection of Northwood Way and Saddle Road to the existing sidewalk at East Park Circle.
4. Owner shall install two additional pedestrian crosswalks at the intersection of Northwood Way and Saddle Road.
5. Subject to the approval of ITD, Owner shall provide two additional pedestrian crosswalks at the intersection of Saddle Road and Highway 75.
6. Owner shall fund the installation of a pedestrian activated, solar powered rapid flashing beacon crosswalk sign with all associated improvements at the intersection of Saddle Road and Northwood Way at a location determined by the Public Works Director.

m) Owner shall provide drivable access for fire apparatus to three sides of the building, in a configuration approved by the Fire Chief.

n) As a benefit to the community, Owner may provide space and facilities for other non-profit organizations, i.e. Sun Valley Ski Education Foundation, provided such activities are consistent with the permitted uses identified in this Agreement. Such activities are subject to availability and to Owner's rules and regulations regarding days and times of use, insurance, and other issues customarily associated with the use of real property belonging to another.

o) Owner 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 Residences, 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.

p) Owner shall provide its students, employees, tenants, lessees or subtenants occupying the Property with written notice that the Property is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.

2. Right to Develop. Subject to the requirements of this Agreement and all applicable building permits, the Owner and all future owners of some or all of the Property shall have the right to demolish all or any portion of the interior of Existing Structures and redevelop, construct, improve and use the Property as a School Residential Campus ("Project") as generally depicted and described in the conceptual plans attached hereto as Exhibit A ("Plans"). The Project shall include the following components:

- a) not less than two (2) Employee Housing units for employees of the Owner;
- b) a full service kitchen and dining area sufficient to accommodate at least 50 people;
- c) Dorm Units sufficient to accommodate no more than (50) students;
- d) On-site parking to accommodate at least 35 parking spaces;
- e) all required utilities, parking and other transportation facilities, landscaping improvements, and all other improvements needed to support and complete the Project.

As used in this Agreement, the phrase "School Residential Campus" shall have the meaning ascribed to it in the Rezone Ordinance.

3. Vested Rights.

a) A complete building permit application shall be submitted to the City of Ketchum within five (5) years of the Effective Date of this Agreement in order to obtain vested rights for the project. Except as provided otherwise in this Agreement, development of the Project shall be vested and governed by the zoning regulations governing land use in effect as of the Effective

Date of this Agreement. Any amendments or additions made during the term of this Agreement to the City's Zoning Ordinance shall not apply to or affect the conditions of development of the Project; provided. The project shall comply with:

i) building permit, plan review, inspection, and other city development fees as applicable;

ii) amendments to building, plumbing, fire and other construction and health and safety codes;

iii) City enactments that are adopted pursuant to State or federal mandates that preempt the City's authority to vest regulations.

b) Owner may request to be bound by future amendments to the Ketchum Zoning Ordinance and such request may be approved at the discretion of the Planning and Zoning Administrator, provided no new land use not allowed under current regulations is proposed and no increase in total square footage of structures to be developed is proposed.

4. Means of Development. The Property shall be developed in a single phase as set forth in the Plans. Development of the Property shall occur in accordance with the conditions and requirements of the applicable design approval process, and generally as depicted in Exhibit "A" attached hereto. Except as otherwise expressly provided herein, all development shall be governed by applicable City ordinances in effect at the time.

5. Transportation and Parking.

Not less than thirty five (35) off-street parking spaces shall be maintained on the Property for use by the Project. All parking requirements of the project shall be accommodated on-site and the project shall not require more than 35 on-site parking spaces on a daily basis.

6. Term. The term of this Agreement shall be five years from the Effective Date of this Agreement, unless a building permit is issued within five years of the Effective Date. Once a building permit is issued, the term of this Agreement shall be perpetual unless terminated earlier by written notice from Owner to City following: (i) a failure of the condition set forth in paragraph 3, above, or (ii) a determination by Owner or its successor to no longer use the Property for a School Residential Campus.

7. Miscellaneous Provisions.

a) Police Powers. Except as otherwise expressly provided herein, nothing contained herein is intended to limit the police powers of Ketchum or its discretion in review of subsequent applications regarding development of the Property. This Agreement shall not be construed to modify or waive any law, ordinance, rule, or regulation not expressly provided for herein, including, without limitation, applicable building codes, fire codes, Ketchum's Zoning Ordinance, Ketchum's Subdivision Ordinance, and Planned Unit Development requirements for the Property.

b) Amendment. This Agreement may be revised, amended, or canceled in whole or in part, only by means of a written instrument executed by both Parties.

c) Specific Performance. In the event this Agreement is breached, in addition to all other remedies at law or in equity, this Agreement shall be enforceable by specific performance by either party hereto. All remedies shall be cumulative.

d) Attorney's Fees. In the event either party hereto is required to retain counsel to enforce a provision of this Agreement, or to recover damages resulting from a breach hereof, the prevailing party shall be entitled to recover from the other party all reasonable attorney's fees incurred, whether or not litigation is actually instituted or concluded.

e) Notices. All notices required or provided for under this Agreement shall be in writing and deemed delivered upon delivery in person or upon mailing by certified mail, return receipt requested, postage prepaid. However, the time period in which a response to such notice must be given shall commence to run from the date of receipt on the return receipt of the notice. Rejection or refusal to accept, or the inability to deliver because of a change of address of which no notice was given shall be deemed to be receipt of the notice.

Notices to City shall be addressed as follows:

City of Ketchum
Post Office Box 2315
Ketchum, ID 83340
Attn: Planning Director

Notices given to Owner shall be addressed as follows:

Ben Pettit, Head of School
Community School, Inc.
Post Office Box 2118
Sun Valley, ID 83353

with a copy to:

Lawson Laski Clark & Pogue, PLLC
675 Sun Valley Road, Suite A
Post Office Box 3310
Ketchum, Idaho 83340
Attn.: Edward A. Lawson

A party may change the address to which further notices are to be sent by notice in writing to the other party, and thereafter notices shall be addressed and transmitted to the new address.

f) Effectiveness Upon Rezone. This Agreement shall become effective only upon, and is subject to, the Council's enactment of an Ordinance rezoning the Property and the adoption

of Findings and Conclusions of approval. By entering into this Agreement, the City hereby contracts to rezone the Property.

g) Reliance by the Parties. This Agreement is intended by Owner to be considered by Ketchum as part of Owners' request for a rezone of the Property and is contingent upon said rezone. Owner acknowledges and intends the City to consider and rely upon this Agreement in its review and consideration of said rezone request and subsequent application.

h) Relationship of Parties. It is understood that the contractual relationship between Ketchum and Owner is such that neither party is the agent, partner, or joint venturer of the other party.

i) Successors and Assigns; Covenant Running With the Land. This Agreement shall inure to the benefit of Ketchum and Owner and their respective heirs, successors and assigns. This Agreement, including all covenants, terms, and conditions set forth herein, shall be and is hereby declared a covenant running with the land with regard to the Property or any portion thereof, and is binding on both parties to this Agreement as well as their respective heirs, successors and assigns.

j) Recordation and Release. This Agreement shall be recorded with the Blaine County Recorder. City agrees to execute all appropriate documentation to cause the encumbrance of this Agreement to be terminated in the event of termination under paragraph 7 above.

k) No Waiver. In the event that Ketchum or Owner, or its successors and assigns, do not strictly comply with any of the obligations and duties set forth herein, thereby causing a default under this Agreement, any forbearance of any kind that may be granted or allowed by Owner, Ketchum, or their successors and assigns, to the other party under this Agreement shall not in any manner be deemed or construed as waiving or surrendering any of the conditions or covenants of this Agreement with regard to any subsequent default or breach.

l) Partial Invalidity. In the event any portion of this Agreement, or part hereof, shall be determined by any court of competent jurisdiction to be invalid, void, or otherwise unenforceable, the remaining provisions of this Agreement, or parts hereof, shall remain in full force and effect and shall in no way be affected, impaired or invalidated, it being understood that such remaining provisions shall be construed in a manner most closely approximating the intention of the parties with respect to the invalid, void, or unenforceable provision or part hereof.

m) Entire Agreement. This Agreement constitutes the full and complete agreement and understanding between the parties hereto. Excluding formal conditions placed upon the application for annexation, subsequent plat approvals or other matters related to the public process, no representations or warranties made by either party shall be binding unless contained in this Agreement or subsequent written amendments hereto.

n) Exhibits. All exhibits referred to herein are incorporated in this Agreement by reference, whether or not actually attached.

o) Authority. Each of the persons executing this Agreement represents and warrants that he or she has the lawful authority and authorization to execute this Agreement, as well as all deeds, easements, liens and other documents required hereunder, for and on behalf of the entity executing this Agreement.

p) Recitals. The Recitals are incorporated herein and made a part of this Agreement by this reference.

q) Choice of Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Idaho, which shall be the sole jurisdiction and venue for any action which may be brought by either party with respect to this Agreement or the subject matter hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

Community School, Inc., an Idaho nonprofit corporation	The City of Ketchum, a municipal corporation
By: _____ Ben Pettit, Head of School	By: _____ Nina Jonas, Mayor
	Attest: _____ Sandra Cady, City Clerk

ACKNOWLEDGMENTS

STATE OF IDAHO)
)ss.
County of Blaine)

Subscribed and sworn before me on this ____ day of _____, 2016, before me a Notary Public in and for said State, personally appeared NINA JONAS, known to me to be the Mayor of Ketchum and the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same on behalf of the CITY OF KETCHUM.

