



City of Ketchum  
Planning & Building

STAFF REPORT  
KETCHUM PLANNING AND ZONING COMMISSION  
REGULAR MEETING OF JUNE 8, 2020

**PROJECT:** Cherp Work/Live Conditional Use Permit

**FILE NUMBER:** P20-033

**OWNER:** Mia L. Cherp

**APPLICANT:** Mia L. Cherp

**REQUEST:** Conditional Use Permit (CUP) for a work/live unit

**LOCATION:** 270 Northwood Way #201 (Redfish Industrial Condo Unit 201 .09)

**ZONING:** Light Industrial District No. 2 (LI-2)

**OVERLAY:** 58' Height Overlay

**NOTICE:** Notice was published in the legal section of the Idaho Mountain Express on May 20, 2020 and was mailed to properties within 300' and political subdivisions and was posted on the city website and on the premises on May 22, 2020.

**REVIEWER:** Brittany Skelton, Senior Planner

**ATTACHMENTS:**

- A. Application
- B. Applicant's business description and signage (existing and proposed)
- C. City of Ketchum business license for STITCHstudio
- D. Floor plan and partition wall examples
- E. Photos from staff site visit May 29<sup>th</sup>, 2020
- F. Written public comment received by 12:00 p.m. June 4<sup>th</sup>, 2020
- G. draft Findings of Fact, Conclusions of Law, and Decision

## **BACKGROUND**

Mia Lyon, owner/operator of STITCHstudio and owner of the subject property 270 Northwood Way Unit 201, has applied for a Conditional Use Permit to allow work/live use within the condominium unit where her business is currently operating. The subject property is located in the LI-2 zoning district.

STITCHstudio is a custom sewing and upholstery business and is classified as the land use category "craft/cottage industry" per Ketchum's zoning code. Craft/cottage, defined as "a facility devoted solely to the arts and crafts that produces or makes items that by their nature are designed or made by an artist or craftsman by using hand skills," is a permitted use in the LI-2 zoning district.

Adding residential use to the subject property will classify the use as Work/Live per the zoning code and Work/Live is permitted via a Conditional Use Permit. Work/Live units are a relatively new category of residential use permitted in the Light Industrial zoning districts, made possible through the light industrial zoning amendments considered by the Planning and Zoning Commission and City Council in 2018 and 2019.

STITCHstudio currently operates from the subject property (with a City of Ketchum business license and registration with the Idaho Secretary of State for the subject location), as indicated by the applicant, and noted by city staff Brittany Skelton and Abby Rivin during a site visit to the subject property conducted on May 29, 2020. In lieu of a Commission site visit for the Conditional Use Permit staff photos from the May 29<sup>th</sup> site visit are included as **Attachment E**; Commission site visits have been suspended due to the Covid-19 pandemic.

In 2019 the applicant obtained a building permit (BP19-004) to remodel the condominium unit for commercial use. The Commission's denial of a 2018 Conditional Use Permit application (P18-138) for residential and commercial use in the unit preceded the building permit application. The 2018 CUP application was denied on the basis of the proposal being found to be a "home occupation" with proposed residential square footage exceeding the maximum 1,000 square feet permitted by code. Further, the Commission found the application noncompliant with Conditional Use Permit criteria KMC §§17.116.030.A, C, and E.

The prior CUP application was evaluated during public hearings in December 2018 and January 2019 under the light industrial residential standards that have since been augmented and modernized through the adoption of the suite of light industrial zoning code amendments in 2019.

A Certificate of Occupancy was issued for the remodel in 2019. All city departments have verified that due to the commercial standards the remodel adhered to, including relocation and upgrading of fire sprinklers, the unit is safe for residential occupancy.

Several written public comments regarding the proposal have been received. Written comments received by 12:00 p.m. Thursday, June 4<sup>th</sup>, 2020 are included as attachments to the staff report. All written comments received after this time are part of the record and will be distributed to the Commission for consideration.

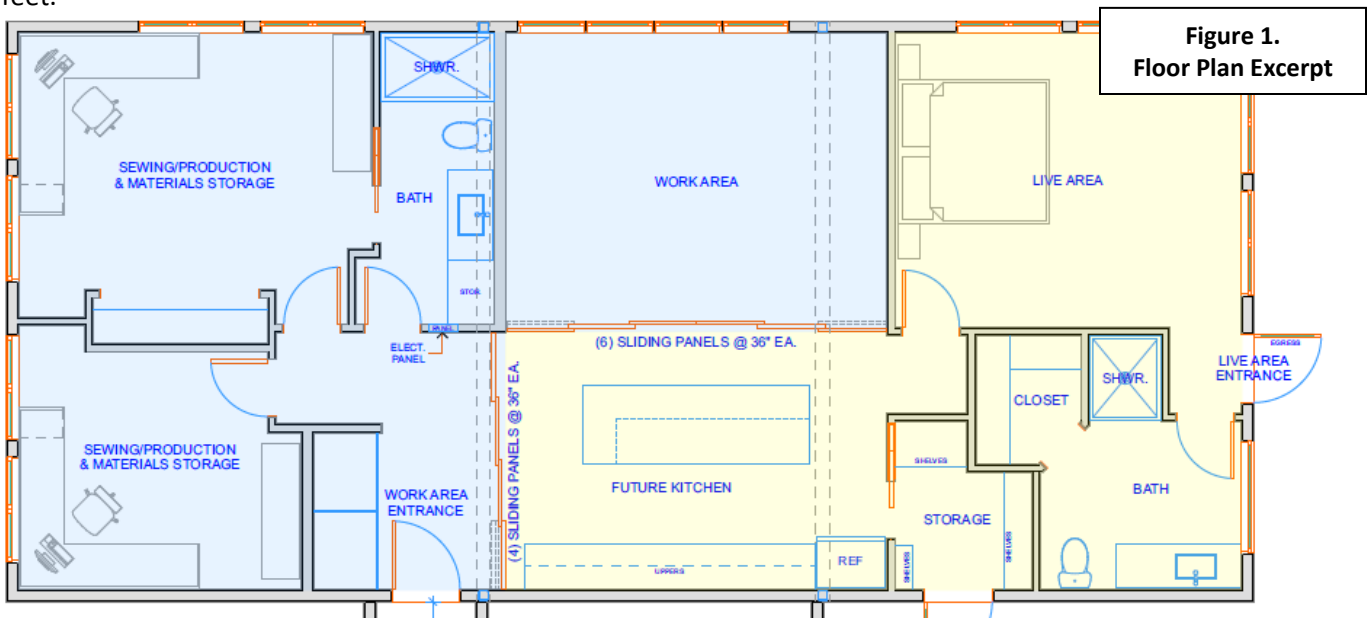
## **WORK/LIVE STANDARDS**

Work/Live units are defined by Ketchum Municipal Code as follows:

**Work/live units incorporate residential living space in a non-residential building. Work/live units are held jointly in common ownership and the work and live spaces cannot be sold or platted as separate condominiums, as documented with a City-approved restrictive covenant recorded against the property are permitted in the LI-2 zone provided a Conditional Use Permit for the live component is approved by the Planning and Zoning Commission.**

The proposed work/live unit's live and work square footages are depicted in the floor plan, prepared by TDN Architects and included as **Attachment D**, and excerpted below, Figure 1. The floor plan reflects the unit as-built currently and indicates two (2) partition walls, "sliding panel walls @ 36" each", which are proposed to be installed. The partition walls will allow the work and live spaces to be physically separated from one another when needed but can also allow greater integration between the two sewing/production areas and the open work area (center of unit) and the open work area with the future kitchen (the area designated "future kitchen" currently has only a refrigerator, counter top/shelves, and center island). Two illustrative examples of what the partition walls will look like and how they will operate are included with **Attachment D** and below, Figures 2 and 3. (Note\* the example photos utilize partition walls for a bedroom setting, the bedroom in the subject unit is fully enclosed by a drywall-wall and is accessed with a door.)

