



CITY OF KETCHUM | PLANNING & BUILDING

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TO: Ketchum Planning and Zoning Commission
FROM: Morgan Landers, AICP – Director of Planning and Building
DATE: November 7, 2025
RE: Use and Parking Determination Request for Bigwood Golf Course and Zenergy

INTRODUCTION

At the September 23rd meeting of the Planning and Zoning Commission, staff requested the Commission review the entitlement documentation for both the Bigwood Golf Course and Zenergy and make determinations as to the interpretation of the documents related to parking and special events. [CLICK HERE](#) for the staff report and packet from the September 23rd meeting. [CLICK HERE](#) to listen to the recording of the meeting. As outlined in the staff report, the Commission was asked to make determinations on the following:

- Are the Bigwood Golf Course and Zenergy complying with the parking requirements stipulated in their approvals?
- What uses are included in “other customary ancillary services”?
 - Is public parking a permitted use on golf course property?
- Are special events a permitted use on the golf course property?

Based on the discussion by the Commission, there was consensus on some items, where others warrant further discussion. Below are the areas where staff believe there to be general consensus among the Commissioners:

1. The Bigwood Golf Course and Zenergy are complying with the parking requirements stipulated in their approvals, for the permitted uses approved in the Design Review and PUD/CUPs for both developments.
2. “Golf Course and other customary ancillary services” include the following:
 - a. golf course
 - b. putting green
 - c. driving range
 - d. clubhouse
 - e. pro shop
 - f. maintenance building
 - g. restaurant and bar
 - h. *parking (see discussion below)*
 - i. *special events (see discussion below)*
3. Special Events – golf related events, such as golf tournaments or clinics, are permitted. The Commission did not decide on non-golf related events. See further discussion on both below.

- a. Approval Process for events – the Commission began discussions on the approval process for events but requested additional information from staff on how the city permits events currently. See additional information below.
4. Parking – parking for “golf course and other ancillary services” is permitted. The Commission did not decide on parking for non-golf related uses (i.e. shared parking with Zenergy).
 - a. Approval Process for additional parking – The Commission indicated a desire to require a Conditional Use Permit for any changes or creation of additional parking on the golf course property. See below for further discussion

Following the September 23rd meeting, staff reviewed the meeting minutes from the Planning and Zoning Commission and City Council meetings for the third amendment to the PUD/CUP in hopes of finding additional clarity on the parking and special event topics. Below is additional information from those minutes and information requested by the Commission regarding special events.

ANALYSIS

Special Events

As noted above, the Commission agrees that golf-related events are permitted. What remains to be determined is how to manage events on the property that are not golf-related. There was only one mention of special events in the meeting minutes for the council meeting where the amended development agreement was approved as shown below. The full meeting minutes can be found in Attachment A.

Councilwoman Potters asked what constituted “golf outing special events” and how would parking be handled during such events. Mr. Praggastis said these were special events that would occur on the golf course, i.e., barbecues after golf; and that parking would be accommodated at the new clubhouse and at the rec center. Councilwoman Potters asked what part the Council should play in this agreement. City Attorney Simms said the City needed to accept or reject this language to amend the annexation agreement.

To date, there is no evidence of discussion of whether non-golf related events were permitted at the property. As noted by staff at the last meeting, historically, the city has permitted non-golf events at the property implying that they are permitted. Additionally, the city has not required any special permitting for events (golf related or not) to be held on the golf course. As popularity of the golf course and Zenergy have increased, better management of events is warranted to mitigate any potential impacts. The Commission requested information on how the city manages special events currently.

Management of events depends on the type of event and whether it is held on public or private property. The city does not require a permit for private events on private property, although compliance with the city’s noise ordinance and street parking regulations are required. The city has specific noise ordinance stipulations for events as outlined in Attachment B. For example, if someone was hosting a dinner party at their house, guests would be permitted to park in the

public right-of-way provided no parking restrictions were in effect. Any noise generated by the party would need to be within the restrictions of the city's noise ordinance outlined in Attachment B. In some instances, such as Allen and Company, the event producers requested dedicated parking near certain venues to ensure guest parking. In that instance, the city required a Temporary Use of the Right-of-Way (TURP) permit for temporary closure of public parking for a private event. TURPs are required in advance, require notification of adjacent property owners, and require signage for any necessary traffic control.