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

Notary Public
Residing at _____
My Commission Expires _____

STATE OF IDAHO)
)ss.
County of Blaine)

Subscribed and sworn before me on this _____ day of _____, 2016, before me a Notary Public in and for said State, personally appeared BEN PETTIT known or identified to me to be the Head of School of COMMUNITY SCHOOL, INC., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Notary Public
Residing at _____
My Commission Expires _____

**EXHIBIT A
PLANS**

DRAFT



City of Ketchum
City Hall

February 1, 2016

Mayor Jonas and Ketchum City Council
City of Ketchum
Ketchum, Idaho

Mayor Jonas and Members of the City Council:

Public hearing and consideration on an application submitted by Brett Moellenberg, representing the Spot LLC., for amendments to Title 17, Ketchum Municipal Code, Section 17.12.020, District Use Matrix, and Section 17.125, Off-Street Parking and Loading, To Allow Assembly Uses in the LI-2 Zoning District and to Reduce Required Parking With a Shared Parking Permit

Introduction

The applicant, Brett Moellenberg with the Spot LLC, is requesting text amendments to Title 17, Zoning Regulations, Chapter 17.12 "Establishment of Districts & Zoning Matrices" to allow "Assembly, Place of" as a conditional use in the LI-2 District, "Parking, Shared" as a permitted use in the LI-1, LI-2 and LI-3 Districts and an amendment to Chapter 17.125 "Off-Street Parking and Loading" to allow shared parking reductions in the Light Industrial Districts. If the City Council decides to approve the applicant's request, staff has proposed development standards for assembly uses in the LI-2 District.

Current Report

The staff report is attached.

Financial Requirement/Impact

No impacts have been identified.

Recommendation

Staff is recommending denial of this text amendment. On October 12, 2015, the Planning and Zoning Commission recommended approval of proposed text amendments to Chapters 17.12 and 17.125 of Title 17, Zoning Regulations.

Recommended Motion

"I move to deny the proposed text amendments to Chapter 17.12 and 17.125 of Title 17, Zoning Regulations, as provided in attachment B."

Sincerely,

Morgan Brim, AICP
Senior Planner & Current and Long Range Planning Manager



City of Ketchum
City Hall

February 1, 2016

Ketchum City Council
City of Ketchum
Ketchum, Idaho

**STAFF REPORT
KETCHUM CITY COUNCIL**

PROJECT: Text Amendment, Light Industrial Districts, Assembly Uses and Shared Parking Reduction

FILE NUMBER: #15-075

REPRESENTATIVE: Brett Moellenberg, the Spot LLC

REQUEST: Applicant is requesting text amendments to the zoning ordinance to allow for assembly uses, through approval of a conditional use permit, in the LI-2 district and shared parking in the LI-1, LI-2 and LI-3 Districts.

NOTICE: This application was continued on November 16, 2015 to the January 18, 2016 meeting which was later canceled. Staff re-noticed this application to the February 1, 2016 meeting. A public notice was posted in three locations in the city, mailed to political subdivisions and outside agencies on January 8, 2016. A notice was published in the Idaho Mountain Express on January 13, 2016.

STAFF RECOMMENDATION

Staff recommends denial of the application to amend text amendments to the zoning ordinance to allow for assembly uses, through approval of a conditional use permit, in the LI-2 district and shared parking in the LI-1, LI-2 and LI-3 Districts.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Commission recommended approval of the proposed text amendments on October 12, 2015, finding that on the whole the request is in compliance with the Comprehensive Plan, while noting areas of non-compliance existed.

UPDATE FROM THE NOVEMBER 16TH MEETING

During The November 16th meeting, members of the City Council requested further analysis and research from city staff to identify potential impacts of the proposed use and compliance with the Comprehensive Plan. Additionally, the City Council directed staff to prepare development standards to address hours of operation, parking and to ensure the use is secondary in nature. Should the Council decide to pursue approving the applicant's request, the proposed development standards are provided in attachment C.

DESCRIPTION OF TEXT AMENDMENTS

The applicant is proposing two amendments regarding two separate zoning chapters; Chapter 17.12 *“Establishment of Districts & Zoning Matrices”* and to Chapter 17.125 *“Off-Street Parking and Loading.”* Due to the feedback from the City Council in the November 16th meeting, staff has prepared a third amendment to add development standards to assembly uses located in the LI-2 District. If the City Council votes to approve the applicant’s request, staff recommends approving the proposed development standards, which are shown in attachment C.

1. Amendments to Chapter 17.12 Establishment of Districts and Zoning Matrices (See attachment B for text)

The applicant is requesting the addition of “Assembly, Place of” as a conditional use permit in the LI-2 District. An assembly use is defined as a “gathering place where people gather together for purposes of attending civic, social, religious functions, recreational events or entertainment performances on a regular or recurring basis” (See assembly definition). Examples of assembly uses include theaters, churches, convention centers and sporting arenas. This amendment will allow anyone to apply for assembly uses in the LI-2 district. A conditional use is not a by-right use and only permitted if certain conditions are met. State code 67-6512(d) allows the city to attach conditions to conditional uses that, among others, minimize adverse impact of the proposed use, control the sequence, timing and duration of development, assure proper maintenance and to require more restrictive standards than those generally required in the ordinance.

Assembly uses require more parking than required by uses currently allowed in the light industrial districts. The parking ordinance requires at a minimum, one space per every six seats or one space per 60 square feet of floor area, whichever is greater. Staff recommended to the Commission, during their deliberation on October 12, 2015 that if assembly uses are allowed in the LI-2 District, allowance should be provided for shared parking plans. Currently the zoning ordinance allows shared parking plans in the Tourists and Community Core Districts but not in the LI Districts.

2. Amendments to Chapter 17.125 Off Street Parking and Loading (See attachment B for text)

The second text amendment to the code is also related to the allowance of shared parking in the LI Districts. The proposed changes to section 17.125.070.B includes submission requirements for shared parking plan applications. Businesses desiring to share parking must provide a site specific study that analyzes the current availability of parking spaces, existing capacity of those uses, details of surrounding businesses and parking generation data established by the Institute of Transportation Engineers, which is an nationally accepted source for parking and traffic volume for land use categories like assembly uses. Essentially, shared parking plans allow businesses with little to no overlap in their operational periods to utilize the same parking spaces creating greater efficiency while using less land.

3. Staff proposed amendment to Chapter 17.124 Development Standards

Following the direction of the City Council, staff has drafted development standards for the City Council’s consideration (See attachment C for text). If the City Council chooses to approve the applicant’s request, explained in items 1-2 above, the proposed development standards may be approved to provide additional management over assembly uses in the LI-2 District.

STAFF ANALYSIS

The Spot is a performing arts studio located in the LI-2 District. They currently provide a variety of classes ranging from dance, acting, musical theater and voice instruction. These uses are permitted in the LI-2 district and fall under

the overarching category of “Instructional Service.” It came to the city’s knowledge in May of 2015 that the applicant was holding live productions open to the public. City staff informed the applicant that live productions constitute an assembly use and are not permitted under the zoning ordinance within the LI-2 district. Shortly thereafter the applicant applied for the text amendment request.

Department Comments

City staff has reviewed the applicant’s request and provided comments regarding the suitability and compatibility of allowing assembly uses within LI-2 District. On the whole, staff has found that the LI-2 District was not established with this type of use in mind and the existing building stock clearly did not anticipate assembly uses. There are also LI uses such as manufacturing, dog kennels or service facilities, which are permitted in the LI-2 district that would be incompatible in close proximity to an assembly use. Overall, the Fire Department has expressed the following concerns:

- The majority of buildings were not constructed to accommodate assembly uses and could require substantial modifications to meet current fire codes.
- Lack of fire protection systems and noncompliance for emergency exits and lights.
- Secondary egress cannot exit into enclosed spaces or yard areas. The LI-2 District contains properties with enclosed construction yards.
- Inadequate emergency vehicle access on private lanes and driveways. Several buildings within the LI-2 District do not front on a primary roadway and would not meet access requirements for fire code.
- Concerned with small interior spaces becoming crowded with people which could compromise emergency egress.
- Assembly uses without fixed seating creates potential for overcrowding because movable chairs can be placed at random in the egress aisle ways to increase capacity. This will be difficult to police.
- Subleasing or renting space for events: If the primary lessee or property owner is not overseeing the event there could be potential fire issues related to decorations, wall coverings or overcrowding. An organization or individual renting the space for a one-time event may not be aware of the fire code issues related to the subject property.
- The LI-2 District allows for true "industrial uses" that conflict with assembly uses; building codes, fire wall separation, fire sprinkler and alarm systems.
- Separation issues between some industrial uses that include hazardous materials uses and public assembly uses.