There are 579 square feet delineated for residential use (indicated in yellow in Figure 1 and the complete floorplan, Attachment D), which includes a bedroom with its own entry door, private bathroom, a storage room with an additional entry door, and the future kitchen. There are 754 square feet delineated for commercial use consisting of two sewing/production and material storage suites, an open floorplan work room, and a bathroom. The commercial area of the unit is accessed from the primary entrance to the unit (the interior shared corridor for the upper floor of the building) and an ADA accessible bathroom shared by the entire building is located in the shared interior corridor. The total square footage of the unit is 1,333 square feet.



**Figure 2.**  
Slider Door Example



**Figure 3.**  
Slider Door Example

**Table 1. Comprehensive Plan Analysis**

<p><b>Land Use Category:</b> <b>Mixed-Use Industrial</b></p> <p><b>PRIMARY USES</b> <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p><b>SECONDARY USES</b> <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p><b>CHARACTERISTICS AND LOCATION</b> <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum’s economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>A work/live unit with a cottage industry producing locally made products being the work component meets both the primary and secondary intention of the light industrial area.</p>
<p><b>Policy E-2(e) Live-Work Opportunities and Home Businesses</b> <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The applicant is applying for work/live approval under the provisions of the newly amended light industrial residential standards. The light industrial zoning code regulations were revised and modernized in part to facilitate and encourage additional work/live opportunities in Ketchum city limits.</p>
<p><b>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas</b> <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

**Table 2. City Department Comments**

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Fire:</b> Unit is safe for residential occupancy. No other comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Streets Department:</b> No comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Utilities:</b> Change of use but not a change of demand, no comment at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Building:</b> Unit is safe for residential occupancy. No other comments at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Planning and Zoning:</b> Comments are denoted throughout the Staff Report.

**Table 3. Standards for Residential, Light Industrial Districts**

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and Staff Comments

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (1)</b>	<b>Dwelling units shall not occupy the ground floor.</b>							
			<b>Staff Comments</b>	<i>The application is for a work/live unit and the entirety of the unit is located on the top floor of the Redfish Building.</i>							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (2)</b>	<b>Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.</b>							
			<b>Staff Comments</b>	<i>Design Review is not required as this application does not change the exterior of the building.</i>							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (3)</b>	<b>Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.</b>							
			<b>Staff Comments</b>	<p><i>There are 10 units and common area in the Redfish Building consisting of 16,591 square feet (per Blaine County Assessor records).</i></p> <p><i>Three (3) residential units exist in the building to date with a cumulative residential square footage of 2,968 square feet:</i></p> <table border="1" data-bbox="781 663 1276 898"> <thead> <tr> <th><b>Unit</b></th> <th><b>Residential Floor Area (sq ft)</b></th> </tr> </thead> <tbody> <tr> <td>202</td> <td>1,000</td> </tr> <tr> <td>204</td> <td>973</td> </tr> <tr> <td>205</td> <td>995</td> </tr> <tr> <td><i>total</i></td> <td><i>2,968 residential square footage</i></td> </tr> </tbody> </table> <p><i>The existing residential share of the building's square footage is 17.8%.</i></p> <p><i>Approval of the additional 579 square feet of residential square footage for Unit 201 would result in 3,547 cumulative residential square feet, equating to 21.3% of the building's square footage.</i></p> <p><i>Within this particular work/live unit, 579 square feet of living area represents 43% of the total square footage of the wok/live unit (579 square feet of 1,333 total square feet).</i></p>	<b>Unit</b>	<b>Residential Floor Area (sq ft)</b>	202	1,000	204	973	205
<b>Unit</b>	<b>Residential Floor Area (sq ft)</b>										
202	1,000										
204	973										
205	995										
<i>total</i>	<i>2,968 residential square footage</i>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (4)</b>	<p><b>Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to:</b></p> <ul style="list-style-type: none"> <li><b>a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section;</b></li> <li><b>b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section;</b></li> <li><b>c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section;</b></li> <li><b>d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965;</b></li> <li><b>e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid residential conditional use permit prior to the adoption of this section as published.</b></li> </ul>							
			<b>Staff Comments</b>	<i>This unit is eligible for individual ownership in accordance with 17.124.090.A.(4).a – a work/live unit is proposed.</i>							

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.124.090 A (5)</p>	<p><b>5. Work/Live Units: In the approval of work/live units, the City shall also find that:</b></p> <p><b>a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant;</b></p> <p><b>b. The work unit is:</b></p> <ul style="list-style-type: none"> <li>(1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes;</li> <li>(2) Signed and posted with regular hours of operation;</li> <li>(3) Served by the prominent means of access for the work/live unit; and,</li> <li>(4) Associated with a business license for a use allowed (either conditionally or permitted) in the district.</li> </ul> <p><b>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</b></p> <ul style="list-style-type: none"> <li>(1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet;</li> <li>(2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and</li> <li>(3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.</li> </ul>
			<p><b>Staff Comments</b></p>	<p><i>5a. The proposed work/live unit meets the definition of work/live unit. If approved, the Findings of Fact and Conclusions of Law for this application will be forwarded to City Council for approval of a restrictive covenant in accordance with 17.124.090 A (5).</i></p> <p><i>5b.1. The unit is suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire codes as verified by the city building official and city Fire Marshal.</i></p> <p><i>The work/live unit has been designed to provide the greatest distance from and physical separation between the bedroom/bathroom delineated for residential use, located on one end of the unit, and the two sewing/production suites and bathroom located on the other end of the unit (an ADA compliant bathroom is shared by all second-floor units in the building and is accessed from the interior hallway corridor).</i></p> <p><i>The center of the unit is comprised of both residential space, the kitchen and kitchen island, and an open floorplan work room. The open floorplan workroom and kitchen are designed to allow complete physical separation when the proposed partition wall is fully extended. When additional work area is needed, or to provide potential employee access to the kitchen (delineated on the floor plan as residential square footage), the partition wall can be opened.</i></p> <p><i>5b.2. The exterior of the building and interior hallway are currently signed for STITCHstudio. WindyCity Arts is producing additional signage, to be located at the interior entry to the unit, noting hours of operation which are to be by appointment only. Recommended condition of approval #1 states, "Hours of operation for the business shall be posted and remain posted."</i></p> <p><i>5b.3. The work area is served by the most prominent means of access to the unit, which is the entry door accessed by the building's interior circulation corridor.</i></p>

				<p>5b.4. The applicant has a valid business license with the City of Ketchum for a permitted use, STITCH Studio, which is a craft/cottage industry.</p> <p>C1. The size of the live component is less than 1,000 square feet (it is 579 square feet), and is less than the work component, which is 754 square feet.</p> <p>C2. The means of access to the residential portion of the unit is not prominent (two secondary accesses exist for the residential unit).</p> <p>C3. Parking requirements are met as the building has forty (40) shared parking-lot spaces for the building; one parking space is required for the residential unit, which has one bedroom, and one parking space is required for the 754 square feet of light industrial craft/cottage industry floor area.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p><b>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</b></p>
			<b>Staff Comments</b>	N/A, this is a work/live unit.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p><b>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</b></p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p> <p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			<b>Staff Comments</b>	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p><b>8. Anti-Nuisance And Notice Provisions:</b></p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone</p>

