



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF TUESDAY, JULY 27, 2021

PROJECT: Pioneer Pickleball Club Shared Parking Reduction Conditional Use Permit

FILE NUMBER: P21-029

ASSOCIATED PERMITS: P19-116 CUP for Nomadic Vans, P10-032 CUP for Residential Use at 115A, 87-11 Glaske Subdivision Phase II, CR87-3 Design Review Approval for Galske Subdivision Building

OWNER: Steven Beck

APPLICANT: Steven Beck

REQUEST: Conditional Use Permit (CUP) to permit shared parking reduction for a new public pickleball court

LOCATION: 115 Northwood Way Unit A, Ketchum, ID

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

OVERLAY: LI 48' Height Overlay

NOTICE: Notice was mailed to property owners within a 300-foot radius and was published in the Idaho Mountain Express on May 5, 2021. Notice was posted at the subject location on May 18, 2021. The hearing was continued to June 8, 2021, July 13, 2021 and July 27, 2021.

• **ATTACHMENTS:**

Proposed Findings of Fact and Conditions of Approval
July 14 letter from the Applicant

BACKGROUND AND SUMMARY

The Commission conducted a public hearing on May 25, 2021, on the proposed application to share required parking for a proposed pickleball club. The Commission asked the applicant to return with an agreement between the tenants acknowledging their approval to share the existing parking on the site. The applicant has been unable to secure an agreement from the other building tenants. Attached is a letter from the applicant.

The applicant indicates the CC&Rs provide the shared use agreement. In order to approve a conditional use permit for shared parking, the applicant must demonstrate there are five off-street parking spaces available to support the use.

The proposed use may not occupy the space unless the applicant provides five on-site spaces dedicated to the proposed use. Those parking spaces may be shared if other uses are not utilizing spaces. If the applicant cannot show that there is sufficient on-site parking to support the use, the use may not exist in this location.

The Commission may consider several options:

- Deny the conditional use permit for shared parking because there is no shared parking and the use cannot demonstrate there are five on-site parking spaces available to support the use. Staff would return to the Commission with findings for denial.
- Limit the hours of operation of the use to hours when the other businesses are not using the on-site parking spaces. The attached findings reflect this approach by limiting the hours of operation to Monday-Friday after 5:00 PM and anytime on Saturday and Sunday.
- Provide direction to staff on other conditions or options related to the application.



City of Ketchum
Planning & Building

IN RE:)	
)	
Pioneer Pickleball Club)	KETCHUM PLANNING AND ZONING COMMISSION
Conditional Use Permit)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
June 8, 2021)	DECISION
)	
File Number: P21-029)	

Findings Regarding Application Filed

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ATTACHMENT: A. Narrative
B. Access System
C. Site plan

BACKGROUND FINDINGS

1. On May 25, 2021, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application by Steven Beck to allow for shared parking associated with a new public pickleball court located at 115 Northwood Way Unit A.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. The request is to reduce the required on-site parking and satisfy the required parking through shared

use of on-site parking. The proposed use is a pickleball court open to members of the club. In the LI District, health and fitness facilities must provide dedicated on-site parking at a ratio of one parking space for every 250 gross square feet. In this case, the ground floor of the building is 1,153 square feet (based on plans on file) and requires five parking spaces for the proposed use.

4. The building was approved for three industrial/storage uses with five parking spaces located in the front of the building. Parking was to be shared by the three uses. The project approvals at the time acknowledged limited parking on the site and restricted the permitted uses to warehouse and storage only. Over time, uses have changed. In 2019, a conditional use permit was granted (P19-115) to permit Nomadic Vehicle Sales and Repair to operate in Unit C at 115 Northwood Way. Kirk Anderson Photography exists in Unit B at 115 Northwood Way and the Pioneer Pickleball Club is in Unit A.

5. The Commission determined the parking plan proposed by the applicant and as conditioned by the Commission will be sufficient to meet the parking demand of the proposed use. The applicant will manage parking by creating a reservation system. Court reservations will be for 2-hour increments and users will be prohibited from arriving more than 10 minutes before their reservation and departing not more than 10 minutes after their reservation time.