Comprehensive Plan Analysis

The city should consult the Ketchum Comprehensive Plan when considering amendments to the zoning ordinance. The Future Land Use Map of the Comprehensive Plan designates the LI-2 District as Mixed Use Industrial. This land use category provides support for a wide variety of business uses and land use classifications. The Comprehensive Plan lists the following regarding primary and secondary uses in the Mixed-Use Industrial Land Use Category:

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.

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.

The Comprehensive Plan goes on to provide further information regarding the characteristics of the Mixed-Use Industrial Category:

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.

Staff has found that the comprehensive plan is not specific regarding assembly uses in the LI-2 District. The current Light Industrial Districts contain cultural arts businesses like art galleries and the applicant's performing arts studio.

Comprehensive Plan Statement	Analysis of Amendment Regarding Goals/Policies	Yes/No
Goal ART-1 Create cultural facilities that meet the needs of the community and make Ketchum a destination attraction.	Provides greater opportunity for assembly uses to locate in the City. Assembly uses also complement "Studios" which are currently allowed in the LI-2 District.	Yes
Policy ART 1.1 - Diverse Range of Cultural Facilities and Programs: Encourage the development of accessible cultural facilities (indoor and outdoor) and programs that will provide a diverse range of performing and visual arts activities.	See comment above.	Yes
Goal ART-2 Building Ketchum's identity as a cultural center and destination by increasing the visibility of the arts and cultural activities in the community.	Increases the visibility of arts outside of the city's downtown core.	Yes
Policy ART 2.1 - Sustainable Arts and Cultural Opportunities: Promoted, encourage and stimulate the growth of arts and cultural opportunities, recognizing that they are essential to a vital, sustainable and active community.	Allowing assembly uses in the LI-2 could encourage additional art centered businesses and organizations to expand. Currently, assembly uses are allowed in the Community Core, Subdistrict A, B and C Districts. If approved, the LI-2 district would add a significant city area, approximately 30 acres, for possible assembly use facilities.	Yes
Goal ART -3 Develop sustainable funding - public and private - to support arts and cultural programs.	Private art-centered businesses, like the Spot	Yes

	provide private investments toward arts in the city.	
Core Community Value - 2. Vibrant Downtown: We will continue to reinforce the downtown as the City's primary business district, retail core, and key gathering place for residents and visitors for shopping, dining, and entertainment. Enhancements and efforts to support events, the arts, and Ketchum's history and culture will make downtown an even greater community asset.	Allowing assembly uses in the LI-2 District could have a negative impact to downtown by incentivizing art-centered businesses and organizations to relocate to the LI-2 District in hopes of cheaper real estate.	No
Chapter 8: Space Challenges: There is little to no inexpensive studio space available for working artists.	Addresses this obstacle by providing an alternative area in the city for assembly uses which are complementary to artist studios and in some cases accessory to them.	Yes
<i>Mixed-Use Industrial - Future Land Use Map: 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.</i>	Assembly uses generate traffic and tourists. However, through the conditional use permit process the hours of operation can be limited.	No

Implications of Proposed Amendments

- Allowing assembly uses as a conditional use opens the door for similar applicant initiated amendments and would erode the primary purpose of the LI-2 District.
- Conflicts with city goals related to having a vibrant downtown by encouraging night life away from existing activity centers within downtown.
- Ancillary uses typically found near theaters, like restaurants may be incentivized to locate in the LI-2 district to accommodate theater customers.
- Relocation of downtown assembly uses to cheaper real estate in the LI-2 District.
- If shared parking is not allowed, private parking for any one individual site would not be sufficient to accommodate parking requirements and would require additional land to be utilized for parking lots.
- Require private or public resources to upgrade sidewalks, street lighting and pedestrian amenities.
- If a conflicting land use is located adjacent to an assembly use staff will spend time and resources fielding complaints for noise, vibration and odors.

STAFF RECOMMENDATION

Staff recommends denial of the application, finding that the proposed text amendments are not in compliance with the Comprehensive Plan and not consistent with uses allowed in the LI-2 District. Based on the facts presented at the public hearing, the City Council may consider the following:

1. Approve the text amendment as recommended.
2. Deny the text amendment.
3. Direct staff to work with the applicant to modify or amend the text amendment.
4. Other options may be presented at the meeting.

MOTION LANGUAGE

Denial

"I move to deny the text amendment application by Brett Moellenberg for proposed amendments to Title 17, Zoning Code, Section 17.12.020 District Use Matrix and Subsection 17.125.070B Shared Parking Reduction as proposed in attachment B."

OPTIONAL MOTION LANGUAGE

Approval

"I move to approve the text amendment application by Brett Moellenberg for proposed amendments to Title 17, Zoning Code, Section 17.12.020 District Use Matrix and Subsection 17.125.070B Shared Parking Reduction as shown in attachment B and to approve the proposed "Assembly Uses in the LI-2" development standards, Section 17.124.140 as shown in attachment C."

ATTACHMENTS:

- A. Application Form and Narrative
- B. Proposed Text Amendment - District Use Matrix and Shared Parking Plans
- C. Staff Proposed LI-2 Assembly Use Development Standards
- D. Public Comment

Attachment A: Application Form and Narrative

**APPLICATION FOR AMENDMENT TO
ZONING CODE TITLE 17 OR SUBDIVISION CODE TITLE 16**

Applicant: THE SPOT LLC Phone Number: 208-928-6241

Mailing Address: P.O. Box 4227, KETCHUM (C/O BRETT MOELLENBERG)

Representative: BRETT MOELLENBERG Phone Number: 602-214-0048

Mailing Address: P.O. Box 4227, KETCHUM

Section of Code to be amended: 17.12.020, TITLE 17

Please describe the proposed change, or provide proposed amended language (attach separate sheet if necessary).

ATTACHED

OTHER INFORMATION may be reasonably required by the Administrator in order to process this application.

I hereby acknowledge I have filled in this application accurately and provided the required information to the best of my knowledge.



Signature of Owner or Authorized Representative

PETER
BURKE

BRETT
MOELLENBERG

Date 7-10-15



Ketchum is a community where arts and culture are vitally important to our economy and quality of life – they tell our story. Arts and culture foster new perspectives and appreciation while making the community more attractive and appealing. Our local social gatherings and opportunities are heightened by events that celebrate our arts and culture and bring people together in Ketchum. Arts and culture also contribute to the larger “creative economy” which creates jobs, attracts investments, generates tax revenues, and stimulates the economy through tourism and consumer purchases. A thriving arts and cultural scene attracts visitors and has economic “spinoff” benefits for local restaurants, lodging and retailers. Because they enhance our quality of life, arts and culture are an important complement to community development, enriching local amenities and attracting young workers to our town.

-Ketchum Comprehensive Plan, 2014

The Spot opened In September, 2014 as a way of supplementing the incredible summer theatrical programs that the Wood River Valley has to offer. Having worked with companies like St. Thomas Playhouse and nexStage Theatre every summer for 6 years, we wanted to make Ketchum our permanent home; and, our students were clamoring for a year-round option to continue working on their art. Starting with group and private classes, we realized that our studio had the capability to involve even more of the community by producing shows that none of the other companies were doing. We were also excited by the idea of creating a venue that showcased theatre in a more intimate and diverse way. When we produced our first show *Next to Normal*, we realized that the community was just as excited about our idea as we were. We originally planned for six shows, and when they quickly sold out in January, we added one more evening that sold out in 24 hours.

The change we propose is simple. We want to add a permitted “assembly use” to our space in the LI2 district. While busy during the day, the district sees little action at night; and, while we plan to bring more families and children to the area during the day for our classes (and partnering dance classes in our space), we are able to bring some vibrancy to the area in the evening, where it is currently a ghost town.

Ketchum will encourage partnerships with and among existing arts organizations, on its own and through the Ketchum Arts Commission and Ketchum Events Commission (Ketchum Comprehensive Plan). The KAC is very interested in our space. With the lack of usable, convertible spaces in the core, the KAC has singled us out as place to hold a number of different arts related events.

Goal ART-1

*Create cultural facilities
that meet the needs of
the community and make
Ketchum a destination
attraction.*

*Goal ART-2 Build Ketchum's identity
as a cultural center and destination by
increasing the visibility of the arts
and cultural activities.*

-Ketchum Comprehensive Plan

There are a myriad of passages in the KCP that support what we are doing, from restoring a young adult culture to generating income for the city, but no goals are more poignant than Goal Art-1 and Goal Art-2 because they speak to what we do and have done for this city for many years. We are the future of the arts in this town. We have the talent, connections, and don't require any city funding to be successful. We are successful on our own and will continue to be. We've all moved here from around the country to build something here, in this town, and, we promise, you do not want to lose us.

