



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: Staff Member/Dept:

Agenda Item:

Recommended Motion:

I move to approve:

1. Findings and Order Approving the Permits Conditions Acceptance Agreement for the PEG Ketchum Hotel
2. Findings and Order Granting an Amendment to PUD/CUP 19-063 for the PEG Ketchum Hotel
3. Order of Approval of Final Master Compiled Record of Proceedings for the PEG Ketchum Hotel

Reasons for Recommendation:

- On May 15, 2023 the City Council approved the Permits Conditions Acceptance Agreement for the PEG Ketchum Hotel and Granted an Amendment to PUD/CUP 19-063. The proposed documents reflect the decision of the City Council.

Policy Analysis and Background (non-consent items only):

Sustainability Impact:

Financial Impact:

Attachments:

1. Findings and Order Approving the Permits Conditions Acceptance Agreement for the PEG Ketchum Hotel
2. Findings and Order Granting an Amendment to PUD/CUP 19-063 for the PEG Ketchum Hotel
3. Order of Approval of Final Master Compiled Record of Proceedings for the PEG Ketchum Hotel

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KETCHUM**

IN RE:	)	AGREEMENT NO. 22847
)	
PEG KETCHUM HOTEL, LLC	)	FINDINGS OF FACT, CONCLUSIONS
	)	OF LAW, AND ORDER OF DECISION
Permit Conditions Acceptance	)	(Notice of Final Action)
Development Agreement)	
)	
)	

THE ABOVE-ENTITLED MATTER coming before the City Council of the City of Ketchum (the “Council”), on the 15th day of May, 2023, pursuant to the Applicant’s and the City Staff’s renegotiated and the Planning and Zoning Commissions recommended 3-28-2023 draft Permit Conditions Acceptance Development Agreement (the “Renegotiated Development Agreement”) which companions with the Applicant’s Planned Unit Development/ Conditional Use Permit No. P19-063 (the “PUD/CUP Permit”). The Council having reviewed the Renegotiated Development Agreement, having received the Planning and Zoning Commission’s *Findings of Fact, Conclusions of Law, and Recommendation to the City Council* Agreement No. 22847, and the information provided at the hearing on this matter; and the information provided at that hearing, does hereby make and set forth the Record of Proceedings, Findings of Fact, Conclusions of Law, and Recommendation to the City Council as follows:

SECTION 1

The record of the proceedings of the above-referenced matter consists of the following, to-wit:

Notice of Hearing: Notice of this hearing was:

- Published April 26, 2023 in the Idaho Mountain Express, the City’s official newspaper of general circulation; and
- Mailed on the April 26, 2023 to the property owners within 300 feet of the subject real property and affected agencies; and
- Posted on the subject real property on May 8, 2023; and
- Posted on the City’s website on May 8, 2023.

Exhibits

	<i>DESCRIPTION OF EVIDENCE</i>	<i>Withdrawn</i>	<i>Refused</i>	<i>Admitted</i>
1	<p>Staff Report dated May 15, 2023 with the following Attachments A-E:</p> <p>Attachments:</p> <p>A: March 28, 2023 Planning and Zoning staff report.</p> <p>B: Proposed March 28, 2023 draft Permit Conditions Acceptance Agreement 22847.</p> <p>C: April 11, 2023 Planning and Zoning Commission Findings and Recommendation on Permit Conditions Acceptance Agreement 22847.</p> <p>D: Proposed First Amendment to PUD/CUP P19-063</p> <p>E: April 11, 2023 Planning and Zoning Commission Findings and Recommendation on First Amendment to PUD/CUP P19-063</p>			X
2	Noticing Checklist/Certification			X

PERSONS TESTIFYING and COMMENT:

Staff Report: Suzanne Frick, presented and gave the City staff report with explanation and stood for questions from the Mayor and City Council.

Public Comment: There was no public comment.

DECISION and RECOMMENDATION

WHEREUPON THE CITY COUNCIL being duly informed and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER OF DECISION, to-wit:

II.
FINDINGS OF FACT and CONCLUSIONS OF LAW
[As set forth in this section are findings of fact and corresponding citations to KMC provisions which are also Conclusions of Law]

2.1 Findings Regarding Notice:

2.1.1 **Notice Required:** Notice has been given in accordance with the Law as required by KMC Sections 16.08.110 and 17.116.040.

2.2 Findings Regarding Applications Filed:

2.2.1 The City Staff presented to the Commission the Renegotiated Development Agreement together with information that the renegotiation process began between June 14, 2022 and July 6, 2022 which various drafts of the agreement were negotiated concluding with PEG Ketchum Hotel LLC (the “Applicant”) agreement with a redlined draft of the Renegotiated Development Agreement on February 27, 2023 that formed the clean version of March 3, 2023. The Planning and Zoning Commission has recommended to the City Council a couple of changes which are incorporated in the March 28, 2023 draft of the Renegotiated Development Agreement which has been submitted with the Staff Report for consideration of approval by the City Council. The Renegotiated Development Agreement requires the Staff initiated request for an amendment of the Applicant’s Planned Unit Development/ Conditional Use Permit No. P19-063 (the “PUD/CUP Permit”) at page 29, Condition No. 5 paragraph 1.5.3 by an increase of the time period for a certificate of the occupancy to be issued for their hotel project after the issuance of a building permit from 18 months to 30 months. The Applicant’s Requested Amendment is a part of a renegotiated Permit Conditions Acceptance Development Agreement which was also heard with this matter simultaneously by the Commission.

2.3 Findings Summarizing Public Comment Concerns and Objections to and Benefits of the Application:

The Council having reviewed and having listened to the Staff Report and comments finds as follows:

- There was no objection to the March 28, 2023 draft of the Renegotiated Development Agreement; and
- The Staff recommended approval of the March 28, 2023 draft Permit Conditions Acceptance Agreement 22847.

2.4 PUD/Conditional Use Ordinance Standards and Planning and Zoning Commission Evaluation Compliance Analysis and Findings:

KMC § 16.08.120 C

- The City of Ketchum is an Idaho municipal corporation and is required by I.C. § 67-6503 to exercise the powers conferred by the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code; and
- PEG Hotel, LLC (the “Applicant”) has filed with the City the following applications for the development of a hotel within the City:
 - Building Demolition Development Application; and
 - Floodplain Development Permit Application; and
 - Lot Line Shift Development Application; and
 - Planned Unit Development/Conditional Use Permit Application; and
 - Design Review Development Application; and
 - Related PUD/CUP applications for the hotel development.
- The City has processed the Applications and has approved the same subject to numerous conditions; and
- The Ketchum City Code (“KMC”) provides at KMC § 16.08.120 C:
 - C. Prior to final approval of a PUD conditional use permit, the city council may require, but not limited to, the following:*
 - 1. Such written agreements executed by the developer to secure performance of any requirement or condition to be imposed as part of the approval, including, but not limited to, development, services and/or annexation agreements.*
- In the process of staffing the Applications the City Planning and Building Department staff, in order to assure the Applicant will timely and in compliance with the Applications Permits conditions, has drafted the Renegotiated Development Agreement; and
- The March 28, 2023 draft of the Renegotiated Development Agreement provides for the timely performance by the Applicant of the conditions of the Applications permits granted by the City for the Applicant’s hotel development and is in the best interests of the City to which the PEG Ketchum Hotel LLC is agreeable.

III. CONCLUSIONS OF LAW

The following are the legal principles that provide the basis for the Ketchum City Councils' decision which the Councilors have applied to the facts presented at the hearing of the above-entitled matter:

- 3.1 The City is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code; and
- 3.2 The City pursuant to Idaho Code Section 67-6515 has the authority, which it has exercised by ordinance, codified at Chapter 8 of Title 16 of the KMC, which is separate from its zoning ordinance for the processing of applications for planned unit development permits.
- 3.3 KMC section 16.08.120 C provides that prior to final approval of a PUD conditional use permit, the City Council may require a written agreement executed by the Applicant to secure performance of any requirement or condition to be imposed as part of the approval, including, but not limited to Development and may also require recordation of documents establishing and guaranteeing the operation and maintenance of the Project; and

IV. ORDER OF DECISION

Based upon the above and foregoing Findings of Fact/Conclusions of Law and good cause appearing from the record, IT IS HEREBY ORDER AND THIS DOES ORDER THAT:

Order No. 1: The Permits Conditions Acceptance Development Agreement / draft dated March 28, 2023 is approved and the Mayor is authorized to execute the same on behalf of the City of Ketchum subject to and contingent upon the following terms and conditions:

Condition No. 1 Permits Conditions Acceptance Development Agreement: That manager of PEG Capital Partners, LLC which in turn manages PEG Capital Partners I GP, LLC, the manager of PEG Ketchum Hotel, LLC., a Delaware limited liability company, executes the Permits Conditions Acceptance Development Agreement / draft dated March 28, 2023 on behalf of PEG Ketchum Hotel, LLC.

Order No. 2: That the City Clerk provide a copy of these Findings of Fact, Conclusions of Law and Order of Decision to the Applicant.

Findings of Fact, Conclusions of Law and Order of Decision adopted this ____ day of June, 2023.

Neil Bradshaw, Mayor
City of Ketchum

NOTICES

Please take notice of the following:

To the Applicant: You are hereby notified that, the above and forgoing *Findings of Fact, Conclusion of Law and Order of Decision* (the “Final Decision”) is a final decision of the City Council on the above entitled matter; and the Applicant has the right to request a regulatory taking analysis pursuant to section [67-8003](#), Idaho Code.

To any Affected Person: You are hereby notified that an affected person, who is aggrieved by this Final Decision (as provided in section [67-6521](#)(1)(a), Idaho Code), and who wishes to seek judicial review of this Final Decision, is required, by section [67-6535](#)(2)(b), Idaho Code, to first file a request for reconsideration of this Final Decision with the City Clerk within fourteen (14) days of the date of this Final Decision.

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KETCHUM**

IN RE:	)	FILE NO. P19-063
)	
PEG KETCHUM HOTEL, LLC	)	FINDINGS OF FACT, CONCLUSIONS
	)	OF LAW, AND ORDER OF DECISION
Applicant for	)	(Notice of Final Action)
Planned Unit Development)	
Conditional Use Permit)	
)	

THE ABOVE ENTITLED MATTER coming before the City Council of the City of Ketchum (the “Council”), on the 15th day of May, 2023, pursuant to the City staff initiated and the Applicant’s consent to a request for an amendment of the Planned Unit Development/ Conditional Use Permit No. P19-063 (the “PUD/CUP Permit”) at page 29, Condition No. 5 paragraph 1.5.3 by an increase of the time period for a certificate of the occupancy to be issued for the Project after the issuance of a building permit from 18 months to 30 months (the “Requested Amendment”). The City staff initiated Requested Amendment is a part of a renegotiated Permit Conditions Acceptance Development Agreement which is also being heard simultaneously by the Council. The Council having reviewed the Requested Amendment, having received the Planning and Zoning Commission’s *Findings of Fact, Conclusions of Law, and Recommendation on First Amendment to PUD/CUP P19-063* to approve the request, and the information provided at the hearing on this matter; and having reviewed the renegotiated Permit Conditions Acceptance Development Agreement, and the information provided at that hearing, does hereby make and set forth the Record of Proceedings, Findings of Fact, Conclusions of Law, and Recommendation to the City Council as follows:

SECTION 1

The record of the proceedings of the above-referenced matter consists of the following, to-wit:

Notice of Hearing: Notice of this hearing was:

- Published April 23, 2023 in the Idaho Mountain Express, the City’s official newspaper of general circulation; and
- Mailed on April 26, 2023 to the property owners within 300 feet of the subject real property and affected agencies; and
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Exhibits

	<i>DESCRIPTION OF EVIDENCE</i>	<i>Withdrawn</i>	<i>Refused</i>	<i>Admitted</i>
1	<p>Staff Report dated May 15, 2023 with the following Attachments A-E:</p> <p>Attachments:</p> <p>A: March 28, 2023 Planning and Zoning staff report.</p> <p>B: Proposed 3-28-2023 draft Permit Conditions Acceptance Agreement 22847.</p> <p>C: April 11, 2023 Planning and Zoning Commission Findings and Recommendation on Permit Conditions Acceptance Agreement 22847.</p> <p>D: Proposed First Amendment to PUD/CUP P19-63</p> <p>E: April 11, 2023 Planning and Zoning Commission Findings and Recommendation on First Amendment to PUD/CUP P19-063</p>			X
2	Noticing Checklist/Certification			X

PERSONS TESTIFYING and COMMENT:

Staff Report: Suzanne Frick, presented and gave the City staff report with explanation and stood for questions from the Mayor and City Council.

Public Comment: There was no public comment.

Written Comment Received: There was no additional written comment received.

ORDER OF DECISION

WHEREUPON THE CITY COUNCIL being duly informed and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER OF DECISION, to-wit:

II.
FINDINGS OF FACT and CONCLUSIONS OF LAW
[As set forth in this section are findings of fact and corresponding citations to KMC provisions which are also Conclusions of Law]

2.1 Findings Regarding Notice:

2.1.1 **Notice Required:** Notice has been given in accordance with the Law as required by KMC Sections 16.08.110 and 17.116.040.

2.2 Findings Regarding Applications Filed:

2.2.1 The City staff has, with consent of the Applicant, initiated a request for a first amendment of the Applicant's Planned Unit Development/ Conditional Use Permit No. P19-063 (the "PUD/CUP Permit") at page 29, Condition No. 5 paragraph 1.5.3 by an increase of the time period for a certificate of the occupancy to be issued for their hotel project after the issuance of a building permit from 18 months to 30 months.

2.2.2 The City Staff's initiated Requested Amendment is a part of a renegotiated Permit Conditions Acceptance Development Agreement which was also heard simultaneously by the Commission.

2.3 Findings Summarizing Public Comment Concerns and Objections to and Benefits of the Application:

The Council having reviewed and having listened to the Staff Report and comments finds as follows:

- There was no objection to the Amendment Request; and
- The Staff recommended approval of the Amendment Request to this Permit would align with the renegotiated Permits Conditions Acceptance Development Agreement which the Planning and Zoning Commission has recommended approval by the City Council subject to three modifications unrelated to this Request for Amendment.

2.4 PUD Ordinance Standards and Planning and Zoning Commission Evaluation Compliance Analysis and Findings:

KMC § 16.08.080.0

The development will be completed within a reasonable time.

The Commission finds this standard is met; provided that the Permit Conditions Acceptance Development Agreement is entered into between the Applicant and City Council for the Project prior to the issuance of any Building Permit for the construction of the Project.

III. CONCLUSIONS OF LAW

The following are the legal principles that provide the basis for the Ketchum City Councils' decision which the Councilors have applied to the facts presented at the hearing of the above-entitled matter:

- 3.1 The City is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code; and
- 3.2 The City, pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code, has the authority to enact the Ordinances and regulations which the City has exercised and approved Ordinances codified in the Ketchum City Code ("KMC"), and which are identified in Section II of these Findings of Fact, and which are herein restated as Conclusions of Law by this reference, and which City Ordinances govern the Applicant's Project Applications for the Development and use of the Project Site.
- 3.3 The City, pursuant to Idaho Code Section 67-6515, has the authority, which it has exercised by ordinance, codified at Chapter 8 of Title 16 of the KMC, which is separate from its zoning ordinance for the processing of applications for planned unit development permits.
- 3.4 KMC section 16.08.120C provides that prior to final approval of a PUD conditional use permit, the City Council may require a written agreement executed by the Applicant to secure performance of any requirement or condition to be imposed as part of the approval, including, but not limited to Development and may also require recordation of documents establishing and guaranteeing the operation and maintenance of the Project; and
- 3.5 The Project Applications, which includes waivers to the floor area ratio, side yard setbacks, and height and four-story requirements is governed under KMC Sections 16.08.020B, 16.08.030, 16.08.040, 16.08.070, 16.08.080 and 17.124.050 are reviewed and considered by the Council in accordance with the following:
 - 3.5.1 In the event of a conflict, Chapter 8 of Title 16 KMC controls over any other City ordinance; and

- 3.5.2 A planned unit development involves a development of land in which the standard land use regulations of the City may be modified or waived in order to promote beneficial development of an entire tract of land in conformance with an approved planned unit development conditional use permit accentuating usable open space, recreational uses, public amenities, community housing, and harmonious development with surrounding properties and the city at large; and
- 3.5.3 Any person wishing to develop a planned unit development shall comply with the requirements of Chapter 8 of Title 16 KMC in addition to the zoning, subdivision and other applicable laws, ordinances, regulations and rules, subject to any modification or waiver granted as part of the planned unit development (PUD) conditional use permit; and
- 3.5.4 The Planning and Zoning Commission can make recommendations and the City Council has authority to grant waivers or deferrals of any of the requirements of sections 16.08.070 and 16.08.080 KMC on a case-by-case basis when the waiver or deferral will not be detrimental to the public welfare, health and safety nor injurious to property owners in the immediate area; and
- 3.5.5 The Amendment Request of the Planned Unit Development and Conditional Use Permit meets the standards of approval under Title 16 and Title 17 KMC, subject to conditions of approval.