Table 3: Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.125.080				
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"/>	17.125.080 B2 (a)	<i>A Parking Demand Analysis in accordance with section 17.125.070 of this chapter;</i>
			Staff Comments	Limited information was provided by the Applicant. The Commission requested the applicant provide a shared parking agreement between the tenants.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.080 B (b)	<i>The hours of peak parking demand for each use;</i>
			Staff Comments	Based on observations of the parking demand at the site and in the surrounding area, the peak parking demand occurs between 8:00 AM-5:00 PM.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.080 B (c)	<i>All locations of parking spaces on private property utilized through shared parking and identified on a location context map;</i>
			Staff Comments	<i>Five parking spaces are located on site for use by the three building tenants. Two of the spaces are identified for use by Nomadic Vans through CUP 19-115.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.080 B (d)	<i>All public parking that can be accessed within a one thousand foot (1,000') walk as measured along sidewalk connecting to the site of the subject uses.</i>

			Staff Comments	<i>On-street public parking is available within 1,000 feet of the property.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.125.080 B (e)	<i>The plan shall include an agreement between property owners for sharing common parking on private property. However, in no case will the City manage shared parking agreements.</i>
			Staff Comments	<i>The Commission requested the applicant provide this agreement between the owners. The agreement has not been provided.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.080 B (f)	<i>Shared parking spaces may be provided in areas designed to serve jointly two (2) or more buildings or users.</i>
			Staff Comments	<i>Five on-site parking spaces are located on the site. Per the original approvals for the property, the five spaces were to be shared between the building tenants. Two of the parking spaces were identified for use by Nomadic Vans as part of CUP 19-115.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.080 B (g)	<i>All shared parking shall be located no less than three hundred feet (300') from the uses utilizing the shared parking, as determined by measuring along existing sidewalk or sidewalk that shall be constructed as a condition of approving the shared parking reduction from the primary entrance of the use(s) to the location of shared parking spaces.</i>
			Staff Comments	<i>The on-site parking and available street parking is within 300 feet of the property.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.080 B (h)	<i>The total number of off-street parking spaces shall not be less than that required by this chapter for the total combined number of buildings or uses, unless a reduction is approved through a shared parking plan, or otherwise specified.</i>
			Staff Comments	<i>There are five on-site parking spaces, and the applicant is requesting a reduction through a shared parking plan.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.080 B (i)	<i>A reduction to parking requirements for individual uses may be made after considering the following standards and criteria:</i> <i>a. The hour(s) of peak parking demand for each use, with peak demand being different or staggered;</i> <i>b. The operating hours of each use, with operating hours being staggered; and</i> <i>c. There is existing on-street parking available for public use within a one thousand foot (1,000') walk as measured along the sidewalk connecting to the site of the subject use.</i>
			Staff Comments	<i>If the operating hours of the pickleball court occur after the peak hour of the surrounding businesses and uses in the building, there is sufficient parking available to meet the demand generate by the pickleball club. If the applicant provides an agreement with the other tenants of the building that the existing parking can be shared by all uses, the hours of operation would not be restricted.</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 May 25, 2021, 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 17.125.080, Shared parking Conditional Use of Ketchum Zoning Code Title 17.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Shared Parking Conditional Use Permit application for Pioneer Pickleball Club to operate and provide the required parking through a shared parking agreement on the 8th day of June 2021 in Unit A located at 115 Northwood Way subject to the following conditions :

1. The Conditional Use Permit is applicable to Unit A at 115 Northwood Way consisting of 1,153 square feet of floor area indicated on the floorplan attached hereto is not transferrable to another property or person. No expansion of floor area is permitted unless a new Conditional Use Permit authorizing such expansion is approved;
2. The Conditional Use Permit allows for the operation of single pickleball court to be available for reservation only. No other uses such as, but not limited to, office, residential, or assembly may occur at the location.
3. Conditional Use Permit 10-032 shall be rescinded, and no residential use shall be permitted in this location.
4. Staff shall make periodic inspections of Pioneer Pickleball Club beginning three months after approval of the Conditional Use Permit to ensure conditions of approval are being met. Documentation of observations from the site visits shall be made in writing and filed in the project file. These inspections shall occur for the entire time the business is in operation.
5. The Commission shall have the discretion to hold a new public hearing to evaluate this Conditional Use Permit if violations of the conditions occur.
6. Each reservation shall be for a two (2) hour period. Players shall not arrive more than ten (10) minutes prior to their reservation time and shall not stay longer than ten (10) minutes after their reservation time.
7. No tournaments shall take place on the site.
8. The total number of players, observers and employees on the site at any time shall not exceed four (4).
9. Hours of operation for the club shall be Monday through Friday after 5:00 PM and anytime on Saturday and Sunday.