For private or public/private events on public property (i.e. Forest Service Park, Atkinsons Park, Town Square), the city has a robust [Special Event Permit](#) process. This permit process is extensive and is used to permit all sizes of events from small book readings to the World Cup ski races. The process evaluates transportation/parking, circulation/access/street closures, amplified sound, bathroom facilities, trash management, fire and EMS, security, alcohol and food service, temporary structures, signage, and adjacent property owner notifications. The process is administered by staff, however, certain requests require City Council approval such as street closures and waivers to the city's noise ordinance restrictions.

In rare instances, the city has required a Conditional Use Permit for an event on a private property by designating the event as a "Semi-public Use" defined as "A structure or use partially, but not entirely, open to the use of the public, such as a private school, church, lodge, club, library, hospital or a nonprofit organization".

Staff believe that the city should take a reasonable approach to managing events that mitigate impacts to neighbors and facilitates the use of the golf course for events. As noted above, there is agreement that golf-related events are permitted. Staff recommends the city manage the impacts of golf-related events as follows:

- Allow golf-related events using existing city permitting processes. The type of permit required would depend on the type of event and what facilities/infrastructure is needed for each event. All events would be required to comply with the city's noise ordinances.
 - o Events Using Existing Facilities - If an event is using the existing clubhouse building and on-site parking lot, with no additional structures or parking needed, no permit would be required. Events requiring temporary structures or tents would not fall under this category.
 - o Events Using Existing Facilities w/ parking needed - If an event is using the existing clubhouse building and on-site parking lot, but additional parking on city streets is needed, a TURP would be required.
 - o Events Using Existing Facilities w/ parking and temp structures needed - If an event is proposing to include temporary structures such as tents/stages/etc., includes the use of amplified sound above city noise ordinances, and requires additional parking on city streets then a Special Event Permit would be required.

For non-golf related events, the Commission has the following options:

- Option 1: Determine that non-golf related events are permitted and manage the events using the permitting guidance outlined above.

- Option 2: Determine that non-golf related events are permitted and require a Conditional Use Permit.
- Option 3: Determine that non-golf related events are not permitted and require a PUD/CUP amendment to specifically allow non-golf related events and associated requirements.

Staff requests the Commission make a determination on how special events are to be considered and managed at the golf course.

Parking

At the September 23rd meeting, the Commission discussed the approval process for any new parking on the golf course property. There was discussion that golf-course parking is permitted by right, but that a Conditional Use Permit be required for the construction of parking for any non-golf course uses. Staff believe it to be very challenging to initially identify and enforce parking for individual uses. Staff recommend the Commission take a more holistic approach and make a determination of the process by which additional parking, regardless of use, shall be reviewed and permitted. As noted in the previous staff memo, processes are outlined for “changes to the golf course layout”:

4. The golf clubhouse and all related design elements shall be required to receive Design Review approval for each structure to be constructed within the project prior to making application for a building permit. Any changes to the golf course layout shall also be subject to Design Review, Conditional Use Permit and Master Plan approval.

Additionally, the meeting minutes from the PUD/CUP amendment meeting with the Council (Attachment C) outline conditions of approval including the following:

Review of the Golf Clubhouse; 12) Design of the proposed vehicular turnaround and the parking lot shall be reviewed in the Design Review process; 13) Utility service shall

The PUD/CUP approval indicated that the parking lot be reviewed through the Design Review process and did not require a CUP for the initial request of moving the clubhouse location. Staff believe this is a very appropriate approach and the Commission could determine that the Design Review process require a public hearing rather than be approved administratively. Alternatively, the Commission could require a Conditional Use Permit with Design Review.

Staff request the Commission make a determination on the approval process for any additional parking constructed on the golf course in the future.

Regarding parking on public streets within the Bigwood PUD, staff reviewed the meeting minutes when the 3rd amendment to the development agreement was approved (Attachment A). There was no mention or discussion of that portion of the development agreement amendment, therefore staff has no additional context to provide.

