



Planning & Zoning Commission Regular Meeting MINUTES

Monday, December 09, 2019
Ketchum City Hall
480 East Avenue North, Ketchum, ID 83340

SITE VISITS

1. **4:15 PM - SITE VISIT - My Sun Valley Home Mixed-Use Building Pre-Design Review: 120 Northwood Way** (Northwood Light Industrial Park, Lot 8)
2. **4:45 PM - SITE VISIT - Gyurkey - North Town Center Conditional Use Permit: 911 N Main St.** (Ketchum AM, Lot 5A, Block 30)
3. **5:00 PM - SITE VISIT - Parker - West Ketchum Townhomes Pre-Design Review: 150, 152, 156 Bird Dr.** (Bavarian Village Subdivision, Lots 5A through 8A)
4. **5:15 PM - SITE VISIT - Bierbaum ADU Mountain Overlay Design Review: 771 E. 5th Street** (Lot 4A, Kinderhorn Sub.)

CALL TO ORDER

5. **Call to Order** at 5:30 PM at City Hall, 480 N. East Ave., Ketchum, Idaho

The meeting was called to order at 5:30 PM by Chairman Neil Morrow after site visits at 120 Northwood Way; 911 N Main St; 150, 152, and 156 Bird Dr.; and 771 E 5th Street.

COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE

There were no ex parte disclosures.

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

There were no public comments for items not on the agenda.

CONSENT CALENDAR—ACTION ITEMS

6. **ACTION - Minutes of November 12, 2019**

Motion to approve the minutes of November 12, 2019.

Motion made by Commissioner Carter, Seconded by Vice-Chairman Mead.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter

Voting Abstaining: Commissioner Cosgrove

7. **ACTION - Scott Glenn Acting Studio CUP P19-120 Findings of Fact, Conclusions of Law, and Decision**

Staff confirmed that access to the ground from the egress window is not required. All other Fire Code requirements have been met.

Motion to approve the Findings of Fact and Conclusions of Law for the Scott Glenn Acting Studio and authorize the Chair to sign the Findings.

Motion made by Vice-Chairman Mead, Seconded by Commissioner Carter.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter

Voting Abstaining: Commissioner Cosgrove

PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS

8. **ACTION - Far and Away Adventures Conditional Use Permit Extension and Amendment: 145 Northwood Way** (Horn Industrial Condominium Unit 2, Ketchum, Idaho) The Commission will consider and take action on a Conditional Use Permit Extension and Amendment requested by the applicant.

Planner Abby Rivin gave the background for the amendment to the original Conditional Use Permit and the requested extension. With the change to the Zoning Code allowing larger dwelling units, the applicant asked to increase the size of the first unit to just over 1,000 square feet and the second unit to just under 800 square feet. A Building Permit application for the revised plans had been received by the Planning and Building Department. Commissioner Cosgrove asked if the extension would affect the CUP and Planner Rivin indicated it would not.

Chairman Morrow opened the floor to Public Comment. There was no comment and the comments were closed.

Vice-Chair Mead and Commissioner Carter were in favor. Commissioner Cosgrove agreed.

Motion to approve the Conditional Use Permit Extension and Amendment for Far and Away Adventures and authorize the Chair to sign the Findings of Fact.

Motion made by Vice-Chairman Mead, Seconded by Commissioner Cosgrove.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove

9. **ACTION - Gyurkey - North Town Center Conditional Use Permit: 911 N Main St.** (Ketchum AM Lot 5A, Block 30) The Commission will consider and take action on a Conditional Use Permit submitted by Nick and Kathleen Gyurkey for a Work/Live space in the Light Industrial -1 Zone.

Director Gaeddert gave the background for the application. Vice-Chair Mead asked about the definition of *ground floor* when there are two sides at of a building on different street levels. Director Gaeddert discussed the contributing factors and stated it was up to the Commission's interpretation. Commissioner Cosgrove asked if there were any other units like this and was told there were not. Chair Morrow expressed that the entrance on the lower Highway 75 side was still a first floor. There was a discussion of access and egress between the lower and upper floors.

Kathy Gyurkey, applicant, stated the other units are entirely commercial spaces, but this unit has always been a residential unit.

Chair Morrow opened the floor to Public Comment. There was no comment and the comments were closed.

Commissioner Cosgrove felt since the current use was not compliant, the CUP could not be approved. Chair Morrow suggested if the main entrance was on 10th Street, it might be considered compliant, with the residence on the lower 10th Street side and the commercial space on the upper Highway 75 side. He suggested the applicant work with staff to find a solution.

