



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF DECEMBER 13, 2022

- PROJECT:** Appellation Hotel (formerly Harriman Hotel)
- FILE NUMBER:** P22-059 and P22-059A
- APPLICATION TYPE:** Design Review (P22-059A) and Development Agreement Amendment (P22-059)
- PROPERTY OWNER:** Harriman Ketchum Hotel, LLC (formerly Trail Creek Fund, LLC)
- REQUEST:** Request for an amendment to Design Review approval 08-007 and amendment to the Amended and Restated Development Agreement and subsequent development agreement amendments
- LOCATION:** 300 E. River Street (Ketchum Replat Blk 83 Lot 2)
- ZONING:** Tourist (T)
- OVERLAY:** Floodplain/Waterways
- REVIEWER:** Morgan Landers, AICP – Senior Planner
- NOTICE:** A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on October 14, 2022. The public hearing notice was published in the Idaho Mountain Express the on October 19, 2022. A notice was posted on the project site and the city's website on October 19, 2022.

ATTACHMENTS

Application Materials

- A. 2022 Design Review Application and supporting documents
- B. 2022 Design Review Plan Set
- C. Development Agreement Amendment application and supporting documents

Reference Materials

- D. 2008 Design Review Plan Set
- E. 2008 Civil Plan Set
- F. 2008 Design Review (DR 08-007) – Findings of Fact, Conclusions of Law, and Decision
- G. 2008 PUD/CUP (CUP 08-007) – Findings of Fact, Conclusions of Law, and Decision
- H. Amended and Restated Development Agreement dated October 5, 2015

- I. Corrected Amendment to the Amended and Restated Development Agreement dated June 21, 2016
- J. Encroachment Agreement dated July 14, 2016
- K. First Amendment to Amended and Restated Development Agreement dated June 4, 2018
- L. Settlement Agreement dated June 26, 2022

Other

- M. Staff Analysis – Conformance with Zoning and Dimensional Standards
- N. Staff Analysis – Conformance with PUD/CUP Approval
- O. Staff Analysis – Conformance with Design Review Criteria
- P. DRAFT Second Amendment to Amended and Restated Development Agreement
- Q. Public Comment

EXECUTIVE SUMMARY

The applicant, Harriman Ketchum Hotel, LLC, represented by managing member Jack E. Bariteau, has applied for an amendment to the 2008 Design Review approval and an amendment to the 2015 Amended and Restated Development Agreement for the hotel development located at 300 E River Street in Ketchum (the “subject property”). The subject property is located at the southeast corner of River Street and Main Street (Hwy 75) just south of the Best Western Kentwood Hotel. The hotel developments proposed for the subject property have changed over the years. The various attached documents will reference either “Hotel Ketchum”, “Auberge”, or “Harriman Hotel”. The current application is referred to as “Appellation Hotel” (the “Project”) and that is how it is reference in the current application materials and in this report.

In June 2022, the Ketchum City Council entered into a Settlement Agreement with the property owner (see Attachment L). The settlement agreement addressed a variety of legal items, including the reinstatement of various approvals granted in 2008 including the following:

- PUD/CUP approval (CUP 08-007) with waivers (Attachment G)
- Design Review approval (DR 08-007) (Attachment F)
- Amended and Restated Development Agreement (Attachment H)
- Encroachment Agreement for improvements within the right-of-way (Attachment J)

During discussions between the City and the property owner regarding the terms of the settlement agreement, the property owner acknowledged that there would be proposed changes to the Project from what was approved in 2008 to bring a development to fruition.

As indicated, the applicant is now proposing the Appellation Hotel which is a 147,820 gross square foot hotel including 73 hotel rooms, 12 condominium residential units (6 with lock-offs), two levels of underground parking, spa/fitness center, conference facility, restaurant and bar, outdoor plaza with pool and jacuzzi, and observatory. The now proposed uses were included in the original approved development, however, square foot allocations of each use have adjusted as the hotel program has shifted over time. The project does not exceed the previously approved gross floor area, building height, or setbacks nor is the applicant requesting further waivers to these limitations.

The applications included in this package represent the requested changes to the project as currently proposed. Attachment A includes a narrative description of proposed changes, a

memorandum from the project architect outlining the details of the previous approvals and how the current project compares, a detailed summary of proposed uses and square footage allocated to those uses, a memorandum from the property owner outlining how the project meets the PUD/CUP requirements, and information related to the voluntary rental program for the condominium residential units. Attachment B is the project plan set which includes landscape and civil drawings, elevations, floor plans, lighting plans, and comparative elevations from what was proposed in 2008 to the current project. Attachment D is the 2008 approved Design Review plan set which includes more detailed information than what is provided in the application materials from the applicant. For reference, the Findings of Fact for the Design Review and PUD/CUP approval are included as Attachments F and G respectively.

The current application proposes changes to:

- The number of condominium units
- The square foot allocation of each use within the building
- Material types on all building facades
- Roof forms and roof materials
- Right-of-way improvements and landscaping along Hwy 75
- Location of retaining walls and landscaping improvements on N Leadville Ave
- Hardscape and landscape improvements in the rear of the building along Trail Creek
- Materials proposed on exterior retaining and landscape walls
- Rooftop mechanical equipment
- Architectural features on each facade

The current application does not propose changes to:

- Total gross square feet of the building
- Approved building heights
- Approved building setbacks
- Number of hotel rooms
- Minimum parking requirements
- Locations of entrance to underground garage and service bay
- Location of front of the hotel on River St.
- Snowmelt of the intersection with River St. and Leadville, snowmelt sidewalks, and drainage improvements.
- Riparian Restoration Plan

Staff conducted an extensive analysis of the application materials and determined that the project remains in general conformance with the PUD/CUP approval and that an amendment to the PUD/CUP is not required, however, an amendment to the Design Review approval and Development Agreement are required. See Attachment N for a full review of the project's conformance with the PUD/CUP. As such, the waivers granted for building height, setbacks, and FAR are not under scrutiny in this application and remain in full effect.