STAFF RECOMMENDATION

Staff requests the commission provide direction on the following, as outlined above:

- Management of golf-course related events
- Allowance and management of non-golf course related events
- Approval process for the construction of new parking on the golf course

Following determination by the Commission, staff will prepare a recommendation to the City Council for their review and approval.

ATTACHMENTS:

- A. CC Meeting Minutes on DA Amendment – November 16, 1998
- B. City's Noise Regulations
- C. CC Meeting Minutes on PUD/CUP Amendment-October 20, 1997

Taped

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF KETCHUM, IDAHO
NOVEMBER 16, 1998**

This meeting was called to order by Mayor Guy P. Coles at 6:30 p.m. at City Hall, Ketchum, Idaho.

Councilmembers present:

Randy Hall
Sue Noël
Christina Potters

Councilmembers absent:

David Hutchinson

Also present:

City Administrator James P. Jaquet
City Attorney Margaret Simms
P&Z Administrator Lisa Majdiak
Housing Coordinator Karl Fulmer
Recording Secretary Sunny Grant
Citizens

1a. Public Hearing upon the application of David Sellgren to amend paragraph 4.7 of the Bigwood Planned Unit Development Conditional Use Permit Annexation, Services and Development Agreement. Attorney Tom Praggastis, representing Mr. Sellgren, said they had delivered to the Council a revised paragraph 4.7 which had been negotiated between Mr. Sellgren and the Bigwood Homeowners Association. He said the draft with one minor non-substantive word change was agreeable to both parties. He said the revised agreement stated that Mr. Sellgren would be allowed, under the Annexation Agreement, to continue to utilize the Bigwood Rec Center for certain golf purposes as specified in the Agreement. He said he saw no reason for the Council to be concerned with the use of the Rec Center after a portion of its current operation moved to the proposed new golf clubhouse at Thunder Spring.

Chip House, attorney representing Bigwood property owners Tom and Maryann Ivey, said the amendment was part of the Bigwood Block 12 amendment. He submitted his letter of September 16 to the City outlining his concerns and independent legal counsel Roger Crist's previous opinion to the City Council. He said his client was adversely impacted by the Ketchum Planning & Zoning Commission's decision; and that Mr. Crist's letter said "If you adversely impact one of the lot owners in the Bigwood PUD by reason of allowing the amendment, then [that person] can object as a third-party beneficiary of annexation services and development agreement." Mr. House said that the Ketchum City Attorney and Thunder Spring attorney Ed Lawson both disagreed with him and with Mr. Crist.

Mr. House submitted the Second Supplemental Amendment to the Bigwood PUD Annexation Services and Development Agreement. He said the Plat said essentially that nothing could be built on Block 12 unless it was for golf uses; but that language in a subsequent agreement between Ketchum and Seaboard stated "Large Blocks 11 through 15, 20 and 21 shall comprise and are hereby dedicated to open space in perpetuity and expansion of the existing golf course." He said all language referring to golf uses on Block 12 had been removed. Mr. House also submitted a copy of Amendment No. 5 to the subdivision CC&R's signed by the Homeowners Association, which he said was proof that Seaboard was no longer involved in the project. He said that the requirements for amending

the CC&R's required approval of 75% of the lot owners. Mr. House submitted nine exhibits, explaining each one, and advised the Council to pause before going any further. He said the only advice they could trust was that of independent consulting attorney Roger Crist. He said the Iveys did not want the golf clubhouse, especially the one approved by City P&Z Commission, put in next to them.

Mr. Praggastis said a lot of the issues raised by Mr. House dealt with substantive approval of certain aspects of the Wareham Project including the golf clubhouse, which had already been approved. He said the issue currently before the Council was the language of the amendment 4.7 as it pertained to the Bigwood Rec Center and the Bigwood Property Owners Association.

Terry Hogue, attorney representing the Bigwood Property Owners Association, said they had previously appeared before the Council and P&Z Commission on this issue and had spent a lot of time negotiating an amendment to Section 4.7 which had been submitted to Council by Mr. Praggastis.

Harry Jones, Bigwood property owner, said his opinions were his own and not of the Bigwood Homeowners board, and that he had submitted a letter to Council outlining his opinion on the amendment. He stressed that, regardless of the outcome of the amendment, the street shouldn't be used for golf cart transportation and that the parking on the south side of Bigwood should be moved more off the road.