				<p>and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			<b>Staff Comments</b>	<i>The applicant is aware that the property is located in a light industrial zone and operates a valid light industrial use as part of the work/live operation. The applicant is aware of all other standards described in this subsection.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (9)</b>	<p><b>Compliance:</b> Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			<b>Staff Comments</b>	<i>The applicant meets parking ordinance requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (10)</b>	<p><b>10. Conditions:</b> Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <ul style="list-style-type: none"> <li>a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards;</li> <li>b. Separation of residential and light industrial parking on the site to minimize conflicts;</li> <li>c. Restrictions on exterior storage of personal property of tenants;</li> <li>d. Certificate of occupancy required prior to occupancy of units;</li> <li>e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy;</li> <li>f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations;</li> <li>g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses;</li> <li>h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged;</li> <li>i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or,</li> <li>j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.</li> </ul>
			<b>Staff Comments</b>	<i>Staff recommends the conditions of approval noted in the last section of this staff report.</i>

**Table 4. Conditional Use Permit Requirements**

Conditional Use Requirements				
<b>EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code</b>				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments



<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(A)</b>	<b>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</b>
			<b>Staff Comments</b>	<p><i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the LI-2 zoning district is established “with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other Commercial Zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: 1) light manufacturing; 2) wholesale trade and distribution; 3) research and development; 4) service industries; 5) limited bulk retail and; 6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a Light Industrial Zone.”</i></p> <p><i>The proposed work/live unit includes a permitted light industrial use, craft/cottage industry, and the conditionally permitted residential use. Residential use is the secondary purpose of the LI-2 zone.</i></p> <p><i>The Redfish Building where the subject condominium unit is located is currently comprised of a mix of commercial operations and work/live uses approved by Conditional Use Permit in the past. As such, the proposed work/live unit is compatible with the types of uses permitted in the zoning district.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(B)</b>	<b>The conditional use will not materially endanger the health, safety and welfare of the community.</b>
			<b>Staff Comments</b>	<p><i>The unit recently received a Certificate of Occupancy for commercial use and the commercial use, STITCH Studio, is currently operating within the unit with a valid city business license. The nature of this craft/cottage industry involves sewing and producing custom soft goods, upholstery, window furnishings, costumes, and so forth, and the business is owner operated.</i></p> <p><i>The city’s Fire Marshal and Building Official have been consulted about a portion of the unit being used for residential living and both officials have confirmed the unit is safe for residential occupancy. As such, neither the commercial use nor the residential pose health, safety, or welfare concerns to the community.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(C)</b>	<b>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</b>
			<b>Staff Comments</b>	<p><i>The Redfish Building has an adequately sized parking lot for the development; there are ten (10) condominium units and 40 parking spaces located in a surface parking lot that is shown as Common Area on the development’s plat (see Redfish Light Industrial Condominiums plat, 1995, on file with the Blaine County Recorder).</i></p> <p><i>Per Ketchum’s parking ordinance, chapter 17.125 of the zoning code, the work/live unit requires two (2) parking spaces – one (1) for the residential unit, which has one proposed bedroom, and one (1) for the commercial square footage.</i></p> <p><i>The business is currently in operation and does not cause hazardous pedestrian or vehicular traffic. Approval for one-bedroom of residential use will not substantially increase vehicular or pedestrian traffic to the unit. As such, the residential use will not create pedestrian or vehicular use that will be hazardous or conflict with existing or anticipated traffic in the neighborhood.</i></p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(D)</b>	<b>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</b>
			<b>Staff Comments</b>	<i>The work/live unit is within an existing building that is adequately served by public services and facilities. The work/live operation will not adversely affect public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(E)</b>	<b>The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.</b>
			<b>Staff Comments</b>	<i>As described in Table 1 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i>

The Planning and Zoning Commission may attach additional conditions to the application approval as it determines necessary in order to ensure the residential use is compatible with the vicinity and adjoining uses, mitigate adverse impacts, and enhance public health, safety, and welfare. Such conditions may include, but are not limited to (KMC §17.116.050):

- A. Minimizing adverse impact on other development;
- B. Controlling the sequence and timing of development;
- C. Controlling the duration of development;
- D. Assuring that development is maintained properly;
- E. Designating the exact location and nature of development;
- F. Requiring the provision for on site or off site public facilities or services;
- G. Requiring more restrictive standards than those generally required in an ordinance; and
- H. Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the city.

Additionally, KMC §17.124.090 pertaining to residential standards in light industrial districts states that the following conditions may be attached to the Conditional Use Permit:

- a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards;
- b. Separation of residential and light industrial parking on the site to minimize conflicts;
- c. Restrictions on exterior storage of personal property of tenants;
- d. Certificate of occupancy required prior to occupancy of units;
- e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy;
- f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations;
- g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses;
- h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged;
- i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or,
- j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section [KMC §17.124.090].

## **STAFF RECOMMENDATION**

Staff recommends holding the public hearing, considering the application and public comment, and approving the Cherp Work/Live Conditional Use Permit with conditions.

## **RECOMMENDED MOTION**

"I MOVE to approve the Cherp Work/Live Conditional Use Permit for a work/live unit located at 270 Northwood Way, Unit 201 of the Redfish Building, with conditions 1-10\*" [*\*or with the addition of any other conditions determined necessary by the Commission*].

## **RECOMMENDED CONDITIONS**

- 1.** Hours of operation for the business shall be posted and remain posted;
- 2.** This approval is based on the floorplan submitted and attached to the staff report dated June 8, 2020 and attached to the Findings of Fact, Conclusions of Law, and Decision, any increase in residential square footage is subject to an amendment to this Conditional Use Permit within one (1) year of approval of the Findings of Fact, Conclusions of Law, and Decision or is subject to a new Conditional Use Permit thereafter;
- 3.** The Conditional Use Permit is non-transferable and is valid only for residential occupancy by the applicant, Mia Cherp, for the duration that Wood River Joiners is in operation. If the light industrial operation ceases this permit shall be void. If a new residential tenant or new light industrial use is proposed a new Conditional Use Permit shall be applied for.
- 4.** This Conditional Use permit is non-transferrable to another location or another work/live use for the subject property; the approval is specific to STITCH Studio and residential owner/occupant Mia Cherp. Should a STITCH Studio cease operation or should Mia Cherp cease residential use or a different residential occupancy desire to operate a work/live use a new Conditional Use Permit for work/live use will be required to be approved by the Planning and Zoning Commission.
- 5.** Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirements that the "live" portion of the work/live unit remains secondary in size to the "work" portion and the "live" portion does not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
- 6.** The applicant agrees to facilitate routine inspections of the work/live unit by Planning staff to ensure requirements of the zoning code and conditions of approval specific to the Conditional Use Permit are met;
- 7.** The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use;
- 8.** All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities;
- 9.** Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone; and
- 10.** All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

## **ATTACHMENTS**

- A. Application
- B. Applicant's business description and signage (existing and proposed)
- C. City of Ketchum business license for STITCHstudio
- D. Floor plan and partition wall examples
- E. Photos from staff site visit May 29<sup>th</sup>, 2020
- F. Written public comment received by 12:00 p.m. June 4<sup>th</sup>, 2020
- G. draft Findings of Fact, Conclusions of Law, and Decision

Attachment A.  
Application



City of Ketchum  
Planning & Building

OFFICIAL USE ONLY	
Permit Number	P 20-033
Issue Date	4/27/20
Fee	\$1,100.00

### Conditional Use Permit Application

Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: [www.ketchumidaho.org](http://www.ketchumidaho.org) and click on Municipal Code.