Sincerely,
The Spot

Attachment B: Proposed text for District Use Matrix and Shared Parking Plans

"P" = PERMITTED "C" = CONDITIONAL "A" = ACCESSORY

DISTRICT USE MATRIX

DISTRICT USES		L R	L R 1	L R 2	G R L	G R H	S T O 0.4	S T O 1	S T O H	T	T 3000	T 4000	C C SD A	C C SD B	C C SD C	C C SD D	L I 1	L I 2	L I 3	R U	A F
RES.	Dwelling, Multi-family				P ¹	P			P	P	P	P	P ²⁶	P ²⁶	P	P	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁹	
	Dwelling, One-Family	P	P	P	P ²	P	P	P	P	P	P	P	See Note 28	See Note 28	See Note 28	See Note 28				C ¹⁹	P
	Residential Care Facility	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ²⁶	P ²⁶	P	P					
COMMERCIAL	Agriculture, Commercial																				P
	Adult Only Business																	P			
	Business Support Service												P	P	P	P ²⁷	P	P			
	Convenience Store									P			P	P	P		P ¹²	P ¹⁶			
	Daycare Center				C ⁴	C ⁴				P ⁴	P ⁴	P ⁴	P	P	P		C ¹⁷		C ¹⁷		
	Daycare Facility				C ⁴	P ⁴			C ⁴	P ⁴	P ⁴	P ⁴					C ¹⁷		C ¹⁷	P ⁴	
	Drive-Through Facility												P ⁹	P ⁹	P ⁹						
	Equestrian Facility																			C	C
	Food Service									P	P ⁶	P ⁶	P	P	P		PC ¹⁵	PC ¹⁵		C ²⁹	
	Golf Course	P	P	P	P	P	P	P	P	P	P	P								C	
	Grocery Store												P	P	P						
	Health and Fitness Facility									P			P	P	P		C	C			
	Hotel									P ²⁵	P ²⁵	P ²⁵	P ²⁵	P ²⁵							
	Hybrid Production Facility												P	P	P		P	P			
	Instructional Service												P	P	P		P	P			
	Kennel, Boarding																P	P			
	Laundry, Industrial																P	P			
	Lodging Establishment									P	P	P	P	P							
	Maintenance Service Facility																P	P		C	
	Manufacturing																P	P			
	Mortuary												C	C	C						
	Motor Vehicle Fueling Station																C	C			
	Motor Vehicle Sales																C	C			
	Motor Vehicle Service																P	P			
	Office, Business									C			P ¹⁰	P	P	P ²⁴			P		
	Outdoor Entertainment									P	P	P	P	P	P						
	Personal Service									P	P ⁶	P ⁶	P	P	P		P ¹³				
	Professional Service																P	P			
	Recreation Facility, Commercial									C	C	C	P ²⁰	P ²⁰	P ²⁰					C	
	Repair Shop									P	P ⁶	P ⁶	P	P	P		P	P			
	Retail Trade									P ⁵			P	P	P		P ¹²	P ¹⁶		C ²⁹	
	Self-Service Storage Facility																P	P			
	Ski Facility									C	C	C								C	C
	Storage Yard																P	P			
	Studio, Commercial												P	P	P		P	P	P		
	Tourist House									P	P	P	P ¹¹	P ¹¹	P ¹¹	P ¹¹					
	Tourist Housing Accommodation						P	P	P	P	P	P									
	Truck Terminal																P	P			
	TV and Radio Broadcasting Station																P	P	P		
	Veterinary Service Establishment																P	P		C ²¹	
	Warehouse																P	P	P		
	Wholesale																P	P			

DISTRICT USES		L R	L R 1	L R 2	G R L	G R H	S T O 0.4	S T O 1	S T O H	T	T 3000	T 4000	C C SD A	C C SD B	C C SD C	C C SD D	L I 1	L I 2	L I 3	R U	A F
	Wireless Communication Facility	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³
PUBLIC & INSTITUTIONAL	Assembly, Place of				C ³	C ³							C	C	C			C ³⁰			
	Cemetery																			C	C
	Cultural Facility												P	P	P					C	
	Geothermal Utility											C ⁷									
	Hospital												C	C	C						
	Medical Care Facility					C				P			P	P	P						
	Nature Preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Parking Facility, Off-Site									C	C	C	C	C	C	C					
	Parking, Shared									C ⁸	C ⁸	C ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸		
	Performing Arts Production												P	P	P					C	
	Public Use	C	C	C	C	C	C	C	C	C	C	C	P	P	P	C	C	C	C	C	C
	Public Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Recreation Facility, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Recycling Center																	P			
	Semi-Public Use					C				C	C	C	P	P	P					C	C
ACCESSORY	Agriculture, Urban	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²
	Daycare Home	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴					C ⁴				A ⁴
	Daycare, Onsite Employees																A	A	A		
	Dwelling Unit, Accessory	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸					A ¹⁸
	Energy System, Solar	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Energy System, Wind	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Fallout Shelter	A	A	A	A	A	A	A	A	A	A	A									A
	Guesthouse	A	A	A	A	A	A	A	A	A	A	A									
	Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Recreation Facility, Residential	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
	Equestrian Facility, Residential	A	A	A	A	A	A	A	A	A	A	A									A
	Sawmill, Temporary																				C

1. A multi-family development containing up to two (2) dwelling units is permitted.
2. Two (2) one-family dwellings are permitted.
3. Religious institutions are allowed through the provision of a conditional use permit. No other assembly uses as defined in Chapter 17.08 are permitted.
4. Use is not permitted in the Avalanche Zone. Reference Zoning Map.
5. Retail trade is permitted but must not exceed 2,500 square feet.
6. Uses must be subordinate to and operated within tourist housing and not to exceed ten percent (10%) of the gross floor area of the tourist housing facility.
7. Utility for offsite use.
8. See section 17.125.070 for shared parking standards.
9. Drive-throughs are not allowed in association with food service establishments.
10. This is a permitted use, however offices and professional services on the ground floor with street frontage require a conditional use permit.
11. Tourist houses shall only be located in existing one-family dwellings. Additions to the home shall not exceed 20 percent (20%) of the existing square footage.
12. The following forms of retail trade are permitted: (a) Equipment rental, including sporting equipment and entertainment equipment, (b) Building, construction and landscaping materials; small engines with associated sales (c) Retail in conjunction with manufacturing, warehousing or wholesaling not to exceed 30% gross floor area or 800 square feet, whichever is less; no advertising is displayed from windows or building facades; and no access onto a major arterial is allowed if an alternative access is available.
13. Personal service is not allowed except for laundromats and dry cleaning establishments.
14. See section 17.124.090 of this title for industrial districts residential development standards.

15. Catering and food preparation is permitted. 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.
16. The following forms of retail trade are permitted: (a) Equipment rental, including sporting equipment and entertainment equipment (b) Building, construction and landscaping materials; small engines with associated sales (c) Furniture and appliances in conjunction with warehousing not to exceed 18% gross floor area or 900 square feet, whichever is less; (d) Other retail in conjunction with manufacturing, warehousing or wholesaling; it is limited to 10% gross floor area or 500 square feet, whichever is less. ---- Retail uses (c) & (d) shall have no advertising displayed from windows or building facades; and no access will be permitted onto a major arterial if an alternative access is available.
17. See section 17.124.120.C of this title for industrial districts daycare development standards.
18. See section 17.124.070 of this title for accessory dwelling unit development standards.
19. A maximum of five (5) dwelling units are allowed through a conditional use permit and shall be a minimum of 400 square feet and not exceed 1,200 square feet in size.
20. Indoor only.
21. Only allowed in conjunction with an equestrian facility.
22. See section 17.124.080 of this title for urban agriculture development standards.
23. See chapter 17.140 for wireless communications facility provisions.
24. Allowed on the ground floor only.
25. See section 17.124.050 of this title for hotel development standards.
26. Ground floor street frontage uses are limited to retail and/or office uses. In subdistrict A office uses require a conditional use permit.
27. Ground floor only.
28. Through the provision of a conditional use permit, the planning and zoning commission may approve a 20% increase to the total existing square footage of an existing nonconforming one-family dwelling.
29. Use is allowed as an accessory use through the provision of a conditional use permit.
30. See section 17.124.080 of this title for LI-2 district assembly uses.

17.125.070: SHARED PARKING REDUCTION

A. Shared Parking Reduction in Tourist Districts. A shared parking reduction by conditional use permit in all tourist zoning districts may be allowed as follows:

1. A reduction to parking requirements for individual accessory uses within a mixed use development in which lodging is the primary use may be made upon the granting of a conditional use permit according to the following schedule:
 - a. Restaurant and bar: Minimum one space per two hundred (200) square feet of seating area.
 - b. Conference facilities: Minimum one space per two hundred (200) square feet of seating area.
 - c. Retail and repair shops: Minimum one space per six hundred (600) square feet of net floor area.
2. The Commission may grant the reduction or a partial reduction after considering the following standards and criteria:
 - a. The accessory use(s) commonly provides a service to patrons of the primary use.
 - b. The capacity of the accessory use(s) is not in excess of the capacity of the primary use.
 - c. The operating of the accessory use(s) is staggered.
 - d. The hour(s) of peak parking demand for each use is different.
 - e. Existing on street parking is available for public use.
3. A reduction to parking requirements for lodge units within a mixed use development may be made upon the granting of a conditional use permit according to the following schedule: Hotels and lodges, a minimum 0.66 space per room.
4. The Commission may grant the reduction or a partial reduction after considering the following standards and criteria:
 - a. Public, recreation facilities and adjoining complementary uses are within walking distance.
 - b. Existing tourist housing accommodations are within walking distance.
 - c. Public transit is available and within walking distance.
 - d. Pedestrian facilities and amenities are existing within the neighborhood.
5. Employee parking is required at the rate of ten percent (10%) of total required spaces after reductions are provided.
6. The total parking required shall not be less than one space per room.