Ed Lawson, attorney representing Wareham Development, asked the Council to determine whether they and David Sellgren ever intended through the Annexation Agreement to confer upon each and every lot owner within the Bigwood Subdivision the ability to control the expansion, use and improvement of the golf course. He told the Council that they did have the power to amend the document without Mr. Ivey's participation.

Mayor Coles closed the public hearing.

Councilwoman Noël asked if golf carts could be driven on the roads in Bigwood. City Administrator Jaquet said he would have to ask the Police Chief. Mr. Jones said the golf carts were not owned by the Bigwood homeowners, but were all owned by David Sellgren. P&Z Administrator Majdiak said golf carts were not part of the rec center issue currently before the Council.

Councilwoman Potters asked what constituted "golf outing special events" and how would parking be handled during such events. Mr. Praggastis said these were special events that would occur on the golf course, i.e., barbecues after golf; and that parking would be accommodated at the new clubhouse and at the rec center. Councilwoman Potters asked what part the Council should play in this agreement. City Attorney Simms said the City needed to accept or reject this language to amend the annexation agreement.

Councilman Hall moved that this project, the Bigwood PUD Conditional Use Permit amendments as described herein regarding the Bigwood Recreation Center, does meet the standards for approval under Section VIII of Ketchum Planned Unit Development Ordinance Number 382 provided the conditions of approval are met: 1. This Conditional Use Permit amendment 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. 2. Failure to comply with any condition or term of said permit shall cause said permit to be void ab initio. A PUD - Conditional Use Permit may be revoked at any time for violation of the permit or any condition thereof by motion of the City Council after a due process hearing upon ten days written notice to the holder of the PUD - Conditional Use Permit. 3. All previous conditions of approval not amended herein shall remain in full force and effect. 4. The golf cart screening shall be

subject to Design Review approval. Motion seconded by Councilwoman Noël. Roll call: Councilman Hall yes, Councilwoman Noël yes, Councilwoman Potters yes. Motion passed unanimously.

1b. Public Hearing upon the application of Bigwood Homeowners Association to remove the section of the bike path located in Block 7, Bigwood PUD Subdivision Amended Phase II, between Clubhouse Drive and Sawtooth Lane, in the Short Term Occupancy-High Density (STO-H) zone. Mayor Coles said this item had been postponed to the next regular City Council meeting on December 7, 1998, since the attorney representing the applicant was out of town.

1c. Public Hearing upon proposed amendments to Zoning Ordinance No. 208, more specifically described as: Amendment to Section X A, T-Tourist District, Subsection 10A.2(c); Section X B, T-3000 – Tourist – 3000 District, Subsection 10B.2(c); and Section X C, T-4000 – Tourist-4000 District, Subsection 10C.2(c). Amendments to deadline requirements for seasonal/skier parking lots. P&Z Administrator Majdiak said the introduction was longer than the amendment itself. She said the Ordinance required that anyone wanting a seasonal parking lot had to submit for it by September, which staff thought was too early to think about a skier parking lot. She suggested the deadline be extended to October 1, and also that there be the opportunity to waive the deadline for good cause. P&Z Administrator Majdiak said the P&Z Commission thought this amendment was reasonable and was recommending it on to the Council. She said the parking lots had been controversial at one time, but that they had not been in the last few years.

Mayor Coles asked for public comment. There was none, so the public hearing was closed.

Councilwoman Potters moved to waive the three readings of Ordinance Number 732. Motion seconded by Councilman Hall. Roll call: Councilwoman Potters yes, Councilman Hall yes, Councilwoman Noël yes. Motion passed unanimously.

Councilwoman Potters moved to approve Ordinance Number 732, an Ordinance of the City of Ketchum, Idaho amending Ordinance Number 208, Sections X A, B and C – Tourist, Tourist-3000 and Tourist-4000 Districts; providing a repealer clause, providing a savings and severability clause and providing an effective date. Motion seconded by Councilman Hall. Roll call: Councilwoman Potters yes, Councilman Hall yes, Councilwoman Noël yes. Motion passed unanimously.

(Please see Ordinance Number 732 on following page.)

