



City of Ketchum  
Planning & Building

IN RE:	)	
	)	
Bigwood Restaurant & Bar	)	KETCHUM PLANNING & ZONING COMMISSION
Planned Unit Development Conditional Use Permit	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: October 9, 2023	)	DECISION
	)	
File Number: 23-065A	)	

**PROJECT:** Bigwood Yer Round Restaurant

**APPLICATION TYPE:** Planned Unit Development Conditional Use Permit

**FILE NUMBER:** P23-065A

**APPLICANT:** Bill Weidner, Owner

**OWNER:** Bill Weidner

**LOCATION:** 115 Thunder Trail (Bigwood Sub Block 12A Open Space-Golf Course)

**ZONING:** Recreational Use (RU)

**OVERLAY:** None

**RECORD OF PROCEEDINGS**

The City of Ketchum received the application for a Planned Unit Development Conditional Use Permit on July 7, 2023. The application was reviewed by staff and deemed complete on August 22, 2023. All department comments have been addressed satisfactorily through applicant revision of project plans or conditions of approval.

A public meeting notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on September 6, 2023. The notice was published in the Idaho Mountain Express on September 6, 2023. A notice was posted on the project site and the city's website on September 18, 2023. The project was heard by three members of the Commission as two recused themselves from the hearing. After considering staff's analysis, the applicant's presentation, and public comment, the Commission approved the Planned Unit Development Conditional Use Permit application with a vote of 3-2, with the two nays being recusals.

## **BACKGROUND**

### *Bigwood PUD History*

The Bigwood PUD and Development Agreement were approved, with conditions, in 1985, to annex the property containing the present day Bigwood Golf Course and neighboring residential lots, within the City of Ketchum. The Ketchum City Council found the Bigwood PUDs special development objectives to be the open space and public golf course which were open to public use.

The Bigwood Annexation, Services and Development Agreement identified allowed uses on each block within the Bigwood subdivision. Originally, the golf clubhouse was located on Block 19 as identified in section 4.7 of the 1985 Development Agreement. At this time, Block 12 was designated as open space or expansion of the golf course as stated in section 1.4.j of the 1985 Development Agreement:

*“Large Blocks Number 11 through 15 and 20 shall comprise, and are hereby dedicated to open space in perpetuity and expansion at the existing golf course. Any portion or said large blocks not used as a golf course shall remain open space with no improvements constructed thereon except as set forth in this Agreement.”*

With many uses located on Block 19 such as tennis courts, swimming pool, recreation center, locker rooms, showers, and the golf clubhouse, overflow parking was located along Clubhouse Dr in front of Block 19 which was felt as unsafe by the residents of the Bigwood PUD. This overflow parking issue led to the golf clubhouse being relocated to the southern side Block 12 through amendments to the Development Agreement and PUD CUP from 1997 to 1999. The Development Agreement was amended on May 17<sup>th</sup>, 1999, to allow the golf course clubhouse to be relocated to Block 12. Paragraph 4.5 was amended to state:

*“The City of Ketchum acknowledges and agrees that if the golf course clubhouse and the proposed changes to the layout of the golf course are constructed and maintained in accordance with the City’s Design Review approval said improvements shall be in accordance with accepted industry standards for a first rate golf course and therefore the improvements themselves would not trigger the right of reversion held by the City of Ketchum. All future changes to the golf course, however, must be in accordance with accepted industry standards for a first golf course.”*

In reviewing these approvals and associated City Council/Planning & Zoning Commission meeting minutes, neither restaurant nor food service were mentioned when discussing proposed uses within the golf clubhouse. Instead, there was only mention of a pro shop, nordic center, and golf cart storage. At the City Council meeting where the Bigwood PUD/CUP was amended to allow for the golf clubhouse to be located on Block 12, applicant representatives stated, “The restaurant would not be in this clubhouse area.”