Chair Morrow opened the floor to Public Comment. There was no comment and the comments were closed.

Vice-Chair Mead expressed this unit has a residence on the ground floor and therefore not compliant with the Zoning Code. Director Gaeddert suggested the applicant could return at the January Meeting with alternatives.

Motion to deny the Gyurkey / Town Center Conditional Use Permit for a residential unit in the LI on the ground floor.

Motion made by Vice-Chairman Mead, Seconded by Commissioner Cosgrove.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove

- 10. ACTION - My Sun Valley Home Mixed-Use Building Pre-Design Review: 120 Northwood Way** (Northwood Light Industrial Park, Lot 8) The Commission will consider and take action on a Pre-Design Review Application submitted by Don Stamp on behalf of property owners Cory and Amber Black for a new three-story 9,822 square foot mixed-use building which will include three (3) employee housing units on the third floor.

Planner Abby Rivin introduced the Pre-Design Review. The project was presented by Don Stamp, architect for the applicant. The project included offices, storage area, shop space, conference room, parking for 13-16 vehicles, screened trash, and three (3) residential units on the third floor.

Vice-Chair Mead asked about the exterior materials on the south side and expressed the desire to see some differentiation to the facade on that side. Commissioner Carter asked about the housing. Commissioner Cosgrove asked about employee vs housing parking spaces. Stamp indicated there are 13-16 parking spaces. Chair Morrow asked for the spaces to be labeled as to employee and housing uses. He liked the overall design.

Chair Morrow opened the floor to Public Comment. There was no comment and the comments were closed.

Vice-Chair Mead liked the design of the building and materials pallet. Commissioner Carter appreciated the building complying with the code and liked the overall design.

Motion to advance the My Sun Valley Home Pre-Design Review to full Design Review.

Motion made by Commissioner Carter, Seconded by Vice-Chairman Mead.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove

- 11. ACTION - Parker - West Ketchum Townhomes Pre-Design Review: 150, 152, 156 Bird Dr.** (Bavarian Village Subdivision, Lots 5A, 6A, 7A, and 8A) The Commission will consider and take action on a Pre-Design Review Application submitted by Bliss Architecture on behalf of owners West Ketchum Residences, LLC. for a new townhome development comprised of five two-story buildings each with two townhome units accessed from a shared private roadway with associated common area and site improvements.

Planner Rivin introduced the project. Errin Bliss, architect, gave the details of the project. There are 5 lots with two (2) duplexes per lot, with each duplex containing 2,700 square feet of living space.

Vice-Chair Mead asked about the undulation of the units. Bliss replied it was for views, natural light, and privacy. It has a private driveway which dead-ends but has turn-around for fire apparatus. Commissioner Cosgrove liked the project. Commissioner Carter liked the project and was in favor of moving forward.

Chair Morrow opened the floor to Public Comment.

Cheryl Concannon, neighbor, asked how adjoining lots would be developed (they would face Rember St.), thought it would be an asset to the area, but was concerned with the modern design of the duplexes.

There was no further comment and Public Comment was closed.

Motion to advance the Parker-West Ketchum Townhomes Pre-Design Review to full design review.

*Motion made by Commissioner Carter, Seconded by Vice-Chairman Mead.
Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove*

12. ACTION - Bierbaum ADU Mountain Overlay Design Review: 771 E. 5th St. (Lot 4A, Kinderhorn Sub.)

The Commission will consider and take action on an application for a Mountain Overlay Design Review submitted by Linda Haavik of Haavik Consulting on behalf of Benjamin and Annabelle Bierbaum for a 2,127 square foot Accessory Building that will serve as a private art studio.

Planner Abby Rivin gave the background for the project. Linda Haavik, consultant for the applicants, gave the details of the studio project which includes a bathroom and loft. It is not visible from any public roadway. There was an amendment to the snow-storage plan which was presented to the Commission and Staff. An excessive amount of snow storage had been proposed which was now reduced in size.

Chair Morrow opened the floor to Public Comment.

Ben Worst, lawyer for two of the neighbors, expressed objections to the project, including concern about drainage from the Bierbaums' lot to the adjoining property. The neighbors were asking for the dry well to be relocated and to close the notch in the wall above the neighbor's property. In addition, the size of the building at 2100 sq ft is oversized and an art studio is not an allowed use in the AF Zone. The neighbor also asked for the prohibition of any future gate across the easement to her property. There was a concern of egress through the property for the neighbor, during and after construction, and parking spaces indicated on the plans outside of the property lines. There was no Mountain Overlay Design Review for the wall and changes of contour to the lot.