The Planning and Zoning Commission (the "Commission") and the City Council at the time determined that the design, architectural features, materials, layout of the building and the site,

and landscaping effectively mitigated the bulk, mass, and flatness of the building as to meet the design review criteria and justify the waivers granted for height, setbacks, and floor area ratio (FAR).

Today, the Commission is being asked to review the requested amendments to the Design Review application and determine if the proposed changes meet the design review criteria. Per the terms of the Development Agreement, the project is vested under the Ketchum Municipal Code and design review criteria in effect at the time of original approval in 2008.

Attachment O is a full review of the current application's conformance with the applicable 2008 Design Review Criteria. Below is an overview of requested changes to the design review application that staff believes may not meet the design review criteria. The report below also provides a high-level overview of conformance with the PUD/CUP approval and proposed changes to the Development Agreement. Staff recommends the Commission review the proposed design changes and provide feedback to the applicant on ways to address staff's concerns.

DEVELOPMENT REVIEW PROCESS

The City of Ketchum received the initial application materials for the amendment to the design review application on July 29, 2022. Upon staff's review of the information, staff deemed the application incomplete and requested additional information necessary to determine if a PUD/CUP amendment was required. Staff also notified the applicant that an amendment to the Development Agreement would be required based on the scope of the changes proposed. Staff received various pieces of information over the course of August, September, and October. Following comprehensive review of all materials received, staff deemed the application complete on November 17, 2022. Per the requirements of the settlement agreement, the application was scheduled for hearing with the Planning and Zoning Commission.

The Ketchum Municipal Code in effect in 2008 states that "Building corners for all proposed buildings and additions shall be staked on the site and all trees proposed to be removed shall be flagged at least one week prior to the Commission meeting. The applicant shall install story poles, or other approved method, at the maximum roof peaks of the proposed buildings as required by the administrator". The city received a request from the applicant to waive the requirement for staking and story poles as the current level of disturbance on the site and limited site access makes the task very difficult and there was a concern that placement of story poles on the perimeter of the excavated area would not accurately reflect the proposed application. This requirement is intended to help illustrate to the public and the Commissioners where a building is proposed and how tall it is. This is usually done through placement of ground-mounted wood or metal poles. For taller buildings, the city has also utilized balloons to illustrate building height.

As noted in the requirement above, placement of story poles, or other approved method, are as required by the Administrator. Upon review of the site conditions, staff agrees that installation of story poles or balloons would not accurately depict the proposed project better than the application materials provided for the project. Where the building footprint is located, the site is significantly excavated with a base elevation of more 43 feet below street level on the River Street side and 29 feet on the southwest corner of the building. Additionally, the area of excavation extends beyond the boundaries of the building footprint. Affixing story poles or balloons to the fence line would

provide an artificial representation of the building placement. Based on this review, staff recommends acceptance of the renderings and diagrams included in the Attachment B as an approved method for demonstrating the location and height of the proposed building.

Ketchum Municipal Code provides that “The Administrator may waive some submittal requirements if it is determined the information is not relevant to the design review”. In regard to staking of building corners and flagging of trees, staff does not believe these actions are relevant to the design review. No trees that exist on the subject property today will be removed as all existing trees were identified and preserved as part of the 2008 approval. The applicant is making no changes to the proposed riparian restoration plan or tree preservation plan. As noted later in the staff report and in Attachments M and N, the applicant is not requesting any changes to the setbacks of the building approved with the 2008 CUP and therefore the approved location of the building is not under review with this design review amendment.

If the Commission believes additional information is necessary to fully evaluate the project’s conformance with the design review criteria, that information can be requested of the applicant to be provided at a subsequent hearing.

CONFORMANCE WITH DESIGN REVIEW CRITERIA

As noted above, staff has concerns regarding certain elements of the Design Review application and its conformance with the design review criteria. In general, staff has concerns regarding:

- Landscape Improvements along Hwy 75
- Retaining and Landscape Wall Size and Materials
- Pedestrian Access and Landscaping along Trail Creek
- Generator Location Adjacent to Residential Property
- Façade Changes to Architectural Features and Materials
- Rooftop Mechanical Equipment

The items listed above impact the project’s conformance with design review criteria 2, 3, 9-11, 26-27, 29 and 31 as noted in Attachment O. Below is a review of each of these items for consideration and discussion by the commission.

Landscape Improvements along Hwy 75

As shown on Sheet A1.00 of Attachment D, the 2008 project proposed a significant amount of landscaping within the ITD right-of-way and on the subject property. The sidewalk along Hwy 75 was separated by a landscape buffer with trees and shrubs for the length of the subject property. There were also significant plantings along the southern portion of the building façade where the exposed height of the building increases as the grade of the property slopes toward Trail Creek. At the time of approval, the building façade was setback 41 feet from the edge of the highway at the southern end of the property.

Discussions related to improvements of State Highway 75 through the City of Ketchum have been ongoing for many years. During the review of the 2008 development on the subject property, the Idaho Transportation Department (ITD) knew that a widening of Hwy 75 adjacent to the property would be necessary at some point, however, studies and preliminary designs for that widening had not been conducted. Therefore, the project was designed using the existing lane configuration

including one north bound through lane and a left turn lane at River Street. The applicant requested a dedicated right turn lane onto River Street from Hwy 75, however, the city objected to a dedicated turn lane. The Findings for the PUD/CUP approval (Attachment G) included condition #15 which outlined that a revised plan was to be brought back to the city council for review, in consultation with ITD, for a through lane.

