



Planning and Zoning Commission - Special Meeting MINUTES

Tuesday, October 27, 2020 at 4:30 PM
Ketchum City Hall
480 East Avenue North, Ketchum, ID 83340

CALL TO ORDER

The meeting was reconvened by Chairman Neil Morrow at 4:30 PM.

PRESENT

Chairman Neil Morrow
Vice-Chairman Mattie Mead
Commissioner Tim Carter
Commissioner Jennifer Cosgrove
Commissioner Brenda Moczygemba

Chair Morrow read the names of those who submitted Public Comments received by the Planning Department today via email. Copies were distributed to the Commission and made available to the public at the meeting. Comments were received from:

Dick Clofelter
Robert Korb
Eric Swanson
Beverly Aigen

Eileen Hansen
Scott Hanson
Kevin Livingston
Robert Rudy

COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Commissioner Moczygemba disclosed she drove past the site.
Commissioner Carter disclosed he drove by the site and had a discussion with Councilwoman Courtney Hamilton regarding public comment received by the City Council.

PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS

Planner Brittany Skelton introduced and entered into the record, the matrix produced by Staff, at the request of the Commission, comparing waivers granted for comparable projects.

Motion to accept the Matrix of Prior Projects Staff Report

Motion made by Commissioner Cosgrove, Seconded by Vice-Chairman Mead.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Moczygemba

- 1. ACTION ITEM - Ketchum Boutique Hotel Re-Hearing: 260 E River Street Project Location:** Includes three parcels (251 S. Main Street – Ketchum Townsite Lots 3, 21, FR 22 Blk 82 N 10' x 110' of alley S 20' x 230' of alley, 260 E. River Street – Ketchum Townsite Lot 2 Block 82 10' x 110' of alley, and 280 E. River Street – Ketchum Townsite Lot 1 Block 82). Hearing continued from September 28, 2020.

Joint Hearings Applications:

Application for Floodplain Development Permit	File No. P19-062
Application for Lot Line Adjustment	File No. P19-064
Application for Planned Unit Development Conditional Use Permit	File No. P19-063
Application for Waiver	File No. P20-069

Applications Histories: Each of the above stated Applications [except for Application P20-069 for waiver] are the subject of the City Council's Orders of April 6, 2020 vacating the Findings of Fact/Conclusions of Law and Decision of the City Council and remanded the same back to the Planning and Zoning Commission for further proceedings and hearings.

Procedure: The Planning and Zoning Commission will conduct hearings on all above stated applications jointly as all the Applications relate to the same project.

Public Testimony at the Hearing: All interested persons in attendance or participating remotely shall be given an opportunity to comment on the information presented at this meeting. Public testimony will be limited to three (3) minutes per person. [Note Testimony previously given on these applications will be part of the Prior Record of Proceedings and need not be repeated.]

Debra Nelson, Land Use attorney representing the applicant, discussed the PUD application. She discussed the purpose of the PUD, how it is used, and how this project meets those standards. She pointed out how the project is consistent with the Comprehensive Plan and incorporates the site's natural features into the overall design.

Justin Heppler, architect for the project, presented the justification for each waiver requested. He emphasized how each waiver was used as a tool to improve the project.

1. Setback Waiver: Allowing for more dynamic architecture with an improved street scape and outdoor dining options.
2. Lot Size: A hotel is allowed to ask for this waiver to allow for greater density.
3. FAR: Allowed to ask for a waiver by providing employee housing. Quality of the provided housing meets the intent of BCHA.
4. Slope of Site: This waiver allows for better community benefit.
5. Height: Building steps down and acts as a transition from downtown to Trail Creek. The height is 48' at River St. and 54' at Trail Creek.
6. Number of Stories: 6 stories only at the center of the building.

Public Benefits: Being a 4-star hotel, this project has meeting spaces, a restaurant on River Street for indoor-outdoor dining, and a roof-top bar. This project would redevelop a blighted part of town which currently provides no benefit to the community. It would benefit Ketchum during the pandemic with increased tourism. The project team would work with the Planning Commission to improve the existing Riparian corridor, providing a natural fisherman's access, and public access to Trail Creek.