2. Comments from the Public

Paul Matthes, Ketchum resident, said it bothered him to see vacant land in town, such as where The Tub and the Texaco station used to be. He said he had asked a local nursery if they would like to put some extra stock on the lots to make them more attractive, and that the nurseryman thought it was a great idea. Mr. Matthes said he would like to see these vacant lots made more attractive. Mayor Coles said the City would look into it.

3. Comments from Mayor, Councilmembers, and Staff.

Councilwoman Noël said someone had told her that bushes next to the sidewalk by where Nomad's Restaurant used to be intruded upon the sidewalk and might hurt someone.

Mayor Coles asked City Attorney Simms how she was coming on the Idaho Power

9.08.040 - Loud or unnecessary noises.

A. *Findings*. It is found and declared that:

1. The making and creation of loud or unnecessary noises within the limits of the City of Ketchum, Idaho, is a condition which has existed for some time, and the extent and volume of such noises is increasing;
2. The making, creation or maintenance of such loud, or unnecessary noise is a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the City of Ketchum, Idaho; and
3. In the public interest, there exists the necessity for the regulations, provisions and prohibitions contained in this section for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare, prosperity, and the peace and quiet of the City of Ketchum, Idaho, and its inhabitants.

B. *Violation*. It is unlawful for any person to make, continue or cause to be made or continued any loud or unnecessary noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the City of Ketchum, Idaho.C. *Enumeration of violations*. The following noises and acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section, but such enumeration shall not be deemed to be exclusive:

1. *Horns and signaling devices*. The sounding of any horn or signaling device on any automobile, motorcycle, truck, or other vehicle on any street or public place of the City, except as a danger warning, which, by causing noise, disturbs the peace, comfort or repose of any person in the vicinity.
2. *Radios, phonographs, loudspeakers and sound amplifiers*. The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners. The operation of any such set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device in such a manner as to be plainly audible at a distance of 50 feet from the property line of any building or structure or at a distance of 50 feet from any vehicle in which the same is located shall be prima facie evidence of a violation of this section.
3. *Animals*. The keeping of any animal which, by causing frequent or long continued noise, disturbs the peace, comfort or repose of any person in the vicinity.
- 4.

Exhaust. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises, which, by causing noise, disturbs the peace, comfort or repose of any person in the vicinity.

5. *Construction or repairing of buildings.* Any noise generated by construction, excavation or demolition activities or by repairing of buildings or other structures shall be a loud and unnecessary noise unless such noise is both created during the times allowed for construction set forth in subsection 8.08.050.A.14. of this Code and does not exceed the noise levels set forth in subsection C.8. of this section. This rule shall not apply in cases of urgent necessity in the interest of public health and safety. Additionally, the Ketchum Building Official may waive or modify this rule for good cause shown and pursuant to an approved noise suppression plan.
6. *Hammers, concrete saws, etc.* Any noise generated by the use or operation of any pneumatic hammer, concrete saw or other appliance, blasting device or other explosive shall be a loud and unnecessary noise unless such noise is both created during the times allowed for construction set forth in subsection 8.08.050.A.14. of this Code and does not exceed the noise levels set forth in subsection C.8. of this section. This rule shall not apply in cases of urgent necessity in the interest of public health and safety. Additionally, the Ketchum Building Official may waive or modify this rule for good cause shown and pursuant to an approved noise suppression plan.
7. *Special community events.* Any noise generated by special events or other events to which the public is invited which fails to meet the following conditions:
 - a. The maximum decibel level measured at the perimeter of the event does not exceed 100 decibels; and
 - b. Amplified noise shall be created only between the hours of 9:00 a.m. and 11:00 p.m.; and
 - c. Neighbors within 250 feet of the site of the proposed sound source are notified. Such notification must be in writing and be done seven days prior to the starting time of the event; and
 - d. The arrangement of loudspeakers or the sound instruments must be such that it minimizes the disturbance to others resulting from the position or orientation of the speakers or from atmospherically or geographically caused dispersal of sound beyond the property lines; and
 - e. All reasonable measures are taken to baffle or reduce noise impacts on the neighbors; and
 - f. Event organizers agree to cooperate with the Police Department in addressing noise complaints from neighbors, which may include the termination of the event.

g. Organizers of special events governed by the City of Ketchum may request a waiver from noise restrictions to the City Council.

