

JAMES R. LASKI
JRL@LAWSONLASKI.COM



February 11, 2022

VIA EMAIL ONLY

Abby Rivin
Senior Planner
City of Ketchum
191 5th Street West
Ketchum, Idaho 83340
arivin@ketchumidaho.org

Re: *Lots 5A & 6A and Lots 7 and 8 Block 91, Ketchum Townsite*
Our File No.: 12552-001

Dear Abby:

As you know, we represent 671 E 6th Street LLC and Spruce and 6th LLC, the owners of Lots 5A & 6A and Lots 7 and 8 Block 91, Ketchum Townsite. We are in receipt of the Staff Report for the Planning and Zoning Commission's ("Commission") Special Meeting of February 15, 2022 ("Special Meeting"), which includes Exhibit A: 691 N Spruce Street & 671 E 6th Street Redevelopment Project Plans (the "Exhibit"). I am writing to inform you that the Exhibit was submitted to the City as part of a different proposal to construct an unrelated building – it is not illustrative of the project to be considered by the Commission at the Special Meeting.

As such, the Commission's consideration of the Exhibit at the Special Meeting would be prejudicial to my client which is why I am hereby requesting that the Exhibit be removed from the Staff Report and replaced with the enclosed preliminary plat to assist the Commission with interpreting the proposed building envelope. To the extent the prior application in which the Exhibit was attached and which the City declined to review, has not been withdrawn, please consider it withdrawn. I appreciate your assistance in resolving this error and look forward to discussing our application at the Special Meeting. In the meantime, please let me know if you have any questions or need any additional information.

Sincerely,

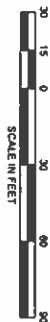
LAWSON LASKI CLARK, PLLC


James R. Laski

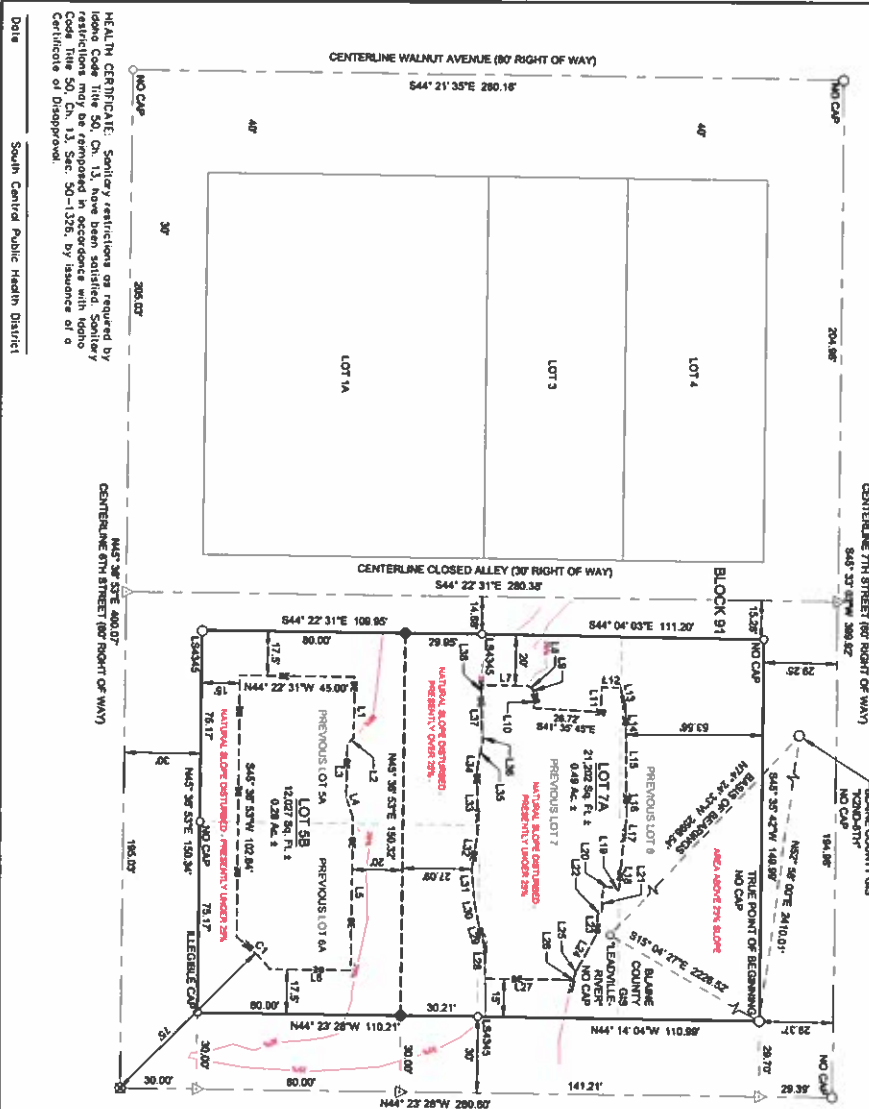
cc: Suzanne Frick (sfrick@ketchumidaho.org)
Enclosures