In 2006, multiple building permits were issued for the clubhouse to make modifications for an outdoor kitchen. The building permits identify the kitchen as existing although it is not clear in staffs research when this kitchen was added as there is no mention of kitchen facilities in the permits for

the relocation of the golf course clubhouse in 1999. No amendments to the development agreement or PUD CUP were made to allow for the restaurant use to occur at the location.

### **FINDINGS OF FACT**

The Planning & Zoning Commission, having reviewed the entire project record, provided notice, and conducted the required public hearing, does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

The Bigwood PUD was approved in 1985 based upon 17 evaluation standards contained in KMC 16.08.080. The Commission reviewed the following PUD CUP application against the PUD standards and the intent of the original Bigwood PUD approval. Aspects which warranted further discussion from the Commission included parking availability & harmony with the surrounding area.

#### ***The Development Shall Be In Harmony With The Surrounding Area***

As mentioned previously, an existing seasonal restaurant has been operating at the golf clubhouse since at least 2006 up until the COVID-19 pandemic. The proposal requests allowing for this use to continue outside of golf course operations into the winter months. Over the period in which the restaurant has been in operation, the City has not received comments or complaints which have warranted a reconsideration of the restaurant use. As the seasonal restaurant has been in operation for close two decades with minimal comment/complaint, the Commission found the request to expand to all year round to be harmonious with the surrounding area.

#### ***Proposed Vehicular and Nonmotorized Transportation System***

The golf clubhouse sits adjacent to the Thunder Springs development which includes Zenergy, a well visited gym and wellness center. Both the clubhouse and Zenergy had the parking they provided reviewed at times of their approval, but staff has reviewed the parking situation due to their close proximity.

The parking lot which serves the Bigwood Golf Clubhouse currently has 40 spaces including 4 handicap spaces. Since the seasonal restaurant has been in operation, both visitors of the restaurant and those golfing have used the same parking lot. As this proposal is to allow for the restaurant to extend operations into the winter when golfing does not occur, there will be less visitor traffic. The restaurant would also experience less visitor traffic in the winter as the outside seating would be closed for the season, leaving only the inside of the building available to seat customers.

To determine whether the existing parking is sufficient to support the proposed uses, the Commission reviewed other golf clubhouses and the parking they provided within the Wood River Valley.

**Figure 3: Golf Clubhouse Comparison**

	<b>Bigwood Golf Clubhouse</b>	<b>Elkhorn Golf Clubhouse</b>	<b>Sun Valley Club Golf Clubhouse</b>
<b>Square Feet</b>	8,435 square feet	14,837 square feet	52,175 square feet
<b>Parking Spaces Provided</b>	40 spaces	36 spaces	266 spaces

<b>Square feet of building per parking space</b>	210 square feet per parking space	412 square feet per parking space	196 square feet per parking space
<b>On Bus Line</b>	Yes	Yes	No
<b>On Bike Path</b>	Yes	Yes	Yes
<b>Within walking distance of neighborhoods</b>	Yes	Yes	No

As seen in the table above, the Bigwood Clubhouse provides roughly the same amount of parking per square foot of clubhouse building when compared to the Sun Valley Club Golf Clubhouse. This is in stark contrast when Bigwood is compared to the Elkhorn Golf Clubhouse where Bigwood provides almost double the amount of parking spaces per square foot of clubhouse building.

Also shown in the table is that Bigwood can be reached using different modes of travel. The clubhouse is along a bike path which connects to the Wood River Trail system and is also within less of a quarter of a mile from Mountain Rides Valley Route. The clubhouse is also in close proximity to many condominiums, apartments, and single family residences, allowing for those residents to walk to the clubhouse

The Commission found the proposed additions do not conflict with the goal of allowing for open space and golf course, both available to the public. The year round restaurant use was found to be in harmony with the surrounding area as the seasonal use during the summer has been in operation for over 15 years. Parking needs were also found to be satisfied as the proposal was to allow the restaurant to operate in the winter months when less visitor traffic to the clubhouse would occur.