OWNER INFORMATION	
Project Name: REDFISH RESIDENTIAL LIVE/WORK UNIT 201	
Name of Owner of Record: MIA L. CHERP	
Physical Address: 270 NORTHWOOD WAY #201	
Property Legal Description: REDFISH LIGHT INDUSTRIAL CONDO UNIT 201	
Property Zoning District: LI 2 LIGHT INDUSTRIAL DISTRICT 2	
Contact Phone: 208 720 8113	Contact Email: mia.lyonpearl@gmail.com
PROJECT INFORMATION	
Description of Proposed Conditional Use: Residential live/work	
Description of Proposed and Existing Exterior Lighting:	
ADDITIONAL COMMENTS	
ACCOMPANYING SUPPORTING INFORMATION REQUIRED	
<ul style="list-style-type: none"> <li>Existing Site Plan</li> <li>Proposed Site Plan</li> <li>Landscape Plan</li> <li>Grading and Drainage Plan</li> <li>Exterior Lighting Plan and Specifications</li> <li>Other plans and studies related to the social, economic, fiscal, environmental, traffic, and other effects of the proposed conditional use, as required by the Administrator</li> </ul>	

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortuous conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

Applicant Signature

Date April 23, 2020

**Attachment B.**  
**Applicant's business description and signage (existing and proposed)**

## Brief Description of My Background in Sewing

I have been sewing my entire life. My Grandmother was a professional seamstress and began teaching me as a little girl. As a young adult I turned to my sewing skills to make myself clothes, decorate my living spaces and even took small jobs to make extra money. One of my favorite areas of creating is that of costuming. I have made many costumes over the years, both for family and friends.

My sewing skills led me to my work in film production. I started as a wardrobe assistant. My first job was as wardrobe assistant for a Woolrich commercial. This led to further production jobs; Wardrobe, Production Assistant, Stylist, Set Decoration and now Art Direction. It began with my sewing skills. Clients included LLBean, Lands End, Eddie Bauer, Hewlett Packard, Idaho Tourism Board, Your Health Idaho and Beretta. My most recent job was as Art Director for a feature film called Mass.

Recently I have been working with several decorators making custom made soft goods for homes such as pillows, bedding and cushions. I intend to take my passion and skills through STITCHstudio to create and develop a viable business.



# STITCHstudio

*COMMERCIAL SEWING & UPHOLSTERY*

STITCH is a full-service fabrication studio specializing in the design and manufacture of window treatments, pillows, cushions, bedding, table linens, and other fabric products for home, business and outdoor spaces. STITCH offers custom order home décor fabrics, and a variety of skilled, high-quality custom sewing services. If it's sewing related chances are STITCH can help.

## Professional Sewing Made Simple

We provide commercial grade sewing services for homeowners and businesses alike, working with design firms, fabric designers, and interior decorators to produce top quality, one-of-a-kind items made from the finest custom fabrics.



270 Northwood Way Suite 201 Ketchum, Idaho 83340 tel. 208 720 8113

# STITCHstudio

COMMERCIAL SEWING & UPHOLSTERY



270 Northwood Way Suite 201 Ketchum, Idaho 83340 tel. 208 720 8113

# STITCHstudio

*COMMERCIAL SEWING & UPHOLSTERY*



270 Northwood Way Suite 201 Ketchum, Idaho 83340 tel. 208 720 8113







name a few.









## LEVEL 1

- 102 Big Wood Bread
- 103 M Herich & Associates, Inc.
- 104 Davis Embroidery Inc.
- 105 GP Services

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## LEVEL 2

- 201 StitchStudio/Mia Cherp
- 202 Jan Lassetter Fine Art
- 203 Jan Lassetter / Mike Mead
- 204 Godfrey Studio / Gallery
- 205 Lisa Holley / Studio



# REDFISH

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## LEVEL 2

• ← Jan Lassetter Fine Art •

• 201 StitchStudio/Mia Cherp •

• 203 Jan Lassetter / Mike Mead •

• 204 Godfrey Studio / Gallery •

• 205 Lisa Holley / Studio •



201

STITCHSTUDIO

BY APPOINTMENT ONLY

201

STITCHSTUDIO

BY APPOINTMENT ONLY

Attachment C.  
City of Ketchum business license for STITCHstudio

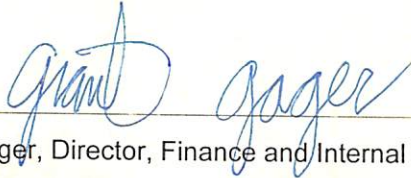


LICENSE #: 50659  
EXPIRATION DATE: 01/01/0001  
ISSUED TO: STITCH  
DBA: STITCH STUDIO  
LOCATION: 270 NORTHWOOD WAY UNIT 201  
OWNER: MIA LYON CHERP

## BUSINESS LICENSE

CITY OF KETCHUM  
480 EAST AVE NORTH  
BOX 2315  
KETCHUM ID 83340

BUSINESS ACTIVITY:  
Business License



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Grant Gager, Director, Finance and Internal Services



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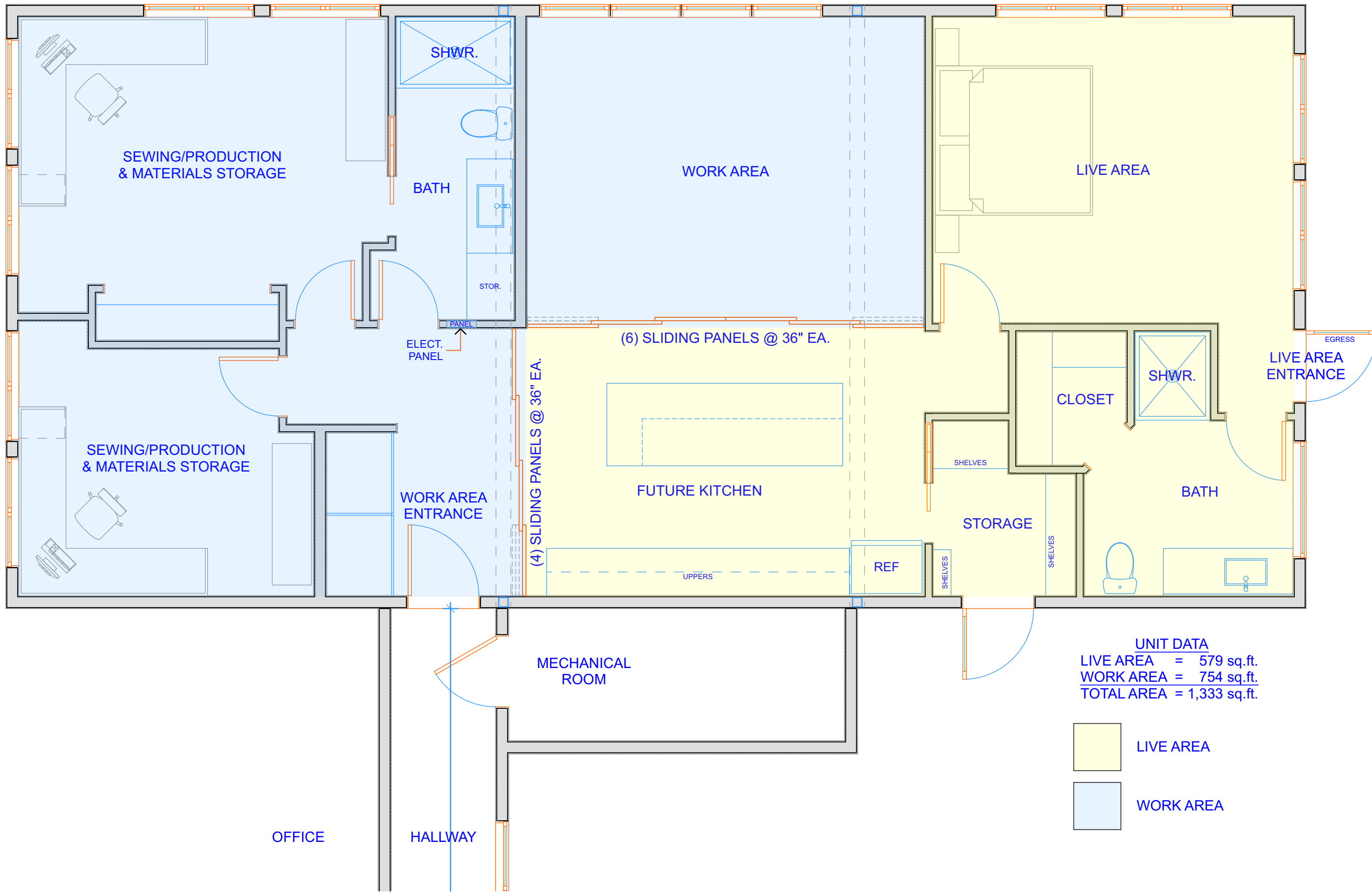
Neil Bradshaw, Mayor

