



**CITY OF KETCHUM
PLANNING AND ZONING COMMISSION MEETING
March 24, 2014, 5:30 p.m.
Ketchum City Hall Meeting Room, Ketchum, Idaho**

Present: Chairperson Deborah Burns
Vice-Chairperson Richard Fabiano
Commissioner Steve Cook
Commissioner Mike Doty

Also Present: Ketchum Planning Manager Joyce Allgaier
Ketchum Senior Planner Rebecca Bundy

1. Chairperson Deborah Burns opened the Regular Planning and Zoning meeting at 5:34 p.m.

2. PUBLIC COMMENT ON ISSUES NOT ON THE AGENDA

There was no public comment at this time.

3. CONSIDERATION upon the Pre-Application Design Review application by Infinity Projects LLC., at Lot 19 Parkwood Subdivision (105 Pinewood Lane), the applicant is proposing a four (4) unit, detached, townhouse development in the General Residential – Low Density (GR-L) Zoning District.

Commissioner Doty recused himself from this project consideration.

Joyce Allgaier brought a few letters of public comment to the attention of the commission that were received as of the Friday before the meeting. The letters are from Attorney Robert Korb and attorney Fritz Haemmerle. The letters are regarding deed restrictions that would make the lots not able to be subdivided. Staff has not been able to look into or confer with legal about such matters. Staff recommends that the subdivision not be addressed by the Planning Commission until staff can consult with legal counsel. The Commission will take public comment on the issue, however tonight's meeting is about the design and layout of the proposed project.

Commissioner Fabiano stated that the purpose of Pre-application is a work session, interaction between applicant and the commission and the commission can change their minds at Design Review application.

Commissioner Cook asked Ms. Allgaier if the Commission should hear the Application with such deed restrictions in place.

Ms. Allgaier stated that this may be a civil matter and that the Pre-application consideration will not impact decisions pertaining to future subdivision of the lot.

Rebecca Bundy, Senior Planner introduced the application to the commission. Rebecca opened with the landscape plan. The lot is 20,000 plus square feet. The project is in the GR-L zoning district bordering LR and GR-H. In GR-L you can subdivide a 20,000 square foot lot into 2 lots of

8,000 square feet and further subdivide those lots into two 4,000 square foot sublots. The proposed access drive, 20 feet wide on the southern end of the lot, will access all four sublots. The Planning Administrator has determined that the front lot line should be along the shared access drive. The applicant is proposing to move the Idaho Power box and to put a curb around it. Bollards to protect the power box will be required. There must be a 20 foot access easement for fire access. In a later subdivision application the applicant will apply to divide the lot into two lots and then do a townhouse subdivision on each of those lots.

Ms. Bundy addressed the practicality issue that the driveways in front of the garages are too short to park in front of the garage and unload a car.

The access easement may not be counted towards lot coverage. There is a small issue with the access easement crossing the southernmost lot.

One portion of the property borders the LR zoning district - those sublots will need to comply with LR setbacks.

Commissioner Cook asked if the applicant is proposing guest parking. Ms. Bundy replied that yes, there are proposed on-street parking spaces available only in the summer months.

An outdoor parking area is indicated on each subplot, but it is also labeled on the plans as snow storage. The Applicant has been asked to submit a snow storage plan.

Commissioner Fabiano asked about street lighting, Ms. Bundy replied that there is an existing street light which will be slightly relocated.

Nicole Ramey representing Michael Doty Associates Architects introduced the project to the Commission. Nicole gave the commission photos of the views, and the power pole and power box discussed earlier. She then explained the plans to the commission.

The outdoor parking location on each subplot will be geo pavers, a pervious paver area that provides its own drainage. Siding will be reclaimed barn wood. Lighting is in compliance with the dark sky ordinance.

Commissioner Fabiano asked if this is an affordable project. Michael Doty stated that this project is not deed restricted or affordable, but that the target price will be in a range that people who live and work in Ketchum can afford. Chairwoman Burns asked if the applicant was advised by BCHA on cost. Michael Doty stated that no, that had not happened.

Chairwoman Burns opened the room to Public Comment.

Susan Scovall owns the duplex lot next door. She asked if all the lots would have street frontage and how much. She also asked about one building oriented toward the driveway and not the street. She had concerns about the ability to subdivide the existing lot into 2 lots and then 4 sublots from there. She believes that subdivision should come before design.