IV. ORDER OF DECISION

Based upon the above and foregoing Findings of Fact/Conclusions of Law and good cause appearing from the record, IT IS HEREBY ORDER AND THIS DOES ORDER THAT:

Order No. 1: The City staff-initiated Request for an amendment of the Applicant’s Planned Unit Development/ Conditional Use Permit No. P19-063 (the “PUD/CUP Permit”) at page 29, Condition No. 5 paragraph 1.5.3, by an increase of the time period for a certificate of the occupancy to be issued for the Project after the issuance of a building permit from 18 months to 30 months, be granted subject to and contingent upon the following terms and conditions:

Condition No. 1 Permits Conditions Acceptance Development Agreement: That the Permit Conditions Acceptance Development Agreement (with the Commission’s recommended modifications) has been entered into between the Applicant and City Council for the hotel project prior to the issuance of any Building Permit for the construction of the hotel project.

Order No. 2: That the City Clerk provide a copy of these Findings of Fact, Conclusions of Law and Order of Decision to the Applicant.

Findings of Fact, Conclusions of Law and Order of Decision adopted this ____ day of June, 2023.

Neil Bradshaw, Mayor
City of Ketchum

NOTICES

Please take notice of the following:

To the Applicant: You are hereby notified that, the above and forgoing *Findings of Fact, Conclusion of Law and Order of Decision* (the “Final Decision”) is a final decision of the City Council on the above entitled matter; and the Applicant has the right to request a regulatory taking analysis pursuant to section [67-8003](#), Idaho Code.

To any Affected Person: You are hereby notified that an affected person, who is aggrieved by this Final Decision (as provided in section [67-6521](#)(1)(a), Idaho Code), and who wishes to seek judicial review of this Final Decision, is required, by section [67-6535](#)(2)(b), Idaho Code, to first file a request for reconsideration of this Final Decision with the City Clerk within fourteen (14) days of the date of this Final Decision.

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KETCHUM**

IN RE:	)	FILE NOS.
)	
PEG KETCHUM HOTEL, LLC	)	P19-062 [Floodplain]
	)	P19-063 [PUD]
Applicant for	)	P19-064 [Lot Line Adjustment]
• Floodplain Development	)	P20-069 [Waivers]
Permit	)	P20-015 [Design Review]
• Planned Unit Development)	
Conditional Use Permit)	
• Lot Line Adjustment	)	ORDER OF APPROVAL OF FINAL
• Waiver	)	MASTER COMPILED RECORD OF
• Design Review	)	PROCEEDINGS
• Permit Conditions Acceptance	)	[City Council – June 12, 2023]
Agreement)	
)	

THE ABOVE-ENTITLED PERMIT APPLICATION MATTERS have come before the City of Ketchum Planning and Zoning Commission and the City Council of the City of Ketchum, as hereinafter stated, commencing with the filing of the above-entitled applications on June 19, 2019 and concluding with City Council actions on June 12, 2023; and the City staff having maintained a Compiled record of proceedings of the above entitled matters throughout these proceedings; and the City Council having been presented with the *Final Master Compiled Record of Proceedings [City Council June 12, 2023]* by the staff at the regular City Council meeting of June 12, 2023; and having reviewed the same, the City Council finds that the *Final Master Compiled Record of Proceedings [City Council June 12, 2023]* is a complete and accurate record of the above entitled proceedings.

ORDER OF APPROVAL

Based upon the above and foregoing, IT IS HEREBY ORDERED AND THIS DOES ORDER THAT: The *Final Master Compiled Record of Proceedings [City Council June 12, 2023]* is approved as the official record of proceedings for the above-entitled matters subject to the inclusion of signed copies of Exhibits F-19, F-20, M-24, M-25, N-87, 0-8, 0-9 under the direction of the City Clerk and the City Attorney’s Office.

Order of Approval **adopted** this _____ day of _____, 2023.

Neil Bradshaw, Mayor
City of Ketchum

Trent Donat, City Clerk

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KETCHUM**

IN RE:	)	FILE NOS.
)	
PEG KETCHUM HOTEL, LLC	)	P19-062 [Floodplain]
	)	P19-063 [PUD]
Applicant for	)	P19-064 [Lot Line Adjustment]
• Floodplain Development	)	P20-069 [Waivers]
Permit	)	P20-015 [Design Review]
• Planned Unit Development)	
Conditional Use Permit)	
• Lot Line Adjustment	)	FINAL MASTER COMPLIED
• Waiver	)	RECORD OF PROCEEDINGS
• Design Review)	
• Permit Conditions Acceptance	)	[City Council – June 12, 2023]
Agreement)	

THE ABOVE-ENTITLED PERMIT APPLICATION MATTERS have come before the City of Ketchum Planning and Zoning Commission and the City Council of the City of Ketchum, as hereinafter stated, commencing with the filing of the above-entitled applications on June 19, 2019 and concluding on June 12, 2023. Therefore, City Council does hereby make and set forth this Final Master Compiled Record of Proceedings for all the above-referenced matters as follows:

COMPILED RECORD OF PROCEEDINGS

The compiled record of the proceedings of the above-referenced matters consists of the following, to-wit:

1.1 (Re-designated) Exhibits and documents included in these proceedings on Remand: ¹

¹ The Agency Record documents have been sequentially numbered “RECORD 00001- RECORD 06838” and as of the date of this document, the next Bates number is “**Record 06839**.” Pursuant to the City Council Order of Approval of Final Master Compiled Record of Proceedings, signed copies of the exhibits listed herein green highlighting, under direction of the City Clerk and the City Attorney’s Office, will be Bates numbered and added.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
<i>APPLICATION Documents Identified with prefix "A"</i>		
A-1 00001-00002	2019-06-19	Development Agreement Application to City of Ketchum Planning & Building P19-064 dated 6-19-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-2 00003-00011	2019-06-19	Design Review Application to City of Ketchum Planning & Building P19-061 dated 6-19-2019 Boutique Hotel PEG Ketchum Hotel LLC.
A-3 00012-00018	2019-06-19	Floodplain Management Overlay Application to City of Ketchum Planning & Building P19-062 dated 6-19-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-4 00019	2019-06-19	Lot Line Shift Application to City of Ketchum Planning & Building P19-065 dated 6-19-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-5 00020	2019-06-19	Planned Unit Development Conditional Use Permit Application to City of Ketchum Planning & Building P19-063 dated 6-19-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-6 00021-00022	2019-06-20	Conditional Use Permit Application to City of Ketchum Planning & Building P19-066 dated 6-20-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-7 00023-00236	2019-07-29	Pre-Application Design Submittal Ketchum Boutique Hotel July 29, 2019 Planning and Zoning Commission Meeting Submittal by AJC Architects for PEG Companies.
A-8 00237-00245	2020-02-04	City of Ketchum Planning & Building Design Review Application P20-015 dated February 4, 2020 signed by Justin Heppler consisting of 9 pages.
A-9 00246	2020-02-17	City of Ketchum Planning & Zoning Sign Permit Application PEG Development by Justin Heppler February 17, 2020 signed permit P20-019 February 18, 2020.
A-10 00247-00320	2020-02-24	Ketchum Tribute February 24, 2020/ Design Review Application by AJC Architects.
A-11 05838-05846	2021-04-13 Date received	Application for Pre-Application Design Review - received April 13, 2021

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
<u>APPLICANT PEG COMMUNICATION</u> <i>Documents identified with prefix "APC"</i>		
APC-1 00321-00324	2019-08-23	E-mail from Nick Blayden to Steve Burstead August 23, 2019.
APC-2 00325	2019-11-20	Ketchum Hotel – Main St/ SR-75 Access November 20, 2019 by Justin Heppler, Project Architect to Sherri Newland, PE City Engineer.
APC-3 00326-00328	2020-02-19	Kurt Eggers of Eggers Associates P.A. Landscape Architecture e-mail to Brittany Skelton on February 19, 2020 noting the flagging of trees for removal and two photos of flagged trees.
APC-4 00329-00331	2020-02-19	Sean Flynn of Galena Engineering e-mail to Brittany Skelton on February 19, 2020 with 3 Staking Photos.
APC-5 00332	2020-02-19	Exhibit Map of Building Stakeout Ketchum Tribute Hotel by Galena Engineering Inc. dated February 19, 2020.
APC-6 05366-05403	2021-02-01	Applicant's Presentation to Ketchum City Council for Proceedings on Remand.
APC-7 05847-05850	2021-09-08	Applicant's Memo Outlining Project Changes.
APC-8 06679-06680	2022-05-11	Memo from AJC Architects sent by Dijana Alickovic with design review changes in response to November 30, 2021 Pre-application Design Review P&Z meeting.
<u>ATTORNEY COMMUNICATION</u> <i>Documents identified with prefix "ATC"</i>		
ATC-1 00333-00336	2019-07-30	Benjamin W. Worst, attorney for 220 East River Street, LLC letter to P&Z Commissioners dated July 30, 2019.
ATC-2 00337-00339	2019-08-12	Benjamin W. Worst, attorney for 220 East River Street, LLC letter to P&Z Commissioners dated August 12, 2019.
ATC-3 00340-00345	2019-09-05	Benjamin W. Worst, attorney for 220 East River Street, LLC letter to P&Z Commissioners dated September 5, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
ATC-4 00346-00349	2019-09-10	Gary D. Slette attorney representing Jan E. Clotfelter and Richard C. Clotfelter owners of Unit 503 in the Limelight Hotel letter to John Gaeddert September 10, 2019 with illustrations Exhibit A and B.
ATC-5 00350-00353	2019-09-11	E-mail from John Gaeddert to Maureen Puddicombe directing to add to the record the e-mail of Ben Worst September 11, 2019 Subject E-mail from Ben Worst to Participate addressed to the Mayor and Council sent September 11, 2019 was included.
ATC-6 00354-00356	2019-10-16	Letter from Richard Clotfelter to the City Council delivery via Gary Slette dated October 16, 2019 with Exhibit B - proposed Traffic Circulation.
ATC-7 00357-00359	2020-01-27	Gary Slette attorney representing Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan letter to John Gaeddert dated January 27, 2020 re: process of Motion for Reconsideration being premature.
ATC-8 00359-00369	Undated	Gary Slette Argument re: minimum lot size.
ATC-9 00370-00377	2020-02-14	Gary Slette attorney representing Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan letter to the Mayor and City Council re: request for reconsideration of P19-63 and P19-64, with Exhibits A and B, dated February 14, 2020.
ATC-10 00378-00379	2020-02-27	Gary Slette attorney representing Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan letter of February 27, 2020 argues for the following interpretation of the provisions of KMC § 16-08.080.
ATC-11 00380	2020-02-28	Deborah Nelson Attorney for Applicant notice of appearance letter to Ketchum City Council dated February 28, 2020.
ATC-12 00381-00385	2020-03-02	Gary Slette attorney representing Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan letter of March 2, 2020 to Bill Gigray re: notice to preserve his clients claim of violation of fundamental right and

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		formal object to Motion for Reconsideration filed by John Gaeddert on February 28.
ATC-13 00386-00395	2020-03-11	Deborah Nelson Attorney for the Applicant letter to City Council dated March 11, 2020 in response to Gary Slette letters on ordinance interpretation and waivers and due process rights of neighbors.
ATC-14 00396-00410	2020-03-23	Gary Slette attorney letter regarding and claiming a noticing error of City Staff in the notice provided to property owners within 300' of the subject Applications.
<u>City Attorney Memo</u> Documents identified with the prefix "CA"		
CA-1 00411-00416	2020-02-28	City Attorney legal memo to John Gaeddert dated February 28, 2020 in response to Gary D. Slette letter dated February 27, 2020 concerning Planned Unit Development Conditional Use Permit File No. P19-063.
CA-2 00417-00428	2020-01-31	City Attorney Legal Memorandum re: Slette argument.
<u>Development Agreement</u> Documents identified with the prefix "D"		
D-1 00429-00475	2019-07-25	Permits Conditions Acceptance Development Agreement City of Ketchum/ PEG Ketchum Hotel, LLC draft dated July 25, 2019.
D-2 05764-05800	2023-03-02	Permits Conditions Acceptance Development Agreement – City of Ketchum/PEG Ketchum Hotel, LLC – <i>draft</i> dated March 2, 2023.
D-3 05801-05837	2023-03-28	Permits Conditions Acceptance Development Agreement – City of Ketchum/PEG Ketchum Hotel, LLC – <i>draft</i> dated March 28, 2023 approved by the Planning and Zoning Commission on April 11, 2023.
<u>FCO Decision Documents</u> identified with the prefix "F"		
F-1 00476-00519	2019-08-12	Planning and Zoning Commission August 12, 2019 draft approval of Permits Conditions Acceptance Development Agreement City of Ketchum/PEG Ketchum Hotel, LLC.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
F-2 00520-00534	2019-08-12	Lot Line Adjustment: Planning and Zoning Commission Findings of Fact Conclusions of Law and Decision File No. 19-064 dated August 12, 2019.
F-3 00535-00542	2019-08-12	Floodplain Development/Waterways Design Review Planning and Zoning Commission Findings of Fact Conclusions of Law and Decision File No. 19-062 dated August 12, 2019.
F-4 00543-00550	2019-08-12	Ketchum Planning and Zoning Commission Reasoned Statement Memorializing Motion to Advance Hotel Project to Final Design Review File No. 19061 Pre-Application Design Review signed by Neil Morrow Chair August 12, 2019.
F-5 00551-00582	2019-08-12	PUD: Planning and Zoning Commission Findings of Fact Conclusions of Law, Order of Decision and Recommendation to City Council File No. P19-063 dated August 12, 2019.
F-6 00583-00634	2020-02-03	P19-063 Findings of Fact, Conclusions of Law, Order of Decision of the City Council File No. P19-063 dated and signed by Mayor Bradshaw - February 3, 2020.
F-7 00635-00650	2020-02-03	Lot Line Adjustment: City Council Findings of Fact Conclusions of Law and Decision File No. 19-064 dated February 3, 2020.
F-8 00651-00675	undated	Findings of Fact, Conclusions of Law and Decision of the City of Ketchum Planning and Zoning Commission File No. P20-015 Design Review.
F-9 05489-05548	2020-12-22	Master Joint Hearings Compiled Record of Proceedings on Remand – <u>Ketchum P&Z</u> , dated December 22, 2020.
F-10 05549-05559	2020-12-22	Planning and Zoning Commission Findings of Fact, Conclusions of Law, and Recommendations to City Council Decision File No. 19-062 dated December 22, 2020.
F-11 05560-05594	2020-12-22	Planning and Zoning Commission Findings of Fact, Conclusions of Law, and Recommendations to City Council Decision File No. 19-063 dated December 22, 2020.
F-12 05595-05611	2020-12-22	Planning and Zoning Commission Findings of Fact, Conclusions of Law, and Recommendations to City Council Decision File No. 19-064 dated December 22, 2020.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
F-13 05612-05678	2021-02-16	Master Joint Hearings Compiled Record of Proceedings on Remand – <u>Ketchum City Council</u> , dated February 16, 2021.
F-14 05679-05690	2021-02-16	P19-062 Floodplain Development/ City Council Findings of Fact, Conclusions of Law, and Decision, dated February 16, 2021.
F-15 05691-05726	2021-02-16	P19-063 PUD and Conditional Use Permit/ City Council Findings of Fact, Conclusions of Law, and Decision, dated February 16, 2021.
F-16 005727-05744	2021-02-16	P19-064 Lot Line Adjustment/ City Council Findings of Fact, Conclusions of Law, and Decision, dated February 16, 2021.
F-17 05851-05856	2023-04-11	Findings of Fact, Conclusions of Law and Recommendation for the Permits Conditions Acceptance Development Agreement
F-18 05857-05861	2023-04-11	Planning and Zoning Commission determination and recommendation on amendment to PEG PUD/CUP P19-063.
F-19 See footnote 1 on page 1. Bate stamp # will be added.	2023-06-12	City Council Findings of Fact, Conclusions of Law and Order of Decision on Amendment PUD/CUP P19-063 For PEG Ketchum Hotel.
F-20 See footnote 1 on page 1. Bate stamp # will be added.	2023-06-12	City Council Approval of Final Master Compiled Record of Proceedings.
<u>Meeting Minutes</u> Document identified with the prefix “M”		
M-1 00676-00681	2019-07-29 2019-07-30	Meeting Minutes – Ketchum P&Z Special Meeting – two meetings held July 29, 2019 and July 30, 2019.
M-2 00682-00685	2019-08-08	Meeting Minutes – City of Ketchum, Idaho Traffic Authority Meeting held August 8, 2019.
M-3 00686-00690	2019-08-12	Meeting Minutes – Ketchum P&Z Regular Meeting.
M-4 00691-00698	2019-09-16	Meeting Minutes – Ketchum City Council Regular Meeting held September 16, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
M-5 00699-00709	2019-10-07	Meeting Minutes – Ketchum City Council Regular Meeting held October 7, 2019.
M-6 00710-00718	2019-12-02	Meeting Minutes – Ketchum City Council Regular Meeting held December 2, 2019.
M-7 00719-00726	2020-01-21	Meeting Minutes – Ketchum City Council Special Meeting held January 21, 2020.
M-8 00727-00736	2020-02-03	Meeting Minutes – Ketchum City Council Regular Meeting held February 3, 2020.
M-9 00737-00743	2020-02-24	Meeting Minutes – Ketchum P&Z – Design Review Hearing held February 24, 2020.
M-10 00744-00750	2020-03-09	Meeting Minutes – Ketchum P&Z Meeting held March 9, 2020.
M-11 00751-00755	2020-04-06	Meeting Minutes – Ketchum City Council Regular Meeting held April 6, 2020.
M-12 00756-00762	2020-09-28	Meeting Minutes – Ketchum P&Z Special Meeting held September 28, 2020.
M-13 00763-00768	2020-10-27	Meeting Minutes – Ketchum P&Z Special Meeting held October 27, 2020.
M-14 00769-00774	2020-10-27	Meeting Minutes – AMENDED AND REFORMED Ketchum P&Z Special Meeting held October 27, 2020.
M-15 05404-05409	2020-11-10	Meeting Minutes – Ketchum P&Z Regular Meeting November 10, 2020.
M-16 05410-05414	2020-12-15	Meeting Minutes - Ketchum P&Z Regular Meeting December 15, 2020.
M-17 05745-05750	2020-12-22	Meeting Minutes - Ketchum P&Z Regular Meeting December 22, 2020.
M-18 05751-05757	2021-02-01	Meeting Minutes – Ketchum City Council Regular Meeting held February 1, 2021.
M-19 05758-05763	2021-02-16	Meeting Minutes – Ketchum City Council Regular Meeting held February 16, 2021.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
M-20 05862-05863	2021-11-30	Meeting Minutes – Ketchum P&Z Regular Meeting held November 30, 2021.
M-21 05864-05866	2022-06-14	Meeting Minutes – Ketchum P&Z Regular Meeting held June 14, 2022.
M-22 05867-05871	2023-03-28	Meeting Minutes – Ketchum P&Z Regular Meeting held March 28, 2023.
M-23 05872-05875	2023-04-11	Meeting Minutes – Ketchum P & Z Meeting held April 11, 2023
M-24 See footnote 1 on page 1. Bate stamp # will be added.	2023-05-15	Meeting Minutes – Ketchum City Council Meeting held May 15, 2023.
M-25 See footnote 1 on page 1. Bate stamp # will be added.	2023-06-12	Meeting Minutes _ Ketchum City Council Meeting held June 12, 2023.
<u>Miscellaneous Documents identified with the prefix “MD”</u>		
MD-1 00775	Undated	Aerial GID Photo of the subject 3 parcels for lot line readjustment.
MD-2 00776-00783	Undated	MD-5 Images Documents include: <ul style="list-style-type: none"> • Aerial photo of Site Location • Sketch of Highway 75 side of proposed hotel • Photo of River St. and Main St. Sign and northwest corner of subject real property. • Photo Site Posting on Main St. looking toward Highway 75 • Photo Site Posting on Main St. looking interior subject real property • Photo Site Posting on River St. Side on building close in • Photo Site Posting on River St. farther out depicts most of the building • Aerial photo with outline of site location in dashed yellow lines