Findings of Fact **adopted** this 27th day of July 2021

Neil Morrow
Chair
Planning and Zoning Commission

Suzanne Frick, Planning and Building Director

July 14, 2021

To: KETCHUM PLANNING AND ZONING COMMISSION

From: Steven Beck / 115 Northwood Way, Unit A

Re: Pioneer Pickleball Club (File No. P21-029)

Dear Commissioners:

After the P&Z Meeting wherein it was requested that a Shared Parking Agreement be provided to the commission confirming the sharing of parking at Glaske Industrial Park (Northwood 115 and 125 buildings) I asked my adjacent owner / neighbor if he would sign a Shared Parking Agreement that I had prepared. My adjacent neighbor (Kirk Anderson / 115 Northwood, Unit B) indicated that the use of Common Area in our project (a two building, six-unit industrial condominium project) was addressed in the CC&R's established back in 1983 and that he would not sign any Shared Parking Agreement. After this meeting with Mr. Anderson, a meeting was set up with Barry Peterson who is the current President of the condominium association. Mr. Peterson indicated that Mr. Anderson was correct and that to his knowledge no Shared Parking Agreement has ever been entered by owners and tenants at Glaske Industrial Park; and that the CC&R's stipulate that the Common Area (all the area other than inside the perimeter walls of each of the six units) is owned by the six-unit owners in an undivided manner. I double checked the CC&R's and found in Article IV of the Declaration that "each owner shall have the nonexclusive right to use and enjoy the common area". All the parking at Glaske Industrial Park is within the common area. The specific nonexclusive guidance set forth in the CC&R's effectively establishes and mandates a shared parking arrangement among Glaske Industrial condominium owners. In summary, I've been told by my neighbor / owners that a Shared Parking Agreement will not be forthcoming, and that the guidance set forth in the CC&R's already establish the shared parking guidelines for our common area.

I do want to readdress to the Commission that we have taken substantive steps to mitigate ingress, egress and parking congestion in our common area parking. Our two-hour building entry blocks with ninety- minute player reservations provide a thirty-minute cushion between player reservations for departing and arriving players. This system was beta tested at the beginning of the year and it works well. While the system allows us to immediately cut off a player's unique building entry code to address non-compliance, we did not need to do this even once over a three-month beta testing period.

Thank you for your consideration of our request to open our non-profit club which will almost certainly add a positive element of recreation to our community.


Steven Beck

June 17, 2021

Ketchum Planning & Zoning Department
480 East Avenue North
Ketchum, Idaho 83353

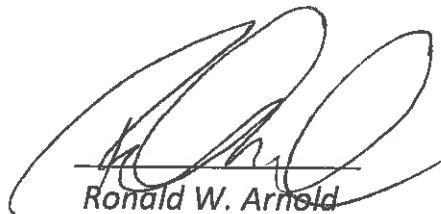
Re: 115 Northwood, Ketchum, Idaho

Dear Directors:

This letter is being written in support of the Pioneer Pickleball Club Shared Parking Reduction Conditional Use Permit (File Number P21-029) at 115 Northwood, Unit A, Ketchum, Idaho. Mr. Beck has gone to great lengths by installing a reservation and building entry system designed to mitigate potential parking issues on our shared Common Area parking. It's our opinion based on actual experience that these measures are effective and that the club activities and related parking are compatible with the existing businesses and related parking demands at the building.

Thank you,

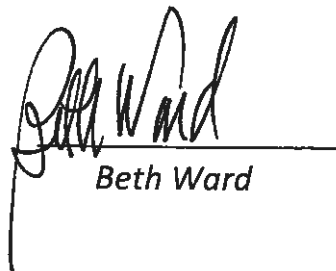
Nomadic Van Sun Valley, LLC
(115 Northwood, Unit C / tenant)



Ronald W. Arnold

6/21/21
Dated

Ayub Family Trust
By: Beth Ward
Authorized Signatory for the
Ayub Family Trust
(115 Northwood Unit C / owner)



Beth Ward

6/21/21
Dated