This certifies that the above named business or person is hereby authorized to do business in the City of Ketchum and has paid the necessary amount to operate such business for the time stated. The receipt of a business license does not indicate compliance with other pertinent laws, ordinances, rules and regulations.

THIS IS NOT TRANSFERABLE BETWEEN OWNER AND / OR LOCATIONS

**THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE AT THE BUSINESS LOCATION**

Attachment D.  
Floor plan and partition wall examples



**UNIT DATA**  
 LIVE AREA = 579 sq.ft.  
 WORK AREA = 754 sq.ft.  
 TOTAL AREA = 1,333 sq.ft.

- LIVE AREA
- WORK AREA

TND ARCHITECTS PLLC  
 THOMAS N. DABNEY  
 ARCHITECT  
 15 EAST 10th STREET  
 HAILEY, IDAHO 83423  
 208.736.0265  
 TND@TNDARCH.COM

CHERP OFFICE TI  
 270 NORTHWOOD WAY, UNIT #201, KETCHUM, IDAHO  
 FLOOR PLAN

REVISIONS	
2018/02/02	DESIGN DEV.
2019/02/28	REVISION FOR BLDG. PERMIT
PRINT DATE	
6/3/20	
DRAWING SCALE	
1/4" = 1'-0"	

A100







Attachment E.  
Photos from staff site visit May 29<sup>th</sup>, 2020

**Staff site visit photos**  
**270 Northwood Way Unit #201**  
**May 29<sup>th</sup>, 2020**

**Center work area / future kitchen – proposed to be divided with sliding door partition wall**



**Staff site visit photos**  
**270 Northwood Way Unit #201**  
**May 29<sup>th</sup>, 2020**

**Proposed future bedroom**



**Staff site visit photos**  
**270 Northwood Way Unit #201**  
**May 29<sup>th</sup>, 2020**

**Proposed sewing production rooms #1 and #2**



Attachment F.

Written public comment received by 12:00 p.m. June 4<sup>th</sup>, 2020

# HALLORAN & SONS ANTIQUES

ENGLISH AND FRENCH PERIOD COUNTRY FURNITURE

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PATRICIA HALLORAN WHEELER

May 29, 2020

City of Ketchum  
Planning and Zoning Commission  
Ketchum, Idaho

Dear Commission:

My name is Patricia Halloran Wheeler of Halloran and Sons Antiques. I have been a dealer and interior decorator for over 35 years. I have had successful businesses in Corona del Mar, Napa, California and now for the last 16 years here in Ketchum, Idaho.

I am writing on behalf of Mia Cherp. I have known Mia for 8 years. She is incredibly creative with an eye for detail, style and vision. Her work is impeccable and beautiful. In fact, she has made some lovely pillows and cushions for my own home. I have encouraged her over the years to continue sewing and creating items for some of my clients.

As a seasoned and successful decorator and dealer, I am very familiar with this skill set and talent. I am thrilled she is taking her abilities and passions to start STITCHstudio. I intend on utilizing her company and recommend she be granted a CUP.

Sincerely,

*Patricia Halloran Wheeler*

Patricia Holloran



SUSAN SUBBOTIN INTERIORS  
2519 HALE DRIVE  
BURLINGAME, CA 94010  
(650) 315-2379

May 27,2020

City of Ketchum  
Planning and Zoning Commision  
Ketchum, Idaho

Dear Commission,

I am writing this letter to verify that on several occasions I've commissioned Mia Cherp to fabricate soft home goods for my interior design clients. She has made lovely pillows and duvets. Her work is beautiful. She is reliable and very competent, not to mention extremely creative. Currently she is making bedding ensembles for my client's mountain cabin in Mackay, Idaho.

I have been in the interior design business for over 30 years. There are numerous fabricators to choose from, and Mia is becoming one of my favorites. I am in full support of her new business and plan on using her as much as possible.

Sincerely,

Susan Subbotin, ASID allied- Design Principal  
Sue Subbotin Interiors  
<https://www.suesubbotininteriors.com>

**From:** [Participate](#)  
**To:** [AllPlanningAndZoning](#)  
**Subject:** FW: Letter on behalf of Mia Lyon Cherp  
**Date:** Tuesday, June 02, 2020 6:05:11 PM  
**Attachments:** [SkyAlpine Logo-Spot\\_small.bmp](#)  
[LOI StitchStudio.pdf](#)

---

Please see public comment below and attachment.

## **LISA ENOURATO | CITY OF KETCHUM**

**Assistant City Administrator**

P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7803 | f: 208.726.7812

[lenourato@ketchumidaho.org](mailto:lenourato@ketchumidaho.org) | [www.ketchumidaho.org](http://www.ketchumidaho.org)

---

**From:** Ted Ayliffe <ted@sky-alpine.com>  
**Sent:** Tuesday, June 02, 2020 5:34 PM  
**To:** Participate <participate@ketchumidaho.org>  
**Subject:** Letter on behalf of Mia Lyon Cherp

Ketchum Department of Planning and Building:

I'm am submitting this letter of intent describing our (Sky Alpine's) desire to work with Mia Cherp to help develop and manufacture custom soft goods for our startup outdoor equipment company. We have been working together on proof of concept prototypes for 2-3 months, and it is important for Sky Alpine that Mia has a facility to operate in.

I personally believe that live/work spaces are fantastic ideas. As a serial entrepreneur, live/work spaces are ideal environments for creativity and starting/building companies. Every single one of my companies (5 now) were started in the home/garage. I actually think the closer you can work where you live, the more likely you will be to creating a successful business. For example, I founded and ran ORFLO Technologies for 17 years (a high-tech life science company). During this entire time, I worked about 50% of the time at the kitchen counter and always had a small lab in the garage where I could immediately build and test ideas. There should be no barriers between life and work for a start up company, if you want it to succeed.

I'm happy to address any questions you may have.

Kind regards,

Ted.

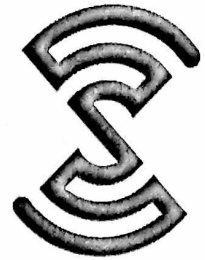
Ted Ayliffe, Ph.D., CEO



Ketchum, ID 83340  
206-719-0037  
[haroldayliffe@gmail.com](mailto:haroldayliffe@gmail.com)

This email may contain information that is confidential or attorney-client privileged and may constitute inside information. The contents of this email are intended only for the recipient(s) listed above. If you are not the intended recipient, you are directed not to read, disclose, distribute or otherwise use this transmission. If you have received this email in error, please notify the sender immediately and delete the transmission. Delivery of this message is not intended to waive any applicable privileges

LETTER OF INTENT



skyalpine™

June 1, 2020

StitchStudio LLC  
270 Northwood Way Ste 201  
Ketchum, ID 83340  
Stitchstudiosv@gmail.com  
208-720-8113

.....  
106 Carriage Lane  
Ketchum, ID 83340  
ted@sky-alpine.com  
Tel: 206.719.0037

Dear Mia Cherp:

Sky Alpine LLC is a Ketchum, ID based start-up focusing on the development, manufacturing, and direct marketing/sales of a new line of automotive rooftop carriers for outdoor equipment. As part of the product lineup, we intent to offer custom protective ski bags that will be used in conjunction with our new "roof racks".