A PLAT SHOWING LOTS 5B & 7A, BLOCK 91, KETCHUM TOWNSITE WHEREIN THE LOT LINES BETWEEN LOTS 5A, 6A, 7 & 8, BLOCK 91 ARE RECONFIGURED AS SHOWN HEREON LOCATED WITHIN SECTION 18, T.4N., R.18E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO DECEMBER 2021

SCALE: 1" = 30'



Curve	Length	Radius	Delta	Tangent	Chord	Chord Division
C1	18.10'	73.00'	15°49'47"	9.09'	18.08'	500' 30" 07E



Line #	Length	Bearing	Line #	Length	Bearing
L1	23.82'	N42°30'37"E	L21	10.81'	S48°24'30"W
L2	32.82'	S88°23'07"E	L22	1.82'	N41°25'30"W
L3	20.80'	N48°10'17"E	L23	7.80'	S48°21'40"W
L4	8.29'	N02°44'40"E	L24	18.48'	S71°10'30"W
L5	60.17'	N42°30'37"E	L25	3.82'	S03°37'22"W
L6	31.88'	S44°23'29"E	L26	0.42'	S08°10'35"W
L7	18.22'	S41°14'03"E	L27	34.78'	N44°14'00"W
L8	2.27'	S10°28'23"E	L28	12.17'	N44°28'49"E
L9	2.42'	S08°28'19"W	L29	10.07'	N43°08'19"E
L10	5.22'	S48°23'30"W	L30	7.02'	N43°22'29"E
L11	8.44'	N41°02'07"E	L31	14.08'	N02°38'42"E
L12	7.88'	S44°04'07"E	L32	14.10'	N64°42'49"E
L13	10.84'	S33°03'42"W	L33	24.29'	N44°03'29"E
L14	10.10'	S44°08'24"W	L34	3.88'	N64°10'07"E
L15	14.23'	S40°11'22"W	L35	7.29'	N68°08'23"E
L16	15.40'	S42°30'19"W	L36	4.80'	N42°10'07"E
L17	11.21'	S02°02'23"E	L37	10.88'	N42°24'07"E
L18	18.22'	S02°42'00"W	L38	7.29'	N68°08'23"E
L19	3.82'	N41°28'49"W	L39	3.82'	N41°28'49"W

Line #	Length	Bearing
L19	3.82'	N41°28'49"W
L20	3.82'	N41°28'49"W

LEGEND

- Property Line
- Proposed Lot Line
- Adjacent Lot Line
- Previous Lot Line
- Centerline
- Old Tie Line
- Survey Tie Line
- Building Envelope
- 25% Slope Boundary
- Found Survey Marker
- Found 1/2" Rebar
- Sat 50P Stake P.L.S. 19570
- Chamber Point (Necking Sit)

SURVEY NARRATIVE & NOTES

- The purpose of this survey is to show the monuments found and set during the boundary retracement of Lots 5A, 6A, 7 & 8, Block 91, Ketchum Townsite and reconfigure the lots as shown hereon, creating Lots 5B & 7A, Block 9A, Ketchum Townsite. The boundary shown is based on found corner monuments and the Official Map of the Village of Ketchum, Instrument Number 502867, records of Blaine County, Idaho. All found monuments have been re-established. Additional documents used during the course of this survey include the Plat of Ketchum, Blaine County, Idaho, Instrument Number 654648, 1908 records of Blaine County, Idaho showing Lots 7 & 8, Block 91, Ketchum Townsite, Instrument Number 654648, 1908 records of Blaine County, Idaho.
- The distances shown are measured. Refer to the above referenced documents for previous record data.
- See Ketchum Ordinance 173, recorded as Instrument Number 197870, records of Blaine County, Idaho for condensation/restriction regarding Block 91 Policy.
- A Title Commitment for Lots 7 & 8, Block 91, Village of Ketchum, Blaine County, Idaho, has been issued by Sun Valley Title Guaranty Company, File Number 193485903 with a Date of Guarantee of May 28, 2020. A Title Commitment for Lots 5A & 6A, Block 91, Village of Ketchum, Blaine County, Idaho, has been issued by Stewart Title Guaranty Company, File Number 20225998 with a Date of Guarantee of July 31, 2020. Certain information contained in said title policy may not appear on this map or may affect items shown hereon. It is the responsibility of the purchaser or agent to review said title policy. All possible encumbrances and easements listed in the title policy shall appear on this map. Review of specific documents is required, if further information is desired.

