



Planning and Zoning

Regular Meeting

~ Minutes ~

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

Maureen Puddicombe
208-726-7801

Monday, February 11, 2019

5:30 PM

Ketchum City Hall

1. **4:45 PM - SITE VISIT – Nancy Kelly Skin Care, Conditional Use Permit Application: 105 Lewis St., Suite 103**
2. **5:00 PM – SITE VISIT – Ketch 2 Design Review Application: 100 E. 6th Street**
3. **5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**
4. **Call to Order**

Attendee Name	Title	Status	Arrived
Neil Morrow	Chairperson	Present	
Matthew Mead	Vice-Chairperson	Present	
Jennifer Cosgrove	Commissioner	Present	
Tim Carter	Commissioner	Present	
Kurt Eggers	Commissioner	Present	

5. **PUBLIC COMMENT - Communications from the public for items not on the agenda.**

Michael Haxby, resident of Parkway Drive, spoke to the Hemingway School Vacation as to the legality of the noticing. Since the matter is now before the City Council, it would be brought to City Council. Comments were also made by Micki Adler. Information sheets were provided to the Commission by Haxby.

Comment also made by Michael Pogue, who contended the vacation was made without proper notice. Director John Gaeddert will follow-up with the City Attorney.

6. **CONSENT AGENDA—ACTION ITEMS**

- a. **ACTION - ERRATA Correction to Hemingway School Lot Line Findings.**

Motion To: Approve the errata corrections to the Hemingway Lot Line Findings and authorize the Chair to sign said findings.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jennifer Cosgrove, Commissioner
SECONDER:	Tim Carter, Commissioner
AYES:	Morrow, Carter, Cosgrove, Mead, Eggers

- b. **ACTION** - Minutes: (i) January 28, 2019 (ii) December 10, 2018, Page 3.

Motion To: Approve the minutes of January 28, 2019 and the correction on page 3 of the minutes of December 10, 2018.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Mead, Vice-Chair
SECONDER:	Kurt Eggers, Commissioner
AYES:	Morrow, Carter, Cosgrove, Mead, Eggers

7. STAFF UPDATE ON KETCHUM'S PARKING ORDINANCE - Public comment not taken.

Director John Gaeddert gave the background of the changes made to the parking ordinance in 2017. Those changes were made to give incentive to housing projects. The City Council is aware of the unintended consequences of the changes and will take into account those changes should the Council feel further changes are required. The commission discussed employee vs customer parking, snow removal options, availability of parking in the Community Core.

8. PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS

- a. **ACTION** – 320 Leadville Building Condominium Final Plat: The Commission will consider and take action on a Final Plat for a Condominium Subdivision application by Galena Engineering, on behalf of owner Tasz LLC, to convert an existing building located at 320 N. Leadville (Ketchum Townsite: Block 24: Lot 2) into common area four condominium units. The subject property is located in the Retail Core Subdistrict of the Community Core (CC-1).

Associate Planner Abby Rivin presented the Final Plat for the 320 N. Leadville Building. Staff recommended approval.

Public Comment: Micki Adler asked for clarification on the preparation and approval of Staff Reports.

Director John Gaeddert related the process.

Motion To: Recommend approval of the final plat for the 320 N. Leadville Ave. Condominium Building to the City Council, subject to the conditions as stated in the Staff Report and authorize the chair to sign the Findings of Fact and Conclusions of Law.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Mead, Vice-Chair
SECONDER:	Kurt Eggers, Commissioner
AYES:	Morrow, Carter, Cosgrove, Mead, Eggers

- b. **ACTION** – Redfish Residential Live-Work Unit #201 Conditional Use Permit Application: 270 Northwood Way, Unit 201 (Redfish Light Industrial Condo Unit 201) *Continued from the Planning & Zoning Commission Meetings of December 10, 2018, January 14, 2019, and January 28, 2019.* The Commission will consider and take action on an application for a

Conditional Use Permit submitted by Mia L Cherp for the proposed conversion of an existing condominium unit to a residential live-work unit in the Redfish Light Industrial Building located in the Light Industrial Number 2 (LI-2) Zoning District.