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
MD-3 00784-00785	Undated	Impact Fee Estimate Excel sheet.
MD-4 00786	Undated	Main St. Access aerial photo re: Main St. Access Layout.
MD-5 00787-00807	2001-11-05	City Council Resolution 807 Cooperative Agreement with ITD November 5, 2001.
MD-6 00808	2003-07-29	2003 Ketchum Road Functional Classification Update Map Galena Engineering Inc. Drawn KMJ – July 29, 2003 #1318-129.
MD-7 00809-00817	2019-06-24	Agreement with AECOM as Independent Contractor dated June 24, 2019 Traffic Impact Study for Marriott Autograph Hotel
MD-8 00818	2019-07-15	Review of Ketchum Boutique Hotel Project by James Joyner Sr. Regulatory Project Manager US Army Corps of Engineers dated July 15, 2019
MD-9 00819	2019-07-25	Building Exhibit Map, dated July 25, 2019, Galena Engineering, Inc.
MD-10 00820-00826	2019-07-29	Staff PEG Boutique Hotel July 29, 2019 Power Point presentation consisting of 7 items.
MD-11 00827	2019-07-29	Jpg. View 1 of the northwest corner of proposed hotel project for July 29 and 30, 2019 hearing.
MD-12 00828	2019-07-29	Jpg. View 2 of the northeast corner on River St. of proposed hotel project or July 29 and 30, 2019 hearing.
MD-13 00829	2019-07-29	Public Amenity Exhibit list of goals but undated and not signed nor dated and no identification of the author. With the documents for the July 29, 2019 hearing before Planning and Zoning.
MD-14 00830-00837	2019-07-30	Staff PEG Boutique Hotel July 30, 2019 Power Point presentation consisting of 8 items.
MD-15 00838	2019-08-07	Parametrix Engineering by Todd Johnson, PE - August 7, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
MD-16 00839-00840	2020-02-05	Clerk’s Certificate of Service on PEG Ketchum Hotel, LLC and Nick Blayden the Findings of Fact, Conclusions of Law, Order of Decision of the City Council of February 3, 2020 on February 5, 2020.
<u>Notices, Agenda and Service of Notice Documents identified with the prefix “N”</u>		
N-1 00841-00848	undated	Mailing List of Property Owners within 300’ of PEG Hotel.
N-2 00849-00850	Undated	Mailing List of the Political Subdivisions, County and state agencies.
N-3 00851	Undated	1. IME Legal Ad Joint Notice of Add
N-4 00852	Undated	1 IME Legal Ad Joint Public Notice
N-5 00853-00860	Undated	Design Review Mailing List for notice
N-6 00861-00863	Undated	4 Parcel Number Mailing List documents and Blaine County 300 Foot Adjoiner Map depicting Roads, Selected Parcel depicted in red and 300 Ft. Adjoiners depicted in orange.
N-7 00864-00867	Undated	Master Mailing List ARC 3 parcels co
N-8 00868-00869	Undated	251 E. River St. Mail List
N-9 00870	Undated	260 E. River Mail List
N-10 00871-00872	Undated	260 E. River St. 300 Foot Adjoiner Map
N-11 00873	Undated	280 E. River St. 300 Foot Adjoiner Map

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-12 00874	Undated	280 E. River St. Mail List
N-13 00875	Undated	Map 3 Lots Combined depicting 300 ft. circle
N-14 00876-00877	Undated	Political Subdivision Mailing Labels
N-15 00878	2019-07-10	Pre-Design Review Noticing Checklist/Certification File No. <u>P19-061</u> for July 29, 2019 meeting date. Dated and signed by Maureen Puddicombe on July 10, 2019.
N-16 00879	2019-07-10	Floodplain Overlay Noticing Checklist/Certification <u>P19-062</u> dated and signed by Maureen Puddicombe on July 10, 2019.
N-17 00880	2019-07-10	Lot Line Shift Noticing Checklist/Certification <u>P19-064</u> dated and signed by Maureen Puddicombe on July 10, 2019.
N-18 00881-00882	2019-07-19	PUD Conditional Use Permit Noticing Checklist/Certification <u>P19-063</u> dated and signed by Maureen Puddicombe on July 19, 2019 with a picture of Posted Notice.
N-19 00883-00885	2019-07-19	Development Agreement Noticing Checklist/Certification P19-063 dated and signed by Maureen Puddicombe on July 19, 2019 with a picture of Posted Notice.
N-20 00886-00890	2019-07-19	Noticing Checklist/Certification <u>P19-063</u> PUD P & Z for Meeting on July 29, 2019 Signed by Maureen Puddicombe on July 19, 2019
N-21 00891-000905	2019-07-19	Noticing Checklist/Certification <u>P19-065</u> PUD P & Z for Meeting on July 29, 2019 Signed by Maureen Puddicombe July 19, 2019
N-22 00906-00907	2019-07-10	Affidavit of Publication dated July 10, 2019 for July 29, 2019 P&Z Hearing.
N-23 00908	2019-07-29	Notice of Hearing draft for July 29, 2019 for PEG Ketchum Hotel LLC application readjustment of lot lines, subdivision application, with Floodplain/Waterways Design Review overlay
N-24 Duplicate of N-23 00908	2019-07-29	Notice of Hearing draft for July 29, 2019 for PEG Ketchum Hotel LLC application readjustment of lot lines, subdivision application, with Floodplain/Waterways Design Review overlay.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-25 00909-00910	2019-07-29	Notice of Special Meeting of the Planning and Zoning Commission July 29, 2019 for Ketchum Boutique Hotel Pre-Application Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Also includes Concept Sketch, and Aerial Photo Site Location.
N-26 00911-00912	2019-07-29	Mailing Notice – Ketchum Planning & Zoning, July 29, 2019.
N-27 00913-00927	2019-07-29	<p>Notice of Public Hearing before Planning and Zoning Commission July 29, 2019 including</p> <ul style="list-style-type: none"> • Draft Notice of Public Hearing July 29, 2019 for Pre-Application Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of lot Lines/Lot line Shift, and Floodplain Development. • Mailing Notice Front Page Public Notice of Public Hearing • Mailing Notice Back Page Public Notice of Public Hearing Concept Sketch with Aerial Photo Site Location • Special Meeting Ketchum Boutique Hotel Display Ad • PUD Conditional Use Permit Noticing Checklist/Certification P19-063 dated and signed Maureen Puddicombe July 19, 2019 • Development Agreement Noticing Checklist / Certification P19-065 dated and signed Maureen Puddicombe July 19, 2019 • Pre-Design Review Noticing Checklist / Certification P19-061 dated and signed Maureen Puddicombe July 10, 2019 • Floodplain Overlay Noticing Checklist / Certification P19-062 dated and signed Maureen Puddicombe July 10, 2019 • Lot Line Shift Noticing Checklist / Certification P19-064 dated and signed Maureen Puddicombe July 10, 2019 • Political Subdivisions Mailed list • Property Owners within 300’ Mailed List

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		<ul style="list-style-type: none"> • Photo of Posted Notices
N-28 00928	2019-07-29	Display Ad Ketchum Boutique Hotel Special Meeting Planning and Zoning Commission July 29, 2019.
N-29 00929-00943	2019-07-29	Ketchum Boutique Hotel PEG Development Public Hearings July 29 and 30, 2019 notice with Application Sequence and Relationships flow chart and Agenda & Applications and PUD Purpose, intent, waivers and Questions Page.
N-30 00944-01286	2019-07-29	<p>Planning and Zoning Agenda Special Meeting of July 29, 2019 full packet consisting of:</p> <ul style="list-style-type: none"> • Agenda Notice of meeting with public hearing on Ketchum Boutique Hotel and action items including <ul style="list-style-type: none"> ✓ Floodplain Development and Waterways Design Review ✓ Lot Line Shift Application ✓ Pre-Design Review Application ✓ Planned Unit Development/Conditional Use Permit ✓ Development Agreement • Staff Report and attachments re: all applications and notification compliance documents • E-mail from James Joyner dated July 15, 2019 notification that a 404 Clean Water Act permit may be needed due to adjacent Tail Creek wetlands • Ketchum Fire Department Preapplications Requirements from Tom Ancona, Assistant Chief & Fire Marshal dated June 24, 2019 • Public notice documents, community survey responses & Public Comment • Proposed Findings of Fact, Conclusions of Law and Recommendations.
N-31 01287-01288	2019-08-28	Public Notice - Public Hearing Meeting of the Ketchum City Council for September 19, 2019 dated August 28, 2019. Notice with Concept Sketch and Aerial Photo Site Location For Planned Unit Development, Conditional Use Permit, Readjustment of Lot Lines/Lot Line Shift and Development Agreement.
N-32 Duplicate of N-31 01287-01288	2019-08-28	Public Notice - Public Hearing Meeting of the Ketchum City Council for September 19, 2019 dated August 28, 2019. Notice with Concept Sketch and Aerial Photo Site Location For Planned

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Unit Development, Conditional Use Permit, Readjustment of Lot Lines/Lot Line Shift and Development Agreement.
N-33 01289-01290	2019-08-28	Affidavit of Publication dated August 28, 2019 for September 16, 2019 Ketchum City Council Public Hearing
N-34 01291	2019-08-28	Pre-Design Review P19-061 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-35 Duplicate of N-34 01291	2019-08-28	Pre-Design Review P19-061 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-36 01292	2019-08-28	Floodplain Overlay P19-062 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-37 01293	2019-08-28	Floodplain Overlay P19-062 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-38 01294	2019-08-28	Lot Line Shift P19-064 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-39 01295-01296	2019-08-28	C-1.2 pdf: Public Notice -Public Hearing before City Council for September 19, 2019 /Pre-Application Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines and Floodplain Development. Notice dated August 28, 2019. With Concept Sketch, Aerial Photo of Site Location
N-40 01297-01298	2019-09-05	C-1.3 pdf: Public Notice -Public Hearing before City Council for September 16, 2019 and Monday October 7, 2019 /Pre-Application Design Review, Planned Unit Development, Conditional Use Permit, a Readjustment of Lot Lines/Lot Line Shift, and Development Agreement. Notice dated September 5, 2019. With Concept Sketch, Aerial Photo of Site Location

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-41 Duplicate of N-40 01297-01298	2019-09-05	Public Notice of Public Hearing Meeting City Council for September 16, 2019 and October 7, 2019 re: Ketchum Boutique Hotel, Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 5, 2019. Together with Concept Sketch and Aerial Photo Site Location.
N-42 Duplicate of N-40 & N-41 01297-01298	2019-09-05	Public Notice of Public Hearing Meeting City Council for September 16, 2019 and October 7, 2019 re: Ketchum Boutique Hotel, Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 5, 2019. Together with Concept Sketch and Aerial Photo Site Location.
N-43 01299	2019-09-11	C-1.5 pdf: Noticing Checklist/Certification for P19-063 for City Council meeting dates 9-16-19 and 10-7-19 signed by Maureen Puddicombe Planning Technician September 11, 2019.
N-44 01300	2019-09-11	C-1.6 pdf: Noticing Checklist/Certification for P19-065 for City Council meeting dates 9-16-19 and 10-7-19 signed by Maureen Puddicombe Planning Technician September 11, 2019.
N-45 Duplicate of N-43 01299	2019-09-11	C-1.10 pdf: Noticing Checklist/Certification for P19-063 for City Council meeting dates 9-16-19 and 10-7-19 signed by Maureen Puddicombe Planning Technician September 11, 2019.
N-46 01300	2019-09-11	Development Agreement P19-065 Noticing Checklist/Certification for September 16, 2019 and October 7, 2019 meeting dates dated and signed Maureen Puddicombe Planning Technician September 11, 2019.
N-47 Duplicate of N-46 01300	2019-09-11	Development Agreement P19-065 Noticing Checklist/Certification for September 16, 2019 and October 7, 2019 meeting dates dated and signed Maureen Puddicombe Planning Technician September 11, 2019.
N-48 01301	2019-09-11	Planned Unit Development P19-063 Noticing Checklist/Certification for September 16, 2019 and October 7, 2019 meetings 19 dated and signed Maureen Puddicombe Planning Technician September 11, 2019.
N-49 Duplicate of N-48 01301	2019-09-11	Planned Unit Development P19-063 Noticing Checklist/Certification for September 16, 2019 and October 7, 2019 meetings 19 dated and signed Maureen Puddicombe Planning Technician September 11, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-50 01302	2019-09-16	Draft Notice of Public Hearing Planning and Zoning Commission for City Council public hearing September 16, 2019 draft.
N-51 Duplicate of N-50 01302	2019-09-16	Draft Notice of Public Hearing Planning and Zoning Commission for City Council public hearing September 16, 2019 draft.
N-52 01303-01304	2019-09-16	Notice of Public Hearing for Monday September 16, 2019 before the Ketchum City Council for PUD, Readjustment of Lot Lines/Lot Line Shift, Development Agreement.
N-53 01305-01306	2019-09-18	Public Notice Public Hearing Meeting City Council October 7, 2019 PEG Ketchum Hotel LLC Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 18, 2019 with Concept Sketch and Aerial Photo of Site Location.
N-54 Duplicate of N-53 01305-01306	2019-09-18	Public Notice Public Hearing Meeting City Council October 7, 2019 PEG Ketchum Hotel LLC Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 18, 2019 with Concept Sketch and Aerial Photo of Site Location.
N-55 01307-01308	2019-09-18	Affidavit of Publication dated September 18, 2019 for October 7, 2019 Ketchum City Council Hearing.
N-56 Duplicate of N-53 & N-54 01305-01306	2019-09-18	C-1.7 pdf: Public Notice -Public Hearing before City Council for October 7, 2019 Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 18, 2019 with Concept Sketch, Aerial Photo of Site Location.
N-57 01309	2019-09-30	C-1.11 pdf: Noticing Checklist/Certification for P19-063 to 065 for City Council meeting dates 9-16-19 and 10-7-19 signed by Maureen Puddicombe Planning Technician September 30, 2019.
N-58 01310	2019-09-30	PUD/CUP Lot Line Shift Development Agreement P19-063, 064 and 065 Noticing Checklist/Certification for October 7, 2019 meetings dated and signed Maureen Puddicombe Planning Technician September 30, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-59 01311	2019-09-30	PUD/CUP Lot Line Shift Development Agreement P19-063, 064 and 065 Noticing Checklist/Certification for October 7, 2019 meetings dated and signed Maureen Puddicombe Planning Technician September 30, 2019.
N-60 01312-01313	2019-12-02	City Council Agenda Notice for December 2, 2019 with action item for the proposed Ketchum Boutique Hotel applications for Planned Unit Development, Conditional Use Permit, and Development Agreement Hearings.
N-61 01314-01315	2020-02-05	Public Hearing Notice Planning and Zoning Commission February 24, 2020 Ketchum Boutique Hotel Design Review dated February 5, 2020 with Concept Sketch and Aerial Photo of Site Location.
N-62 01316	2020-02-05	Design Review Noticing Checklist/Certification P19-061 for hearing date February 24, 2020 dated and signed by Maureen Puddicombe February 5, 2020.
N-63 01317	2020-02-05	Affidavit of Publication dated February 5, 2020 for February 24, 2020 P&Z Commission Special Hearing.
N-64 01318	2020-02-21	Notice of Posting of Agenda for February 24, 2020 Special meeting of Ketchum Planning and Zoning dated and signed Maureen Puddicombe Planning Technician February 21, 2020.
N-65 Duplicate of N-64 01318	2020-02-21	Notice of Posting of Agenda for Planning and Zoning of February 24, 2020 Certified February 21, 2020 Maureen Puddicombe Planning Technician
N-66 01319	2020-02-24	Draft Notice of Special Meeting for Public Hearing Ketchum Planning and Zoning for Design Review February 24, 2020 hearing.
N-67 01320	2020-02-24	Notice for Ketchum Planning & Zoning Commission Special Meeting Ketchum Boutique Hotel Design Review February 24, 2020 just with picture of the proposed hotel.
N-68 01321-01322	2020-09-09	Joint Public Notice of Additional Public Hearings on Remand from the City Council before the Ketchum Planning and Zoning Commission, dated September 9, 2020, for the September 28, 2020 Hearing.
N-69 01323-01324	2020-09-09	Affidavit of Publication dated September 9, 2020 for September 28, 2020 Joint Public Notice of Additional Public Hearing on