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date _____ South Central Public Health District



MARK E. PHILLIPS, P.L.S. 16670
 LOTS 5B & 7A, BLOCK 91,
 KETCHUM TOWNSITE
 GALENA ENGINEERING, INC.
 HALEY, IDAHO
 SHEET 1 OF 2
 Job No. 7932

From: [Rebecca Bundy](#)
To: [Participate](#)
Cc: [Matthew Mead](#); [Brenda Moczygemba](#); [Tim Carter](#); [Spencer Cordovano](#); [Neil Morrow](#); [Suzanne Frick](#); [Neil Bradshaw](#)
Subject: Ketchum Planning and Zoning Commission Meeting 2/15/22
Date: Tuesday, February 15, 2022 9:01:31 AM

Please consider my comments regarding the February 15 agenda concerning a proposed emergency ordinance and code changes pertaining to density and housing.

First, I am in general support of attempts to increase residential density, limit home sizes and require no net lose of housing in the community. We desperately need more housing, and smaller, denser housing better utilizes existing infrastructure, resources and has lighter impact on our environment.

I am concerned, however, that the proposed solutions may not result in more middle income or affordable housing. What can be done to ensure that the housing is affordable and available to local workers? Will the result simply be more expensive, vacant vacation condominiums?

I strongly oppose adding a CUP requirement to review a project's mix of uses. That adds another expensive and highly subjective process, when it seems that the real problem is that there is a perception that the uses allowed by the zoning code are not a good fit to real needs. Increased development costs/time just get translated into higher rents/sales prices. I recommend making a code change, if that's what's needed, so the process can remain as straightforward and objective as possible.

I do not understand why the proposed CUP requirement would apply only to projects exceeding an FAR of 1. Aren't the smaller projects not exceeding FAR 1 just as likely to possibly contain few and large units? They are definitely not utilizing the property, associated infrastructure and resources as efficiently as a larger project.

Thank you for your consideration.

Rebecca F. Bundy, Architect, PLLC
AIA NCARB AICP
www.rfbundydesign.com
208-720-1832

From: [H Boyle](#)
To: [Participate](#)
Subject: Public Comment 2/15 P&Z Special Meeting Item 7 "Mountain Overlay"
Date: Monday, February 14, 2022 12:24:20 PM

It is puzzling as to why the Staff is asking the Commission for guidance on this issue. A standard exists. The City's intent in creating the standard was clear. The staff has the power to enforce the standard. Nothing has changed. Why doesn't the staff just say "no" to the proposed development?

Is this because the person who bought the parcel is "well-connected?" Is it because she owns the Middle Fork Lodge? Is it because she lives in Greenwich CT?

Take a look at the renderings on page 36—two stories of floor to ceiling glass walls looking down from 100' above Ketchum.

I urge the commission to stick to the current rules and apply them equally to everyone.

It is particularly puzzling given the staff recommendations in Item 8 on the agenda.

Perry Boyle
Ketchum

From: [H Boyle](#)
To: [Participate](#)
Subject: Public Comment on 2/15 P&Z Special Meeting Item 6 "231 Sun Valley Rd"
Date: Monday, February 14, 2022 11:48:47 AM

Whenever you have a non-conforming lot that wants something from the City and there is no legal requirement for the City to give it, is there an opportunity to get something in return?

For example, if Mr. McIntosh wants to subdivide this building in the commercial core, can you require a deed restriction to keep him from renting it out for under 6mo?

Just a thought.

Perry Boyle
Ketchum

From: [H Boyle](#)
To: [Participate](#)
Cc: gfoley@mtexpress.com; [Mark Dee](#); [Carissa Connelly](#)
Subject: Public Comment P&Z meeting 2/15/22 Item 8 on Community Core
Date: Monday, February 14, 2022 1:04:47 PM

I urge the Commission to take no action on the Staff Memo.

The City Council has hired Carissa Connelly to lead a Housing Task Force and create a housing strategy for the City. I urge the Commission not to let the Staff supersede her efforts, and to wait until she comes back with her plan. That plan will have broad input from the Community. This Staff memo only represents the views of the the Staff, not the community.

With that plan in hand, then the Commission can represent the community better in making this kind of a decision.

I reiterate my previous comments that the Staff does not seem to understand that they work for you, not the other way around.

To justify their position, the Staff makes assertions contrary to fact. For example, they state that in the CC zone, multiple units have not been replaced with fewer units. That is just not true. Indeed the trend is the opposite. You just have to look at what is under construction to see that they are jut making up their “facts.” Or that disaster they pushed call Ketch. There are more housing units in the CC today than there were 4 years ago. And more of them are tiny with no parking.

We all know the Mayor and the Staff want more density of low-income housing in the CC. And maybe that’s what the community wants, too. But shouldn’t we let the process play out before we disempower our housing czar?

The vibrancy argument is just....nonsensical? Specious? Replacing commercial and retail businesses in the community core with low-income residential, while reducing the availability of parking, is not a well-considered pathway to “vibrancy.” Stuffing the community core with people who make less than \$39k a year in taxpayer subsidized massive sole purpose apartment complexes with no requirement to work (and insufficient parking) with a justification of “vibrancy” defies logic. Vibrancy comes from a critical mass of commercial/retail that attract people to that core who have the means to spend money in those restaurants and shops.

What is going on with the Staff? What are they trying to achieve?

Perry Boyle
Ketchum