Linda Haavik, rebutted that the wall does define the lot. She stated that the ADU is allowed within the AF Zone. There were no future plans for obstruction or gating of the access to the neighboring property. She did not think the Commission has the authority to prohibit a gate in the AF Zone.

Tom Dabney, architect for the applicants, addressed the dry well and wall.

Carter Ramsey indicated the location of the dry well and willingness to mitigate the drainage to the neighboring property.

Public Comments were closed.

Vice-Chair Mead asked for assurance that the art studio would not become a dwelling unit. Planner Rivin indicated the final inspection would verify the use. The plat note indicates it cannot be converted to a dwelling unit in the future. Commissioner Carter asked staff about the lot being in two zones and how it is evaluated. Rivin said it had to comply with both districts. Commissioner Cosgrove appreciated the applicant's team's willingness to co-operate. Ben Worst reiterated the wall could not be classified as a fence and needed Mountain Overlay Design Review since the contours have been changed.

Chair Morrow asked if the wall can be addressed with this Design Review. Director Gaeddert said this hearing is only on the studio. Linda Haavik reinforced this hearing was for approval of the studio, not the dry well and retaining wall. Chair Morrow would be willing to look at the project again. Commissioner Cosgrove was in favor of revisiting the project to consider the studio ADU and the retaining wall. Commissioner Carter asked Ben Worst if the retaining wall was the reason for his objections to the Mountain Overlay Design Review. Worst replied it was a matter of process being followed correctly and questioned why the project was broken down into parts and not presented as a whole.

Chair Morrow asked about the tree removal. Staff indicated new landscaping was included in the Design Review and could be a condition of approval of the Design Review. Commissioner Carter asked Worst for the concerns of his clients. He replied the concern was the use of the ADU, that an art studio was not an approved use; that the ADU is too large for the size of the property; and the process of a Design Review including the wall. Haavik reported the trees that were removed were unhealthy, unsightly, and needed to be replaced.

Director Gaeddert added that the City Engineer would be reviewing the site for drainage. Commissioner Carter wanted to be sure the drainage was addressed in the Conditions of Approval. Vice-Chair Mead also had no problem with the design as long as the drainage was addressed. He also wanted assurance that it could not become a dwelling unit in the future. Commissioner Carter asked about how to prevent the use of the structure as a dwelling unit. Rivin replied it could be a plat note. Chair Morrow asked about the trees and privacy screening. Carter Ramsey indicated the trees that were removed has been topped and were not healthy. New landscaping and trees will be installed.

Motion to approve the Bierbaum Mountain Overlay Design Review for a proposed Accessory Building located at 771 E. 5th St. subject to recommended conditions.

Motion made by Commissioner Cosgrove, Seconded by Vice-Chairman Mead. Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove

13. ACTION - Election of Chair and Vice-Chair for the year 2020

Motion to re-elect Mead as Vice-Chair for the year 2020.

Motion made by Commissioner Carter, Seconded by Chairman Morrow.

Voting Yea: Chairman Morrow, Commissioner Carter, Commissioner Cosgrove

Voting Abstaining: Vice-Chairman Mead

Motion to re-elect Neil Morrow as Chairperson for the year 2020.

Motion made by Commissioner Carter, Seconded by Commissioner Cosgrove.

Voting Yea: Chairman Morrow, Commissioner Carter, Commissioner Cosgrove, Vice-Chairman Mead

STAFF REPORTS & CITY COUNCIL MEETING UPDATE

The Gateway Hotel project had made changes to their design based on Council input and will be before the City Council again on January 21, 2020.

The January PZ meeting was scheduled to include:

Pre-Design Review for the Ketchum Fire Station

Pre-Design Review for the "Hot Dog Hill" mixed-use project

Two (2) CUP applications for dwelling units in the LI.

Director Gaeddert congratulated the Commission for the work done on the Hotel at the PZ level.

A potential special PZ meeting may be held on January 24th, 2020.

Bariteau Hotel project to restart construction this year and be completed by December 2021

New building at the corner of Walnut and 4th, (Carr Project) to be started this year.

Commissioner Carter will be unable to attend the January Meeting.

ADJOURNMENT

Motion to adjourn at 8:07 PM.

Motion made by Chairman Morrow, Seconded by Vice-Chairman Mead.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove

Neil Morrow
Chairperson