B. Shared Parking Reduction in the CC, LI-1, LI-2 and LI-3 Districts. A shared parking reduction ~~in the CC District~~ may be proposed by an applicant, through a project specific parking solution to address parking demand unmet by on-site parking spaces, for approval by the Administrator for permitted uses or by the Commission when a conditional use permit is required. ~~city.~~ The applicant shall submit a parking analysis and plan that demonstrates how parking demand is addressed. At a minimum an application for a shared parking plan shall include:

1. A list of all businesses and land uses proposing to share parking spaces;
2. Hours of operation for all applicable uses;
3. Site Plan accounting for all applicable parking spaces;
4. Site specific study and analysis, prepared by a licensed professional, based on information from the Institute of Transportation Engineers or other credible source as determined by the Administrator; and

B-5. Other information the Administrator or Commission deems necessary.

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Attachment C: Staff Proposed LI-2 Assembly Use Development Standards

17.124.140: ASSEMBLY USES IN THE LI-2 DISTRICT

Assembly uses may be approved in the LI-2 District through the provision of a conditional use permit with the following minimum conditions:

- A. Assembly uses shall be accessory and secondary in nature to an approved related principle use;
- B. Hours of operation shall be limited to 5:30 PM – 12:00 AM Midnight;
- C. A pedestrian and parking plan shall be submitted with the conditional use permit application for consideration by the commission;
- D. Food or beverage shall not be served onsite;
- E. All building and fire code requirements for occupancy shall be met;
- F. Occupancy shall not exceed an occupant load of 100; and
- G. Onsite restrooms shall be provided for use of customers.

Attachment D: Public Comments

Planning and Zoning Commission Meeting Public Sign-In

Meeting Date 9/28/2015

Name	Summarize Comments
Peter Sancer	
PETER HENDRICKS	
Lisa-Marie Allen	
Dennis Hanggi	GRH ZONING DISTRICT
Yanna Lantz	Pro The Spot
PETER BUCKE	Pro THE SPOT
Judy Steinbock	Pro the Spot.
Natalie Battistone	Pro the Spot
Paul DiRoggiero	PRO the SPOT
SARA BRADSHAW GURBY	PRO The SPOT
Kristen Allen	PRO - The Spot
SARAH HEARCE	PRO - THE SPOT
Emily Granville	PRO - The SPOT
Bob Cosh	
Larin Reichow	Pro - the spot
Teddy Menna	" "
Anna Geist	" "
Brooke Allen	Pro the Spot

Ketchum City Council
P.O. Box 2315
Ketchum, Idaho

November 20, 2015

Dear Council Members:

We have observed the debate over the zoning request to approve a conditional use permit for The Spot in the light industrial area.

Understandably, the council has concern over whether approval for assembly in the area would siphon off business from the downtown area.

Tonight we are a group of six friends who are planning to attend the 8pm performance at The Spot. We are having dinner in Ketchum prior to the show. The simple fact is that if we were not going to the show, we would all be at home watching a movie; not having dinner in Ketchum.

Everyone wins in this situation, especially the restaurant owner.

We hope you will strongly consider approval of the zoning permit to allow The Spot to continue to function.

Sincerely,

Barb Hurlbutt

Barb Hurlbutt

Dan Hurlbutt

Dan Hurlbutt

Sherry Aanestad

Sherry Aanestad

Doug Aanestad

Doug Aanestad

Carol Wade

Carol Wade

Mike Wade

Mike Wade

Ketchum City Council
P.O. Box 2315
Ketchum, Idaho



January 17, 2016

Dear Council Members:

We have observed the debate over the zoning request to approve a conditional use permit for The Spot in the light industrial area.

Understandably, the council has concern over whether approval for assembly in the area would siphon off business from the downtown area.

Tonight we are a group of six friends who are planning to attend the 7pm performance of Angels in America at The Spot. We are having dinner at The Cornerstone Bar and Grill prior to the show. The simple fact is that if we were not going to the show, we would all be at home watching a movie; not having dinner in Ketchum.

Everyone wins in this situation, especially the restaurant owner.

We hope you will strongly consider approval of the zoning permit to allow The Spot to continue to function.

Sincerely,

Barb Hurlbutt

A handwritten signature in cursive script that reads "Barb Hurlbutt".

Dan Hurlbutt

A handwritten signature in cursive script that reads "Dan Hurlbutt".

Rich Bray

A handwritten signature in cursive script that reads "Rich Bray".

Verlin Campbell

A handwritten signature in cursive script that reads "Verlin Campbell".

Carol Wade

A handwritten signature in cursive script that reads "Carol Wade".

Mike Wade

A handwritten signature in cursive script that reads "Mike Wade".

Thursday, November 19, 2015

Tonight I have attended "Venus in Fur" at The Spot.

My signature below indicates that I have had dinner or drinks in Ketchum prior to the show or plan to do so after the show.

I hope you will strongly consider approval of the zoning permit to allow the Spot to continue to function and grow in it's current location.

T. Buckle Brown
T. Beck
C. Lassen
D. Greener
Jim Peterson
Samuel Moller
Janne Thayer
Milce Hoar
Steph Carlson
Kathleen & Karl Kerkow
Katie Proke
William Wise
Lerny Brokens
Pine Hume
PAM Doncetto
Kathy Jones
Lynn Perlow
Gerri Pesch

T. N. 80

INTECA

Cellerpat

Warfield

Sawtooth Brewery

"

"

Warfield

Pioneer - Warfield

dinner @ Warfield

Wise guys

Town Square Tavern

Town Square Tavern

"

"

"

(C)

Desperados

Thursday, November 19, 2015

Tonight I have attended "Venus in Fur" at The Spot.

My signature below indicates that I have had dinner or drinks in Ketchum prior to the show or plan to do so after the show.

I hope you will strongly consider approval of the zoning permit to allow the Spot to continue to function and grow in it's current location.

Katie Santos
Pat Duggan
Jim Price
Mark Bulif
Dana Duggan
Katie Ballister (actor)

~~Pat Duggan~~
~~Pat Duggan~~
~~Pat Duggan~~

Friday, November 20, 2015

Tonight I have attended "Venus in Fur" at The Spot.

My signature below indicates that I have had dinner or drinks in Ketchum prior to the show or plan to do so after the show.

I hope you will strongly consider approval of the zoning permit to allow the Spot to continue to function and grow in it's current location.

Rebecca Drake

Lyman Drake

Melanie Hanson

John McGraw

down King

dub Leeds

(Jennifer Diemel - Fashion)
Brent Diemel → and

EMILY LARSON

Garvin McClurg

Mattie Malick

John

Tracey Munk

the Pany

Stefi Kington

Michael Smith

Mr. Russo

Callan Miranda

Connor Wade

Saturday, November 21, 2015

Tonight I have attended "Venus in Fur" at The Spot.

My signature below indicates that I have had dinner or drinks in Ketchum prior to the show or plan to do so after the show.

I hope you will strongly consider approval of the zoning permit to allow the Spot to continue to function and grow in it's current location.

Judy Blaney

Paul All

Spr

GINNA LAGERGREN

KEN LAGERGREN

Rey NJ Clark

Guson DeChapieux - Had dinner at Corner Stone



City of Ketchum
City Hall

February 1, 2016

Mayor Jonas and Ketchum City Council
City of Ketchum
Ketchum, Idaho

Mayor Jonas and Members of the City Council:

Ordinance 1147, Rezone of Lots 5, 6 & 7 of Block 21

Introduction

On January 4, 2016, the City Council held a public hearing and voted to approve this City initiated rezone request regarding Lots 5, 6 and 7 of Block 21 from Community Core (CC) District and Sub-District C, Urban Residential to General Residential – Low Density District (GR-L).

Current Report

This report is for the first reading of Ordinance 1147 to approve the subject rezone request.

Financial Requirement/Impact

None identified.

Recommendation

Staff is recommending approval of Ordinance 1147.

Recommended Motion

"I move to approve the first reading of Ordinance 1147 for Lots 5, 6 and 7 of Block 21."