Next, Bob Korb, a neighbor to the west spoke about the subdivision issues and suggested that the subdivision issues be addressed by the city attorney as soon as possible and suggested that the applicant apply to amend the zoning ordinance.

Chairwoman Burns thanked Mr. Korb and Ms. Scovall for their comments and agreed that receiving design feedback with such underlying subdivision issues is unusual however the commission is only reviewing design at this time.

Joyce Allgaier asked Mr. Korb why he thought that a code amendment was necessary.

Mr. Korb replied that this property is adjacent to a LR zone and to subdivide this property twice made it de-facto GR-H, rather than GR-L.

Poly King lives in the neighborhood on Parkway Drive. She stated that she had understood that this was a duplex lot and not a 4-plex lot. She also stated that the design is bulky, flat and not in character with the neighborhood. She stated that she objects to the lot being subdivided into 4 lots.

Chairwoman Burns then closed the public comment.

Commissioner Fabiano stated that staff would confer with legal counsel about the possibility of subdividing the property into the 4 sublots and that that portion of the application is at a standstill until staff can get legal advice.

Commissioner Cook stated that the hearing did seem out of sequence, and without legal opinion it was hard to zero in on design. He stated that the site circulation seemed tight and the proposal had snow storage issues. He thought that perhaps the applicant should drop the application down to 3 units to allow for more landscaping and to resolve the driveway issues.

Ms. Allgaier stated that the only subdivision issue at this time is a possible deed restriction against adding additional units to the neighborhood and that the city would seek legal counsel on whether it is a city matter or a civil matter. She also clarified that Lot 19, without the deed restriction, is in fact subdividable into two lots according to the zoning code and that each new lot can have two townhome units.

Chairwoman Burns stated that she felt that the driveways were too short and not functional. She also stated that the bulk and form did not fit with the neighborhood. Lastly, she felt that the amount of landscaping should be doubled.

Commissioner Fabiano stated had mixed feelings about the design and wanted to reserve judgment until staff consulted with legal counsel.

Commissioner Steve cook suggested again reducing the design to 3 units to allow room for parking and landscaping.

4. CONSIDERATION upon the application by Greyhawk Alpine Center Homeowner's Association for a Floodplain Development Permit, at 215 Picabo Street (Greyhawk Alpine Center Condos), for exterior upgrades, carport, and interior remodel in the Tourist (T) Zoning District, with Warm Springs Base Area Overlay District – 1 (WSBA-1) and Floodplain Management Overlay Zoning District (FP).

Rebecca Bundy introduced the project by stating that this is a finished project that should have received a floodplain development permit prior to building permit, but did not. Since that time, staff has received more floodplain education and has realized that this project should have gone before the planning commission, so this is a retroactive consideration to fulfill code requirements and to determine whether the project consisted of a substantial improvement. During the course of the building construction, one carport, which was previously enclosed on two sides, was enclosed on all sides which makes it a garage. The applicant has provided an elevation certificate which shows the garage floor to be below the base flood elevation. Therefore, the garage will require flood vents.

Commissioner Fabiano asked about the 50% increase of value indicating substantial improvement and if that should apply to the structure of the building and not finishes and interior updates.

Bundy explained that these are federal FEMA regulations and that they cannot be changed by the city. Interior updates and finishes must be considered when determining substantial improvement.

Chairwoman Burns made a motion to approve the floodplain development permit, at 215 Picabo Street (Greyhawk Alpine Center Condos) subject to conditions 1-7, seconded by Commissioner Cook. The application passed unanimously.

5. CONSIDERATION upon the application by RGSV LLC, for Final Plat Subdivision at Lot 14, Mortgage Row Subdivision (91 Meadow Circle) to subdivide the existing Lot 14, Mortgage Row Subdivision, into two (2) lots located in the Limited Residential (LR) zoning district.

Rebecca Bundy introduced the project by stating that, in general, everything in this final plat application is the same as the preliminary plat with the following exception:

- There is a well on Lot 14A, where the existing home is. The house is served by city sewer but has a private well. The applicant is not required to hook up to city water, but with final plat, the well will need to be tested and must comply with all required well setbacks. The applicant proposes to bond at 150% of the cost to relocate all the utilities from River Glen Sub, Block 1, Lot 4, which he cannot do at this time because the ground is still frozen. This bond will be reviewed by all other applicable city departments prior to receiving the City Clerk's signature on the final plat.