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Remand before Ketchum City Council and Ketchum Planning and Zoning.
N-70 01325	2020-09-10	Design Review-Floodplain Development Permit, Planned Unit Development, Lot Line Adjustment Conditional Use Permit - Permit Conditions Acceptance Agreement Noticing Checklist/Certification P19-062, 063, 064, 069 and P20-015. Hearing Date September 28, 2020 dated and signed Maureen Puddicombe on September 10, 2020.
N-71 05415	2021-01-25	Noticing Checklist/Certification for P20-015, P20-069, P19-062, P19-063, P19-064 for City Council meeting date 2-1-21 signed by Maureen Puddicombe Planning Technician January 25, 2021
N-72 05416-05417	2021-01-25	Affidavit of Publication dated January 13, 2021 for the February 1, 2021 Ketchum City Council Hearing.
N-73 05876	2021-11-30	Planning and Zoning Agenda Notice of Regular Meeting of November 30, 2021 - Agenda Notice of Meeting on Ketchum Boutique Hotel and action items include: <ul style="list-style-type: none"> ➤ Recommendation to review the Pre-Application Design Review Permit (P-20-019) for PEG Hotel, LLC ➤ Staff Report and attachments
N-73A 05877	2021-11-30	Notice of Public Meeting for November 30, 2021 – P&Z on Ketchum Boutique Hotel
N-74 05878-05879	2021-11-30	Affidavit of Publication for P&Z meeting for November 30, 2021 meeting
N-75 05880	2021-11-30	Noticing Checklist/Certification for P&Z meeting for November 30, 2021
N-76 05881-05882	2022-06-14	Planning and Zoning Agenda Regular Meeting of June 14, 2022 - Agenda Notice of Meeting on Ketchum Boutique Hotel and action items include: <ul style="list-style-type: none"> ➤ Recommendation to conduct a Public Hearing and review and approve Design Review Application P22-028 for the PEG Ketchum Boutique Hotel to provide a decision on the Design Review Application and continue to the hearing to a date specific to review and approve Findings of Fact, Conclusions of Law and Decision and to review

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		and make recommendations to the City Council on the Permit Conditions Acceptance Development Agreement.
N-76A 05883-05884	2022-06-14	Notice of Public Meeting for June 14, 2022 – P&Z on Ketchum Boutique Hotel
N-77 05885	2022-06-14	Affidavit of Publication for P&Z meeting 06-14-2022
N-78 05886	2022-06-14	Noticing Checklist/Certification for P&Z meeting 06-14-2022
N-79 05887-05888	2023-03-28	Planning and Zoning Agenda Regular Meeting of March 28, 2023 - Agenda Notice of Meeting on Ketchum Boutique Hotel and action items include: <ul style="list-style-type: none"> ➤ Recommendation to conduct a public hearing to approve findings of fact, conclusions of law and conditions of approval for design review permit P22-028, review and recommendation on Permits Conditions Acceptance Development Agreement and review and recommendation to amend PUD /CUP P19-063 for the PEG Ketchum Hotel or Ketchum Tribute Hotel.
N-79A 05889-05890	2023-03-28	Notice of Public Meeting for March 28, 2023 – P&Z on Ketchum Boutique Hotel
N-80 05891-05892	2023-03-28	Affidavit of Publication for P&Z meeting 03-28-2023
N-81 05893	2023-03-28	Noticing Checklist Certification for P&Z meeting 03-28-2023
N-82 05894-05895	2023-04-11	Planning and Zoning Agenda Regular Meeting of April 11, 2023 - Agenda Notice of Meeting on Ketchum Boutique Hotel and action items include:

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		➤ Recommendation to approve Planning and Zoning Commission determination and recommendation on PEG Permits Conditions Acceptance Development Agreement, Recommendation to approve Planning and Zoning Commission determination and recommendation on amendment to PEG PUD/CUP P19-063.
N-83 05896-05898	2023-05-15	City Council Regular Meeting Agenda of May 15, 2023 Public Hearing and review and act on the Planning and Zoning Commission’s Recommendation of approval of the Permits Conditions Acceptance Development Agreement No. 22847 and Amendment to PUD/CUP P 19-063 For PEG Ketchum Hotel
N-84 05899	2023-05-15	Notice of Public Meeting for May 15, 2023 – Ketchum City Council on Ketchum Boutique Hotel
N-85 05900-05901	2023-05-15	Affidavit of Publication for City Council meeting of May 15, 2023
N-86 05902	2023-05-15	Noticing Checklist/Certification for City Council meeting of May 15, 2023
N-87 See footnote 1 on page 1 Bate stamp # will be added.	2023-06-12	City Council Regular Meeting Agenda of June 12, 2023 Approval of the Final Master Compiled Record of Proceedings and Findings of Fact, Conclusions of Law and Order of Decision on Amendment PUD/CUP P 19-063 For PEG Ketchum Hotel.
ORDER documents identified with prefix “O”		
O-1 01326-01329	2020-04-06	City Council Order Suspending the Planning and Zoning Commission’s Findings of Fact, Conclusions of Law and Decision and Directing An Additional Hearing Before the Commission dated April 6, 2020.
O-2 01330-01333	2020-04-06	P19-062 Floodplain Development Permit: City Council Order Vacating Findings of Fact, Conclusions of Law and Decision of the City Council and Remanding the Application to the Planning

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		and Zoning Commission For Further Proceedings dated April 6, 2020.
O-3 01334-01336	2020-04-06	P19-063 Order Vacating Findings of Fact, Conclusions of Law, Order of Decision of the City Council and Remanding the Applications to the Planning and Zoning Commission for Further Proceedings. Dated and signed by Mayor Bradshaw April 6, 2020.
O-4 01337-01339	2020-04-06	P19-064 Lot Line Adjustment: City Council Order Vacating Findings of Fact, Conclusions of Law and Decision of the City Council and Remanding the Application to the Planning and Zoning Commission for Further Proceedings dated April 6, 2020.
O-5 Duplicate of O-4 01337-01339	2020-04-06	P19-064 Order Vacating Findings of Fact, Conclusions of Law, and Decision of the City Council and Remanding the Application to the Planning and Zoning Commission for Further Proceedings. Dated and signed by Mayor Bradshaw April 6, 2020.
O-6 Duplicate of F-17 05851-05856	2023-03-28	P22-028 Planning and Zoning Commissioners’ Findings of Fact, Conclusions of Law and Conditions of Approval for Design Review Permit.
O-7 Duplicate of F-18 05857-05861	2023-03-28	P19-063 Planning and Zoning Commissioners’ Findings of Fact, Conclusions of Law and Order of Decision to amend PUD/CUP P19-063 for the PEG Ketchum Hotel or Ketchum Tribute Hotel.
O-8 Duplicate of F-19 See footnote 1 on page 1. Bate stamp # will be added.	2023-04-11	City Council Findings of Fact, Conclusions of Law and Order of Decision on Amendment PUD/CUP P 19-063 For PEG Ketchum Hotel.
O-9 Duplicate of F-20 See footnote 1 on page 1. Bate stamp # will be added	2023-06-12	Order of Approval of the Final Master Complied Record of Proceedings and Findings of Fact, Conclusions of Law and Findings of Fact, Conclusions of Law and Order of Decision on Amendment PUD/CUP P 19-063 For PEG Ketchum Hotel.
Project Design documents identified with prefix “PD”		
PD-1	Undated	Ketchum Boutique Hotel Tribute Portfolio with Brad DNA, Site Analysis, Height Analysis-Gateway Study Recommendation and

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
01340-01393		Gateway Study Previous Submittal, Massing Study, Massing Study Resolution, Compatibility Views, Material Pallet, Floor Plans, Exterior Elevations, Landscape, Public Way Improvements, Civil, Waivers, Traffic Study, Staking Scheme, Fog Plane, Building Sections, Floor Area Ratio, Traffic Mitigation
PD-2 01394-01395	Undated	Illustration A.png includes preferred alternative Typical Sections: Elkhorn Road to River Street.
PD-3 01396	Undated	C-2.2 Top Ten-Project Updates PEG Companies AJC Architects Tribute Portfolio [cover sheet]
PD-4 01397	2019-07-29	Elevated views in downtown Ketchum Private and Public map with legend. With the documents for the July 29, 2019 hearing before Planning and Zoning.
PD-5 01398-01400	2019-07-29	Added Value of Rooftop bar public amenity document and with 6 photos of views. With the documents for the July 29, 2019 hearing before Planning and Zoning.
PD-6 01401-01454	2019-07-29	Ketchum Boutique Hotel July 29, 2019 Materials including introduction, Site Analysis, Height Analysis- Gateway Study Recommendation, Massing Study, Compatibility views, material pallet, Floor Plans, Exterior Elevations, Site Design, Landscape, Public Way Improvements, CIVIL, Waivers, Height Analysis- Contextual Elevations, Invisible Plane, Traffic Study, Staking Scheme, Fog Plane, Building Sections, Floor Area Ratio, Traffic Mitigation.
PD-7 01455-01500	2019-09-20	Ketchum Tribute Design Update September 20, 2019 by AJC Architects PEG Companies.
PD-8 01501-01531	2019-10-01	Ketchum Tribute Design Update October 1, 2019 by AJC Architects PEG Companies.
PD-9 Duplicate of PD-8 01501-01531	2019-10-01	Ketchum Tribute Design Update October 1, 2019 by AJC Architects PEG Companies.
PD-10 001532	2019-10-29	AJC Architects Landscape Plan dated October 29, 2019

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PD-11 01533-01577	2019-12-02	Ketchum Tribute Proposed Hotel Project Design Update December 2, 2019 AJC Architects.
PD-12 01578-01646	2020-01-21	P19-063 Ketchum Tribute Proposed Hotel Project Design Update January 21, 2020 AJC Architects
PD-13 01647-01656	2020-02-17	Hotel Signage Plan & Elevations AJC Architects dated February 17, 2020
PD-14 01657-01711	2020-09-28	Ketchum Tribute September 28, 2020 Planning Commission Update AJC Architects with Project Perspective, Process, Landscape Plan, Signage, Floor Plans including Employee Housing all levels, Exterior Elevations Perspective Renders, elevation renderings from all sides, Sustainability of Building Systems, City Code Waivers, Minimum Lot Size for PUD, Side Yard Setbacks, Floor Area Ratio, Building Height, Number of Floors, Generator Sound Attenuation, Access Limitations.
PD-15 01712-01742	2020-10-16	Ketchum Tribute October 16, 2020 Planning Commission Supplemental Info with <u>Exhibit A</u> Compliance with PUD Standards, <u>Exhibit B</u> Additional Waiver Clarification, <u>Exhibit C</u> Public Benefit of Project, <u>Exhibit D</u> Trail Creek Improvements, <u>Exhibit E</u> PEG & Marriott Pandemic Precautions by AJC Architects.
PD-16 05922-05997	2021-09-08	Ketchum Tribute Design Review Update Plans
PD-17 05998-05999	2022-05-11	Applicant's design review updates by Dijana Allickovic of AJC Architects.
PD-18 06000-06087	2022-05-27	Ketchum Tribute Design Review Application Update Plans.
Public Comment Documents identified with prefix "PC"		
PC-1 01743	Undated	Concerned Citizens of Ketchum letter undated. Followed by an unsigned statement of someone not identified opposed to waivers/ Possibly a form.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-2 01744	2019-07-00	Pat Duggan resident letter to John Gaeddert [undated but with material submitted in July of 2019].
PC-3 01745	2019-07-00	Mary K. Foust letter to P & Z Commission [undated but with material submitted in July of 2019].
PC-4 01746	2019-07-15	E-mail from James Joyner Sr., Regulatory Project Manager US Army Corps of Engineers, July 15, 2019.
PC-5 01747-01752	2019-07-15	Richard C. Clotfelter, property owner, letter to John Gaeddert July 15, 2019.
PC-6 01753	2019-07-16	E-mail from Frank and Linda Dressman July 16, 2019.
PC-7 01754	2019-07-16	E-mail John Sahlberg dated July 16, 2019.
PC-8 01755-01756	2019-07-16	Letter from Thomas & Dell-Ann Benson, property owners, to John D. Gaebbert, Director dated July 16, 2019.
PC-9 01757-01794	2019-07-16	Ketchum Boutique Hotel Parking Study memo discussion of by Hales Engineering dated July 16, 2019 by E. Scott Johnson.
PC-10 1795-01798	2019-07-17	Letter from Attorney Robert J. Adolph of the Adolph Law Group PLLC of Seattle, Washington, property owner, to John D. Gaeddert Director dated July 17, 2019.
PC-11 01799-01800	2019-07-17	Letter from Scott and Karen Hanson, property owner, to P & Z Commission dated July 17, 2019.
PC-12 01801-01802	2019-07-17	Jeffrey A. Barber letter, resident neighboring property, to John Gaeddert dated July 17, 2019.
PC-13 01803-01804	2019-07-18	Kevin Livingston letter property owner to John D. Gaebbert, Director dated July 18, 2019.
PC-14 01805	2019-07-24	John Curnow, General Manager Limelight Hotel Ketchum letter to P & Z Commissioners dated July 24, 2019.
PC-15 01806-01808	2019-07-26	Robert Korb Managing Member of 220 E. River Street, LLC property owner letter to Planning and Zoning dated July 26, 2019.
PC-16 1809-01811	2019-07-28	Steve Burnstead, Vice President Limelight Residences, letter to P & Z Commission dated July 28, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-17 Duplicate of PC-16 01809-01811	2019-07-28	Steve Burnstead, Vice President, and Eddie Poplawski, Board Member of Limelight Residences, letter to P & Z Commission dated July 28, 2019.
PC-18 01812-01820	2019-07-30	Lars Guy (tenant neighboring building to the west) letter to P&Z Commission dated July 30, 2019 together with illustrations depicting height and setbacks and building mass and comparison to other hotel projects proposals.
PC-19 01821-01822	2019-07-30	Alchemie by Bruce D. Hinckley, MLA Landscape Architect letter to P & Z Commission dated July 30, 2019.
PC-20 01823-01824	2019-07-30	Mark Pynn, Architect, letter to Planning & Zoning Commission dated July 30, 2019.
PC-21 01825	2019-07-30	Ms. Jima Rice, Ph.D., letter to P & Z Commission dated July 30, 2019.
PC-22 01826	2019-08-01	E-mail from Bruce Smith to Participate dated August 1, 2019 re: height not over 74 feet.
PC-22A 01827	2019-08-05	E-mail from John Gaeddert to Maureen Puddicomde dated August 5, 2019 with e-mail from Participate dated August 4, 2019 and e-mail from Mary Kay McCollum dated August 1, 2019 and E-mail from Bruce Smith to Participate dated August 1, 2019.
PC-23 01828-01829	2019-08-08	E-mail from Steve Burnstead to loneneagle@littleappletech.com dated August 8, 2019.
PC-24 01830-01832	2019-08-11	Daniel Rothman (tenant neighbor to the west) to the P&Z Commission dated August 11, 2019.
PC-25 01833	2019-08-21	E-mail from Steve Burnstead to Nick Blayden dated August 21, 2019.
PC-26 01834	2019-08-23	E-mail from John Curnow, General Manager, Limelight Hotel Ketchum to John Gaeddert dated August 23, 2019.
PC-27 01835	2019-08-23	E-mail from Steve Burnstead to Nick Blayden dated August 23, 2019.
PC-28 01836	2019-08-30	E-mail from Michael Leach to Participate dated August 30, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-29 01837-01844	2019-09-02	Robert Korb letter to P&Z Commission and Council as managing member of 22 East River Street, LLC dated September 2, 2019 with illustrations.
PC-30 01845	2019-09-04	Scott Hanson letter to City Council, part time resident and property owner dated September 4, 2019.
PC-31 01846-01847	2019-09-04	E-mail from John Gaeddert to Maureen Puddicombe dated September 4, 2019.
PC-32 Duplicate of PC-31 01846-01847	2019-09-04	E-mail from John Gaeddert to Maureen Puddicombe dated September 4, 2019 directing that she add to the records E-mail from Participates dated September 3, 2019 and including e-mail from Lisa Leach of Keller Williams Realty to Participate September 2, 2019. Subject e-mails were included.
PC-33 01848-01849	2019-09-04	E-mail from Neil Bradshaw to Sarah Michael dated September 4, 2019.
PC-34 Duplicate of PC-33 01848-01849	2019-09-04	E-mail from Sarah Michael to Neil Bradshaw dated September 4, 2019.
PC-35 01850-01972	2019-09-05	E-mail from Robert Adolph of The Adolph Law Group PLLC property owner to Neil Bradshaw and members of the City Council etc. dated September 5, 2019 with illustrations of the proposed hotel.
PC-36 01973	2019-09-08	Letter to Mayor and Council from Patricia Duncan Duggan dated September 8, 2019.
PC-37 01974-02097	2019-09-09	Alchemie by Bruce D. Hinckley, MLA Landscape Architect letter to P & Z Commission dated September 9, 2019.
PC-38 02098-02118	2019-09-09	<i>Change.org</i> letter to Mayor and Council with numerous signatures obtained from August 30, 2019 to September 9, 2019. First name on the list is Kevin Livingston and the last name is Chris Greissing.
PC-39 02119	2019-09-09	Comments in writing all listed from September 4, 2019 to September 9, 2019 first name on the list is Mar de Saint Phalle and last name on the list is Robert Rumer.
PC-40 02120-02121	2019-09-09	E-mail dated September 9, 2019 from John Gaeddert to Maureen Puddicombe that she add to the record the e-mails from John Curnow, General Manager of Limelight Hotel, Steve Burnstead

