

# WHITE PETERSON

## ATTORNEYS AT LAW

LAURA E. BURRI  
MARC J. BYBEE  
KARTER A. DAVIS  
LUKE C. DOMINIAK  
MAREN C. ERICSON  
WM. F. GIGRAY, III  
LINDA C. HALSEY  
MATTHEW A. JOHNSON  
JACOB M. JONES

WHITE, PETERSON, GIGRAY & NICHOLS, P.A.  
CANYON PARK AT THE IDAHO CENTER  
5700 E. FRANKLIN RD., SUITE 200  
NAMPA, IDAHO 83687-7901  
TEL (208) 466-9272  
FAX (208) 466-4405  
EMAIL: [mjohnson@whitepeterson.com](mailto:mjohnson@whitepeterson.com)

BRIAN T. O'BANNON \*  
PHILIP A. PETERSON  
WILLIAM L. PUNKONEY

WILLIAM F. NICHOLS (1955-2025)  
TERRENCE R. WHITE, RETIRED  
WILLIAM F. "BUD" YOST, RETIRED

\* Also admitted in OR

June 18, 2026

To: Mayor and Council  
City of Ketchum

From: Matthew Johnson  
City Attorney

Re: Amended Scheduling Order – Sawtooth Serenade Administrative Appeal

This administrative appeal was originally scheduled for an appeal hearing to be held before the Council on June 26, 2026.

Unfortunately, during the briefing process it was discovered that portions of the meeting transcripts that are part of the Record in this matter were incomplete and missing based on an error in instructions to the transcription service. The missing portions are relevant to the issues the Appellant intends to raise.

In order to remedy this matter, corrected transcripts were ordered in an expedited manner, but unfortunately could not be expedited enough to reasonably remain within the original schedule on this appeal. Discussion between the City Attorney, conflict counsel, Planning staff, and the Appellant identified additional availability and scheduling issues, which ultimately identified September 10, 2026 as the next available Council meeting and hearing date where all could be available.

This amended Scheduling Order has been prepared to reflect the amended hearing date and a revised briefing schedule for the parties involved. The Appellant has reviewed and agreed this schedule is acceptable.

This item will be on the Consent Agenda as an ordinary and necessary logistical item. It can be approved as part of the general motion for approval of the consent agenda. Or a recommended motion is provided below if an individual vote on this item is requested. Staff and the city attorney will be available for any questions.

Recommended motion: I move to approved the Amended Scheduling Order as presented by the City Attorney.



City of Ketchum  
City Hall

**AMENDED SCHEDULING ORDER AND NOTICE  
OF APPEAL HEARING  
BEFORE CITY COUNCIL  
Administrative Appeal: Sawtooth Serenade Design Review**

An administrative appeal was filed by Appellant, with respect to the above-referenced application(s) and Planning and Zoning Commission determination. The administrative appeal was filed pursuant to Ketchum Municipal Code.

The City hereby finds and orders that:

1. The Planning and Zoning Director has certified and reported that the procedural requirements have been met.
2. A record of proceedings, if applicable, has been prepared and is accepted by the Council.
3. The City Attorney has held scheduling discussions with the parties, who are agreeable and remain agreeable to the schedule set forth in this Order. Issues with receiving full transcripts caused a delay and a need to amend the previous Order to reschedule the hearing date and briefing schedule.
4. Amended Hearing Date: This matter is set for hearing before the Council at its regular meeting and location on September 10, 2026.
5. Amended Briefing Schedule: Appellant/Applicant is to submit a brief or memorandum in support of the appeal by 5:00 p.m. on July 27, 2026. City Planning is to submit a response brief or memorandum, if any, by 5:00 p.m. on August 17, 2026. Appellant is to submit a reply brief, if any, by 5:00 p.m. on August 31, 2026. All briefs/memos are to be sent to the parties to the administrative appeal and the City Attorney. All have agreed that electronic delivery of the documents is sufficient.
6. Council Review Authority: Upon hearing the appeal, the Council shall consider the applicable record, the order, requirement, decision or determination of the administrator and the notice of appeal, together with oral presentation and written legal arguments by the appellant, applicant (if different than appellant), and the administrator. The Council shall not consider new facts or evidence at this hearing. The Council may affirm, reverse or modify, in whole or in part, the order, requirement, decision or determination of the Commission.
7. Decision: A written decision will be entered within 30 days of conclusion of the appeal hearing. All parties, the Commission, and any affected party of record have a right to request and/or will be provided a copy of the decision.

Date of Amended Order: June 25, 2026.

\_\_\_\_\_  
Pete Prekeges, Mayor

Attest:

\_\_\_\_\_  
Trent Donat, City Clerk