- (1) The waiver request shall include reasons why the waiver should be granted, how the public good will outweigh impacts on neighbors and other factors supporting the request.
- (2) If approved, the waiver shall contain all conditions upon which said waiver has been granted, including, but not limited to, the effective date(s), time(s) of day, location, sound pressure level, or equipment limitation. The City of Ketchum may prescribe any reasonable conditions or requirements deemed necessary to minimize adverse effects upon the community or the surrounding neighborhood.

8. *Noise levels.* Noises in excess of the following levels as measured at the property line in the following zones within the City during the following times unless permitted pursuant to an approved noise suppression plan or special community event permit:

Zone	Nighttime 10:00 p.m. to 7:30 a.m.	Daytime 7:30 a.m. to 7:00 p.m.	Evening 7:00 p.m. to 10:00 p.m.
LR, LR-1, LR-2, GR-L, GR-H, T, T-3000, T-4000	50 dBA	90 dBA	55 dBA
MH, STO-.4, STO-1, STO-H, RU, AF, FP, A, ADU, AHO		90 dBA	
CC	60 dBA	90 dBA	65 dBA
LI-1, LI-2, LI-3	70 dBA	90 dBA	75 dBA

D. *Noise suppression plans.*

1. If this title or any other portion of this Code allows or requires a noise suppression plan, such plan shall be approved pursuant to the following process and contain the following information:
 - a.

Noise suppression plans shall be submitted to and approved by the Ketchum Building Official.

- b. Noise suppression plans shall include, without limitation:
 - (1) Contact information;
 - (2) Dates of activity;
 - (3) Hours of activity;
 - (4) Location of activity;
 - (5) Any equipment constraints that prevent common noise reduction measures;
 - (6) Description of how sound blocking or reducing measures will be used;
 - (7) Layout map of the locations of baffles and other sound blocking or reducing measures with relation to the source; and
 - (8) Any additional information or conditions required by the Ketchum Building Official.
- c. Submittal must be timely for adequate review.
- d. Approval may be granted upon sufficient showing of the following:
 - (1) That the activity, operation or noise source will be of temporary duration and cannot be done in a manner that would comply with other noise restrictions contained in this Code, and
 - (2) That no reasonable alternative is available to the applicant.
- e. The Ketchum Building Official may prescribe any reasonable conditions or requirements deemed necessary to minimize adverse effects upon the community or the surrounding neighborhood.

(Ord. 340 §§ 1, 2, 3, 1981; Ord. 403 § 1, 1985; Ord. 425 § 1, 1986; Ord. 822 §§ 1, 2, 3, 1999; Ord. 851 § 1, 2000; Ord. 1037 § 3, 2008)

TAPED

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF KETCHUM, IDAHO
October 20, 1997**

This meeting was called to order by Mayor Guy P. Coles at 6:35 p.m. in the City Hall, Ketchum, Idaho.

Councilmembers Present:

Nan Grable Emerick
David C. Hutchinson
Sue Noël
Christina Potters

Also Present:

City Administrator James Jaquet
City Attorney Margaret King
P&Z Administrator Lisa Majdiak
P&Z Commissioner Randy Hall
Recording Secretary Jean Dickenson
Citizens

- 1 The first item of business was Public Hearing upon the application of David Sellgren to amend the Bigwood Planned Unit Development Conditional Use Permit to relocate the Golf Clubhouse to Large Block 12, Bigwood Subdivision.**

P&Z Administrator, Lisa Majdiak, presented the proposed amendment. The existing clubhouse is in a portion of the existing recreation center which will remain. The clubhouse will be 3800 square feet and 49 parking spaces are proposed. The carts will be stored inside and accessed from the Fairway. Details of the parking access, pedestrian areas and design of the building will be covered in the Design Review process. This amendment is necessary because of the language in the Bigwood Annexation Services and Development Agreement which limits the use of Block 12 to open space and golf course uses. The other things proposed in this amendment are to use the road as access for the Thunder Spring PUD and to store snow. She invited the applicants to give a presentation prior to discussion of the 17 Evaluation Standards.