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		dated September 8, 2019 and Dick Clotfelter dated September 7, 2019. Subject e-mails were included.
PC-41 02122-02154	2019-09-09	E-mail September 9, 2019 from John Gaeddert to Maureen Puddicombe that she add to the record the e-mails from petition signatures, Resident Comments, and Mailed letter to Ketchum Residents E-mail from Suzanne Frick to Robin Crotty and John Gaeddert dated September 9, 2019. E-mail from Kevin Livingston to Neil Bradshaw and City Council dated September 9, 2019 and Document from Robert Adolph of The Adolph Law Group PLLC to the Mayor and Council. Subject E-mails were included.
PC-42 02155	2019-09-11	E-mail dated September 11, 2019 from John Gaeddert to Maureen Puddicombe directing to add to the record E-mail of Lisa Enourato and James Chubb E-mail of September 11, 2019. Subject e-mails were included.
PC-43 02156-02157	2019-10-17	Letter from Scott and Karen Hanson to Ketchum City Council dated October 17, 2019.
PC-44 02158	2020-03-09	Letter from Robert Korb to Ketchum Planning and Zoning Commission dated March 9, 2020.
PC-45 02159-02160	2020-08-25	E-mail from Dick Clotfelter to Maureen Puddicombe dated August 25, 2020; copy to the Council members.
PC-46 02161	2020-09-18	Letter from Robert Korb to the Mayor and City Council dated September 18, 2020.
PC-47 02162-02163	2020-09-18	Letter from Scott Hanson to the Ketchum Planning and Zoning Commission dated September 18, 2020.
PC-48 02164-02173	2020-09-22	E-mail from Kevin Livingston to Participate dated September 22, 2020 @ 10:42 AM.
PC-49 02174-02176	2020-09-22	E-mail from Kevin Livingston to Participate dated September 22, 2020 @ 12:36 PM.
PC-50 02177-02178	2020-09-23	Letter from John & Susan Sahlberg to Ketchum Planning and Zoning Commission dated September 23, 2020.
PC-51 02179-02186	2020-09-23	Letter from John & Susan Sahlberg to the Ketchum Planning and Zoning Commission dated September 23, 2020.
PC-52 02187-02188	2020-09-25	E-mail from Gina Poole to Participate dated September 25, 2020.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-53 02189-02190	2020-09-28	E-mail from Susan Sahlberg to Participate dated September 28, 2020.
PC-54 02191	2020-09-28	E-mail from Spyder Turco to Participate dated September 28, 2020.
PC-55 02192	2020-09-28	E-mail from Theresa Williams to Participate dated September 28, 2020.
PC-56 02193-02194	2020-10-23	Letter from Robert Korb to Mayor and City Council dated October 23, 2020.
PC-57 02195-02196	2020-10-26	E-mail from Dick Clotfelter to Maureen Puddicombe dated October 26, 2020.
PC-58 02197-02198	2020-10-26	Letter from Scott Hanson to Ketchum Planning and Zoning Commission dated October 26, 2020.
PC-59 02199	2020-10-26	E-mail from Eric Swanson to Participate dated October 26, 2020.
PC-60 02200	2020-10-26	E-mail from Beverly Algen to Participate dated October 26, 2020.
PC-61 02201	2020-10-27	E-mail from Eileen Hansen to Participate dated October 27, 2020.
PC-62 02202-02204	2020-10-27	E-mail from Kevin Livingston to Participate dated October 27, 2020.
PC-63 02205	2020-10-27	E-mail from Robert Rudy to Participate dated October 27, 2020.
PC-64 05418	2020-12-22	E-mail from Robert Korb to Participate dated December 22, 2020 re: supplemental comments.
PC-65 05419-05420	2020-12-31	E-mail from H. Boyle to Participate dated December 31, 2020 re: change name of project from Ketchum Boutique Hotel to "Marriott."
PC-66 05421	2021-01-25	Letter from Scott Hanson, condominium owner, to Ketchum City Council and Mayor, dated January 25, 2021.
PC-67 05422	2021-01-26	Letter from Richard C. Clotfelter, resident of Limelight Hotel and Condominiums, dated January 26, 2021 to Mayor and Ketchum City Council re: proposed Tribute (Marriott) Hotel.
PC-68 05423	2021-01-29	Public Comment from Perry Boyle.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-69 05424	2021-01-30	Public Comment from Michael Dunham.
PC-70 05425--5426	2021-01-31	Public Comment from Perry Boyle.
PC-71 05427	2021-02-01	Public Comment from Cindy Forgeon.
PC-72 05903-05904	2022-06-01	Letter from Richard C. Clotfelter.
PC-73 05905-05907	2022-06-03	Letter from Patricia Lentz Felton, SRA, CRA.
PC-74 05908-05921	2023-03-24	Letter from Richard C. Clotfelter and enclosures.
Sign-In Sheet Documents identified with prefix "SS"		
SS-1 02206	2019-09-16	Sign-in Sheet for September 16, 2019 City Council public hearing.
SS-2 02207-02209	2019-10-07	Sign-in Sheet for October 7, 2019 City Council public hearing.
SS-3 02210	2019-12-02	Sign-in Sheet for December 2, 2019 City Council public hearing.
SS-4 02211	2020-01-21	Sign-in Sheet for January 21, 2020 City Council public hearing.
Staff Report Documents identified with prefix "SR"		
SR-1 02212-02215	Undated	Attachment A JG.pdf - Staff review of proposed project.
SR-2 02216-02217	Undated	Attachment A 10 Revised regarding final engineering and encroachment approvals consistent with overall conceptual design set forth in Option 1.
SR-3 02218-02219	Undated	Attachment A 10 City Staff Analysis of River Street Encroachment Options 1 and 2.
SR-4 02220-02224	Undated	Ketchum Boutique Hotel Survey /Survey Monkey data summary not dated 5 pages.
SR-5 02225-02228	Undated	Sustainability Integration Tribute Portfolio Ketchum Idaho including Sustainability-Building Systems/Geothermal, High

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Performance Building & Site, Material & Product Sustainability Assessment.
SR-6 02229-02231	Undated	Ketchum Boutique Hotel Staff Parking Demand Analysis as prepared by Hales Engineering.
SR-7 02232-02235	Undated	Project Comprehensive Plan Analysis.
SR-8 02236-02304	2007-06-12	City of Ketchum Mass and Scale Study for the Gateway Area June 12, 2007.
SR-9 02305-02327	2018-09-20	City of Ketchum Master Transportation Plan Memo from Cameron Waite, PE, PTOE and Shane Warmbrodt, EIT to Sherri Newland, PE dated September 20, 2018.
SR-10 02328-02610	2019-05-31	AECOM Traffic Impact Study dated May 31, 2019.
SR-11 02611-02849	2019-06-04	Ketchum Boutique Hotel Survey/ Survey Monkey Started June 4, 2019 with survey questions pages 1 – 239.
SR-12 02850-02887	2019-06-18	Hales Engineering Ketchum Hotel Parking Study Memo dated June 18, 2019 by E. Scott Johnson.
SR-13 05024-05365	2019-07-29	Staff Report dated July 29, 2019 to Planning and Zoning Commission regarding Floodplain Development/Waterways Design Review Permit, Preliminary Plat, pre-application Design Review, PUD Conditional Use Permit and CUP and Development Agreement and attachments.
SR-14 02888-02903	2019-07-29	Traffic Impact Study Hales Engineering Scott Johnson, PE, PTOE July 29, 2019.
SR-15 02904-02950	2019-08-12	Staff Report dated August 12, 2019 to Ketchum Planning and Zoning Commission re: Recommendation to approve proposed Development Agreement with attached Permit Conditions Acceptance Agreement draft dated 8/7/19.
SR-16 02951-02953	2019-08-13	Access Management Practices SH-75 Memorandum by Hales Engineering dated August 13, 2019.
SR-17 02954-03398	2019-09-16	Staff Report dated September 16, 2019 to the Mayor and City Council regarding Floodplain Development/Waterways Design Review Permit, Preliminary Plat, pre-application Design Review, PUD Conditional Use Permit and CUP and Development Agreement and attachments.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
SR-18 03399-03852	2019-10-07	Staff Report dated October 7, 2019 to the Mayor and City Council regarding Floodplain Development/Waterways Design Review Permit, Preliminary Plat, pre-application Design Review, PUD Conditional Use Permit and CUP and Development Agreement and attachments.
SR-19 03853-04306	2019-10-07	C-7.1 pdf and also P19-063 Staff Report (All Att... Staff Report dated October 7, 2019 addressed to Mayor Bradshaw and City Councilors with recommendation to accept the Planning and Zoning Commission's recommendations on the PEG Ketchum Hotel Planned Unit Development CUP and related applications (Project), Including <ul style="list-style-type: none"> • Staff Analysis of the Project and its inter-related applications as Attachment A • PEG Companies submitted drawings, narratives and studies updates received by City on October 2, 2019 Attachment B • City Department and other expert reviews of applicant submittals Attachment C • Public Comments received Attachment D • Inter-related applications Attachment E. Including Floodplain Development/Waterways Design Review Permit, Preliminary Plant, pre-Application Design Review, PUD Conditional Use Permit and proposed Development Agreement.
SR-20 04307	2019-11-20	In-Group Hospitality letter signed by Joe Madera Regional Director of Operations In-Group Hospitality dated November 20, 2019. Subject on-site employee housing.
SR-21 04308	2019-11-21	In-Group Hospitality letter signed by Joe Madera Regional Director of Operations In-Group Hospitality dated November 21, 2019. Subject complimentary parking (with validation).
SR-22 04309-04310	2019-11-22	In-Group Hospitality letter signed by Joe Madera Regional Director of Operations In-Group Hospitality dated November 22, 2019 and first floor plan with depictions of Garage Vestibule, Trash/Loading area/Back of house corridor/Storage area/ Kitchen area.
SR-23 04311-04412	2019-12-02	C-7.2 pdf. Also P19-063 - Staff Report dated December 2, 2019 addressed to Mayor Bradshaw and City Councilors with recommendation to (1) hear from the Applicant and staff on PEG's updated plans, (2) hold a public hearing and receive

		DESCRIPTION OF EXHIBITS AND DOCUMENTS
		<p>public testimony on new information, (3) deliberate on the Planned Unit Development CUP and (5) continue the preliminary plat and development agreement portions of the public hearing. The Staff Report Includes the following:</p> <ul style="list-style-type: none"> • Link to 10/7/19 KCC Staff Report, Including Recommendations of the Ketchum Planning & Zoning Commission: https://mccmeetingspublic.blob.core.usgovcloudapi.net/ketchid-meetf374e29900a74b108ca2d3560c836ce0/ITEM-Attachment-001-3abc66dc1caf4df39a96255157b5fd32.pdf • Link to all public comment to the Commission (from 7/15 to 9/11): https://ketchumidaho.org/sites/default/files/fileattachments/planning_amp_building/project/37921/all_comments_received_by_pz_7.15.19_to_9.11.19.pdf • Link to all public comment to Council (from 8/5 to present): https://ketchumidaho.org/citycouncil/page/ketchum-boutique-hotel • Attachments: <ul style="list-style-type: none"> ✓ Attachment A Staff Analysis ✓ Attachment B PEG Ketchum Hotel, LLC Gateway Submittal Drawings, Narratives & Studies with 12/2/2019 design updates ✓ Attachment C City Department, agency & peer review letters/memos, with memo from AECOM and letter from Nathan Harvill, BCHA ✓ Attachment D Public Comment Links above referenced. ✓ Attachment E Draft Findings of Fact, Conclusions of Law, Order of Decisions PUD and Copy of Signed P & Z Findings
SR-24 04413	2019-12-19	River Street Encroachment Comparison dated 12-19-2019.
SR-25 04414-04471	2020-01-21	C 2.7 Staff Report Recommendation and Summary dated January 21, 2020 [Box right bottom corner of each page are marked with the first page 57 and continuing through page 62. Attachments include Attachment E.2A Draft Preliminary Plan Findings of Fact, Conclusions of Law, Order of Decision, Attachment E. 4.1 Draft Planning Unit Development Conditional Use Permit and CUP Findings of Fact, Conclusions of Law,