### FINDINGS REGARDING CONDITIONAL USE PERMIT CRITERIA

Pursuant to KMC Section 16.08.080, Planned Unit Development conditional use permits can be granted if and only if the criteria listed below are met. The Commission finds the following:

#### Planned United Development Standards

Planned Unit Developments: 16.08.080 – Standards:				
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080 A	<p>Minimum lot size of three acres. All land within the development shall be contiguous except for intervening waterways. Parcels that are not contiguous due to intervening streets are discouraged. However, the commission and the council may consider lands that include intervening streets on a case by case basis. The commission may recommend waiver or deferral of the minimum lot size, and the council may grant such waiver or deferral only for projects which:</p> <ol style="list-style-type: none"> <li>1. Include a minimum of 30 percent of community or employee housing, as defined in section 16.08.030 of this chapter;</li> <li>2. Guarantee the use, rental prices or maximum resale prices based upon a method proposed by the applicant and approved by the Blaine County Housing Authority and/or the Ketchum City Council; and</li> <li>3. Are on parcels that are no less than one and one-half acres (65,340 square feet). Application for waiver or deferral of this criteria shall include a description of the proposed community or employee housing and the proposed guarantee for the use, rental cost or resale cost.</li> <li>4. For a hotel which meets the definition of "hotel" in section 17.08.020, "Terms defined", of this Code, and conforms to all other requirements of section 17.18.130,</li> </ol>