Joe Scanga of Calthorpe Associates; Rich Robbins and Ed Lawson, Attorney, represented the applicant.

Joe Scanga reviewed the proposed uses, circulation, safety, cart storage. The only vehicular traffic at this point will be for emergency vehicles.

Councilwoman Potters questioned snow storage and removal. Mr. Scanga discussed the intended plans.

Fred Zoellner questioned the golf course reconfiguration. Rich Robbins said that the present plans are to reconfigure the first hole and use the present clubhouse for the par three.

Bob Nero, Premier Resorts, representing the Bigwood Homeowners Association, requested that the fire road not be allowed to become a through lane. An emergency access activated by a siren is acceptable. The homeowners want the golf course to

remain a nine hole and not be changed to an eighteen hole course in the future as per the original agreement with the City of Ketchum. The homeowners have indicated that it is their desire that the developers repair the existing overflow parking area on Clubhouse Drive that Mr. Sellgren turned into temporary parking. They also want any agreement that the developers have with Mr. Sellgren to include language whereby the use of the existing clubhouse be limited to the original spirit of the agreement as a part of the golf operation. There is a great deal of concern with the Bigwood Condominium owners about the road and that they will become used more. At times people come in, park there and get on the golf course without paying the entry fees. The homeowners do not believe that the road needs to be widened and would like to look at any plans to do so.

Jim Woodyard, owner of the home to the north of the project, said that he supported the clubhouse in the plans. He thinks the project will be a positive plan for his home.

Sue Woodyard asked how many parking spaces there will be in the plan. Mr. Robbins indicated the parking spaces.

Mrs. Woodyard questioned parking for people using the Thunder Spring shops and restaurants. Mr. Robbins showed the available parking including some underground parking. P&Z Administrator Majdiak indicated that there is plenty of space available to expand the parking if necessary.

Mr. Nero indicated that there have been some very informal talks between the Homeowners Association and Mr. Sellgren regarding the possibility of the Homeowners Association taking over the entire clubhouse. He asked what will happen if this arrangement happens.

Councilwoman Potters asked what conditions were placed on the original structure and any ancillary uses and whether or not they have been fulfilled. She said that there is some fencing across the south side of Saddle Road where equipment is being secreted. She said that any kind of original conditions should have been legally fulfilled before a Conditional Use Permit is issued for a new clubhouse.

Councilman Hutchinson suggested a site inspection and a review of the original Conditional Use Permit. He said that a structure should be identified for the storage of maintenance equipment.

Rich Robbins said that he feels that an agreement has been worked out with Mr. Sellgren that is good for posterity. The applicant is attempting to deal with the issues raised as well as improve and beautify the golf course. These will be addressed at Design Review.

Jim Woodyard asked if the existing fourth green will become the green for the new three par. Mr. Robbins described the proposed changes to the golf course which will take care of some existing problems such as golf balls hitting some of the existing houses. Mr. Woodyard supported Mr. Robbins proposal.

Councilman Hutchinson felt that the golf course should be rerouted and finalized now so that the City has a handle on its expansion.

The public hearing closed at 7:15 pm.

The Council reviewed the key evaluation standards and P&Z conditions.

Norm Shorts, Bigwood Golf Course, said that the existing golf course is nine holes plus nine holes for the junior course.

Ed Lawson said that the developers may not be able to commit to an exact layout for the entire course. He asked if it would not be enough to see the changes and language in the Conditional Use Permit indicating that the City has the right to review and approve of changes to the golf course and will see the reconfiguration around the existing clubhouse as a part of the project. It may not be feasible to go beyond that at this point.

P&Z Administrator Lisa Majdiak discussed possible conditions for Council approval.