Today, the city and ITD have been in extensive discussions regarding lane reconfiguration as the improvements to Hwy 75 are anticipated to begin construction in Spring 2025. Current preliminary plans from ITD show one northbound left turn lane at River St, one through lane, a dedicated bike lane, and 8-foot sidewalk which narrows to 6 feet as it approaches the bridge across Trail Creek, which has limited width to accommodate all anticipated improvements. The current application has been revised to reflect the current configuration of Hwy 75 as shown on in Attachment B.

Although the reconfiguration of Hwy 75 is not within the Commission's purview under design review, the changes to the road configuration impacts the proposed landscaping along Hwy 75 that previously served to reduce the bulk and mass of the building. Additionally, the reconfiguration will mean the building will only be set back approximately 23 feet from the edge of the highway, a significant adjustment. Design review criteria #26 states:

"Substantial landscaping is to be provided, which is in scale with the development and which provides relief from and screening of hard surfaces. Total building surface area and street frontage will be considered when determining whether substantial landscape is being provided. (Landscaping shall be defined as trees, shrubs, planters, hanging plants, ground cover and other living vegetation)."

Sheet L3.0 of Attachment B is the current application's proposed landscape plan. There are two areas of the landscape plan that have been altered along Hwy 75, one a result of the lane reconfiguration and one a result of a patio expansion proposed by the applicant.

Lane Reconfiguration

The lane reconfiguration primarily impacts the northern portion of the subject property. Impacts to landscaping include a reduction of total landscaping and the downsizing in the type and size of landscaping due to the reduced land area available for landscaping to thrive. As shown on the landscape plan, landscaping proposed on the northern portion of the subject property is reduced from trees and shrubs to a series of ornamental grasses adjacent to a board formed concrete wall with some landscape planters on the east side of the wall in the patio area adjacent to the ground level restaurant. A section drawing of this is shown on Sheet L4.0 labeled Section A. As shown, the concrete wall adjacent to the sidewalk at this portion of the property is approximately 4-5 feet tall on the north end of the property and 11.5 ft on the south end of the wall next to the staircase. Although the wall and landscaping is somewhat a function of the lane reconfiguration, staff does not believe this final condition to be favorable to pedestrians and reduces the amount of screening of the wall and building provided. As further discussed below in the Gateway Plaza section of this report, the north end of the property is intended to be an open and welcoming plaza for the public. Not only does this landscape plan deter interaction with the public, but it minimizes necessary landscaping toward the south end of the wall critical for mitigating the height of the building and walls. Staff recommends the applicant reconfigure the Gateway Plaza area to minimize or eliminate the seat wall proposed, visually open the area to allow or adequate site distance and public

interaction, and evaluate a reconfiguration of the wall and staircase on the south end of the patio to allow for more landscaping.

Patio Expansion

The landscaping along the southern portion of the subject property has been reduced due to the creation of private patios along Hwy 75 at Level 0. As shown on Sheets A1.00 and L-1 through L-3, the original approvals included a patio area adjacent to the meeting and event space which provided natural light into the pre-function areas of the hotel a small patio. As shown on Sheet L4.0, the current application has individual guestrooms with private patios in this location as the meeting rooms have been relocated to a different part of the hotel. The major change of note is the extent to which the patio area extends from the façade wall to the property line. In the 2008 approval, the patio for the meeting space extended about halfway from the building façade to the property line, allowing for a landscape buffer between the patio and the sidewalk. Today, the patios extend from the building façade all the way to the property line, eliminating the landscape buffer on the property.

Staff believes the landscape buffer in this area is critical to mitigate building height, bulk, and mass as it is located where the building height increases due to the slope of the property to Trail Creek. It also serves as further buffer from retaining walls and privacy walls currently proposed that are very tall and are made from board form concrete, which is a less desirable material choice for walls adjacent to public walkways as further discussed below in this report.

In conclusion, staff understands the challenges created by the expansion of Hwy 75. However, further consideration of the landscape plan along Hwy 75 is warranted particularly when the reduction in landscaping may result in less buffering or screening of the building and retaining/privacy walls.

Retaining and Landscape Wall Size and Materials

The current application includes a variety of retaining walls, landscape walls, and screening fencing. The 2008 approval also included retaining, landscape and screening walls to address grade, provide landscaped areas, and screen equipment. As noted above, changes to the Hwy 75 side of the project are significant. Changes to the River St, N Leadville Ave, and Trail Creek sides of the project are less, however still notable.

As mentioned above in the section regarding landscaping of Hwy 75, significant changes to the retaining walls on this side of the building have occurred. In the original approval, as shown on Sheet A1.00 of Attachment D, there were two long retaining walls proposed within the ITD right-of-way that managed the grade change between the highway and the proposed sidewalk. With the lane reconfiguration, these retaining walls are no longer permitted, which means that the grade must be managed on the east side of the sidewalk, on the subject property. As shown in Attachment B, there is a series of retaining walls and staircases along the Hwy 75 side of the building. On the northern end of the property near the "Gateway Plaza", the northwest corner of the property, the retaining

wall is approximately 4-5 feet tall. Moving south, the retaining wall at the south end of the patio is approximately 11.5 feet tall buffered only by a narrow strip of ornamental grasses and shrubs.

Design review criteria #10 states *“Building walls exposed to the street shall be in scale with the pedestrian.”* Criteria #2 states *“The structure shall be compatible with the townscape and surrounding neighborhoods with respect to height, bulk, setbacks and relationship to the street.”* Staff does not believe this retaining wall along Hwy 75 meets the objectives of the design review criteria. A wall of that size is not in scale with pedestrians and does not create a suitable relationship to the street. As there is no landscape buffering of the patio or façade wall, the wall is a visual extension of the façade and will cause the building to feel large and imposing.