Sky Alpine intends to contract with Mia for the development of the desired soft goods, with the long-term goal of having StitchStudio manufacture the ski bags as sales increase this 2020/21 ski season.

Sky Alpine is my fifth company. Previously, I was a co-owner of G3, Genuine Guild Gear LLC, founder of Skye Alpine LLC (sold to Black Diamond Inc. in 2013), founder of ORFLO Technologies (recently sold to Gemini BioProducts LLC), and co-founder of Vestigo Research LLC (a medical device company).

Sincerely,

Ted Ayliffe, PhD. Engineering  
CEO, Sky Alpine LLC.

**From:** [Participate](#)  
**To:** [Brittany Skelton](#); [Abby Rivin](#); [Maureen Puddicombe](#)  
**Cc:** [Lisa Enourato](#)  
**Subject:** Fwd: For Public Comment , June 8 hearing regarding CUP/Mia Cherp  
**Date:** Tuesday, June 02, 2020 7:37:46 PM

---

FYI—for the packet.

**SUZANNE FRICK | CITY OF KETCHUM**

**City Administrator**

P.O. Box 2315 | [480 East Ave. N. | Ketchum, ID 83340](#)

o: [208.727.5086](tel:208.727.5086) | m: [208.721.2765](tel:208.721.2765)

[sfrick@ketchumidaho.org](mailto:sfrick@ketchumidaho.org)

Begin forwarded message:

**From:** Britt Davis <[britt@brittdavisbeauty.com](mailto:britt@brittdavisbeauty.com)>  
**Date:** June 2, 2020 at 6:20:46 PM MDT  
**To:** Participate <[participate@ketchumidaho.org](mailto:participate@ketchumidaho.org)>  
**Subject:** For Public Comment , June 8 hearing regarding CUP/Mia Cherp

Dear Commisioners,

My name is Britt Davis (aka Britt Peterson) of Britt Davis Beauty. I am a native and long time resident of Blaine County. I am an artist, stylist, make-up artist, influencer and business owner. I am sole proprietor of Britt Davis Beauty and partner in Grace Coffee in Hailey, Idaho.

I am writing on behalf of Mia Cherp and her application for a Conditional Use Permit in the Light Industrial area of Ketchum. I have known Mia for 10 years. I've had the good fortune of working with Mia on several production jobs where we served together on creative teams. She is incredibly hard working and extremely creative. She always has a can do attitude and works her tail off! I have seen her sewing creations and can attest to their beauty and quality.

I support her in her endeavors with Stitch Studio and am certain she will be successful! Please grant her application so she can get going on what she is so very good at!

Sincerely,

Britt Davis

Sent from my iPhone

**From:** [Participate](#)  
**To:** [Brittany Skelton](#); [Abby Rivin](#); [Maureen Puddicombe](#)  
**Cc:** [Lisa Enourato](#)  
**Subject:** Fwd: For Public Comment, June 8 hearing re: CUP/MiaLCherp  
**Date:** Tuesday, June 02, 2020 7:38:16 PM

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For the packet

**SUZANNE FRICK | CITY OF KETCHUM**

**City Administrator**

P.O. Box 2315 | [480 East Ave. N. | Ketchum, ID 83340](#)

o: [208.727.5086](tel:208.727.5086) | m: [208.721.2765](tel:208.721.2765)

[sfrick@ketchumidaho.org](mailto:sfrick@ketchumidaho.org)

Begin forwarded message:

**From:** Cindy Lyon <[lyonclan75@gmail.com](mailto:lyonclan75@gmail.com)>  
**Date:** June 2, 2020 at 6:45:11 PM MDT  
**To:** Participate <[participate@ketchumidaho.org](mailto:participate@ketchumidaho.org)>  
**Subject:** For Public Comment, June 8 hearing re: CUP/MiaLCherp

June1, 2020

City of Ketchum  
Planning and Zoning Commission

Planning Commissioners,

As the widow of the former Planning Commissioner and Mayor of Oceanside California, I have an understanding of the process of a conditional use permit application. I am writing to you as a character reference for Mia Cherp who is attempting to comply with the numerous and somewhat complex requirements and restrictions in this process.

Ms. Cherp is a long time resident of Sun Valley and Ketchum. She is a hard working individual with immense creative talent. She is a very competent and talented seamstress who, in American tradition, hopes to build a successful small privately owned business called "Stitch Studio."

As the now retired Executive Director of the Trauma Intervention Programs of San Diego County, Inc., I am familiar with the emotional effects of bureaucratic delays and misinformation involved in Mia's attempts to navigate this process. Mia has applied for all of the proper permits, used professional contractors,

worked diligently with City staff and now has to have an Attorney to assist her through this process. Please grant her the CUP to allow her to begin and build her dream business which can only benefit your lovely community.

Respectfully,  
Cindy Lyon  
600 South The Strand  
Oceanside, CA  
760-433-7924



## Brittany Skelton

---

**From:** Elinor Jannotta <ejannotta@gmail.com>  
**Sent:** Wednesday, June 03, 2020 5:10 PM  
**To:** Brittany Skelton  
**Subject:** Mia Lyon Cherp endorsement

To whom it may concern ~

I am writing on behalf of Mia Cherp.

First, she is my friend. I met her when I moved to Ketchum 8 years ago.

Mia is kind, whole hearted in everything she does, an excellent mother and a thoughtful, reliable, and supportive human being. I count her on the short list of confidantes I trust to non-judgmentally show up and be supportive.

I met Mia through our children being close friends. In fact, her son and young daughter are among my children's best friends, and it is important to add, best influences. They too are kind, thoughtful, diligent and reliable which is a direct result as to how they were raised.

Mia is creative, resourceful and resilient. As you probably know since you are reviewing her profile, she has had plenty of challenges, but always meets them with creative solutions. When her children were all went to school full day and she needed to create revenue, she parlayed her athleticism and long time love of skiing and Sun Valley into being an instructor. But, she is not just an instructor, she is really more of a concierge. Ingratiating her guests into the culture and whole-heartedly serving them and accommodating their needs. Then, in recent years when socked with physical traumas she began to think about what might be possible in her next chapter. From that came Stitch Studio and she put her creativity to work.

Mia has designed and produced cushions, duvet covers and pillows throughout my house. (They are good quality, and extremely tasteful by the way!)

A few years ago I had to move back to Chicago for job purposes, around the time Mia was transforming her new space (until she ran into the glitches now under review) . Because our house was vacant I offered her to move here, for what turned out to be a much longer amount of time than anticipated.for either of us. SO, I have had the experience of being her landlord of sorts. Her consideration was almost embarrassing to me. Stocking refrigerators, leaving Stitch Studio items for my use. She is an over the top excellent and considerate tenant.

And of course it is no surprise, that as Covid hit the valley, and her own life hard, as soon she regained her health she was putting her creative juices to help others and making and donating masks all over town. Once again a first responder to a difficult situation.

Honestly, from the multi faceted ways I know Mia I cannot imagine a better tenant. Or a more creative person with the drive, adaptability and consideration required to successfully grow her small business.

Thank you for your consideration in this.