				"Community Core District (CC)", or section 17.18.100, "Tourist District (T)", of this Code. Waivers from the provisions of section 17.18.130 of this Code may be granted for hotel uses only as outlined in section 17.124.040 of this Code. Waivers from the provisions of section 17.18.100 of this Code may be granted for hotel uses only as outlined in section 17.124.040 of this Code.
			<i>Staff Comment</i>	<i>N/A. The subject property is currently within the Bigwood PUD which has a lot area greater than three (3) acres. The applicant is requesting a modification to the existing PUD.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080 B	<b>The proposed project will not be detrimental to the present and permitted uses of surrounding areas.</b>
			<i>Staff Comment</i>	<i>The subject property is currently zoned Recreational Use (RU) and exists as golf course with a clubhouse/seasonal restaurant. The existing seasonal restaurant has been in operation since at least 2006 at the current location. As the restaurant has been seasonally operating for close to two decades, an extension of restaurant operating hours into the winter months, when less visitors to the clubhouse/restaurant will occur, is found to not be detrimental to the present and permitted uses of the surrounding areas.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080 C	<b>The proposed project will have a beneficial effect not normally achieved by standard subdivision development.</b>
				<i>N/A. The proposed project is not proposing a subdivision development.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080 D	<b>The development shall be in harmony with the surrounding area.</b>
			<i>Staff Comment</i>	<i>The existing seasonal restaurant has been in operation since at least 2006 at the current location. The proposal is to expand the restaurant to a year round use outside of golfing season. As the restaurant has been seasonally operating for close to two decades, an extension of restaurant operating hours into the winter months, when less visitors to the clubhouse/restaurant will occur, is found to be in harmony with the surrounding area.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080 E (1)	<b>Densities and uses may be transferred between zoning districts within a PUD as permitted under this chapter, provided, the aggregate overall allowable density of units and uses shall be no greater than that allowed in the zoning district or districts in which the development is located. Notwithstanding the above, the commission may recommend waiver or deferral of the maximum density and the council may grant additional density above the aggregate overall allowable density only for projects which construct community or employee housing and which:</b> <b>a. Include a minimum of 30 percent of community or employee housing, as defined in section 16.08.030 of this chapter; and</b> <b>b. Guarantee the use, rental prices or maximum resale prices thereof based upon a method proposed by the applicant and approved by the Blaine County Housing Authority and/or the Ketchum City Council.</b>
			<i>Staff Comment</i>	<i>N/A. Densities are not proposed to be transferred.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080 E (2)	<b>Application for waiver or deferral of this criteria shall include a description of the proposed community or employee housing and the proposed guarantee for the use, rental cost or resale cost.</b>
			<i>Staff Comment</i>	<i>N/A. No waiver requested as density transfer not being proposed.</i>
			16.08.080 F	<b>The proposed vehicular and nonmotorized transportation system:</b>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>1. Is adequate to carry anticipated traffic consistent with existing and future development of surrounding properties.</p> <p>2. Will not generate vehicular traffic to cause undue congestion of the public street network within or outside the PUD.</p> <p>3. Is designed to provide automotive and pedestrian safety and convenience.</p> <p>4. Is designed to provide adequate removal, storage and deposition of snow.</p> <p>5. Is designed so that traffic ingress and egress will have the least impact possible on adjacent residential uses. This includes design of roadways and access to connect to arterial streets wherever possible, and design of ingress, egress and parking areas to have the least impact on surrounding uses.</p> <p>6. Includes the use of buffers or other physical separations to buffer vehicular movement from adjacent uses.</p> <p>7. Is designed so that roads are placed so that disturbance of natural features and existing vegetation is minimized.</p> <p>8. Includes trails and sidewalks that create an internal circulation system and connect to surrounding trails and walkways.</p>
			<i>Staff Comment</i>	<i>Upon review of other golf clubhouses within the Wood River Valley, the Bigwood clubhouse is comparable in the number of parking spaces provided compared to the square footage of the clubhouse building. The proposed winter operation of the restaurant would have reduced need for parking due to no golf being played and a majority of the restaurant seating being outside.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080 G	<p>The plan is in conformance with and promotes the purposes and goals of the comprehensive plan, zoning ordinance, and other applicable ordinances of the City, and not in conflict with the public interest:</p> <p>1. Pursuant to subsection 16.08.070.D of this chapter, all of the design review standards in chapter 17.96 of this Code shall be carefully analyzed and considered. This includes detailed analysis of building bulk, undulation and other design elements. The site plan should be sensitive to the architecture and scale of the surrounding neighborhood.</p> <p>2. The influence of the site design on the surrounding neighborhood, including relationship of the site plan with existing structures, streets, traffic flow and adjacent open spaces, shall be considered.</p> <p>3. The site design should cluster units on the most developable and least visually sensitive portion of the site.</p>
			<i>Staff Comment</i>	<p><i>Comprehensive Plan speaks on the Communities Core Values. Value #1 states "Ketchum sees itself with a stable and diverse economy melding the benefits of our traditional tourism economy with businesses that serve the year-round population." This section also states, "We value and support local businesses that contribute to our uniqueness and vibrancy." The proposed year round restaurant will help to provide easily accessible food service seasonal residents who frequent the golf course as well as the local population which lives in the immediate area.</i></p> <p>1. N/A. No change to the golf clubhouse building is proposed which received design review approval in 1998.</p> <p>2. See staff response to KMC 16.08.080.G</p> <p>3. N/A. No change in the siting of buildings is proposed.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080 H	The development plan incorporates the site's significant natural features.
			<i>Staff Comment</i>	<i>N/A. The existing golf clubhouse building was found to be in conformance with this criteria when approved in 1998. No additions are proposed as part of this project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080 I	Substantial buffer planting strips or other barriers are provided where no natural buffers exist.