The River St side of the project includes two board formed concrete landscape walls at each end of the property with benches for visitors and guests to sit. Although these are desirable amenities for guests, the configuration of the space is more privatized than before and does not encourage public use of the space. Further discussion of these two spaces can be found in the Gateway Plaza and Architectural Features portion of the staff report below.

The retaining walls on N Leadville Ave have improved since the original approval in 2008. As shown in Attachment B, the original approval showed a series of terraced retaining walls, 5 in total, for the length of the building façade starting just north of the garage entrance. The current application, as shown on Sheet L4.0 of Attachment B, has eliminated two of the terraced planters on the north end of the building façade to be replaced by landscaping. This change means an increased amount of landscaping and potentially a more pleasing pedestrian experience, however, there is a tradeoff with the increase of the building façade that will be exposed as the proposed landscaping is deciduous not coniferous and will only be lush during the spring and summer months. Staff has provided additional feedback on the façade wall and proposed landscaping in the Architectural Features section of this staff report below.

Due to grade of the site, the Trail Creek side of the building has tall, exposed portions of the building as the pool deck is elevated one story above the elevation of Trail Creek. This condition is not changing with the current application although the layout and orientation of uses has changes in this area. There is an additional set of stairs that breaks up a long façade wall, however, staff has concerns about the proximity of proposed uses to the adjacent property as noted later in this report.

As shown in the elevations on Sheets A3.01 through A3.04 in Attachment B, all walls are proposed as board formed concrete. As noted in numerous places in the Findings, the 2008 approval required that all retaining walls be wrapped in the same stone veneer as that on the principal building as to blend the walls in with the building. Design Review criteria #8 states *“There shall be continuity among accessory structures, fences, walls, and landscape features within the project”*. As noted in the Materials section of this report, staff believes a warmer color palette is more appropriate for this project. Board form concrete has a very cool color and texture which is not compatible with a warmer materials palette. Staff acknowledges that some of the more modern developments in the community core have utilized board formed concrete in the design, however, with varied success. Depending on the level of skill of the contractor completing the work, the concrete can look unfinished and degrade more quickly over time. The applicant represents that the board formed concrete is proposed to provide some variety in materials at the base of the building. Staff

recommends that the project wrap publicly visible walls along Hwy 75, River St, and N Leadville Ave with the same stone veneer as the building. Staff is supportive of use of the board formed concrete on the south side of the property facing Trail Creek as these areas are primarily visible to guests of the hotel and owners/guests of the condominium units.

Gateway Plaza Area

The northwestern corner of the property is referred to as the Gateway Plaza and was a key element outlined in the Gateway Master Plan Design Guidelines in effect in 2008. As shown on Sheet A1.00 of Attachment D, the Gateway Plaza was integrated into the overall site design and provided an amenity not only for guests, but for the public. The sidewalk along Hwy 75 came along the building and led pedestrians directly into the plaza where a fountain/sculpture art installation was planned. There was a stone landscape wall to the west of the walkway with clear railings on top and a stone light feature at the corner. The northern portion of the plaza was open with no obstructions to access.

Design review criteria #31 states “Pedestrian amenities are encouraged for all projects and shall be required for commercial uses. Amenities may include, but are not limited to benches and other seating, kiosks, telephone booths, bus shelters, trash receptacles, restrooms, fountains, art, etc. The use of “Ketchum Streetscape Standards” shall be encouraged”. As proposed, shown on the civil plan set (sheets C1.0 and C1.1) and landscape plan (sheet L4.0) in Attachment B, the Gateway Plaza area is much more closed off and feels like more of an amenity for guests of the hotel and restaurant patrons than a Gateway Plaza feature for the public. Due to the lane reconfiguration, the sidewalk no longer directs pedestrians to the plaza, but runs north and connects to a crosswalk to the north or the sidewalk that turns right on River St. The plaza is bordered by board formed concrete seat walls, and landscaping which wraps around the north on the River St side of the plaza. The fountain/sculpture art feature has been replaced by a fire pit.

Staff believe the changes to the plaza area do not uphold the intent of the Gateway Plaza feature initially intended for this corner. The seat walls block off access to the plaza from the main pedestrian route and are not welcoming. Fire pits, although nice in the winter months, do not serve as an art attraction in the non-winter months and do not have the vertical appearance of a fountain or sculpture providing interest as people enter the City of Ketchum. Staff recommends the applicant evaluate a reconfiguration of this space to meet the initial goals and objectives of the Gateway Plaza as noted in the Findings, comprehensive plan, and Gateway Massing Study. Some items to consider would be the replacement of the seat walls with a wide stepped entrance to the plaza on the west side, similar to that of the Argyros, and removal of the fire pit for a more vertical art element that grounds the plaza and creates an appealing entrance to the City of Ketchum.

Pedestrian Access and Landscaping along Trail Creek

The current application does not propose any changes to the riparian restoration plan or waterways design review approval from 2008, however, the application does include significant changes to improvements immediately adjacent to the riparian area. As shown on Sheet L-5 of Attachment D, the 2008 approval included a more natural interface between the riparian area and the elevated terrace and pool/jacuzzi deck with meandering pathways, plantings to reflect that of the riparian area, and a narrow pathway from the sidewalk on Hwy 75 to the staircase accessing the upper terrace on the west side of the terrace. The current application, shown on Sheet L4.0 of Attachment

B, shows an extensive paver terrace abutting the full length of the riparian area with the entrance to the upper terrace on the east side of the property adjacent to the new location of an enlarged jacuzzi. In discussions with the applicant, the purpose of this space is to provide areas for outdoor yoga or other programming.