Sincerely,

Morgan Brim, AICP
Senior Planner & Current and Long Range Planning Manager

ORDINANCE NO. 1147

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, TO AMEND THE CITY OF KETCHUM ZONING MAP, BY CHANGING THE ZONING OF LOTS 5, 6 AND 7 OF BLOCK 21, KETCHUM TOWNSITE (451 E. RIVER STREET, 151 S. EAST AVENUE & 131 S. EAST AVENUE), FROM COMMUNITY CORE (CC) SUBDISTRICT C TO GENERAL RESIDENTIAL – LOW DENSITY (GR-L); PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Ketchum is authorized to zone property within the city pursuant to Idaho Code § 67-6511; and

WHEREAS, the City of Ketchum requested Lots 5, 6 and 7 of Block 21, Ketchum Townsite (the “Property”) to be rezoned from Community Core (CC) Sub-District C to General Residential – Low Density (GR-L); and

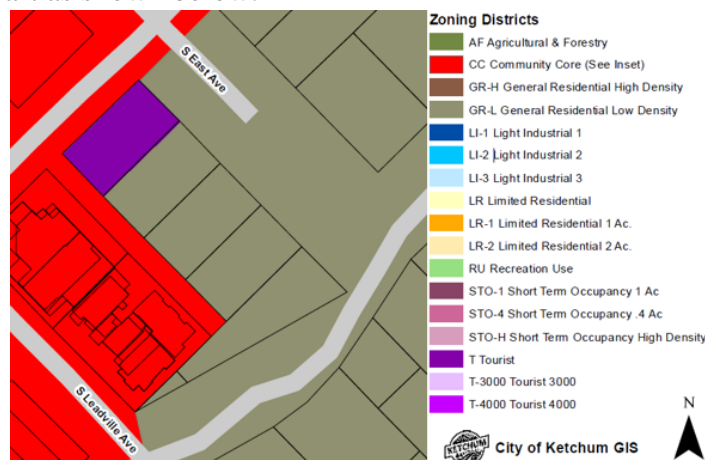
WHEREAS, the Planning and Zoning Commission after fully considering this request held a public hearing on November 9, 2015 pursuant to Idaho Code § 67-6509; and

WHEREAS, following the public hearing, the Planning and Zoning Commission found this request is in compliance with the City’s Comprehensive Plan and recommended approval to the Ketchum City Council; and

WHEREAS, the Ketchum City Council on January 4, 2016, having reviewed the proposed rezone request, and after considering the recommendation of the Planning and Zoning Commission and the comments and testimony of the public, having determined that it is in the best interests of the public and adopt an amending Zoning Map;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KETCHUM:

Section 1: The City of Ketchum Zoning Map for Lots 5, 6 and 7 of Block 21, Ketchum Townsite be amended in part as shown below.



Section 2. REPEALER CLAUSE. All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

Section 2. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED by the CITY COUNCIL and APPROVED by the MAYOR of Ketchum, Idaho on this ____ day of ____, 2016.

APPROVED:

Nina Jonas, Mayor

ATTEST:

Sandra E. Cady, City Clerk



City of Ketchum
City Hall

February 1, 2016

Mayor Jonas and Ketchum City Council
City of Ketchum
Ketchum, Idaho

Mayor Jonas and Members of the City Council:

Front Cover: Findings of Fact – Planned Unit Development CUP, Thunder Spring Residences

Introduction

The City Council approved the planned unit development CUP from IEG Thunder Spring LLC for the final phase the Thunder Spring PUD on January 4, 2016. This project encompasses nine proposed residential units. With the approval of this application, the City Council approved waivers to building setbacks.

Current Report

The staff report is attached.

Financial Requirement/Impact

None identified.

Recommendation

Staff is recommending approval of the Findings of Fact.

Recommended Motion

"I move to approve the proposed findings of fact for the planned unit development conditional use permit for the Thunder Spring Residences."

Sincerely,

Morgan Brim, AICP
Senior Planner & Current and Long Range Planning Manager



City of Ketchum
City Hall

IN RE:)	
)	
Thunder Spring Residences)	KETCHUM CITY COUNCIL
)	FINDINGS OF FACT, CONCLUSIONS OF LAW AND
)	DECISION
Conditional)	
Use Permit)	
(CUP) Planned)	
Unit Development (PUD))	

File Number: 15-129

BACKGROUND FACTS

PROJECT:	Thunder Spring Residences Conditional Use Permit (CUP) Planned Unit Development (PUD)
OWNER:	IEG Thunder Spring LLC
REPRESENTATIVE:	John Shirley, Think Architecture and David Hutchinson & Robert Parker, IEG Thunder Spring LLC
REQUEST:	Completion of the final phase of the Thunder Spring PUD to construction nine (9) residential units on a 1.17 acre parcel.
LOCATION:	126 Saddle Road (Thunder Spring Large Block Plat Block 2)
ZONING:	Tourist (T)
NOTICE:	Property owners within 300 foot radius of subject property were mailed notice on December 2, 2015. A public hearing notice was published in the Idaho Mountain Express on December 9, 2015. A notice was posted in three (3) locations in the City on December 2, 2015. A public hearing sign with legal notice was posted on the subject property on December 23, 2015.
PUBLIC NOTICE:	The following notice was published in the Idaho Mountain Express on December 9, 2015:

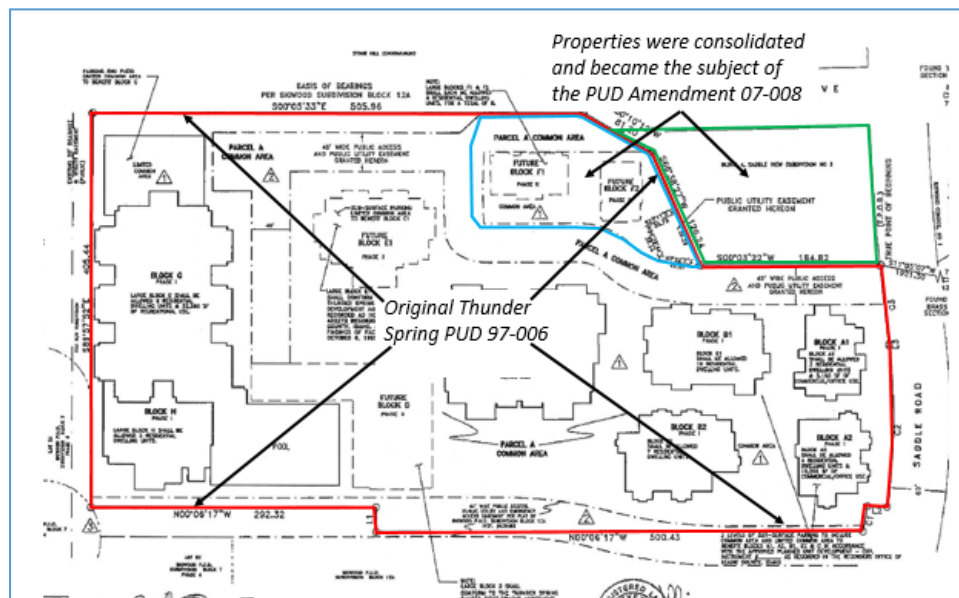
NOTICE IS HEREBY GIVEN that on Monday, January 4, 2016 at 5:30 p.m., or thereafter as the matter can be heard, in City Hall at 480 East Avenue North, Ketchum, Idaho, the Ketchum City Council will hold the following Public Hearings:

Conditional Use Permit for a Planned Unit Development by IEG Thunder Spring, LLC regarding at Thunder Spring development. The applicant is proposing to construct nine (9) residential units located at 126 Saddle Road (Block 2, Thunder Spring Large Block Plat) and is requesting waivers to setbacks.

GENERAL FINDINGS OF FACT

In 1998, The City Council granted Thunder Spring-Wareham LLC approval for a planned unit development conditional use permit. The request was for a development that would contain a variety of uses including 69 residential units, 93,800 square feet of office, retail and semi-public uses, including a pool and wellness center (Zenergy at Thunder Spring). The original approval for the planned unit development specifically addressed aspects of the development pertaining to phasing, utilities and services, use restrictions, public benefits, employee housing, subdivision, and design review. In exchange for increased height and setbacks for the original Thunder Spring PUD, the developer was required to satisfy a list of public benefits and employee housing. The PUD was built out over the last 17 years and the current owners are now hoping to develop the final phase of the project.

The map below shows the Original Thunder Springs project and the Thunder Spring Residences project outlined in blue and green.



The Planned Unit Development Chapter 16.04 of the Subdivision Title 16 allows the City Council to approve waivers to underlying subdivision and zoning provisions on a case-by-case basis. Such waivers may be approved only if it is found there are no detrimental impacts to the public welfare, health and

safety nor is injurious to property owners in the immediate area. Additionally, the City Council should ensure that the proposed benefits derived from the development justify a departure from the regulations of the zoning or subdivision ordinance. Waivers may only be approved by the City Council through the planned unit development conditional use permit process.

WAIVERS

The applicant is proposing four waivers to building setbacks as shown in the table below. The Planning and Zoning Commission (Referred to as "Commission") recommended approval of these waivers.

Waiver #	Building	Proposed Waiver	Commission Findings
(1)	Unit 1/2	Requesting a 3'-2" setback waiver to reduce the required setback along Valleywood Road from 11'-8" to 8'-6".	<i>The Commission found that the openness of the design along Valleywood Road created better design quality which justifies the building setback waiver.</i>
(2)	Unit 5	Requesting a 1'-8" setback waiver to reduce the required setback along Valleywood Road from 11'-8" to 10'-0".	<i>The Commission found only a portion of the building, east corner of the garage, encroaches into the required building setback, whereas the majority of the building's footprint is well within the required setback. The enhanced design of the building is commensurate with the proposed waiver.</i>
(3)	Unit 8/9	Requesting a 1'-11" setback waiver to reduce the required setback along the east side of Raven Road from 11'-8" to 9'-9".	<i>The Commission indicated that building 8/9 was very close to the roadway, however they acknowledged that Raven Road was a private lane and recommended approval of these two setback waivers.</i>
(4)		Requesting a 4'-8" setback waiver to reduce the required setback along the west side of Raven Road from 11'-8" to 7'-0".	

