



# Planning and Zoning

## Regular Meeting

~ Minutes ~

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

Monday, August 10, 2015

5:30 PM

Ketchum City Hall

- Commissioners Present:** Steve Cook, Chair  
Jeff Lamoureux, Vice Chair  
Mike Doty
- Commissioners Absent:** Betsy Mizell  
Erin Smith
- Staff:** Micah Austin, Director of Planning and Building  
Morgan Brim, Senior Planner

### CALL TO ORDER

Commissioner Steve Cook called the meeting to order at 5:30 pm.

### 2. CONSENT CALENDAR

#### a. FINDINGS OF FACT

##### i. 231 Sun Valley Road Design Review – Approval

Commissioners made immaterial changes to the findings of fact as written.

**Motion to approve findings of fact for 231 Sun Valley Road Design Review with changes as noted.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Lamoureux
<b>SECONDER:</b>	Steve Cook
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureux

#### b. EST. 5:35 p.m. APPROVAL OF MINUTES

##### i. July 13, 2015

**Motion to approve minutes of July 13, 2015 with the words Preliminary Plat spelled out.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Doty
<b>SECONDER:</b>	Steve Cook
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureux, Mike Doty

##### ii. July 13, 2015 Site Visit

Morgan stated that the staff report contained the wrong date in the foot note.

Comment [RB1]: ???

**Motion to approve the July 13, 2015 minutes with corrections noted.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Cook
<b>SECONDER:</b>	Mike Doty
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureux, Mike Doty

**iii. July 27, 2015**

There were grammatical corrections made by Commissioners.

**Motion to approve regular minutes of the July 27, 2015 with grammatical corrections.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Lamoureux
<b>SECONDER:</b>	Mike Doty
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureux, Mike Doty

**iv. July 27, 2015 Site Visit****Motion to approve minutes of the July 27, 2015 Site Visit.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty
<b>SECONDER:</b>	Steve Cook
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureux, Mike Doty

**3. PUBLIC COMMENT**

None

**a. Communications from the public for items not on the agenda.**

There were no comments.

**4. COMMUNICATIONS FROM STAFF**

- a. (CONTINUE TO AUGUST 25, 2015, CONTINUED FROM JULY 27, 2015)CONSIDERATION upon the application by IEG Thunder Spring LLC., for Design Review at 126 Saddle Road (Thunder Spring Large Block Plat, Block 2, Township 4N, Range 18E, Section 7) for Design Review approval for nine residential units ranging from 4,300 square feet to 6,000 square feet. The lot is 1.16 acres in size and zoned Tourist (T) zoning district. This project, the Residences at Thunder Spring, is part of the existing Thunder Spring Planned Unit Development.**

**Motion to continue to August 25, 2015.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Lamoureux
<b>SECONDER:</b>	Mike Doty
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureux, Mike Doty

- b. **(CONTINUE TO SEPTEMBER 14, 2015, CONTINUED FROM JULY 13, 2015) VILLAS AT THE CROSSINGS, WATERWAYS DESIGN REVIEW/FLOODPLAIN DEVELOPMENT PERMIT – The Planning and Zoning Commission will take action on an application for a riparian management and mitigation plan for the riparian area in the floodplain overlay adjacent to the Big Wood River at 104 and 106 Saddle Road, (Villas at the Crossings Common Area).**

**Motion to continue to September 14, 2015.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty
<b>SECONDER:</b>	Jeff Lamoureux
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureux, Mike Doty

- c. **CONSIDERATION upon the application by George B. Fisher, LLC., at 191 E. Sun Valley Road, (Fisher Condo, Block 37, Township 4N, Range 18E, Section 18) for Design Review approval for the exterior remodel of an existing mixed use building. (CONTINUED FROM JULY 27, 2015)**

Morgan Brim, Senior Planner, explained that the proposed remodel triggered the design review application. The application is considered a minor design review and does not require any new parking spaces. There is an on-site walkway, public walkway and the applicants are planning to add 2 additional parking spaces. The 2<sup>nd</sup> and 3<sup>rd</sup> levels of the existing building will not change. The interior changes will on the 1<sup>st</sup> level will be reviewed under the building permit process. the applicant needs design review approval for additional door and store front windows, the proposed roof structure and other façade modifications. There are currently street trees at the corner that are being proposed to be removed. Public Works has had issues with these, they also cause visibility issues at the intersection. Morgan Brim said the new master sign will be door mounted and meets all the code criteria. Staff is proposing 6 conditions, and most of them are standard conditions.

Proposed conditions include requirements to remove the existing planting box near the intersection and retrofitting of the building to meet requirements of the zoning ordinance and design review. Currently the trash room can hold 3 bins and needs to hold 5 bins. Staff does not see a problem with this but it is up to the Commission.