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Findings of Fact, Conclusions of Law, Order of Decision
SR-27 04477-04545	2020-02-03	Staff Report February 3, 2020 to City Council regarding Preliminary Plat and Planned Unit Development CUP Findings of Fact, Conclusions of Law, Order of Decision for PEG Ketchum Hotel, LLC and continue the development agreement portion of the public hearing until the Council’s regular hearing on March 5, 2020 and attachments.
SR-28 04546-04638	2020-02-24	C 2.8 Staff Report Ketchum Planning and Zoning Commission Special meeting of February 24, 2020 P20-015 (Design Review) Included the following: <ul style="list-style-type: none"> • 2/24/20 Design Review Submittal Drawings -click on the following link: https://ketchumidaho.org/sites/default/files/fileattachments/planning_amp_building/project/37921/200212_-_ketchum_hotel_-_design_review_application_drawings.pdf • City Clerk Certificate of Service Findings of Fact, Conclusions of Law, Order of Decision of the City Council dated 3rd day of February, 2020 in File No. P19-063 dated February 5, 2020. • Planned Unit Development CUP City Council Findings of Fact, Conclusions of Law and Order of Decision File No. P19-063 (Attachment E.4.A) • Staff Highlighting of PUD Conditions of Relevance to Commission Design Review with highlighted Order of Decision and added commentary in red • Summary of City Department comments • Analysis of the Project Master Plan relative to the City of Ketchum 2014 Comprehensive Plan.
SR-29 04639-04731	2020-02-24	Staff Report to Planning and Zoning Commission special meeting of February 24, 2020 file no. P20-015 Design Review with attachments of 2/24/20 Design Review Submittal Drawings, Planned Unit Development CUP Findings, Staff Highlighting of PUD Conditions of Relevance to Commission Design Review, Summary of City Department comments, Analysis of Project Master Plan relative to the City of Ketchum 2014 Comprehensive Plan.
SR-30 04732-04753	2020-02-28	Motion for Reconsideration filed by City Planning and Building Department Director on February 28, 2020.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
SR-31 04754-04775	2020-03-02	John Gaeddert Recommendation memo to the Mayor and City Councilors dated March 2, 2020 with Staff Motion for Reconsideration for hearing date of April 6, 2020 of the PEG Ketchum Hotel, LLC Re-adjustment of Lot line to amend and reform the same. Memo includes the Motion for Reconsideration of Findings of Fact, Conclusions of Law and Decision and attached proposed draft First Amended and Reformed Findings of Fact, Conclusions of Law and Decision on File No. P 19-064.
SR-32 04776-04825	2020-03-09	Staff Report to Planning and Zoning Commission dated March 9, 2020 recommendation to review the additional materials requested of and submitted by the applicant, hold a public hearing and review any new testimony, and approve with conditions the PEG Ketchum Hotel Design Review and Attachments.
SR-33 04826-04830	2020-09-28	Staff Report to the Planning and Zoning Commission dated September 28, 2020 re: Application for Floodplain Development Permit File No. P19-062, Application for Planned Unit Development Conditional Use Permit File No. P19-063, Application for Waiver File No. P20-069 and Application for Lot Line Adjustment File No. P19-064 consisting of 5 pages
SR-34 04831-04835	2020-09-28	City of Ketchum Recommendation and Staff Report to the Planning and Zoning Commission dated September 28, 2020 consisting of 5 pages.
SR-35 04836-04891	2020-10-27	Staff Report <i>Attachment A</i> Cover Sheet October 27, 2020 with Planned Unit Development (PUD) Comparison Table - October 27, 2020 - two pages with the following attachments: <ul style="list-style-type: none"> • Attachment A - Warm Springs Ranch Resort PUD Public Benefits Summary. • Attachment B - River Run Master Plan PUD Public Benefits from June 7, 2010. • Attachment C - Simplot Ketchum Properties Public Benefits Summary • Ketchum Tribute October 16, 2020 Planning Commission Supplemental Info with Exhibit A - Compliance with PUD Standards, Exhibit B - Additional Waiver Clarification, Exhibit C - Public Benefit of Project, Exhibit D - Trail Creek Improvements, Exhibit

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		<p>E - PEG & Marriott Pandemic Precautions by AJC Architects.</p> <ul style="list-style-type: none"> • City of Ketchum Recommendation and Staff Report to the Planning and Zoning Commission dated September 28, 2020 consisting of 5 pages.
SR-36 04892-04958	2020-10-27	Staff Report to the Planning and Zoning Commission dated October 27, 2020 re: Application for Floodplain Development Permit File No. P19-062, Application for Planned Unit Development Conditional Use Permit File No. P19-063, Application for Waiver File No. P20-069 and Application for Lot Line Adjustment File No. P19-064 consisting of 11 pages and Exhibit A - PUD Comparison Table dated October 27, 2020, Exhibit B - Ketchum Tribute Supplemental Info (Power Pointe Presentation) Presentation dated October 16, 2020 and Exhibit C - Staff Report to the Planning and Zoning Commission dated September 28, 2020.
SR-37 04959-04975	2020-10-27	<p>Planned Unit Development (PUD) Comparison Table -October 27, 2020 - two pages with the following attachments:</p> <ul style="list-style-type: none"> • Attachment A - Warm Springs Ranch Resort PUD Public Benefits Summary. • Attachment B - River Run Master Plan PUD Public Benefits from June 7, 2010. • Attachment C - Simplot Ketchum Properties Public Benefits Summary • Findings, Decision and Conditions River Run Hotel Core Planned Unit Development (PUD) Conditional Use Permit (CUP) 2010 • Planned Unit Development Agreement with Simplot Properties, LLC January 2006. • Simplot Ketchum Properties Public Benefits Summary • Ketchum City Council Findings of Fact, and Conclusions of Law Simplot Planned Unit Development-Conditional Use Permit dated January 3, 2006 • Planned Unit Development Agreement dated January 17, 2006 Simplot Ketchum Properties, LLC recorded as Instrument #533782.
SR-38 04976-04977	2020-03-09	Notice of Withdrawal of Staff Motion for Reconsideration File No. 19-064.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
SR-39 05428-05443	2021-01-28	Master Joint Staff Report to the City Council for Proceedings on Remand.
SR-40 05444-05488	2021-02-01	Addendum Master Joint Hearings Staff Report to City Council for Proceedings on Remand.
SR-41 06088-06091	2021-11-30	Planning and Building Department Staff Report Recommendation to review the Pre-Application Design Review Permit (P20-015) for the PEG Ketchum Hotel, LLC. <ul style="list-style-type: none"> ➤ Attachment A ➤ Attachment B
SR-41A 06092-06167		
SR-41B 06168-06339		
SR-42 06681-06750	2022-06-14	Planning and Building Department Staff Report Recommendation P22-028 Design Review Permit Application together with <u>Attachment A</u> <ul style="list-style-type: none"> ➤ Attachment A included in Staff Report (same as "APC-8" 06679-06680) ➤ Attachment B
SR-42B 06751-0838		
SR-43 06340-06557	2023-03-28	Planning and Building Department Staff Report Recommendation P22-028 Design Review Permit Application, Review and Recommendation on Permits Conditions Acceptance Development Agreement, and Review and Recommendation on amendment to PUD/CUP P19-063.
SR-44 06558-06678	2023-05-15	Planning and Building Department Staff Report Permits Conditions Acceptance Development Agreement and Amendment PUD/CUP P19-063.
<u>Studies Comparisons, Analysis and Survey Documents identified with prefix "SD"</u>		
SD-1 04978-04981	Undated	Project Comprehensive Plan Analysis
SD-2 04982-04983	Undated	Hotels in Ketchum: Historic and Present Importance as Acknowledge by City Regulations.
SD-3 04984-04986	Undated	Ketchum Boutique Hotel Staff Parking Demand Analysis.

		DESCRIPTION OF EXHIBITS AND DOCUMENTS
SD-4 04987-04990	2007-00-00	2007 Gateway Study / Pre-Application Design Review Submittal document.
SD-5 04991-05018	2008-06-05	Power Point 9a referenced CED and Hotels dated June 5, 2008 consisting of 28 documents.
SD-6 05019-05023	2018-10-00	Ketchum Through the Looking Glass Walkability Assessment Ketchum, Idaho dated October 2018 by Vitruvian Planning.

1.2 Planning and Zoning Hearings in chronological order:

DATE	Planning and Zoning Hearings
July 29, 2019	<p><i>Public Hearings on:</i></p> <ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P19-063 Application for Planned Unit Development Conditional Use Permit
July 30, 2019	<p><i>Public Hearings on:</i></p> <ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P19-063 Application for Planned Unit Development Conditional Use Permit
August 12, 2019	<p><i>Action Items:</i></p> <ul style="list-style-type: none"> • Commission adopted Findings of Fact, Conclusions of Law and Recommendations on PEG Hotel, LLC applications: <ul style="list-style-type: none"> ✓ Floodplain and Waterways Design Review ✓ Lot Line Shift ✓ Pre-Application Design Review to Full Review ✓ Planned Unit development/Conditional Use Permit <p>Bill Gigray, City Attorney, presented Development Agreement</p> <p><i>Action Item:</i></p> <ul style="list-style-type: none"> • Commission approval Development Agreement for recommendation to the Ketchum City Council.
February 24, 2020	<i>Public Hearing</i>
September 28, 2020	<i>Remand Hearing on:</i>

DATE	Planning and Zoning Hearings
	<ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P19-063 Application for Planned Unit Development Conditional Use Permit • P20-015 Design Review • P20-069 Application for Waiver • Permit Conditions Acceptance Agreement
October 27, 2020	<p><i>Hearing continued on:</i></p> <ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P 19-063 Application for Planned Unit Development Conditional Use Permit <p>Continued the hearing to November 10, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals.</p>
November 10, 2020	<p><i>Action continued hearing to December 15, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:</i></p> <ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P19-063 Application for Planned Unit Development Conditional Use Permit
December 15, 2020	<p><i>Action continued hearing to December 22, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:</i></p> <ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P19-063 Application for Planned Unit Development Conditional Use Permit
December 22, 2020	<p><i>Action Items:</i></p> <ul style="list-style-type: none"> • Commission adopted Findings of Fact, Conclusions of Law and Recommendations on PEG Hotel, LLC applications:

DATE	Planning and Zoning Hearings
	<ul style="list-style-type: none"> ✓ Master Joint Hearings Compiled Record of Proceedings on Remand ✓ Floodplain and Waterways Design Review ✓ Lot Line Shift ✓ Planned Unit development/Conditional Use Permit
November 30, 2021	<p><i>Public Hearing on:</i></p> <ul style="list-style-type: none"> • Pre-Application Design Review Permit (P20-019) for the PEG Hotel, LLC, located at 260/280 E. River Street and 251 S. Main Street.
June 14, 2021	<p><i>Public Hearing on:</i></p> <ul style="list-style-type: none"> • Approval of Design Review Permit (P22-028).
March 28, 2023	<p><i>Public Hearing on:</i></p> <ul style="list-style-type: none"> • A final decision on the Design Review Application and to review and make recommendations to the City Council on the Permits Conditions Acceptance Development Agreement and Application for amendment of PUD/CUP P19-063.
April 11, 2023	<p><i>Public Hearing on:</i></p> <ul style="list-style-type: none"> • To consider and approve Findings of Fact, Conclusions of Law and Recommendation for the Permits Conditions Acceptance Development Agreement and the Application for amendment of PUD/CUP P19-063.

1.3 Ketchum City Council Hearings in chronological order:

DATE	City Council Hearings
September 16, 2019	<p>Joint Hearings</p> <ul style="list-style-type: none"> • PUD • Development Agreement <p>Mayor Bradshaw announced the hearing will be on October 7, 2019.</p>

DATE	City Council Hearings
October 7, 2019	Joint Hearings <ul style="list-style-type: none"> • PUD • Development Agreement
December 2, 2019	Joint Hearings <ul style="list-style-type: none"> • PUD • Development Agreement
January 21, 2020	Joint Hearings <ul style="list-style-type: none"> • PUD • Development Agreement
February 3, 2020	Joint Hearings Preliminary Plat and Planned Unite Development/CUP and continued Development Agreement Public Hearing
March 16, 2020	Hearing Development Agreement
April 6, 2020	Consider Orders on pending applications
February 1, 2021	Joint Hearings <ul style="list-style-type: none"> ✓ Floodplain and Waterways Design Review ✓ Lot Line Shift ✓ Planned Unit development/Conditional Use Permit /including waivers Deliberation and Decision announce Directed FCOs’ to be prepared
February 16, 2021	Continued Public Hearing: <i>Action Items:</i> <ul style="list-style-type: none"> • City Council adopted Findings of Fact, Conclusions of Law, Orders and Decisions on PEG Hotel, LLC applications: <ul style="list-style-type: none"> ✓ Master Joint Hearings Compiled Record of Proceedings on Remand ✓ Floodplain and Waterways Design Review ✓ Lot Line Shift ✓ Planned Unit development/Conditional Use Permit /including waivers.
May 15, 2023	Public Hearing and review and act on the Planning and Zoning Commission’s Recommendation of approval of the Permits Conditions Acceptance Development Agreement No. 22847 and Amendment to PUD/CUP P 19-063 For PEG Ketchum Hotel.

DATE	City Council Hearings
June 12, 2023	City Council Approval of the Final Master Complied Record of Proceedings and Findings of Fact, Conclusions of Law and Order of Decision on Amendment PUD/CUP P 19-063 For PEG Ketchum Hotel.

SUMMARY OF ALL HEARINGS – CHRONOLOGICAL

1.4 July 29, 2019 Planning and Zoning Proceeding:

The Public Hearing was held on the following Applications: (1) P19-062 Floodplain Development Permit, (2) P19-064 Lot Line Adjustment, and (3) P19-063 Planned Unit Development Conditional Use Permit, Pre-Application Design Review and Development Agreement. PEG Ketchum Hotel, LLC submitted drawings, narratives, and studies for the development of a 100-room hotel at the southwest corner of River Street and State Highway 75/Maine Street (“Gateway Site”). This joint hearing on these related applications. The Meeting started with a site visit to 251 S. Main Street, 260 E. River Street, 280 E. River Street subject real properties of project applications.

1.4.1 The following persons making statements before the P&Z Commission are as follows:

- Ed O’Gara
- Ben Worst
- Mark Pynn
- Lars Guy
- Bruce Hinckley
- Bob Korb
- John Sahlberg
- Robert Adolph
- Susan Sahlberg

1.4.2 Planning and Building Department Staff [paraphrased]:

- **John Gaeddert**, City Planning and Building Department Director, recapped the criteria for the subject applications and the City Staff evaluation of the Project. He outlined the proposal to change the three existing lots into one lot subject to some 15 conditions as noted in the staff report.
- **Brittany Skelton**, City Senior Planner, presented and overview and outline of the meeting process

1.4.3 Applicant Representatives [paraphrased]:

- **Nick Blyden** of PEG Ketchum Hotel, LLC provided back ground on the Applicant.
- **Justin Heppler**, AJC Architects, outlined the development and design aspects of the project with the site features.
- **Ryan McMullen**, AJC Architects, for the Applicant discussed the landscaping and project roof top features.

- **Jeff Loomis**, Galena Engineering, reported on the projects civil engineering (sewer, water, power, gas, sidewalks, streets, traffic patterns, crosswalks) and the surveying of the project.
- **Ryan McMullen** made a presentation regarding the four proposed waivers: (1) Height, (2) FAR; (3) Lot Size, and; (4) Highway setbacks.
- **Scott Johnson**, Hills Engineering, presented the Traffic Study, delineating the level of service, peak hours, traffic flow at different times of the day and of the week and year.
- **Sean Flynn**, Galena Engineering, discussed the protections of Trail Creek on the southerly property boundary regarding the high-water mark on the north side of Trail Creek during the construction of the project.

1.4.4 **Commission Actions [paraphrased]:**

- Approved the application for Floodplain Development and Waterways Design Review.
- Approved the Lot Line Shift Application subject to recommended conditions.
- Recessed the public hearing on the other applications to reconvene on July 30, 2019.

1.4.5 **Meeting Video:** City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 07/29/2019 P&Z Meeting -- click on Video.

1.5 July 30, 2019 Planning and Zoning Proceeding:

The Public Hearing was continued and reconvened on the following Applications: (1) P19-062 Floodplain Development Permit, (2) P19-064 Lot Line Adjustment, and (3) P19-063 Planned Unit Development Conditional Use Permit., Pre-Application Design Review and Development Agreement.

1.5.1 **The following persons making statements before the P&Z Commission are as follows:**

- Jima Rice
- Pat Duggan
- Ben Worst
- Bruce Hinkley
- Jerry Seiffert

- Lars Guy
- Lane Thompson
- Mark Pynn
- Harry Griffith
- Susan Sahlberg

1.5.2 **Planning and Building Department Staff [paraphrased]:**

- **Brittany Skelton**, City Senior Planner, presented to accept posting of the agenda, draft Development Agreement, and the Staff presentation.
- **John Gaeddert**, City Planning and Building Director, gave the staff report on the Planned Unit Development/Conditional Use Permit.

1.5.3 **Applicant Representatives [paraphrased]:**

- **Nick Blayden** of PEG Ketchum Hotel, LLC introduced the Pre-Design Review of the Project.
- **Justin Heppler**, AJC Architects, presented the Design Review and addressed topics of concern referred at the hearing on July 29th involving height, setbacks, and shadows.
- **Scott Johnson**, Hills Engineering, discussed parking and traffic.

1.5.4 **Commission Actions [paraphrased]:**

- Closed public comment.
- Advanced Pre-Design Review Application to full Design Review with conditions and directed staff to prepare FCOs.
- Approved the Planned Unit Development and Conditional use Permit Application and draft findings with clarification.
- Approval of draft Development Agreement.
- Continued the hearing to August 12, 2019 for receipt and approval of FCOs.