Planner Abby Rivin informed the Commission of a request by the applicant for this application be continued to the next scheduled PZ meeting to allow for changes to the floorplan and to address concerns listed in the Staff Report for this meeting.

Commissioner Cosgrove abstained due to personal acquaintance with the applicant.

Lee Ritzau, attorney for the applicant, stated the applicant is requesting a continuance to make proposed changes to the floorplan to bring the project into compliance with the Municipal Code and starting the application process for a business license in Ketchum.

Public Comment: Mike Pogue, representing the Redfish Home Owners Association, stated he believed the use is primarily residential and not commercial. He supported the denial of the application.

Vice-Chair Mead noted the application has had many versions, none of which have been conforming, and he is leaning to denial. Commissioner Carter agreed with Mead as leaning toward denial. Commissioner Eggers was undecided, but if it was continued, he wanted to see a proposal for a whole new conforming plan. Chair Morrow agreed. He was leaning toward denial but would be willing to continue for a new proposal addressing the non-conformity.

Lee Ritzau, attorney for the applicant, cited the history of the application, and stated he was willing to provide documentation of the assumed business name and Articles of Incorporation as requested. He believed the changes to the application will bring it into compliance and requested approval of the application.

Chair Morrow discussed the changes that have been made to the application and encouraged withdrawal of this application and submittal of a new application. Vice-Chair Mead questioned if the proposed business was incorporated in Idaho and registered. Attorney Ritzau replied it had not but was concerned the form of the business was being dictated. Mead wanted documentation the business was an allowed usage. Chair Morrow expressed the Commission wanted to be sure this was an operational business. Attorney Ritzau conceded the fire department could inspect annually to verify use of space. Mead was leaning toward denial but questioned the downside to a continuance. Commissioner Carter was willing to grant a continuance to determine that the applicant was acting in good faith. Commissioner Eggers was undecided and questioned a film production company operating in a kitchen. Morrow felt it was too unsettled, coming back in a month was not productive. Mead was concerned the business had not already been established when a space was being considered and remodeled for that purpose.

Motion To: Deny the request for a Conditional Use Permit finding the proposed dwelling unit does not comply with all the standards required for residential units within the Light Industrial District and does not meet all of the standards for approval under Chapter 17.116, Conditional Uses of Ketchum Municipal Code.

RESULT:	ADOPTED [3 TO 1]
MOVER:	Matthew Mead, Vice-Chair
SECONDER:	Neil Morrow, Chair
AYES:	Neil Morrow, Kurt Eggers, Matthew Mead
NAYS:	Tim Carter
ABSTAIN:	Jennifer Cosgrove

- c. **ACTION** – Nancy Kelly Skin Care Conditional Use Permit Application: The Commission will consider and take action on a Conditional Use Permit application for a health and fitness facility to be located at 105 Lewis Street Suite 103, Ketchum, ID in the Light Industrial

District No. 2. Her business, Nancy Kelly Skincare Salon, provides facial skin care and cosmetic sunless tanning applications.

Senior Planner Brittany Skelton presented the Conditional Use Permit Application. Staff recommended approval of the Conditional Use Permit.

No public comments were given. No questions or discussion by the Commission.