Jim Ruscitto, Architect, explained that the new roof is a canopy roof and does not project up past the second level. He explained the current floor plans and the proposed changes. The changes would be inside the property line on Sun Valley Road side. On Washington Avenue there would be a 4 foot setback from the property line. Morgan Brim said the proposed columns are not traditional, and nothing drips or drains onto the city sidewalks. Michael Doty had concerns regarding the new doors and how and where they swing open; he suggested an alcove. Jim Ruscitto said the tenant requirements may change the layout of the doors. Steve Cook asked if the Commission cares why the new roof does not cover the ADA access. Jim Ruscitto said it is not a big deal and it can be done. The ramp meets ADA requirements. Jim Ruscitto showed the materials they are proposing to use, including stucco, fascia element and patina brown steel on the pillars. The existing river rock will be removed and replaced with Montana sandstone. The railings will be patinaed to match the steel. Steve Cook asked if the signage could be sensitive and understated, like it was at the Helm Station project.

There are low voltage recessed lights to light the walkway under the canopy and one fixture in between each beam, lights over the doors and step lighting on the steps. Steve Cook said he would like the wattage kept down and this looks acceptable.

Chairman Steve Cook opened the meeting up to public comment.

There was no public comment.

Steve Cook asked Commissioners for comments:

The drainage plan shall be certified by an engineer prior to a building permit being issued.

Commissioner Steve Cook asked how the Commission could get a trash condition included. Morgan Brim said that, prior to a certificate of occupancy being issued, an inspection of the trash area could be done, and any deficiencies could be rectified at that time with a possible dumpster or additional bins.

**Moved to approve the Design Review application by George B. Fischer, LLC., For the Fischer building, with conditions 1 - 8 as modified.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty
<b>SECONDER:</b>	Jeff Lamoureaux
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureaux, Mike Doty

**d. EST 6:35 p.m. WORKSESSION, The Spot, code amendment to allow assembly uses as a permitted use in the Light Industrial -2 District.**

Morgan Brim presented, saying Spot has submitted a request for a text amendment to the district use matrix. Staff asked Spot to come in and address this request with the Commissioners. This will just be an open conversation, and the Commission may discuss what will be the future use of the LI Zone should be.

Commissioner Jeff Lamoureaux had questions for staff regarding the zone. Based on the size of the space what kind of occupant load would be allowed by code?

Morgan Brim, Senior Planner stated that the applicant has a permit to operate the acting studio. That part of the business is already allowed. It's the assembly use that is up for question.

Comment [RB2]: ???

Chair Steve Cook said that the IBC's definition of assembly use is varied and maybe what is being discussed is an educational program. Morgan Brim said from a zoning stand point, it looks to staff like an assembly use. Micah Austin, Director of Planning & Building, said not to get hung up on the characteristics of this building. He said tonight's goal is to address if this use is appropriate use for the LI Zone.

Commissioner Steve Cook then turned the meeting over to the Spot team. (Kevin Wade)

Brett Moellenberg, 1 of 4 management partners, introduced the members that were in attendance at the meeting. Brett talked about the Fire Code. Mike Elle, Fire Chief, said occupancy is A-1 and A-3, and they need to get a fire extinguisher and hang the occupancy sign and they are then compliant with code.

Comment [RB3]: Have Mike double check this.

Kevin Wade said the purpose of this presentation is to introduce the Commissioners to their company. He said it is transforming from a store front to a real theater space and the company is twofold. The Conservatory is the educational part. They work with students from all over the valley and have

produced 2 shows since last September. They have had incredible community response and are excited to continue bringing young people to this town.

Tim Eagan said he was at the first production at the Spot and it was compelling. The thing that is important is that it brings vitality to the area. The productions they choose will be small in regards to the number of people that can attend. Some of these young people have chosen to come back to the Valley to put down roots and are committed to downtown. Tim Eagan asked staff about the art galleries and the fact that they go above certain occupancy numbers and yet are not considered assembly use. He said that as the LI definitions evolve, we need to think about this type of vitality.

Brett stated when the space opened in September it wasn't opened as a venue to be theatre space. After three or four months it was discovered they couldn't afford to not do theatre. The primary interest is to inspire the youth of the valley. They would like to keep the viewing to 60 people. Chair Steve Cook said that the Commission is in support, and they need to decide if this is appropriate to the LI District. Commissioner Mike Doty said they need to look at this from the LI district point of view and suggested making it a conditional use. He does not see a problem with parking. Jeff Lamoureux was in agreement. Brett said he thought that was what they were originally applying for. Morgan Brim said 50 occupants is considered a minor assembly use. Steve Cook asked if it would be appropriate to not use the word assembly in this situation. Morgan Brim talked about churches and the LUPA requirements. Micah Austin said there may be some assembly uses that are totally inappropriate in the LI district. Commissioner Jeff Lamoureux said the Commission could restrict the use in size and hours and thinks the Commission could consider making this a conditional use.