Commissioner Cosgrove asked about the traffic patterns. She thought the access in the porte cochere would cause traffic backups. Heppler indicated IDT had no concerns but PEG would be open to changes.

Vice-Chair Mead asked about the HAWK pedestrian crossing at River St. Heppler indicated although Ketchum wanted the HAWK crossing, IDT recommended against it. He indicated they were open to including it in the project if requested by Staff.

Commissioner Carter pointed out the HAWK system was a condition of the approval of the PUD. IDT urged a lighted pedestrian crossing at 1st and Main instead of River and Main.

Commissioner Cosgrove asked about the impact to the neighbor to the West. Heppler replied they considered a possible walkway to Trail Creek.

Commissioner Mogyzamba questioned the placement of the generator but encouraged the access to Trail Creek.

The western neighbor did not object to the walkway but wanted it to be screened.

Vice-Chair Mead asked about the pedestrian experience entering Ketchum as to the height of the building. Heppler replied currently the entrance to town presents a the big square wall (the Limelight Hotel) at the entrance. This building would improve the experience, coming gradually up the hill. It is not as tall as the Limelight. There would be heavy vegetation along the east side of the building. Vice-Chair Mead asked about the impression of height with vertical lines. Heppler indicated there could be changes made to the corner.

Commissioner Cosgrove asked if story poles would be appropriate at this time. Planner Skelton said they are required at Design Review. Heppler replied there will be further community engagement.

Chair Morrow opened the floor to Public Comment:

Ben Worst, attorney for the neighbor to the west, said the Bariteau Hotel does not give entitlements to this project. He urged a stop to a comparison to Limelight Hotel with Public Streets on all sides. He wanted the project to maintain the integrity of the setback by not allowing the generator to be placed there. He requested the venting be sent upward and not out to the neighboring property. He thought installing stairs would take away from the amount of the screening.

Kristy Turco, resident, thought PZ should protect property owners and retain the quality of life and character of Ketchum. She thought 3 hotels looked like a tourist destination. She questioned if the goal of the Commission to protect the character of Ketchum was being met. She questioned if Ketchum had the infrastructure to support an increased tourist population.

Harry Griffith, Sun Valley Economic Development, pointed out this project creates, jobs, housing, economic development, increased public benefits, attracts a reliable operator, a loyal customer base thereby reducing seasonality, amenities needed by the community. He felt this to be a positive use for Ketchum benefiting the community as a whole.

Kevin Livingston, resident, questioned the building codes. He pointed out the public response to the waivers. He objected to the pre-public discussions. He wanted the PZ to follow the codes and play by the rules.

Bob Crosby, Board of Realtors, thought it was an excellent addition to Ketchum. He emphasized the economic benefits to the Community. He thought the project had followed the code and asked the Commission to understand the investment being made. He had followed the development of the project and stressed that all proper procedures had been followed.

There were no further comments and Public Comments were closed.

Commissioner Moczygemba asked Staff about the loss of 13 parking spaces on River St. Staff discussed how parking spaces are figured and that lost parking would be replaced with public parking spaces in the garage.

Director Frick discussed Condition 14.2 concerning the terms of the parking spaces. The spaces would be available to the public at no charge when using the Hotel's amenities. It would not be open to public not doing business with the Hotel.

Applicant's rebuttal to public comments:

Debra Nelson responded to comments: The development team will confer with the neighbor to the west and will look at the possibility of a stairway. Screening will still be provided. They will meet with the neighbor prior to the Design Review Hearing.

Opposition to Waivers: Explained how the waivers make for a better project. The public supports the use, and the Code encourages the project. This project has had full and fair process.

Floodplain Development Permit:

Commissioner Carter had no concerns and the other Commissioners agreed. Vice-Chair Mead questioned the maintenance of the Riparian Zone. Planner Skelton replied it is part of every application and explained the process.