In addition to the benefits called out in the Commission's comments above, the applicant is proposing an upgraded bus stop with a shelter and is working with the city and Mountain Rides to design and locate this bus shelter appropriately on Saddle Road. The addition of a new bus shelter is considered a public improvement, which is beyond the requirements for standard developments and provides a direct benefit to citizens.

City Department Findings				
Compliant			Standards and Staff Findings	
Yes	No	N/A	City Code	City Standards and Staff Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I	Complete Application

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City Department Findings	Police Department: <ul style="list-style-type: none"> <i>Police Department concluded that they have not issues with the proposed development.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Fire Department: <ul style="list-style-type: none"> <i>The location of fire hydrants is controlled by the fire department in accordance with the International Fire Code.</i> <i>Buildings under 35 feet tall do not require 26 foot wide aerial apparatus access roads along one entire side of the building as required in Ketchum Municipal Code Section 15.08. Buildings do not exceed the height limit and the location of the property meets the emergency access requirements of IFC Chapter 5.</i> <i>Raven Road meets the 20-foot wide access requirement provided it is posted as a Fire Lane and maintained clear and unobstructed at all times.</i> <i>Fire apparatus access requirements appear to have been met provided no further changes be made to the site plan or the building heights. A more detailed review will be completed as each step of this project proceeds in the future.</i> <i>Fire Sprinkler system will be required throughout all buildings in the project.</i> <i>Building addresses and individual unit numbers shall be assigned by the fire department in accordance with E991 guidelines prior to application for building permits.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		City Engineer: <ul style="list-style-type: none"> <i>Upgrade the bus stop adjacent to the subject property on Saddle Road by constructing a bus pullout and shelter as approved by the City Engineer.</i> <i>Provide standard bus signage and lighting.</i> <i>Right-of-way (ROW) improvements shall conform to current City ROW standards.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Streets: <ul style="list-style-type: none"> <i>All storm water runoff needs to be managed onsite. The city may allow an overflow to drain into the city system if a test hole at the lowest part of the property reveals unacceptable soil. The applicant will need to perform a percolation test at the proposed location of the storm chambers to verify percolation rate prior to design.</i> <i>Sidewalks must have proper cross slopes.</i> <i>The utility box on Saddle Road must be placed on private property and out of the ditch line.</i> <i>The radius of the curb at the bus stop adjacent to the existing bike path must be 40 feet or larger.</i>

			<ul style="list-style-type: none"> The ROW north of the Saddle Road bike path needs to be graded so it will not drain onto the bike path.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utilities: <ul style="list-style-type: none"> Plans will need to be submitted to the Utilities Department for review showing any relocated, abandoned, or extensions of water and sewer lines. After Utilities Department review and acceptance of plans, the plans must be submitted to DEQ for approval. DEQ approved plans must be provided to the Utilities Department prior to commencement of work. A connection permit must be completed at the time a building permit and water impact and meter charges are paid for. A single connection permit may be filled out for the entire project reflecting total number of units and total amount of fees paid.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: <ul style="list-style-type: none"> All buildings will require separate building permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: <ul style="list-style-type: none"> See comments throughout staff report.

Compliance with Zoning District				
Compliant			Standards and Staff Findings	
Yes	No	N/A	Regulation	City Standards and Staff Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.52.010.H	FLOOR AREA RATIO (FAR): An FAR of 0.5 is permitted. However, an FAR of 1.6 is allowed with inclusionary housing incentive.
			Staff Findings	<p>The ordinance requires a community housing contribution, either built on site or offered through an in-lieu fee to the City for projects that exceed the base FAR limit of 0.5. The amount of required community housing is determined by taking 20% of the total increase in the gross floor area above the base FAR. Of this square footage, a 15% reduction is permitted as a discount from the gross square footage to net livable square footage equating the community housing requirement.</p> <p><u>Calculation:</u> Lot Size: 50,832 sf Gross Floor Area: 40,851 sf (following a deduction of 8,669 sf for basement areas) Area Above 0.5 FAR: 15,435 sf 20% of Area Above 0.5 FAR: 3,087 sf Net Livable (number above with 15% deduction): 2,623.95</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.52.010.J	Lot Area
			Staff Findings	Building Lot Coverage:

				<i>The T district requires a minimum of 35% open space. The applicant is proposing 41.5% open space.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.52.010.I & 17.52.010.F	Building Height, Setbacks and Waivers
			Staff Findings	<p>Required for Building Heights:</p> <ul style="list-style-type: none"> • 35 feet for buildings with a roof pitch under 5:12. • For buildings with a roof pitch greater than 5:12, the maximum height to the mean point of the ridge or ridges measured from the eaves line to the ridge top shall be 35 feet. Roof ridges above the mean point may extend up to 44 feet. <p>Required for Building Setbacks: FRONT: 15 feet REAR: One foot for every three feet in building height or 10 feet, whichever is more SIDE: One foot for every 3 feet in building height or five feet, whichever is more</p> <p>Proposed: The planned unit development ordinance allows the City to grant waivers to zoning ordinance regulations. In the past, the Thunder Spring PUD received approval from the City Council, allowing specific buildings to extend above the permitted height allowance. For this project, the applicant is requested four building setback waivers. These proposed waivers are listed in the table on page three of this staff report.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.060.M	Curb Cut
			Staff Findings	<p>Required: A total of 35% of the linear distance of any street frontage may be devoted to access to off street parking.</p> <p>Proposed: The plans indicate that the proposed curb cuts are less than 35% of the street frontage.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.060.A (1)	Parking Spaces
			Staff Findings	<p>Required: 1-1/2 spaces for every one-family dwelling or duplex unit. The proposed nine (9) units require a minimum of 14 spaces.</p> <p>Proposed: The applicant is proposing 18 garage parking spaces (two per unit) and 12 guest parking spaces. Additionally, six (6) on-street parking spaces have been added to Valleywood Road.</p>
Conditional Use Permit				
EVALUATION STANDARDS: 17.116.030				
Compliant			Standards and Staff Findings	

Yes	No	N/A	Code	City Standards and Staff Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A) CONDITIONAL USE	The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.
			Staff Findings	The applicant is proposing multifamily residential in the form of townhomes. The Tourist District permits multifamily dwellings as a by-right use (See District Use Matrix Section 17.12.020). The existing Thunder Spring PUD is built-out with high density multifamily units. This proposed phase of the PUD contains less density than the existing PUD and appropriately transitions with a lower density towards the duplex units of the Saddle View Condominium neighborhood to the east.
<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 Findings	All city departments have reviewed the proposed Thunder Spring Residences projects and no concerns have been raised regarding, health, safety and welfare of the surrounding community. This project proposes several street improvements to Valleywood Drive including upgrades to the street and the addition of curb, gutter and sidewalks. Additionally, the applicant is proposing an upgraded bus stop along Saddle Road.
<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 Findings	The Street Department has approved the proposed plans including street improvements. No hazards or conflicts with pedestrian or vehicular traffic have been identified.
<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 Findings	The majority of the neighborhood is already built-out with adequate public infrastructure. This project includes extending a sidewalk from Saddle Road along the west side of Valleywood Drive to the northern end of the subject property. This sidewalk will provide a connection to the existing Thunder Spring PUD and the bus stop on Saddle Road.
<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 Findings	The Future Land Use Map of the Comprehensive Plan designates this area as High Density Residential. The High Density Residential land use category includes duplexes and multifamily housing.
Planned Unit Development Requirements				
EVALUATION STANDARDS:				
Compliant			Standards and Staff Findings	
Yes	No	N/A	City Code	City Standards and Staff Findings