1.5.5 **Meeting Video:** City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 07/30/2019 P&Z Meeting -- click on Video.

1.6 August 12, 2019 Planning and Zoning Proceeding:

Action Items:

- Commission adopted Findings of Fact, Conclusions of Law and Recommendations on PEG Hotel, LLC applications:
 - ✓ Floodplain and Waterways Design Review

- ✓ Lot Line Shift
- ✓ Pre-Application Design Review Advanced to Full Design Review
- ✓ Planned Unit development/Conditional Use Permit

- Commission approval Development Agreement for recommendation to the Ketchum City Council.

1.6.1 The following persons making statements before the P&Z Commission [paraphrased] are as follows:

- **Bill Gigray**, City Attorney, presented Development Agreement.

1.6.2 Meeting Video: City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 08/12/2019 P&Z Meeting -- click on Video.

1.7 September 16, 2019 City Council Proceeding:

The Public Hearing notice for the September 16, 2019 hearing at 4:00 p.m. due to a notice error. It was announced by the Mayor that the hearings on the Ketchum Boutique Hotel at 260 and 280 River Street and 251 S. Main Street applications for Planned Unit Development, Conditional Use Permit, and Development Agreement will not be commenced until October 7, 2019 at 4:00 p.m. No presentation was made by the applicant or staff, and no deliberations or discussion on the matter was held by the Council. However, those members of the public who were in attendance at the hearing and unable to attend the re-noticed public hearing for October 7, 2019 were allowed to provide public comment with said public comment to be included as part of the record of October 7th hearing which included the following:

1.7.1 The following persons making statements before the City Council [paraphrased] are as follows:

- **John Sahlberg**, 321 Leadville in Ketchum, who expressed concern and frustration that the P & Z was relying upon a study from 2002 and that it was old and not useful and that the P & Z is recommending the granting of waivers because they have done it before. Referenced the Barriteau project.
- **Gary Hoffman**, 235 Spur Lane in Ketchum, found it refreshing that a large company is coming to Ketchum but would prefer they purchase the Barriteau Hotel property. Discussed proposed construction by ITD and positives and negatives of the proposal. He also mentioned housing and tourism and zoning, rentals and zoning laws need to be changed and would like to see a City stand against oversized construction.

- **Dr. Alexander**, 110 Sweetbrier in Blaine County, wanted information as to why the Council and P & Z got to the root of why they recommend this project.
- **Vicky Graves**, resident of Ketchum, concerned about safety at the corner and opposed to the hotel.
- **Kevin Livingston**, 115 S. Leadville, started the digital petition and no one understands what is being proposed and that the Council needs to uphold with the public wants. He expressed concerns about the waivers granted to the Barriteau project.
- **Penelope Street**, born and raised in Ketchum, currently works with homeowners and is concerned about high costs of living and working in Ketchum and concerned about project employee housing.
- **John Heaney**, 110 Williams Street, is opposed to the height of the project.
- **Lisa Leach**, Blaine County resident, did not want to see variances granted. Recommended that an industrial psychologist be hired to study the proposed housing and was concerned about the adequacy of employee parking.
- **Pamela Sabel**, business owner at 180 Leadville Ave. N., concerned with the hole in the ground unfinished hotel project across Highway 75 and would like to see that project completed before starting another one and wanted more information.
- **Emily Nardel**, resident since 1983 and resides at the corner of River Street and 1st Ave. S., stated that the building will impact here ability to get out of her home and had concern with zoning changes.
- **Susan Scovell** has served on P&Z and urged Council to support P&Z recommendation.
- **Frank Dressman**, Blaine County Resident, was frustrated by the P&Z waivers and recommended that the Marriott possibly build a building that blends with the community.
- **Susan Sahlberg**, 321 Leadville, Ketchum, stated that the project does not fit in the space and that a smaller hotel could fit in the space.

1.7.2 **Meeting Video:** City of Ketchum Web
<https://www.ketchumidaho.org/meetings> 09/16/2019 City Council Meeting
 -- click on Video.

1.8 October 7, 2019 Hearing Conducted before City Council:

The Public Hearing correctly noticed October 7, 2019. The public hearing was commenced by the Council, at 4:00 p.m. on October 7, 2019 at 4:00 p.m. for the receipt of testimony and comment from City Staff, the Applicant and the public.

1.8.1 Applicant Representatives (paraphrased):

- **Cameron Gunter**, CEO of PEG Development, presented his background information and discussed the benefits of the hotel brand {Marriot} which can be modeled to the community and can bring more people to the area and that onsite employee housing is critical to the success of the hotel project.
- **Nick Blayden**, Applicant Project Manager, presented the site plan provided information on what is currently on the site, the economics of the project and reviewed market study and estimated property tax and sale tax benefits. Stated that the project will have 30 beds for employee housing on site with some employees coming from off site.
- **Justin Heppler**, Applicant Architect, discussed that the Applicant allows design to cater a project to the local community. Discussed who they are trying to attract to the area and their process for creating the hotel. He reviewed the project design, public amenities for each level and the employee housing component of 30 beds for employees. That the project supports the City's comprehensive plan and clarified the height of the project and that it is lower than the neighboring hotel Limelighter and the Bariteau project. He stated the designs are not complete. He reviewed the waivers requested, size of the acreage, floor area ration waiver for employee housing and set back waivers on three sides. He also discussed changes made to the project based upon P & Z review process. Responded to Council questions and concerns.
- **Ryan Hales**, Hales Engineering, for Applicant discussed the traffic study, liver of service and how they calculated traffic conditions, signalized, and stop controlled intersections. He also discussed existing conditions and future growth estimates and reviewed the traffic count and River St. and Maine Street intersections.

1.8.2 Public Comment (paraphrased):

- **Scott Hanson**, Homeowner Trail Creek Crossing, helped with the online petition. He is not opposed to hotels but objects to location of the Application. That the project is not in scale and would detract from the City's entrance and was concerned about traffic and waivers. That people rely upon zoning and waivers should not be granted. He discussed the survey's and petitions that have been circulated and that the project should not go forward.

- **Elaine Harks**, resident of Ketchum, stated she is not anti-hotel concern is zoning are laws standards for only suggestions
- **Pat Duggan**, resident and property owner in Ketchum, discussed her concerns about waivers granted in the past and that granting waivers needs to stop. Wants projects brought to the public in earlier time frame and references the petitions and other public comments.
- **Tom Benson**, Ketchum resident and property owner. Did not want exceptions to be made and not to grant waivers and discussed the number of employee housing needed and that the employee housing be moved to another location and how to change the design to fit the land.
- **Lars Guy**, is a tenant in the building on the west side of the Project. He was concerned about the height of the building and was concerned about parking wanted continued review.
- **Jima Rice**, Blaine County resident. Recommended that the project be sent back to Planning and Zoning.
- **Gene Abrams** discussed the variances given to the Limelighter Hotel that should not be precedence for variances for this project. Questioned the occupancy and need for another hotel. Referenced another Marriot down the road and questioned employee housing did not make sense and questioned the tax income benefit to the City.
- **Dick Clotfelter**, resident of 151 S. Main lives on the top floor of the neighboring Limelighter Hotel. He was concerned with the plan and design of the project that he had hired and architect. He was concern with the traffic that will occur on River Street, fire safety on River Street due to the road being closed and that the project plan for parking, loading and garbage removal will cause problems.
- **Sally McCollum**, Ketchum resident, used to own the building to the west of the project. That the project is too large for the site and is too big along with the Limelighter Hotel for the City entrance.
- **Heidi Schernthanner**, Ketchum resident, complained about the City continuing to offer waivers for private homes and hotels and that traffic was a large problem.
- **Mark Penn**, President of East Fork, concerned that the application ignores the zoning by applying for variances. Wanted the T-zone standards maintained. That the building height waiver request was not appropriate and voiced concerns about parking. He was not opposed to the project but wanted it designed to fit in the neighborhood better.
- **Pam Bailey**, Sun Valley resident, voiced concern over traffic and economic development impact.

- **Dell Ann Benson**, Trail Creek Crossing, was concerned about construction and noticing issues and object to the project across the street to the east as the hole in the ground at the entrance to the City and was opposed to the project.
- **Mickey Garcia** referenced the history of Ketchum, and was in favor of the development and the height no worse than the Limelighter across the street and that the public here does not want to let any other development in Ketchum.
- **Michael Brown**, from Aspen Colorado, He owns the Tamarack and Ketchum Hotel. He was against the project and that Ketchum was eclectic and that it should stay that way.
- **Jim Laski**, attorney representing the Limelighter Homeowner's Association, that his client objected to the design and was concerned with traffic. He discussed ITD's plan and not knowing when it would be implemented That the Limelighter did not have any waivers but employee housing and was concerned about traffic circulation plan.
- **Gary Slette**, represents Jan Clotfelter, his client is not against a hotel but concerned about traffic and circulation. He referenced his letter to the Council about River St. access and Main Street road closures.
- **Gary Lipton**, resident of Ketchum. He is for the Hotel but wants waivers addressed appropriately. If this does not go forward, it will affect future investors.
- **Melissa Lipton** is against waivers being issued for the project. Concern over character of the entrance to Ketchum.
- **Ben Worst**, 220 River St., LLC. His client is in support of a hotel at that location but concern of PUD's waivers and that these waivers make the zoning meaningless. Wants the hotel to be best it can be and was concerned about traffic, parking issues, view corridors.
- **Jerry Seifert** voiced support for the project
- **Ed O's Gara** on River Street, he is the closest resident to the project and the Limelight Hotel. Concern with parking.
- **Brian Barsotti**, Ketchum resident, discussed history of trying to put a hotel in Ketchum that slack is very hard for in this area and hospitality has changed. This is due to competition with Air BnB and other rentals in the area. Concern is waivers given to this project will have to be given everywhere.

1.8.3 Planning and Building Department Staff:

- **John Gaeddert**, Director of the City of Ketchum Planning and Building Department (the "Director"), provided the Staff Report, discussed the history of the project Application and a study that had been done.

1.8.4 **Mayor and Council issues of concern:**

- **The Mayor and members of the Council** questioned the Applicant Representatives regarding the following issues related to the impact of the Application:
 - Traffic circulation and pedestrian safety;
 - Employee housing and affordable housing; and pedestrian crossing. Responded to the Mayor's and Council's questions and concerns about affordable housing; and
 - Setbacks and height.
- **The Mayor and members of the Council** questioned the Director regarding the following issues related to the impact of the Application:
 - Bulk reduction;
 - What the Idaho Transportation Department's plans are for Highway 75 and road improvements; and
 - Height and traffic flows.

1.8.5 **Mayor and Council action:** Approved a motion to continue the hearing to December 2, 2019 at 4:00 p.m. due to the complexity of this project and the need for more information to be presented.

1.8.6 **Meeting Video:** City of Ketchum Web
<https://www.ketchumidaho.org/meetings> 10/07/2019 City Council Meeting
-- click on Video.

1.9 **December 2, 2019 Hearing Conducted before City Council:**

The Public Hearing was continued to receive more information by motion of the City Council during the October 7, 2019 public hearing. The public hearing was commenced by the Council, at 4:00 p.m. on December 2, 2019 at 4:00 p.m. for the receipt of testimony and comment from City Staff, the Applicant and the public.

1.9.1 **Applicant Representatives [paraphrased]:**

- **Nick Blayden**, Applicant Project Manager, discussed the Applicant's open house and had heard from the public and were show the changes they have made to the project contained in Applicant's Master Plan Version 2.
- **Justin Heppler**, Applicant Architect, presented a power point showing 10 things they changed in the project design since the hearing of October 7th contained in Applicant's Master Plan Version 2. These included changes in the delivery and loading zone area as requested by Sherri Newlands P.E. City Engineering, access from Highway 75, sustainability, updated floor plans and the massing of the building and employee housing plans.

1.9.2 Public Comment [paraphrased]:

- **Heidi Scherthanner:** thanked Applicant for improvements in the plans.
- **Jima Rice:** Thanked Applicant for improvement in plans, was critical of the P&Z Commissioners' review of this application. That the size of the project not small enough in mass and recommended eliminating the employee housing and that the Applicant make a contribution in lieu of providing housing in the project and eliminate the roof top bar. Discussed the 2014 Comprehensive Plan.
- **Harry Griffith**, Executive Director of Sun Valley Economic Development: Spoke about the economic benefits of this project as being worth \$1.6 million to the community. That it directly impacts tourism and that is was an important project in that regard. He discussed the jobs the project will create and the number of new visitors it will bring to town. He stated that the 23-employee housing units is significant. He discussed the contribution to Local Option Sales Tax ("LOT") that the project will bring. He referenced that the Marriott brand helps put Ketchum on the map. He obtained his information from the Applicant and found it consistent with the input and output model that has been used in the community.
- **Lucy Barrett**, expressed concern about the City's infrastructure and if the City has addressed this concern. Expressed concern over parking and the conditions of the City's Roads. Concern over the number of people this could bring and the ability of the hospital to hand it.
- **Mickey Garcia**, stated the P&Z did a wonderful job on this project, he is pleased with the design and that the people who are against it are selfish.
- **John Sahlberg**, lives in Trail Creek Crossing and was affected by the project and expressed is not wanting Ketchum to be like Jackson, Wyoming or Park City, Utah and opposes granting any waivers and respect for Ketchum's values.
- **Susan Niemann**, 40 years of residency in Ketchum and agrees with John Sahlberg, and concerns about the Applicant's renderings and that the project be build and landscaping consistent with project renderings.
- **Lars Guy**, immediate neighbor, questions regarding the T-zone and setbacks and concerned about the relative scale and how it will look to the surrounding residents and that it is dangerous to grant waivers.
- **Dick English**, Ketchum resident, concerned with utilities and natural resources. Questioned the City's ability to provide water and accommodate the wastewater and was concerned about electrical power and natural gas needed for the Project effect on these systems.
- **Kevin Livingston** is concerned about transparency and there has been an overwhelming opposition response to the number of waivers applied for. He again discussed his opinion and that it cannot be good for Ketchum.

That the people will be paying a lot more taxes than what the project will bring in. Stated the project needs to be scaled back.

- **Tom Benson**, Ketchum resident, opposed to the height variance and that it will devalue the property that surrounds the Project and discussed a review that praised the Ketchum area and does not want Ketchum to turn into a Jackson, Wyoming or Park City, Utah.
- **Susan Sahlberg** liked the changes to the project that have been made but the waivers are still of concern and she opposed the height waivers.
- **Grace Summers** moved to Ketchum for the economy. That for young people this Project is a great opportunity to grow the economy. Discussed how Marriot is involved with corporate travel and how corporate employees then use Marriot hotels with they do personal travel. She was concerned that if this Project is turned down then Ketchum will not be attractive for other major brands of hotels. She also was in favor of the Roof Top bar which the Community could use.
- **DelAnn Benson** commended the Applicant on the amount of work they have done but not enough and that the project should meet the standard set for the zone. She questioned the statements of the Executive Director of Sun Valley Economic Development and the jobs this Project will bring. That the Project looks better than what is there now is no reason to grant this Application.
- **Pat Duggan** stated that the Applicant needs to find another location, that the proposal is in the wrong spot and the P&Z Commissioners should have more thoroughly looked at the location.
- **Jim Laski**, Representing the Limelight Residents HOA. Their major concern is Highway 75 and River St. They oppose the angle parking scenario and the loading zone proposal. Concern about semi-trucks and the timing of deliveries and backing in and out for deliveries and expressed concern that the housing proposed as referenced at this hearing was different than what was in the Council Packet and that the biggest concern was traffic and vehicular use of Highway 75 and River Street.
- **Ed Johnson**, Ketchum resident, stated no reason the housing should be on site and wanted the housing off site.
- **Mark Penn** stated that the Applicant's current design was in response to public concerns but more work needs to be done to address those concerns. Discussed concern over P&Z Commissioners and zoning and concern about approval of the Project as presented creates a bad precedent in Ketchum.
- **Gary Slette** represents Mr. & Mrs. Clotfelter. They are not opposed to the use if it fits and complies with the Zoning criteria. They are concerned with

River St. right-of-way for delivery truck parking and that the Council look at River St. plan to come up with alternatives.

1.9.3 City Engineering Consultant:

- **Kordel Brayley**, Independent Engineer hired by the City of Ketchum, was introduced by the Mayor to discuss traffic circulation issues presented by this Project. Mr. Brayley recommended the access to the Project be off of River St. He responded to Council question about elimination of the left turn regarding Highway 75 which he has not reviewed.