Design criteria #28 states *“The preservation of existing significant trees, shrubs, and important landscape features (mapped in accordance with Site Design, Paragraph 1) shall be encouraged”*. Additionally, Waterways Design Review criteria states *“Preservation of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty five (25 foot setback or riparian zone.”* Staff acknowledges the applicant is not proposing any changes to the riparian restoration plan but has concerns related to the degradation of that plan over time with the proximity of the terrace proposed adjacent to the riparian setback. The initial approval took special care in focusing pedestrian access to the hotel and riparian area and creating a buffer between heavier traffic hotel uses and sensitive riparian areas.

Staff has concerns that the current application minimizes the buffer between uses and removes the additional protection of the riparian area. The proposed changes create the potential for additional social trails to develop by increasing the use of the area. Additionally, the previous design effectively directed pedestrians to the hotel quickly to encourage the use of the pool/jacuzzi deck and included a landscape buffer and gravel walking path between the residential duplex to the south and the hotel. The current application significantly reduces the landscape buffer between the riparian area with the proposed patio. Likewise, the new location and larger footprint of the jacuzzi eliminates the buffer between the hotel uses and the adjacent residential property.

Staff recommends the applicant revised the application to more closely match the original approval in 2008 by focusing pedestrian access from the Hwy 75 entrance to a hotel entrance on the west side, re-establish a buffer between the pedestrian walkway and riparian area, and setback the jacuzzi similar to the original approval to allow for a buffer between the jacuzzi and residential uses to the south.

Generator Located Adjacent to Res Prop

Design review criteria #20 states *“Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, and pedestrian and equestrian use. Consideration shall be given to adequate site distances and proper signage”*. As shown in Attachment B, a generator is proposed on the east side rear of the building that was not included in the initial approval. The applicant has indicated this to be an emergency generator for the hotel with limitations on available locations. Staff has concerns regarding the location of the generator as it obstructs pedestrians exiting to N Leadville Ave during emergency situations. Additionally, the design review criteria stress the importance of substantial landscaping between uses. Although Sheet L3.0 in Attachment B shows landscaping on the south side of the generator, the landscaping is proposed off-site which is

not permitted. Landscaping to meet design review criteria must be accommodated on-site to be deemed acceptable.

Staff recommends the applicant evaluate an alternative location for the transformer that is not within a path of travel and provides adequate opportunity for screening if exterior to the building.

Façade Changes to Architectural Features and Materials

As noted earlier in the staff report, the current application proposes changes to architectural features and materials on each facade. Sheets A3.11 through A3.14 in Attachment B show a comparison between the 2008 approved building and the proposed building for each façade with all proposed materials for the current application on the following three sheets. Sheets A3.01A through A3.04A and Sheet A8.02 in Attachment D show the details of the materials proposed for the 2008 approved project. In general, architectural elements such as rooflines, balconies, columns, windows/doors, and accent elements have changed. For the materials, the 2008 approval included a soft materials palette in warm tones. The current application includes a blend of warm and cool tones for the Commission to provide feedback on.

Criteria #11 states *“The building walls shall provide undulation/relief thus reducing the appearance of bulk and flatness”*. Page 16 of the Findings emphasized that the primary features that served to reduce the appearance of bulk and flatness were the varying materials, recessed balconies, sliding wood screens, and step backs of facades at the upper floors.

Below is an overview of the changes to the overall materials proposed followed by changes to architectural features for the Commission’s consideration. As noted earlier in this report, the key question here is do the materials and architectural changes to the building still serve the purpose of reducing the perceived height, bulk, mass, and flatness of the building while meeting the specifics of the design review criteria.

Materials Changes

The 2008 Design Review criteria is very specific about exterior materials. Design review criteria #17 states *“Exterior siding materials shall be of natural wood or masonry origin or similar quality. Metal siding is discouraged in all zoning districts”*. Criteria #3 states that *“The project’s materials, colors, and signing shall be compatible with the townscape, surrounding neighborhoods, and adjoining structures”*. The 2008 approval included cement plaster, metal panels, stone, and wood on all four facades. It is important to note that the final materials for the project were never confirmed, however, a general material and color palette was approved as noted in condition of approval #15 in the Findings:

“A general material and color palette is approved, consisting of Cor-Ten steel or patina’d copper with a matte finished and in a warm color, cut moss rock similar to that presented at the hearing and plaster in a warm color to be determined. All specific materials and colors shall be reviewed and approved by the Commission prior to installation and prior to the issuance of any Certificates of Occupancy. The applicant shall provide an on-site, large scale

(minimum 80 square feet) materials mock up that will be portable and visible in sun and shade and at different times of day.”

As demonstrated by the detailed nature of the condition, material choices were of specific focus for the Commission. The following materials changes are proposed with the current application:

- Observatory tower material changed from stone to metal paneling
- Balcony railings changed from wood to steel
- Metal paneling changed from a patina'd copper to a grey
- Stone changed from lighter beige/cream horizontal stacked stone veneer to darker grey blocky veneer
- Guestroom windows from soft colored wood framed to black metal framed
- Portion of River Street façade changed from plaster to metal paneling (left of main entrance on middle two floors)
- Removal of sliding wood louver screens on upper floors
- Extension of plaster further down the rear building façade (trail creek side) on the left side
- Increased stone veneer up the façade on the right side of the rear building facade
- Roof changed from standing seam metal roof with wood siding fascia to heavy timber beams and rafters

For the stone veneer, metal panels, and wood siding, the applicant has provided options for the Commission to consider and provide feedback on as shown on sheets A3.21 through A3.23 of Attachment B. For the stone veneer, both options are of a cooler tone but have very different texture and blocking pattern. The metal panel and wood materials provided have a range of colors from grey tones to warmer browns that.