Steve Cook asked Micah Austin how it might be possible to construct this use to help the Spot team continue their endeavor. Mike Doty asked if staff could work with the team to write a conditional use application. Jeff Lamoureux said in either a code amendment or a conditional use permit, it is necessary to be consistent with square footage and occupant load requirements. He talked about what the City did for Bigwood Bread and suggested doing something like that. Morgan Brim suggested tackling this in 2 phases. They are looking at LI. One alternative is a conditional use permit tying it down with conditions, and when the City gets into Phase II of the Design Review it could incorporate the use into the zoning amendments. Mike Doty said the Commission needs to find a stop gap for right now. Micah Austin talked about the level of analysis that would need to go into this including consulting the comprehensive plan. Morgan Brim said staff could develop the language for the applicant and have another workshop. Jeff Lamoureux thought it could go to a public hearing, and staff could prepare a staff report and analyze the comp plan and have the materials ready for a public hearing in September or October. At that meeting the Commissioners could make their comments. Micah Austin explained the noticing requirements and what is required by law and said a public hearing could be scheduled for September.

**Motion to continue to August 25th regular meeting.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty
<b>SECONDER:</b>	Jeff Lamoureux
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureux, Mike Doty

**e. 7:10 p.m. WORKSESSION, Code Rewrite Phase II, Design Review, (Chapters 17.18 & 17.96) and a minor amendment to the Floodplain Management Overlay Zoning District (Chapter 17.88).**

Micah Austin, Director of Planning & Building, talked about the code rewrite and the design review workshop, held earlier in the day, and complimented Morgan Brim on his presentation. Six people

attended from the public. Micah Austin talked about the stats that were collected during the work session and showed the presentation and the outcome of the survey that was done. Commissioner Mike Doty talked about the current application process and said it is the same amount of work regardless of the size of the project and that it is a very time consuming application process right now. Morgan Brim said staff will take the comments and incorporate them in the proposed code and put it in strike/underline format for the Commissioners. It will then get scheduled for a public hearing. August 25<sup>th</sup> will be the next work session. Hopefully staff can subsequently then make it a public document and get it noticed for a public hearing.

Morgan Brim, Senior Planner, talked about the proposed parking ordinance. Right now property owners are restricted as to how many on-street spaces they get credited. Chair Steve Cook asked about on-street parking and the fact that the city does not have a parking garage. He thinks it is short sighted to let businesses use on-street parking to satisfy their parking requirements. Morgan Brim said this has been looked at on a staff level, and it is worth continuing the conversation. Micah Austin said it is necessary to be careful with residential parking. He thinks employee parking is where a parking garage would be useful and thinks the City could put out an RFP for a consultant for employee parking, and other on-site parking. Chair Steve Cook said he doesn't know how you create a matrix to solve this. Micah Austin said employee parking has to be accounted for on private property. Commissioner Jeff Lamoureux said in the short term, education on the business owner's part is imperative. Mike Doty asked about metered parking for Ketchum and Micah Austin said City Council has identified this as a priority. Chair Steve Cook asked about sites for a parking garage and Micah Austin said Leadville and 6<sup>th</sup>, the end of 6<sup>th</sup> Avenue, and the Dollhouse area were all discussed as potential spots and said it is just a matter of time before the City needs to get serious about it. Commissioner Jeff Lamoureux said it would be nice to have overnight parking in the winter time.

**5. EST. 7:30 p.m. FUTURE PROJECTS AND NOTICING REQUIREMENTS**

Morgan Brim explained that there is a rezoning application that will come before the Commission on August 25<sup>th</sup>. He showed the Commissioners the subject site on the zoning map, East Avenue (4 parcels of block 21) and explained that they are zoned community core. Micah Austin, Director of Planning & Building, said this is for information only, this is not a public hearing. The applicant was not present.

Micah Austin, Director Planning & Building, said the applicant has been advised that the Commissioners need to review all documents prior to the meeting. The Director of the Street Department and the Fire Chief will be present to answer questions. Chair Steve Cook said that the City does not need to rush these things. Jeff Lamoureux said the applicant needs to be very thorough to not cause further delays.

**6. EST. 7:35 p.m. STAFF REPORTS & CITY COUNCIL MEETING UPDATE**

Micah Austin, Director of Planning & Building, explained the building code amendments that are going thru City Council at this time.

**7. EST. 7:40 p.m. Commission reports and ex parte discussion or disclosure**

Commissioner Jeff Lamoureux talked about the 520 Washington Avenue project. He said if the project was presented in the manner in which it is going up he would not have approved it. He feels our code needs to have more definition around it. If there is a major change to the bulk in the course of construction it needs to come back to the Commission. Micah Austin, Director of Planning & Building, said he received the same direction from the Council.

8. **ADJOURNMENT**

**Moved to Adjourn.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Doty
<b>SECONDER:</b>	Jeff Lamoureux
<b>AYES:</b>	Steve Cook Chairperson, Jeff Lamoureux, Mike Doty

Meeting closed at 8:17 pm.

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Steve Cook, Chairperson  
Planning & Zoning Commission