Sincerely ,

Elinor Jannotta  
425 Clubhouse Drive  
Ketchum

(PO Box 9210)

[ejannotta@gmail.com](mailto:ejannotta@gmail.com)

312-952-9374

**Brittany Skelton**

---

**From:** Peta Verhaeghe <peta@pvsunvalley.com>  
**Sent:** Thursday, June 04, 2020 10:36 AM  
**To:** Brittany Skelton  
**Subject:** Public Comment, June 8 Hearing CUP/Mia Cherp

---

PV SUN VALLEY LLC

June 3rd, 2020

City of Ketchum  
Planning and Zoning Commission  
Ketchum, ID

Dear P&Z Commission,

I am a long time resident of the Wood River Valley and have known Mia Cherp for several years. Mia has created amazing costumes for my daughter. Her talents are truly a gift!  
As a realtor and supporter for the LI area, it makes sense for Mia to be able to work (Stitch Studio) and live in the same space. It would be great to see her pull her talents together under one roof.

I will continue to recommend Mia's talents to my clients and friends. I also recommend she be granted CUP. Mia and Stitch Studio are a great addition to our community and the LI aea as a whole.

Best regards,

*Peta Verhaeghe*  
*Berkshire Hathaway HomeServices Sun Valley*  
[peta@pvsunvalley.com](mailto:peta@pvsunvalley.com)  
*c. 208-806-1702*



Attachment G.  
draft Findings of Fact, Conclusions of Law, and Decision



City of Ketchum  
Planning & Building

IN RE: )  
 )  
 Cherp Work/Live ) KETCHUM PLANNING AND ZONING COMMISSION  
 Conditional Use Permit ) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND  
 Date: June 8, 2020 ) DECISION  
 )  
 File Number: 20-033 )

**PROJECT:** Cherp Work/Live Conditional Use Permit

**FILE NUMBER:** P20-033

**APPLICANT:** Mia L. Cherp

**REQUEST:** Conditional Use Permit (CUP) for a work/live unit

**LOCATION:** 270 Northwood Way #201 (Redfish Industrial Condo Unit 201 .09)

**ZONING:** Light Industrial District No. 2 (LI-2)

**OVERLAY:** 58' Height Overlay

**NOTICE:** Notice was published in the legal section of the Idaho Mountain Express on May 20, 2020 and was mailed to properties within 300' and political subdivisions and was posted on the city website and on the premises on May 22, 2020.

**ATTACHMENTS:** A. Floorplan

**FINDINGS OF FACT**

1. On June 8, 2020, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for the proposed work/live unit.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Residential dwelling units, which include work/live units, require a Conditional Use Permit in the LI-2 zoning district.
4. This work/live unit is located on the second floor of the Redfish Light Industrial Condominium building and consists of 579 square feet of residential dwelling use and 754 square feet of commercial craft/cottage industry space. The 579 square foot dwelling area is classified as the 'live' component and the craft/cottage industry space floor is classified as the 'work' component; see attached floor plans for reference.

**Table 1. Comprehensive Plan Analysis**

<p><b>Land Use Category:</b> <b>Mixed-Use Industrial</b></p> <p><b>PRIMARY USES</b> <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p><b>SECONDARY USES</b> <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p><b>CHARACTERISTICS AND LOCATION</b> <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum’s economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>A work/live unit with a cottage industry producing locally made products being the work component meets both the primary and secondary intention of the light industrial area.</p>
<p><b>Policy E-2(e) Live-Work Opportunities and Home Businesses</b> <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The applicant has applied for work/live approval under the provisions of the newly amended light industrial residential standards. The light industrial zoning code regulations were revised and modernized in part to facilitate and encourage additional work/live opportunities in Ketchum city limits.</p>
<p><b>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas</b> <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

**Table 2. City Department Comments**

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Fire:</b> Unit is safe for residential occupancy. No other comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Streets Department:</b> No comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Utilities:</b> Change of use but not a change of demand, no comment at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Building:</b> Unit is safe for residential occupancy. No other comments at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Planning and Zoning:</b> Comments are denoted throughout the Staff Report.

**Table 3. Standards for Residential, Light Industrial Districts**

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:														
Residential units in the light industrial districts shall comply with the following minimum criteria:														
Yes	No	N/A	City Code	City Standards and Staff Comments										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (1)	<b>Dwelling units shall not occupy the ground floor.</b>										
			<b>Staff Comments</b>	<i>The entirety of the work/live unit is located on the top floor of the Redfish Building.</i>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	<b>Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.</b>										
			<b>Staff Comments</b>	<i>Design Review is not required as this application does not change the exterior of the building.</i>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	<b>Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.</b>										
			<b>Staff Comments</b>	<p><i>There are 10 units and common area in the Redfish Building consisting of 16,591 square feet (per Blaine County Assessor records).</i></p> <p><i>Three (3) additional residential units exist in the building with a cumulative residential square footage of 2,968 square feet:</i></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Unit</th> <th>Residential Floor Area (sq ft)</th> </tr> </thead> <tbody> <tr> <td>202</td> <td>1,000</td> </tr> <tr> <td>204</td> <td>973</td> </tr> <tr> <td>205</td> <td>995</td> </tr> <tr> <td>total</td> <td>2,968 residential square footage</td> </tr> </tbody> </table> <p><i>The residential share of the building's square footage is 17.8%.</i></p> <p><i>Approval of the 579 square feet of residential square footage for Unit 201 results in 3,547 cumulative residential square feet, equating to 21.3% of the building's square footage.</i></p> <p><i>Within this particular work/live unit, 579 square feet of living area represents 43% of the total square footage of the wok/live unit (579 square feet of 1,333 total square feet).</i></p>	Unit	Residential Floor Area (sq ft)	202	1,000	204	973	205	995	total	2,968 residential square footage
Unit	Residential Floor Area (sq ft)													
202	1,000													
204	973													
205	995													
total	2,968 residential square footage													
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	<p><b>Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to:</b></p> <ul style="list-style-type: none"> <li>a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section;</li> <li>b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section;</li> <li>c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section;</li> <li>d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965;</li> <li>e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid</li> </ul>										

				<p><b>residential conditional use permit prior to the adoption of this section as published.</b></p>
			<b>Staff Comments</b>	<i>This unit is eligible for individual ownership in accordance with 17.124.090.A.(4).a – a work/live unit is proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (5)</b>	<p><b>5. Work/Live Units: In the approval of work/live units, the City shall also find that:</b></p> <p><b>a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant;</b></p> <p><b>b. The work unit is:</b></p> <p style="padding-left: 40px;"><b>(1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes;</b></p> <p style="padding-left: 40px;"><b>(2) Signed and posted with regular hours of operation;</b></p> <p style="padding-left: 40px;"><b>(3) Served by the prominent means of access for the work/live unit; and,</b></p> <p style="padding-left: 40px;"><b>(4) Associated with a business license for a use allowed (either conditionally or permitted) in the district.</b></p> <p><b>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</b></p> <p style="padding-left: 40px;"><b>(1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet;</b></p> <p style="padding-left: 40px;"><b>(2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and</b></p> <p style="padding-left: 40px;"><b>(3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.</b></p>
			<b>Staff Comments</b>	<p><i>5a. The proposed work/live unit meets the definition of work/live unit and the Findings of Fact and Conclusions of Law for this application will be forwarded to City Council for approval of a restrictive covenant in accordance with 17.124.090 A (5).</i></p> <p><i>5b.1. The unit is suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire codes as verified by the city building official and city Fire Marshal.</i></p> <p><i>The work/live unit has been designed to provide the greatest distance from and physical separation between the bedroom/bathroom delineated for residential use, located on one end of the unit, and the two sewing/production suites and bathroom located on the other end of the unit (an ADA compliant bathroom is shared by all second-floor units in the building and is accessed from the interior hallway corridor).</i></p> <p><i>The center of the unit is comprised of both residential space, the future kitchen (range/sink to be installed) and existing island, and an open floorplan work room. The open floorplan workroom and future kitchen are designed to allow complete physical separation when the proposed partition wall is fully extended. When additional work area is needed, or to provide potential employee access to the kitchen (delineated on the floor plan as residential square footage), the partition wall can be opened.</i></p> <p><i>5b.2. The exterior of the building and interior hallway are currently signed for STITCHstudio. WindyCity Arts is producing additional signage, to be located at the interior entry to the unit, noting hours of operation which are to be by appointment</i></p>