Further discussion of each material by façade is below in the architectural features section of the report. In general, staff believes that a warmer color palette is more appropriate for this site. As noted on page 11 of the Findings, many of the surrounding properties are characterized by similar material types but in warmer tones such as the Kentwood, S Leadville Townhomes, and the Leadville Residences that existed at the time of the original approval. Over the past few years, the community core has seen more modern buildings with cooler color palettes, and it is important that each hotel in Ketchum's Gateway are complementary but have their own identity. More specifically, the Limelight Hotel was completed and has a very similar material and color palette to the current application with a range of grey toned metal panels, stone veneer, wood siding, and metal windows/doors and railings. The Marriott Hotel, proposed for the property south of the Limelight Hotel, across from the subject property, is also a modern design but distinctly different in its design. The materials and color palette vary between significant warm wood elements and very dark accent materials which contrast well.

Additionally, staff believes the contrast between the proposed materials do not seem robust enough to effectively create the undulation and relief of the building façade the design review criteria strive for. The material and color palette of the original approval provided a much stronger contrast between façade elements, such as plaster vs. wood siding. This contrast enhances the undulation of the building façade and reduces the perceived flatness and bulk of the building. For instance, on the River Street façade, the original approval balanced the massing of the light-colored plaster elements with warm stone and wood elements in between. With the current materials proposed, there seems

to be little contrast between the grey metal paneling on the facade, metal paneling on the tower, grey stone, and grey wood which has a flattening effect on the building.

Staff acknowledges the applicant has provided some options for the Commission to choose from as it relates to the stone, wood, and metal panels. Staff recommends the soft color palette rather than the cooler tones proposed. Staff also recommends the applicant consider a stone veneer with a smaller stacked block in a warmer speckled color. Ultimately, the color palette should provide good contrasts that adequately accentuates the architectural features of the building and reduces the perceived height, bulk, and mass of the building.

Architectural Changes

The current application proposes changes to architectural features on all four facades of the building. Some changes are individual to the façade, yet some are changes are reflected throughout the design on multiple facades. For ease of understanding, the façade changes outlined below are organized by street frontage. If an architectural element is changed on more than one façade, the change is noted but only analyzed once.

River Street (North Elevation) – As shown on Sheet A3.11 of the current application, the proposed changes to the River St façade include:

- The plaster materials on the 2nd and 3rd floor façade element to the left of the main entrance has been changed to metal paneling
- The observatory tower material is changed to metal paneling from stone veneer
- All balconies on Level 2 and Level 3 except for the last two on each end of the building have been removed. Windows within the metal paneling portions of the building have Juliet balconies (flush with the wall and not operable).
- The portion of the façade between the plaster and metal paneling features now includes windows with no balconies that occupy the full width of the space rather than being framed by wood siding material
- Removal of the sliding wood louver screens on Level 4
- Addition of a window at level 5 of the observatory tower
- Ground floor windows and doors have shifted to concentrate storefront windows at the corners of the building
- Roof profiles, including the port cochere, have been altered to include heavy timber beams under the eaves
- Addition of roof overhangs on Level 4 above the patio and windows between the plaster and metal paneling façade features

Staff is supportive of some of the changes including the change of the plaster on Levels 2 and 3 to metal paneling, and the rearranging of windows and doors on the ground level. Staff is also supportive of removing the sliding wood screens, however there should be some other architectural element to soften the façade in their place. Staff is not supportive of the change of materials on the observatory tower, removal of the balconies, addition of roof overhangs, and expansion of windows on Levels 2 and 3.

As noted in design review criteria #11, *“Building walls shall provide undulation/relief thus reducing the appearance of bulk and flatness”*. Also, design review criteria #2 states *“The structure shall be*

compatible with the townscape and surrounding neighborhoods with respect to height, bulk, setbacks, and relationship to the street.” Although the setbacks of each level are not changing, staff believes that removal of the balconies and changes to windows on these levels will reduce the undulation and relief provided by the previously proposed balconies, windows and materials thereby increasing the perceived flatness of the building at the 2nd and 3rd levels. This is perhaps better illustrated in the floor plans for these two levels on Sheets A2.02 and A2.03 of Attachment B. Without the balconies, the building façade on the front is only differentiated by materials.

Additionally, the Design Review Findings (Attachment F) note that the original proposal had the appearance of multiple buildings rather than one building. Staff believes one of the architectural features that reinforced this appearance was the separated roof lines and segmentation of the building façade with contrasting materials. With the addition of roof overhangs, there is no longer an appearance of separate buildings as the River Street façade will appear to have one extended roofline. Likewise, the expansion of the windows on Levels 2 and 3 remove the segmented appearance of the façade and create the appearance of one long connected building.

Staff also has concerns related to the addition of the heavy timber beams under the roof overhangs. Heavy timber roof treatments are a staple feature of many mountain-modern structures such as luxury residences and hotels often used to accentuate grand entrances or other roof features. However, this project is located in an urban setting where architectural features should serve the purpose of accentuating the building without increasing the perceived size of the building. Staff has concerns that additional bulk on the roof form will make the building feel top heavy and accentuate the height of the building particularly from the pedestrian level. Not only do the roofs overhang the facades on all sides, but some of the roofs are also reverse slope which exposes a larger portion of the eaves. As shown on Sheet A2.06 in Attachment B, the roofs overhang each building façade.

Finally, staff is not supportive of the change in materials of the observatory tower and the addition of the window. The 2008 approval showed the observatory tower wrapped in stone with no window at the top. This served to de-emphasize the tower from the rest of the building. Staff has concerns that the material change and addition of the window will draw additional emphasize to the tower, highlight the height, which is not the objective of the design review criteria.