			<i>Staff Comment</i>	<i>N/A. Existing buffer strip of landscaping on the north end of the golf clubhouse parking lot to shield the parking lot from residential uses to the north and northeast was approved upon relocation of clubhouse in 1998.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080 J	<b>Each phase of such development shall contain all the necessary elements and improvements to exist independently from proposed future phases in a stable manner.</b>
			<i>Staff Comment</i>	<i>N/A. No phase needed for proposal</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080 K	<b>Adequate and usable open space shall be provided. The applicant shall dedicate to the common use of the homeowners or to the public adequate open space in a configuration usable and convenient to the residents of the project. The amount of usable open space provided shall be greater than that which would be provided under the applicable aggregate lot coverage requirements for the zoning district or districts within the proposed project. Provision shall be made for adequate and continuing management of all open spaces and common facilities to ensure proper maintenance.</b>
			<i>Staff Comment</i>	<i>N/A. No change in open space is proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080 L	<b>Location of buildings, parking areas and common areas shall maximize privacy within the project and in relationship to adjacent properties and protect solar access to adjacent properties.</b>
			<i>Staff Comment</i>	<i>N/A. No change in the location of buildings or parking areas are proposed. Golf clubhouse building was found to meet this criteria when proposed in 1998.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080 M	<b>Adequate recreational facilities and/or daycare shall be provided. Provision of adequate on site recreational facilities may not be required if it is found that the project is of insufficient size or density to warrant same and the occupant's needs for recreational facilities will be adequately provided by payment of a recreation fee in lieu of such facilities to the City for development of additional active park facilities. On site daycare may be considered to satisfy the adequate recreational facility requirement or may be required in addition to the recreational facilities requirement.</b>
			<i>Staff Comment</i>	<i>N/A. The proposed project is on an existing lot and is not proposing a new development which would require recreational facilities.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080 N	<b>There shall be special development objectives and special characteristics of the site or physical conditions that justify the granting of the PUD conditional use permit.</b>
			<i>Staff Comment</i>	<i>Special development objectives of the Bigwood PUD include the preservation of public open space and the availability of a public golf course not normally achieved by standard subdivision development. The proposal of a year round restaurant does not detract from the original development objectives.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080 O	<b>The development will be completed within a reasonable time.</b>
			<i>Staff Comment</i>	<i>N/A. No additions or new development is proposed. Proposal is to change allowed uses on Block 12.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080 P	<b>Public services, facilities and utilities are adequate to serve the proposed project and anticipated development within the appropriate service areas.</b>
			<i>Staff Comment</i>	<i>N/A. The existing building has been outfitted for food service use since at least 2006. Existing public services will not be significantly impacted by the proposal to allow a year round restaurant.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080 Q	<b>The project complies with all applicable ordinances, rules and regulations of the City of Ketchum, Idaho, except as modified or waived pursuant to this section.</b>
			<i>Staff Comment</i>	<i>The proposed project requires a PUD amendment. All applicable ordinances, rules and regulations of the City of Ketchum will be complied with through these processes.</i>

### **CONCLUSIONS OF LAW**

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum Municipal Code ("KMC") and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant's Conditional Use Permit application for the development and use of the project site.
2. The Commission has authority to hear the applicant's Conditional Use Permit Application pursuant to Chapter 16.08 of Ketchum Municipal Code Title 16.
3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §16.08.110.
4. The Planned Unit Development Conditional Use Permit application is governed under Ketchum Municipal Code Chapter 16.08.
5. The Bigwood Year Round Restaurant & Bar Planned Unit Development Conditional Use Permit application meets all applicable standards specified in Title 16 & Title 17 of the Ketchum Municipal Code.

### **DECISION**

**THEREFORE**, the Commission **approves** this Planned Unit Development Conditional Use Permit Application File No. P22-065A this Tuesday, October 10, 2023, subject to the following conditions of approval.

### **CONDITIONS OF APPROVAL**

1. The issuance of the CUP shall not be considered a binding precedent for the issuance of other conditional use permits. This conditional use permit is not transferable from one parcel of land to another.
2. Failure to comply with any conditions or term of said permit shall cause said permit to be void. 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.

Findings of Fact **adopted** this 10<sup>th</sup> day of October 2023.

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Neil Morrow, Chair  
City of Ketchum  
Planning and Zoning Commission