MOTION TO: Approve the Conditional Use Permit by Nancy Kelly Skin Care Salon located at 105 Lewis St, Suite 103, in the LI-2 Zoning District with conditions 1-4 and authorize the Commission Chair to sign the Findings of Facts and Conclusions of Law for this application.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Carter, Commissioner
SECONDER:	Jennifer Cosgrove, Commissioner
AYES:	Morrow, Carter, Cosgrove, Mead, Eggers

- d. ACTION - Guyer Hot Springs Re-Zone Application:** The Commission will consider and take action on a Zoning map amendment (re-zone) application by Natural Energy Resources LLC, c/o Brian Barsotti, to rezone portions of Tax Lots 3500, 3502, and 6048. The subject properties are owned by Carbon Hill Hot Springs Inc and are currently zoned Agriculture and Forestry (AF) and to Tourist-4000 (T-4000); the applicant proposes zoning the entirety of the subject properties T-4000. The subject properties do not have street addresses and are located on the south side of Warm Springs Road at the far west terminus of Ketchum city limits. *Recommendation to continue to the regular meeting of March 11, 2019.*

Motion To: Continue to March 11, 2019.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kurt Eggers, Commissioner
SECONDER:	Matthew Mead, Commissioner
AYES:	Morrow, Carter, Cosgrove, Mead, Eggers

- e. ACTION - Ketch 2 Design Review Application:** The Commission will consider and take action on an application for Design Review for a new three-story mixed-use building to be located at 100 E. 6th Street (located on the corner of N. 1st Avenue and E. 6th Street). The proposal is to construct nine (9) 2-bedroom apartments, six (6) 1-bedroom apartments, three (3) studio apartments and one retail storefront.

The applicants, Gene Bolante, architect, and Frank Stock were present via conference call. (Note: Conference call was not effective and discontinued during the discussion.) Senior Planner Brittany Skelton gave the overview for the Design Review Application.

The Commission discussed street trees, sidewalks, and powerlines for the project.

Public Comment: Gwen Raney asked how Ketch 1 and Ketch 2 related to one another design wise. She also asked about the success of small rental units.

Rebecca Neeley and Jonathan Neely, owner of buildings across the street, questioned the bulk and scale of the project. They thought 3 stories without on-site parking was a disaster and requested the density be limited to 2 stories. They wanted the City to be more responsive to parking complaints rather than complaint driven. They also wanted to see the units stay as rental housing and not be converted to condominiums.

Ben Franz, owner of a building in the next block, thought parking was essential and the parking code needed to be changed.

The Commission discussed the size of the units, administration of the rental units, impact on parking, ADA requirements, walkability, the need for the modification of the parking

ordinance and density. The Commission requested a design board to view the exterior materials and a more complete landscape plan.

Director John Gaeddert gave an overview of the Exceedance Agreement for the Ketch project.

Public Comment:

Jane Hensley, Olympic Terrace resident, has underground parking, but parking is still a problem. She thought the building looked more at home in an industrial setting than residential area.

Rebecca and Jonathan Neeley repeated they thought the Ketch 2 building should be two stories like Ketch 1. They did not want to see these buildings turned into condos.

The Commission requested a parking plan, a materials board, a rendering of the 2 buildings and a sample lease agreement for the next meeting.

Motion To: Continue to a special meeting on Wednesday, Feb 20, 2019 at 5:30 PM.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Mead, Commissioner
SECONDER:	Jennifer Cosgrove, Commissioner
AYES:	Morrow, Carter, Cosgrove, Mead, Eggers

9. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Planner Abby Rivin notified the Commission of the following matters before the City Council:

- Final Plat for the 320 N. Leadville Ave. Building Condo
- First reading of Ordinance #1192 on the LI District Amendment.

At the March 11, 2019 Planning and Zoning meeting:

- Single-Family Residence at 116 Sage Rd in the Mountain Overlay and Avalanche Zones
- Crossbuck Townhomes Design Review
- Trail Creek Fund Employee Housing Pre-Application for Design Review
- Design Review and Conditional Use Permit for Far Away Adventures for two residential units on the second floor in the Light Industrial District.
- Conditional Use Permit for the Redfish Building

10. ADJOURNMENT

Motion To: Adjourn at 7:49 PM.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Mead, Commissioner
SECONDER:	Jennifer Cosgrove, Commissioner
AYES:	Morrow, Carter, Cosgrove, Mead, Eggers



Neil Morrow
Chairperson