Staff recommends the applicant remove the additional roof overhangs, reintroduce the proposed balconies on Levels 2 and 3 of the building, and re-establish some of the segmenting of materials

between the primary plaster and metal paneling façade elements. Staff also recommends the applicant evaluate select areas for heavy timber application

N Leadville Ave (East Elevation) – As shown on Sheet A3.12 of the current application, the proposed changes to the N Leadville façade include:

- Removal of the sliding wood louver screens, a reduction in the window heights, and thicker horizontal band of wood siding above the windows on the rear half of the façade on Level 3
- Replacement of the stone above the garage and service entry doors with horizontal wood slats
- Relocation of the transformers from next to the garage door to the mid-point of the block and added windows and landscaping adjacent to the garage door
- On the ground level, eliminated the wrap around patio at the corner of River St and N Leadville Ave. Removed the railing, awning, and vertical columns.

Staff does not have concerns related to the Level 3 changes of the building and supports the relocation of the transformers as it breaks up the amount of hard screening along the sidewalk. Staff does have concerns about the wood slats above the garage and services doors and the changes to the façade near the River St end of the building.

Regarding the wood slats above the service doors, it appears the materials will be similar in color to the garage doors which creates the appearance of taller service doors to each area and increases the perceived height of that level from the street. Staff recommends the applicant continue the stone treatment above the garage doors rather than the proposed wood slats.

The portion of the façade closest to River Street in the current application lacks the same architectural depth as the original approval. The removal of the patio creates a flat blank cold wall with a more elongated height than before. Although the area in front of this façade section will be landscaped with deciduous trees, those trees will not have leaves in the winter and this portion of the façade appears very tall from the street level with no vertical undulation from the street level all the way to the top of Level 3 except for balconies. As noted in Attachment G, the approved setback for the façade on Leadville Ave is zero but currently shown as 5 feet. Although there is a positive tradeoff to setting the building back further, staff does not believe that tradeoff effectively mitigates the perceived bulk and mass of the building as intended in the design review criteria. Staff recommends the applicant evaluate options to reintroduce some horizontal elements and

undulation into this portion of the building and re-evaluate proposed landscaping treatment to provide something that will serve a screening purpose year round.

Hwy 75/Main St Façade (West Elevation) – As shown on Sheet A3.14 of the current application, the proposed changes to the Main St façade include:

- Removal of balconies on Level 1
- Replacement of balconies on the southern end of Levels 2 and 3 with Juliet balconies
- Removal of columns adjacent to the restaurant on the north end of the façade
- Removal of sliding louver screens and reduction in height of windows on Level 3, roof overhang replaced by thick banding of wood siding to match façade material
- Extension of roof overhangs on Level 3 and Level 4 further to the south
- Extension of Level 4 terrace further south
- Consolidation of the two middle metal paneling features into one continued façade feature

Staff is supportive of the removal of the sliding wood screens, however some other material treatment to soften that portion of the façade should be provided. Staff is not supportive of the other changes proposed for many of the same reasons noted above. These changes dramatically decrease the undulation of the building and create the appearance of one long building, rather than multiple buildings with dynamic features and use of materials.

Staff has significant concerns related to the extension of the roof overhangs on Levels 3 and 4 and the expansion of the terrace on Level 4. As outlined on page 11 of the Findings, the Commission found the original application in conformance with design review criteria related to bulk and mass in large part because of the step back of the roofs and façade at the third and fourth levels. Although the façade wall location is not being changed, extension of the roof overhangs creates a perception of the extension of the façade wall and does not achieve the objectives of the design review criteria.

Expansion of the Level 4 terrace shortens the depth of the reverse slope roof above Level 3 and extends the portion of grey wood siding further south with limited differentiation of materials or features. Particularly as the two separate metal paneling features in the center have been

consolidated into one feature. Staff does not believe the extension of the terrace meets the design review criteria objectives of reducing bulk and mass of the building.

Trail Creek Façade (South Elevation) – as shown on Sheet A3.13 in the current application, the proposed changes to the Trail Creek façade include:

- Extension of the plaster on the left side of the building further down
- Extension of the stone veneer on the right side of the building further up
- Consolidation of the two center plaster features into one plaster feature in the middle of the façade
- Addition of an upper-level deck on Level 1 (one level above the pool deck) with a change of façade materials underneath from metal paneling to stone
- Change of rooflines on left side Level 2 from a reverse slope roof to a flat parapet wall
- Change of roofline on Level 4 from a flat roof to a reverse slope roof
- Addition of a roof overhang in the middle of the façade on the top level
- Removal of vertical wood strut architectural elements at various points on the façade
- Addition of fenestration on the lower level for the spa
- Changes to the wall configuration and materials around the pool deck, jacuzzi, and adjacent staircases
- Removal of balconies on Level 1, Level 2, and removal of some and changes to some balcony configurations on Levels 3 and 4

Staff is not supportive of many of the proposed changes to this façade for similar reasons as mentioned above. Of special consideration are the changes to the proposed rooflines at Level 2 and Level 4. As shown on Sheet A3.13, the original approval included a flat roof above Level 4 and a reverse sloped roof above Level 2. Staff believes the change to the Level 4 roof assists in reducing the perceived height of the building. However, the perceived height of the left side of the façade appears to increase with the flat roof above Level 2 and the extension of the plaster material further down on the façade. The original approval managed the height of this façade well by balancing roof profiles and materials, however, that balance has not remained with the proposed changes to that portion of the building.

Similar concerns exist with the proposed changes to the center portion of the façade. The 2008 approval emphasized the segmentation of the center façade elements on upper floors to lessen the perceived height of the building. Although the lower two levels had floor to ceiling windows on two floors, the upper two levels of the façade were broken up with undulation, balconies, and material changes. With the consolidation of the two plaster façade features into one, placement of larger windows, and the addition of the roof overhang in this section, the building appears taller than originally proposed. The removal of balconies and changes to configurations of balconies also creates a flatter appearance to the building that was not present in the original approval. Although these are interior elements to the courtyard, some of these features may be visible from surrounding properties and are important to address.