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080(A)	The commission may recommend waiver or deferral of the minimum lot size, and the council may grant such waiver or deferral only for projects which comply with subsection 16.08.080.A1-4.
			Staff Findings	<i>Not applicable. The property meets the minimum lot size of three (3) acres as it is part of the original Thunder Spring PUD.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(A)	All land within the development shall be contiguous except for intervening waterways. Parcels that are not contiguous due to intervening streets are discouraged. However, the commission and the council may consider lands that include intervening streets on a case by case basis.
			Staff Findings	<i>The entire PUD, original and the proposed Thunder Spring Residences are contiguous to each other.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(B)	The proposed project will not be detrimental to the present and permitted uses of surrounding areas.
			Staff Findings	<i>The project now complies with height regulations of the Tourist District. No identified view corridors are impeded. No detrimental impacts have been identified.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(C)	The proposed project will have a beneficial effect not normally achieved by standard subdivision development.
			Staff Findings	<i>The Commission has found that the design of the project is of high quality and warranted approval of the proposed setback waivers.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(D)	The development shall be in harmony with the surrounding area.
			Staff Findings	<i>The initial height of the proposed project was a significant concern to surrounding neighbors. The applicant is now proposing a project that is consistent with height requirements for buildings with flat roofs in the Tourist District. The density of this project is approximately 7.7 units per acre which is lower than the existing PUD.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080(E) (1)	Densities and uses may be transferred between zoning districts within a PUD as permitted under this chapter, provided, the aggregate overall allowable density of units and uses shall be no greater than that allowed in the zoning district or districts in which the development is located. Notwithstanding the above, the commission may recommend waiver or deferral of the maximum density and the council may grant additional density above the aggregate overall allowable density only for projects which construct community or employee housing and which comply with subsection 16.08.080(E)1&2.
			Staff Findings	<i>Not applicable. The zoning ordinance does not use density provisions.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(F) (1)	Is adequate to carry anticipated traffic consistent with existing and future development of surrounding properties.
			Staff Findings	<i>The public works department has reviewed the approved plans and has not identified issues with traffic levels. The development will upgrade Valleywood Road to meet required street standards.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(F) (2)	Will not generate vehicular traffic to cause undue congestion of the public street network within or outside the PUD.
			Staff Findings	<i>The proposed development is not anticipated to create undue congestion. The current proposal for nine residential units will generate less traffic than the previous approval for 27 units.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(F) (3)	Is designed to provide automotive and pedestrian safety and convenience.
			Staff Findings	<i>The plans include a sidewalk connection to the existing bike lane along Saddle Road.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(F) (4)	Is designed to provide adequate removal, storage and deposition of snow
			Staff Findings	<i>The site plan indicates that snow storage will be accomplished through a cold roof system with retention, heated driveways, walkways and patios.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(F) (5)	Is designed so that traffic ingress and egress will have the least impact possible on adjacent residential uses. This includes design of roadways and access to connect to arterial streets wherever possible, and design of ingress, egress and parking areas to have the least impact on surrounding uses.
			Staff Findings	<i>The street department indicates that the design meets requirements for traffic ingress. Raven Road is a one way street running south. Driveways for units 1, 2, and 3 have been consolidated to reduce the number of curb cuts on Valleywood Road and onstreet parking has been located at a minimum distance to not conflict with driveway access.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(F) (6)	Includes the use of buffers or other physical separations to buffer vehicular movement from adjacent uses.
			Staff Findings	<i>Proposed driveways are oriented so vehicles face internally towards the site.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080(F) (7)	Is designed so that roads are placed so that disturbance of natural features and existing vegetation is minimized.
			Staff Findings	<i>Not applicable. The project will utilize existing roadways. No new roads are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(F) (8)	Includes trails and sidewalks that create an internal circulation system and connect to surrounding trails and walkways.
			Staff Findings	<i>The proposed project does not include internal circulation for trail or walkways. The applicant is proposing a new sidewalk along Valleywood Drive which will connect Saddle Road with the existing PUD to the north.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(G)	The plan is in conformance with the zoning ordinance, and other applicable ordinances of the city, and not in conflict with the public interest:
			Staff Findings	<i>The proposed plan meet all applicable standards for the Tourist District and Parking Ordinance. The applicant is requesting four waivers to building setbacks.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(G) (1)	Pursuant to subsection 16.08.070D of this chapter, all of the design review standards in chapter 17.96 of this code shall be carefully analyzed and considered. This includes detailed analysis of building bulk, undulation and other design elements. The site plan should be sensitive to the architecture and scale of the surrounding neighborhood.
			Staff Findings	<i>The Commission recently approved the design review application for this project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(G) (2)	The influence of the site design on the surrounding neighborhood, including relationship of the site plan with existing structures, streets, traffic flow and adjacent open spaces, shall be considered.
			Staff Findings	<i>The applicant has reduced the building height to be in compliance with the zoning ordinance. No existing structures are located on the subject property. No adjacent open space abuts this property.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	16.08.080(G) (3)	The site design should cluster units on the most developable and least visually sensitive portion of the site.
			Staff Findings	<i>The entire lot is developable and the proposed layout of the project distributes the units throughout the entire parcel. The applicant is not proposing to cluster units on the property.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080(H)	The development plan incorporates the site's significant natural features.
			Staff Findings	<i>No significant natural features have been identified.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(I)	Substantial buffer planting strips or other barriers are provided where no natural buffers exist.
			Staff Findings	<i>The landscaping plan provides substantial buffer on the perimeter of the property.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(J)	Each phase of such development shall contain all the necessary elements and improvements to exist independently from proposed future phases in a stable manner.
			Staff Findings	<i>This phase of the development is designed to exist independently from the early Thunder Spring PUD phases.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(K)	Adequate and usable open space shall be provided. The applicant shall dedicate to the common use of the homeowners or to the public adequate open space in a configuration usable and convenient to the residents of the project. The amount of usable open space provided shall be greater than that which would be provided under the applicable aggregate lot coverage requirements for the zoning district or districts within the proposed project. Provision shall be made for adequate and continuing management of all open spaces and common facilities to ensure proper maintenance.
			Staff Findings	<i>No new usable open space is proposed for this phase. However, the applicant is establishing an access easement to allow residents of the Thunder Spring Residences HOA to access the open space areas and trails of the existing Thunder Spring PUD. This has been conditioned in the design review approval.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(L)	Location of buildings, parking areas and common areas shall maximize privacy within the project and in relationship to adjacent properties and protect solar access to adjacent properties.
			Staff Findings	<i>The buildings are oriented to the southwest and should have adequate solar access. Units 1, 2 and 3 share an internal driveway. All proposed driveways located on Valleywood Drive, which is a public road, have landscaping buffers located on each side.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080(M)	Adequate recreational facilities and/or daycare shall be provided. Provision of adequate on site recreational facilities may not be required if it is found that the project is of insufficient size or density to warrant same and the occupant's needs for recreational facilities will be adequately provided by payment of a recreation fee in lieu of such facilities to the city for development of additional active park facilities. Onsite daycare may be considered to satisfy the adequate recreational facility requirement or may be required in addition to the recreational facilities requirement.
			Staff Findings	<i>Not applicable. This is a residential development and does not warrant daycare facilities.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(N)	There shall be special development objectives and special characteristics of the site or physical conditions that justify the granting of the PUD conditional use permit.
			Staff Findings	<i>The design of the project is in keeping with the high quality of the existing Thunder Spring PUD.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(O)	The development will be completed within a reasonable time.
			Staff Findings	<i>The design review application will expire one year from the date it is issued. This will require the applicant to move towards obtaining building permits. Likewise building permits will expire if the project does not commence or is uncompleted within specified time frames.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(P)	Public services, facilities and utilities are adequate to serve the proposed project and anticipated development within the appropriate service areas.
			Staff Findings	<i>The public works and utilities departments have concluded that this project meets their requirements at this time. However, detailed plans will be required at the time of building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080(Q)	The project complies with all applicable ordinances, rules and regulations of the city of Ketchum, Idaho, except as modified or waived pursuant to this section. (Ord. 1011 § 1, 2007: Ord. 892 § 1, 2002: Ord. 738 §§ 2, 3, 1999: Ord. 733 §§ 3, 4, 5, 6, 7, 1999: Ord. 723 § 6, 1998: Ord. 382 § 8, 1983)
			Staff Findings	<i>The project is found to comply with all of the above requirements.</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 ordinance, Title 17 and a subdivision ordinance, Title 16.
3. The City Council 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 Chapter 16.08 of Ketchum Subdivision Code Title 16.
4. The Ketchum City Council January 4, 2016 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 Ketchum Subdivision Code Title 16 and the Ketchum Comprehensive Plan.

DECISION

THEREFORE, The Ketchum City Council **approves** this planned unit development conditional use permit this 1st day of February, 2016, and authorize the Mayor to sign the Findings of Fact provided the following conditions are met:

1. All requirements of the design review approval for the Thunder Spring Residences (file number 15-028) shall be met;
2. The applicant shall comply with all requirements of the Amended and Restated Phased Development Agreement approved by the City Council on November 16, 2015;
3. A planned unit development conditional use permit shall be issued in writing. The issuance thereof shall not be considered a binding precedent for the issuance of other conditional use permits. A conditional use permit is not transferable from one parcel of land to another;
4. Failure to comply with any condition or term of such permit may cause such permit to be void. A planned unit development conditional use permit may be revoked at any time for violation of the permit or any condition by motion of the city council after a due process hearing upon a minimum of ten (10) days written notice describing the violation to the holder of the planned unit development conditional use permit. At the hearing the holder may be represented by counsel, present testimony and cross-examine witnesses;
5. Compliance with all dimensional standards for the Tourist District is required, except for the following approved building setback waivers as delineated in the proposed Site Plan, Sheet A102 dated September 23, 2015:
 - a. Unit 1/2 Building: Building setback of 8'-6" from property line along Valleywood Road.
 - b. Unit 5 Building: Building setback of 10'-0" from property line along Valleywood Road.
 - c. Unit 8/9 Building: Building setback of 9'-9" from property line along the east side of Raven Road.
 - d. Unit 8/9 Building: Building setback of 7'-0" from property line along the west side of Raven Road.
6. Raven Road shall be posted as a Fire Lane and maintained clear and unobstructed at all times;
7. Prior to issuance of a certificate of occupancy the applicant shall construct a bus shelter and bus pull out, with appropriate lighting and signing. The location of these improvements shall be located at the existing bus stop adjacent to the subject property on Saddle Road or other location within the city as approved by the City Engineer; and
8. In addition to the requirements set forth in this planned unit development conditional use permit, this project shall comply with all applicable local, state and federal laws.

Findings of Fact **adopted** this 1st day of February, 2015.

Mayor, Nina Jonas