Commissioner Cook asked about plat notes 6 and 7 and if the easements are drawn on the plat. Garth McClure, Benchmark Associates stated that yes, the easements are clearly stated on the plat and showed the commission where they are on the plat.

Joyce Allgaier asked when the utilities would be relocated.

Robert Parker, with the applicant's team stated that the utility relocation should take place in mid-April. Lot 14B will be serviced by city water and sewer and 14A will stay on the existing well and is already served by City sewer.

Commissioner Cook made a motion to approve the final plat for Mortgage Row Subdivision 14A and 14B subject to conditions 1-16 with a second from Commissioner Fabiano. Project passed unanimously.

8. CONSENT AGENDA

a. SUBDIVISION FINAL PLAT

1. Connorriley Townhomes

Rebecca Bundy introduced the project by stating that, in general, everything in this final plat application is the same as the preliminary plat with the following exception: There is one condition having to do with installation of a swale in the right of way that is close to, but not, finished. The swale will be finished before City Clerk's signature of the final plat. Commissioner Fabiano made a motion to approve the final

plat for Connorriley Townhomes Subdivision subject to conditions 1-10 with a second from Commissioner Cook. The project passed unanimously.

b. FINDINGS OF FACT

1. Mortgage Row Lots 14A &14B

2. Connorriley Townhomes

Commissioner Fabiano made a motion to approve the findings of fact for Mortgage Row Lots 14A &14B and Connorriley Townhomes with a second from Commissioner Cook. The findings passed unanimously.

c. APPROVAL OF MINUTES

1. February 10, 2014 Special Site Visit

Chairwoman Burns moved to approve the minutes for February 10, 2014 Special Site Visit. Motion seconded by Commissioner Doty, and passed unanimously.

6. Work Session Regarding Code Amendments

Joyce Allgaier opened the work session by stating that the purpose of the amendments is to iron out some sections of the code that seem to be getting in the way of comprehensive review.

The list of suggested amendments was compiled with input from a steering committee.

Community Core FAR – the code allows for 1.0 floor area ratio without community housing.

Development that goes above 1.0 is currently required to contribute to community housing based on the entire building. The code amendment proposal would allow applicants to build above 1.0 FAR up to 2.25 with community housing requirements assessed on the additional FAR above 1.0. This is how FAR is addressed in the GR-H and T zoning districts.

Commissioner Fabiano asked if the code should allow extra square footage if it adds visual interest without triggering community housing.

Commissioner Doty stated that he thought that that option required a legal opinion.

Commissioner Fabiano asked what the community housing in lieu fee per square foot was.

Dave Patrie replied that in the North Valley the assessed value of market rate housing is \$345.00 per square foot minus an allowance for the value of the building.

Michael Doty stated that his last project in lieu fee was \$180 a square foot.

Commissioner Fabiano asked if that cost was the cost to build and that the goal is to find an in lieu fee that the public can relate to.

Dave Patrie stated that the goal is to integrate workforce housing into new market rate development.

Ms. Allgaier stated that the fee should be adopted by resolution every year and this is a discussion for that issue.

Ms. Allgaier also stated that the code fixes discussed would be adopted by ordinance in a public hearing.

7. COMMISSIONERS COMMENTS

- Discussion of goals for City Council retreat.

- Ms. Allgaier gave a list of projects that Staff and Commission have upcoming, including update and unify municipal code and adopt new fire and building codes in June.

Michael Doty stated that we should inform all local architects that we are updating the building code and that all new projects will need to be designed to the 2012 IBC code.

Ms. Allgaier stated that staffing levels will not change until October 2013.

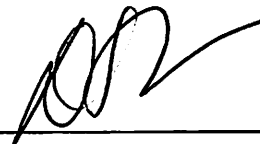
However, the budget has \$75,000 in consultant money for Comp Plan follow-up that may be able to be used for another staff person.

Commissioner Burns asked if the new staffer would also be code enforcement.

Ms. Allgaier stated that all planning staff handles code enforcement and the commission should lobby the city council for a fully staffed planning office.

8. ADJOURNMENT

Commissioner Michael Doty moved to adjourn the meeting at 7:58pm. Commissioner Deborah Burns seconded the motion, and it passed unanimously.



Chairperson Deborah Burns

CC: City Council