Finally, the addition of an upper-level deck above the pool and materials changes to the lower two levels of the facade adds some depth to the façade. The addition of the deck meets the criteria of the PUD/CUP approval and would not trigger an amendment to the PUD/CUP. The deck does not

count towards FAR calculations and the proposed deck does not encroach into the setback to Trail Creek as established by the PUD/CUP.

Staff recommends the applicant review the proposed façade changes and reconsider elements of the original approval to better manage the perceived bulk, height, and flatness of the proposed building.

Elevator and Staircase Overrun

At the time of the 2008 design review approval, the final mechanical systems had not been designed. The elevations included in the project plans showed various perspectives of the rooftop mechanical equipment and portrayed the equipment to be minimal in scope compared to the observatory tower. However, the roof plan (Sheet A2.06) and building height analysis (Sheet A-1D) of Attachment D more accurately portrays the size and location of rooftop mechanical equipment in relation to the observatory tower and roof forms as anticipated in 2008. As noted in the Findings on page 14, the elevator shaft and staircase near the observatory projected approximately 12 feet above the roof surface and was set back 44 feet on River Street, 36 feet from Main Street, and 130 feet from Leadville Ave.

Condition of approval #17 indicates that the final rooftop mechanical equipment's relation to the roof forms and building height was to be evaluated by the Commission prior to building permit issuance. There were no limitations on the height of the mechanical equipment as members of the Commission felt that the equipment that exceeded the 58-foot maximum building height was set back enough that it would not be visible from the street. Some Commissioners commented that equipment should not exceed the 58-foot limit. Ultimately, the Commission crafted condition #17 to allow for further review once the necessary mechanical equipment was understood.

Since the 2008 approval, the City of Ketchum has adopted the 2018 building codes, which have additional requirements for emergency access. Sheets A3.01 through A3.04 in Attachment B show elevations of the current application including proposed mechanical equipment heights. The now proposed mechanical equipment appears to be taller in height and includes an additional elevator shaft and staircase accessing the observatory deck and roof. A secondary access is a requirement of the new 2018 building code.

Per the conditions of approval, since no height was stipulated for the rooftop mechanical equipment, it is up to the discretion of the Commission to determine the acceptable height of these features. Staff believes the intent of the design review approval in 2008 was to allow for the equipment to exceed the 58 feet, but not the 75-foot height of the observatory. Based on the information provided on Sheet A3.04 of Attachment B, the mechanical equipment is approximately 15 feet above the 58-foot maximum building height plane. Just shy of the top of the observatory. Staff recommends the applicant further evaluate the mechanical systems proposed to identify ways to minimize the height of rooftop mechanical equipment.

CONFORMANCE WITH PUD/CUP APPROVAL

As mentioned earlier in the staff report, staff has conducted an extensive review of the current application for conformance with the requirements of the PUD/CUP. Attachment N is the detailed

staff analysis. In general, to demonstrate conformance with the PUD/CUP, an application must demonstrate the following:

1. The proposed project meets the definition of “Hotel” in place at the time of the 2008 approval (attached).
2. The proposed project provides, at a minimum, a total of 73 guestrooms or “hot beds” and six condominium units meeting the occupancy parameters of the hotel definition.
3. The total Gross Floor Area for the project does not exceed 149,325 SF.
4. Adequate parking for all proposed uses, per the ratios outlined in Table 4 of the Findings, can be provided on-site meeting all design and dimensional requirements in place at the time of the 2008 approval.
5. The proposed project must meet all dimensional standard waivers granted as outlined in Table 3 of the Findings.
6. The proposed project must demonstrate conformance with all 18 conditions of approval as outlined in the Findings.
7. The proposed project demonstrates that all special development objectives outlined in Table 10 of the Findings are still met.

As outlined in Attachment N, the current application meets the definition of hotel as applied at the time of the initial approval, provides the required number of hot beds and condominium units, does not exceed the gross floor area of the original approval, and provides adequate parking for all proposed uses. Additionally, the current application meets all dimensional standards and demonstrates conformance with all 18 conditions of approval. Finally, the project still provides all eight special development objectives as outlined in the Findings for the PUD/CUP.

As such, staff believes the current application is in conformance with the PUD/CUP and an amendment to the PUD/CUP is not required.

DEVELOPMENT AGREEMENT AMENDMENT

An amendment to the Amended and Restated Development Agreement dated October 5, 2015 (Attachment H) is required as there are changes to the proposed project as well as the timeline for construction. An application for an amendment to the development agreement was received on October 6, 2022. Following receipt of the application and review of the proposed design review changes, staff believes the draft Second Amendment to Amended and Restated Development Agreement (Attachment P) adequately addresses all conditions of approval of the PUD/CUP, provides clarity on process and deadlines for completion of the project, and reflects the current application as proposed.

Deadlines for completion of the project reflect the negotiated timeline outlined in the Settlement Agreement (Attachment L). Staff and the applicant have also added more detailed information on how the condominium rental program is to be created and administered to ensure full benefit to the Ketchum community reflecting the commitments made by the applicant during the original approval in 2008.

As of the date of this report, the applicant is in agreement with the proposed draft.

STAFF RECOMMENDATION

Staff recommends the Commission review the staff report, attachments, presentations by staff and the applicant, and public testimony and provide comments to the applicant on ways to address staff's concerns or other concerns raised by the Commission. Staff recommends that following that feedback, the Commission continue the hearing on the Design Review and Development Agreement Amendment to a future date.