Councilman Hutchinson moved that this project Bigwood PUD Conditional Use Permit amendment to relocate the Golf Clubhouse, does meet the standards for approval under Section VIII of the Ketchum Planned Unit Development Ordinance Number 283 provided the conditions of approval are met: 1) The Bigwood PUD Subdivision shall be modified with a plat note as follows: Large Blocks 11 and 12 are hereby dedicated as open space reserved for golf course expansion. Any portion of said large blocks not used as golf course shall remain as open space in perpetuity with no dwelling units, no development or further subdivision permitted, with the following exceptions: The Fire Access Road shall be permitted to be used for access for the Thunder Spring PUD and as access for the Golf Clubhouse and related parking.; 2) This Conditional Use Permit amendment 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. 3) Failure to comply with any condition or term of said permit shall cause said permit to be void ab initio. A PUD - Conditional Use Permit may be revoked at any time for violation of the permit or any condition thereof by motion of the City Council after a due process hearing upon ten (10) days written notice to the holder of the PUD - Conditional Use Permit. 4) The golf clubhouse and all related design elements shall be required to receive design review approval for each structure to be constructed within the project prior to making application for a building permit; any changes to the golf course layout shall also be subject to design review, Conditional Use Permit and Master Plan approval; 5) All previous conditions of approval not amended herein shall remain in full force and effect; 6) Storage of golf carts shall be fully screened from view and enclosed in a structure adequate to store a minimum of 75 carts; 7) The terminus of the Fire Access Road shall be regulated with an automatic fire gate to be installed by the applicant, no parking shall be permitted within the 26' fire lane and no through traffic permitted; 8) Existing parking on the south side of Clubhouse Drive will be eliminated and reseeded; 9) The Fire Access Road shall be increased to 26 feet in width for the entire length of said road; 10) Any trees planted at the intersection of the Fire Access Road and Saddle Road shall allow for adequate site distance; 11) Horizontal alignment and radius of the bike path shall be reviewed in the Design Review of the Golf Clubhouse; 12) Design of the proposed vehicular turnaround and the parking lot shall be reviewed in the Design Review process; 13) Utility service shall be delineated on the Bigwood PUD Amendment Plans, and approved by the City; 14) A compliance review of the Annexation Development and Services Agreement, subsequent amendments to the Conditional Use Permit and the Master Plan and all related Design Review approvals shall be conducted by November 20, 1997 and a report submitted to the Council and Commission; 15) The Design Review process shall include an enclosed maintenance building to store all maintenance and

equipment associated with the golf course; 16) Use of the existing clubhouse shall be reviewed for consistency with the Annexation and Services Agreement, Conditional Use Permit and PUD Master Plan. Any change in Clubhouse use must be reviewed and approved by the City. Councilwoman Potters seconded the motion and the vote carried unanimously by roll call.

2. The next item of business was comments from the public.

Jack Corrock read a letter to the Council opposing the ADU Ordinance that was passed at the last Council Meeting because of the density increase and the possibilities of abuse. He pointed out that there are now discrepancies in the Avalanche Zone. He also questioned the waiving of the three readings to pass the Ordinance as it was not an emergency situation.

Councilwoman Potters said that she had opposed the Ordinance for all the reasons Mr. Corrock had stated.

Councilwoman Noël explained that she had voted to waive the three readings because it had been discussed in the newspapers for weeks. She explained her position on the issue to Mr. Corrock.

Mr. Corrock said that he has built affordable housing in Ketchum but renting is not a simple task. Situations such as controlling people who are making noise at night is very difficult.

City Attorney Margaret King said that the Ordinance was not passed as an emergency. The City followed Idaho Code 50-9-2 so the matter was handled legally.

Councilwoman Emerick said that Design Review process will protect a lot of the problems Mr. Corrock had addressed.

Councilman Hutchinson said that he had wanted a Conditional Use Permit and longer term occupancy. He was willing to compromise to allow for more housing units but he thinks that tighter controls are needed. He said that he had attempted to get a better version of the Ordinance passed and to do that he had to vote to waive the three readings. He apologized for the Ordinance in its present form but he said it was the best he could do.

3. The next item of business was comments from the Mayor, Councilmembers and Staff.

Councilwoman Potters read a letter from Loey Graves on Garnet Street regarding the violations of the Hillside and Subdivision Ordinance pertaining to Esmeralda Subdivision.

City Administrator James Jaquet said that the Subdivision was part of a Settlement Agreement with the property owners on Garnet Street and it has a long history of litigation involved.

P&Z Administrator Lisa Majdiak said that the Council made specific findings relative to whether or not the Subdivision complied with the Overlay Zone and waivers to the Subdivision Ordinance. All of this is part of the record.