Motion to approve Floodplain Development Permit File #P19-062 with Conditions as noted.

Motion made by Commissioner Carter, Seconded by Commissioner Cosgrove.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Moczygemba

Motion to approve the Lot Line Shift File #P19-064 with Conditions as noted.

Motion made by Commissioner Carter, Seconded by Commissioner Cosgrove.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Moczygemba

Commissioner Cosgrove and Chair Morrow expressed concern over the public misinformation concerning a PUD vs residential projects.

Vice-Chair Mead questioned pedestrian safety and the possibility of removing the painted crosswalk at River and Highway 75.

Chair Morrow wanted the ability to change the traffic patterns in the future if they are not working. He suggested a modification to Condition 3.4.1 to retain the authority to modify the traffic patterns on Highway 75, specifically the left turn lane traffic flow, if the traffic pattern instituted by Idaho Department of Transportation proved to be inadequate.

Director Frick reminded the Commission that the City does not have jurisdiction over Highway 75 but can only make suggestions.

Attorney Gigray recommended adding a *Comment* concerning traffic patterns instead of a *Condition* since Ketchum has no authority over Highway 75.

Commissioner Carter asked Staff about the venting of the laundry to the west. He requested relief for the neighbor if the vent became a problem. Director Frick indicated it could be addressed at Design Review.

Commissioner Carter thought the project had many benefits but questioned if the scale was appropriate even though it is not as high as the Limelight. He thought the design was close to approval. He thought the Marriott name would bring people to town and reduce pressure on short-term rentals. His concern was over the growth issue.

Commissioner Cosgrove thought the Hotel would be good for the town since it included workforce housing. She did not think it would contribute to the negative effect of short-term rentals on workforce housing.

Commissioner Moczygamba thought it was a balance. She thought it was a good fit in a good location for housing and vitality. She struggled with the height but now feels more comfortable with it. She wanted to see the generator moved.

Vice-Chair Mead agreed with Commissioners Carter and Moczygamba but struggled with the influx of visitors although it would benefit the retail shops and restaurants. He liked the architecture but was concerned with the loss of small-town feel. He questioned the height but acknowledged it is lower in height than the Limelight. He thought it would be an asset to town and was not opposed to the PUD.

Chair Morrow had similar thoughts. He thought the goal was a balance between the old and the new, property rights and community history.

Vice-Chair Mead questioned Condition 6 regarding LEEDS Silver Energy Efficiency Standards. Heppler replied discussions with staff revealed LEEDS equivalent certification would be by a third party. Staff revealed the requirement does not apply to commercial building, but since this has a housing component, it will apply for the certification.

Chair Morrow asked for a definition of *Boutique Hotel*.

Heppler replied this is a non-prototypical project, with the tribute brand standards which are unique to a specific location.

Motion to recommend approval to Ketchum City Council of the Planned Unit Development/Conditional Use Permit File #P19-063 with Conditions 1-20 as listed, new condition 21 – At the time of Design Review the applicant shall be required to address venting of mechanicals that vent toward the western property line. Applicant shall be required to provide detail related to how they are preventing impact to the adjacent property owner – and modifications to Condition 3.4.1 – to retain the authority to modify the traffic patterns on Highway 75, specifically the left turn lane traffic flow, if the traffic pattern instituted by Idaho Department of Transportation proved to be inadequate .

*Motion made by Commissioner Cosgrove, Seconded by Commissioner Moczygemba.
Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner
Cosgrove, Commissioner Moczygemba*

Motion to continue to November 10, 2020 to review Findings of Fact and Conclusions of Law
*Motion made by Commissioner Carter, Seconded by Vice-Chairman Mead.
Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner
Cosgrove, Commissioner Moczygemba*

ADJOURNMENT

Motion to adjourn.
*Motion made by Commissioner Carter, Seconded by Commissioner Cosgrove.
Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner
Cosgrove, Commissioner Moczygemba*



Neil Morrow
Chairman