				<p>only. Condition of approval #1 states, "Hours of operation for the business shall be posted and remain posted."</p> <p>5b.3. The work area is served by the most prominent means of access to the unit, which is the entry door accessed by the building's interior circulation corridor.</p> <p>5b.4. The applicant has a valid business license with the City of Ketchum for a permitted use, STITCH Studio, which is a craft/cottage industry.</p> <p>C1. The size of the live component is less than 1,000 square feet (it is 579 square feet), and is less than the work component, which is 754 square feet.</p> <p>C2. The means of access to the residential portion of the unit is not prominent (two secondary accesses exist for the residential unit).</p> <p>C3. Parking requirements are met as the building has forty (40) shared parking-lot spaces for the building; one parking space is required for the residential unit, which has one bedroom, and one parking space is required for the 754 square feet of light industrial craft/cottage industry floor area.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p><b>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</b></p>
			<b>Staff Comments</b>	N/A, this is a work/live unit.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p><b>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</b></p> <p><b>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</b></p> <p><b>b. The area designated as light industrial shall be as follows:</b></p> <p><b>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</b></p> <p><b>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</b></p> <p><b>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</b></p> <p><b>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</b></p> <p><b>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</b></p>
			<b>Staff Comments</b>	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p><b>8. Anti-Nuisance And Notice Provisions:</b></p> <p><b>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise</b></p>

				<p>interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			<b>Staff Comments</b>	<i>The applicant is aware that the property is located in a light industrial zone and operates a valid light industrial use as part of the work/live operation. The applicant is aware of all other standards described in this subsection.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (9)</b>	<p><b>Compliance:</b> Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			<b>Staff Comments</b>	<i>The applicant meets parking ordinance requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (10)</b>	<p><b>10. Conditions:</b> Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <ul style="list-style-type: none"> <li>a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards;</li> <li>b. Separation of residential and light industrial parking on the site to minimize conflicts;</li> <li>c. Restrictions on exterior storage of personal property of tenants;</li> <li>d. Certificate of occupancy required prior to occupancy of units;</li> <li>e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy;</li> <li>f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations;</li> <li>g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses;</li> <li>h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged;</li> <li>i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or,</li> <li>j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.</li> </ul>
			<b>Staff Comments</b>	<i>Conditions of approval have been included as noted in the last section of these Findings of Fact, Conclusions of Law, and Decision.</i>

**Table 4. Conditional Use Permit Requirements**

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(A)</b>	<b>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</b>
			<b>Staff Comments</b>	<p><i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the LI-2 zoning district is established “with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other Commercial Zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: 1) light manufacturing; 2) wholesale trade and distribution; 3) research and development; 4) service industries; 5) limited bulk retail and; 6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a Light Industrial Zone.”</i></p> <p><i>The work/live unit includes a permitted light industrial use, craft/cottage industry, and the conditionally permitted residential use. Residential use is the secondary purpose of the LI-2 zone.</i></p> <p><i>The Redfish Building where the subject condominium unit is located is currently comprised of a mix of commercial operations and work/live uses approved by Conditional Use Permit in the past. As such, the work/live unit is compatible with the types of uses permitted in the zoning district.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(B)</b>	<b>The conditional use will not materially endanger the health, safety and welfare of the community.</b>
			<b>Staff Comments</b>	<p><i>The unit recently received a Certificate of Occupancy for commercial use and the commercial use, STITCH Studio, is currently operating within the unit with a valid city business license. The nature of this craft/cottage industry involves sewing and producing custom soft goods, upholstery, window furnishings, costumes, and so forth, and the business is owner operated.</i></p> <p><i>The city’s Fire Marshal and Building Official have been consulted about a portion of the unit being used for residential living and both officials have confirmed the unit is safe for residential occupancy. As such, neither the commercial use nor the residential pose health, safety, or welfare concerns to the community.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(C)</b>	<b>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</b>
			<b>Staff Comments</b>	<p><i>The Redfish Building has an adequately sized parking lot for the development; there are ten (10) condominium units and 40 parking spaces located in a surface parking lot that is shown as Common Area on the development’s plat (see Redfish Light Industrial Condominiums plat, 1995, on file with the Blaine County Recorder).</i></p> <p><i>Per Ketchum’s parking ordinance, chapter 17.125 of the zoning code, the work/live unit requires two (2) parking spaces – one (1) for the residential unit, which has one proposed bedroom, and one (1) for the commercial square footage.</i></p>

				<i>The business is currently in operation and does not cause hazardous pedestrian or vehicular traffic. The one-bedroom residential component will not substantially increase vehicular or pedestrian traffic to the unit. As such, the residential use will not create pedestrian or vehicular use that will be hazardous or conflict with existing or anticipated traffic in the neighborhood.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(D)</b>	<b>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</b>
			<b>Staff Comments</b>	<i>The work/live unit is within an existing building that is adequately served by public services and facilities. The work/live operation will not adversely affect public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(E)</b>	<b>The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.</b>
			<b>Staff Comments</b>	<i>As described in Table 1 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i>

### CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17;
3. The Commission has the authority to hear the applicant’s Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission’s June 8<sup>th</sup>, 2020 public hearing and consideration of the applicant’s Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;
5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

### DECISION

**THEREFORE**, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing for the Cherp work/live unit on this 8<sup>th</sup> day of June, 2020 subject to the following conditions 1 - 10:

- 1.** Hours of operation for the business shall be posted and remain posted;
- 2.** This approval is based on the floorplan submitted and attached to the staff report dated June 8, 2020 and attached to the Findings of Fact, Conclusions of Law, and Decision, any increase in residential square footage is subject to an amendment to this Conditional Use Permit within one (1) year of approval of the Findings of Fact, Conclusions of Law, and Decision or is subject to a new Conditional Use Permit thereafter;
- 3.** The Conditional Use Permit is non-transferable and is valid only for residential occupancy by the applicant, Mia Cherp, for the duration that Wood River Joiners is in operation. If the light industrial operation ceases this permit shall be void. If a new residential tenant or new light industrial use is proposed a new Conditional Use Permit shall be applied for.

- 4.** This Conditional Use permit is non-transferrable to another location or another work/live use for the subject property; the approval is specific to STITCH Studio and residential owner/occupant Mia Cherp. Should a STITCH Studio cease operation or should Mia Cherp cease residential use or a different residential occupancy desire to operate a work/live use a new Conditional Use Permit for work/live use will be required to be approved by the Planning and Zoning Commission.
- 5.** Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirements that the “live” portion of the work/live unit remains secondary in size to the “work” portion and the “live” portion does not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
- 6.** The applicant agrees to facilitate routine inspections of the work/live unit by Planning staff to ensure requirements of the zoning code and conditions of approval specific to the Conditional Use Permit are met;
- 7.** The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use;
- 8.** All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities;
- 9.** Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone; and
- 10.** All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

Findings of Fact **adopted** this 8<sup>th</sup> day of June, 2020.

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Neil Morrow  
Chair  
Planning and Zoning Commission