1.9.4 Mayor and Council issues of concern:

- Concerns about left turning regarding the intersection of River St. and Highway 75; and
- Access to the Project needing to be off of River St. not Highway 75; and
- Discussed encroachment proposals at page 86 and 87 of the Council Packet; and
- Discussion of retaining the middle of River St. where it is and not having diagonal parking move it which will reduce the size of the plaza and the effect on the length of the cross walk over River St.
- Discussion regarding the height waiver; and
- Discussion of benefits of employee housing and discussion of building affordable housing at another location and the need to see the Applicant comply with 1.6 Floor Area Ratio ("FAR") and had concern with the FAR waiver request; and
- Discussion of the setback waiver on the west side.

1.9.5 Mayor and Council action: Approved a motion to continue the hearing to January 21, 2020 at 4:00 p.m. due to the complexity of this project and the need for more information to be presented.

1.9.6 Meeting Video: City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 12/02/2019 City Council Meeting -- click on Video.

1.10 January 21, 2020 Hearing Conducted before City Council:

The Public Hearing was continued to receive more information by motion of the City Council during the December 2, 2019 public hearing. The public hearing was commenced by the Council, at 4:00 p.m. on January 21, 2020 at 4:00 p.m. for the receipt of testimony and comment from City Staff, the Applicant and the public.

1.10.1 Applicant Representatives (paraphrased):

- **Nick Blayden**, Applicant Project Manager, discussed that this was their third presentation of the Application. the Applicant's open house and had heard from the public and were show the changes they have made to the project contained in Applicant's Master Plan Version 2.
- **Justin Heppler**, Architect, who referenced the Applicant's Master Plan Version 3 and discussed the 4 waivers that are being requested by the Applicant as a part of Applicant's PUD Application:
 - #1 – Minimum Lot Size for PUD waiver is necessary in order to build a hotel on the site; and
 - #2 – Floor Area Ratio – The Master Plan Version 3 maintains the employee housing component but have reduce the FAR to 1.57 as compared with the original Master Plan of 1.9. He used a power point to assist his statement about how they were able to make that reduction. He also referenced that the FAR 1.57 is lower than the request by the Council at the December 2nd hearing to reduce it to 1.6.
 - #3 – Average Setbacks – The Applicant was still seeking set back waivers on 3 sides and then described the Master Plan Version 3 on each of the 3 sides.
 - #4 – Height/Contextual Elevations – He explained showed that the elevations of the building in the Master Plan Version 3 is 27' lower than the Barriteau project across Highway 75 and 25' feet lower than the Limelight hotel. He talked about the Right of Way Waivers and outlined the curb lines.

He also referenced that the Applicant in discussion with Idaho Transportation Department on Highway 75 and making some headway.

He also discussed the sustainability facets of the project and briefly reviewed the floor plan and the views of the project and employee housing component.

1.10.2 City Attorney (paraphrased):

- **Bill Gigray** reviewed with the Council the Planned Unit Development Standards and Process as it applies to the pending application.

1.10.3 Planning and Building Department Staff (paraphrased):

- **Abby Rivin**, Associate Planner, discussed the waivers and how the FAR is calculated and how setbacks and height is calculated for waiver purposes and what the standards were without waivers.

1.10.4 Public Comment (paraphrased):

- **Ben Worst**, Attorney representing 220 East LLC, neighboring property owner to the west of the Project. Stated that the waivers being requested are huge. Stated that Ketchum has never had average setbacks. That the formulas used to determine the setbacks that it is only 11'8" from the Project to his client's property line. He requested the Council to increase that distance as much as possible up to 24'. He questioned what the undue hardship was for the Applicant. He stated under the PUD ordinance there is a need to set conditions and the need to meet the standard by reducing the height, increase setback and primarily meet the City's standards and compatibility with the neighboring properties.
- **Scott Hanson**, homeowner at Trail Creek Crossing, stated the City has misinterpreted its code. That the Applicant was aware of the Code requirements prior to the purchase of the subject property and that the waivers requested are detrimental to public health & safety and referenced the signed petitions and letters posted. He has concerns about traffic and the traffic study and problems that will be created by the Project. He stated this project would decrease the value of property around the project. He stated the property owners have hired an attorney and will fight for their rights. He stated the Project is inconsistent with the Tourist zone it is in and inconsistent with the neighborhood. That granting the waivers constitutes spot zoning without a rezone of the property and requested the Council to deny the requests for waivers.
- **Jima Rice** complained that the Mayor and the head of P&Z had solicited the hotel and those communications were not given to the Council or the P&Z Commissioners and this was Open Meeting Law violation. She requested that the Council deny waivers that were *de facto* approved and if the Applicant cannot meet those standards then must withdraw the application.
- **Dick Clotfelter**, 151 S. Main St. in Ketchum, requested that the zoning standards of the Tourist Zone be followed and that the Council reject the application. He recommended that new plans be brought back to P&Z accordingly.
- **John Sahlburg**, homeowner at Trail Creek Crossing, stated the height waiver requests are monumental and the process is frustrating the public. Concerned the project would forever change Ketchum. This project and waiver will be detrimental to the public welfare and referenced all the letters and petitions that have been submitted. He stated there is nothing being proposed that is for the public welfare and that the property owners on 3 of 4 sides have stated it will be detrimental to the surrounding area. He requested the Council to deny the application.

- **Sharon Patterson Grant**, representing the KSEAC, discussed the groups support (not inclusive of City members) of the sustainability measures the Applicant has incorporated in the Master Plan Version 3 that reflect the group's goals. She recommended getting some level of 3rd party certifications to guarantee energy efficiency such as Lead Certification and that they are proceeding with Green House Inventory in Blaine County with all jurisdictions including Ketchum. She is only speaking for water/waste and energy reduction.

1.10.5 Mayor and Council action:

- Closed public comment
- Proceed to deliberate:
 - Sought legal clarifications from Bill Gigray, City Attorney;
 - Sought clarification on the procedure for design review of this Application and Project and average setbacks from John Gaeddert;
 - Continued their deliberations; and
 - Sought clarification from the Applicant's architect on setbacks.
- Motion made by Councilor Hamilton, Seconded by Council President Breen, to approve the Planned Unit Development Conditional Use Permit and CUP for the PEG Ketchum Hotel for Master Plan Version 3 as recommended in the Staff Report Findings with the condition in section 2.2.11 of the recommended Staff Report findings be revised for the west setback to be not less than 16' and that section 4.5.2 of the recommended Staff Report findings include that the building be LEED Silver Certified and to direct the City Engineer, consistent with condition 4.2.4 of Attachment E.4.A, to work with the Applicant to complete the State Highway 75 (SH75) Encroachment Permit with the Idaho Transportation Department (ITD) that excludes (other than emergency Access) and direct approach into the project; and Direct the City Attorney and Planning Staff to Prepare Findings of Fact, Conclusions of Law, Order of Decision of the City Council for the City Council's consideration, approval and adoption at the continuance of this hearing.
 - Voting *Yea*: Council President Breen, Councilor David, Councilor Hamilton
 - Voting *Nay*: Councilor Slanetz
- Motion to continue the public hearings to the Ketchum City Council meeting to be held on February 3, 2020 at 4:00 pm as follows:
 - Regarding the development agreement, to receive applicant reports, staff reports and public testimony for City Council consideration and action;

- Regarding the application for Planned Unit Development Use Permit and CUP in order, to receive the city attorney's and planning staffs prepared Findings of Fact, Conclusions of Law, Order of Decision as directed in first Motion for City Council consideration, approval and adoption and final action; and
- Regarding the application for Preliminary Plat in order, to receive prepared Findings of Fact, Conclusions of Law, Order of Decision as directed in second Motion for City Council consideration, approval and adoption and final action.

1.10.6 Meeting Video: City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 01/21/2020 City Council Meeting
-- click on Video.

1.11 February 3, 2020 Hearing Conducted before City Council:

Joint Hearings Preliminary Plat, Planned Unit Development/CUP and continued Development Agreement Public Hearing reconvened from January 21, 2020 for the receipt of the FCO's and continue Development Agreement hearing.

1.11.1 City Staff [paraphrased]:

- **Bill Gigray**, City Attorney, regarding Gary Slette's questions from the January 22, 2020 hearing letter of February 27, 2020 argues for the following interpretation of the provisions of KMC § 16-08.080: and legal issues associated with ordinance construction and waiver issues. He also advised the Council on the current process of the above-entitled matter.

1.11.2 Planning and Building Department Staff (paraphrased):

- **John Gaeddert**, Director, recommended the City Council review and approve the propose findings of fact, conclusions of law, order of decision for the PEG Ketchum Hotel, LLC applications for Preliminary Plat and Planned Unit Development Conditional Use Permit and continuance of the Development Agreement portion of the public hearing until March 16, 2020.

1.11.3 Public Comment (paraphrased):

- **Ben Worst**, Attorney for 220 River Street, LLC expressed gratitude from his client for the 16' setback on the west side of the project but wants to be sure there is a complete 16' setback. He wanted set back condition to be clear.

- **Jim Hunglemann** made reference to the meeting at the Limelight hotel and stated there is not a need for additional hotel space.
- **Ananda Kriya** felt the Planning and Zoning Commission was going too fast and in the wrong direction. What does the community really want and does not see the need for another hotel.
- **Pamela Zabel** referenced that the parking lot was good but nothing else. Concerned with the construction and the streets. Does not believe that hotels are overcrowded and does not see the need for another hotel.

1.11.4 Mayor and Council action:

Action Items:

- Approval of PEG Preliminary Plat Findings;
- Approval of PEG Planned Unit Development CUP Findings; and
- Continued the public hearing on the Development Agreement to March 16, 2020.

1.11.5 Meeting Video: City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 02/03/2020 City Council Meeting
-- click on Video.

1.12 February 24, 2020 Planning and Zoning Proceeding:

Design Review: This meeting started with a site visit to 260 E. River Street (Lots 1, 2, 3 and Fr 21 and 22, Block 82, original townsite. The hearing was reconvened to consider action on the Design Review Application.

1.12.1 Applicant Representatives (paraphrased):

- **Nick Blayden**, PEG Ketchum Hotel, LLC, complimented the design team for its work. In response, he explained that the bar is not a party place but a low-key, after skiing gathering spot.

- **Ryan McMullan**, AJC Architects, presented the Design Review. He advised that the design team has worked on Dark Skies requirements and Sustainability. He presented an overview of the site plan, traffic merges, mass, employee housing, and each of the floor plans exterior materials to be used and the rooftop bar. He responded to concerns electrical locations mandated by Idaho Power and the location of public utility easements. He stated that the laundry venting is passive system not forced and involves commercial gas dryers venting to that side with not lint to be emitted. Walkways on the Hotel property would be heated. He also addressed noise issues as a priority and lighting will conform to Dark Skies standards. He showed Dark Skies lighting and energy efficient materials to be use.
- **Nicole Cary**, Kurt Eggers Associates Landscape Architects, noted landscaping is to include native plants. That the proposed landscaping along the highway promotes a forested atmosphere and the west side includes a buffer of trees and shrubs. The riparian zone to remain natural with possible public access. Some green roofs and terraces with planter.

1.12.2 City Staff [paraphrased]:

- **Bill Gigray**, City Attorney, responded to Attorney Gary Slette’s argument regarding the minimum lot size and acknowledged that the Request for Reconsideration had been received by the City Council.

1.12.3 Planning and Building Department Staff (paraphrased):

- **John Gaeddert**, City Planning and Building Department Director, gave a summary of prior hearings and areas of consideration by the Commission and the City Council. That the City Council awaits the Planning and Zoning Commission’s recommendations on the full Design Review which will become part of the Development Agreement. He advised that the City had received a letter seeking reconsideration of City Council Action. In response, advised the Commission of the recommended 15 conditions in the Staff Report.
- **Brittany Skelton**, City Senior Planner, commented that the proposed Trail Creek clean up and possible access could be approved administratively.

1.12.4 Public Comment (paraphrased):

- **Gary Slette**, Attorney for Dick Clotfelter and Big Burn, LLC & five owners of Trail Creek Crossings Condos, stated that they have filed a Reconsideration Request to the City Council. His clients support the concept but not this proposal. His clients object that the proposal does not meet design standards, objects to the number of floors, the waivers of

minimum lot size and that the Commissioner follow the requirements of the zoning ordinance.

- **Ben Worst**, Attorney for 220 E. River Street, LLC, stated his client approves the current design including the 16 foot set back on the west but wanted more specific information on the retaining wall, utilities and the garage and laundry venting.
- **Joanie Cashman**, neighbor to the south, expressed concern with light pollution, traffic, possible and the amount of noise from the outdoor bar, and ice on the sidewalk into town.

1.12.5 Planning and Zoning Commission action:

Action Items:

- Motion to direct staff to prepare the final Findings of Fact, Conclusions of Law, and Order of Decision in accordance with the Staff Report of February 24, 2020 subject to the additional Findings and Order of Decision based upon the continuance of this hearing and the additional renderings brought forth to be included in the findings for consideration by the Commission on March 9, 2020; and
- Continued the hearing to March 9, 2020.

1.12.6 Meeting Video: City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 02/24/2020 P&Z Meeting -- click on Video.

1.13 March 9, 2020 Proceeding before Planning and Zoning Commission:

Design Review: Hearing to consider and take action on the Design Review application.

1.13.1 Planning and Building Department Staff (paraphrased):

- **John Gaeddert**, City Planning and Building Department Director, introduced the Design Review landscaping, rendering, and mechanicals. He also discussed added conditions 16 and 17 to the Staff Report addressing concerns raised at the last meeting involving the terraced wall and the brightness of the fireplace. He stated in response to concern that generators are commonly placed within the setback.

1.13.2 Applicant Representatives (paraphrased):

- **Nick Blayden**, PEG Ketchum Hotel, LLC, introduced Applicant's Design Review presentation. He explained the parking and free public parking validation. In response, stated that he thought the generators could be placed inside the building, if necessary.
- **Justin Heppler**, AJC Architects, discussed the proposed firepit, exterior material and landscaping at each elevation. He addressed the impact of the terraced walls on the south side and that is had been broken up into panels. He advised that the wall could be space for public art and that the Conner Plaza with a fire pit would require an encroachment permit from the City. In response to question, he advised there would be lighted bollards at the driveway for safety.
- **Nicole Cary**, Kurt Eggers Associates Landscape Architects, provided an overview of the landscaping along Trail Creek and the Highway Sides of the Project.
- **Charles Despain**, mechanical engineer, explained the minimal impact of the mechanical venting, sound, and emissions on the west side of the proposed building. That the emergency generator would run once every 15 minutes and any time of the day and for maintenance and would produce a minimum sound and there is a sound barrier enclosure. He stated the boilers would vent through the roof and the dryers to the side at the lower end of the building. Lint traps would be used. There would be no fumes and minimal steam would be emitted. The vents are 15 feet from the property line and landscaping would be planted in the setback.
- **Whipple** stated the noise would be mitigated since the noise would affect hotel guests as well as neighbors.

1.13.3 Public Comment (paraphrased):

- **Bob Korb**, 220 E. River Street, concerned about the vents near the neighboring building to the west. He stated the generator cannot be located within the setback. He has concern about noise and odors and asked that the Commission require the vents to be moved.

1.13.4 Mayor and Council action:

Action Items:

- Motion to approve the PEG Ketchum Boutique Hotel, LLC Design Review Application with Conditions as set forth in the Findings of Fact, Conclusions of Law, and Order of Decision provided in

attachment 1 of the Staff Report and authorize the Chair to sign subject to conditions 1-18.

1.13.5 **Meeting Video:** City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 03/09/2020 P&Z Meeting -- click on Video.

1.14 March 16, 2020 Proceeding before City Council:

Hearing on Gary Slette's Request for Reconsideration held as a Phone Conference.

1.14.1 **City Staff (paraphrased):**

- **Matthew Johnson**, City Attorney, recommended that the City Council continue this public hearing and that Gary Slette filed on behalf of his clients Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan Request for Reconsideration of File No. P19-063, File No. 19-064 and advised this is not a public hearing and the procedure involved. In response he also advised that Council that it needs to add Slette's Exhibits A-D, E 1 and E2 and F and the Applicant submitted a brief letter but not further exhibits. He advised the Council to deliberate.
- **Bill Gigray**, City Attorney, responded with an explanation of the job of the Council in regards to requests for reconsideration and the two requests before the City Council and that it has 60 days to issue a written decision. He explained reconsideration before them that there are not waivers involved and issues of due process and the Open Meeting law and that in his opinion the Open Meeting Law had not been violated.

1.14.2 **Gary Slette (paraphrased):** Presented his exhibits A-E which were displayed in the council chambers and reasons for the Requests for Reconsideration.

1.14.3 **Applicant (paraphrased):**

Deborah Nelson, attorney, appeared for the Applicant in response.

1.14.4 **Mayor and Council action:**

Action Items:

- Approved motion to deny the March 11th Request for Reconsideration and direct the City Attorney to prepare a decision for the council's consideration and approval at their April 6, 2020 meeting.

1.14.5 **Meeting Video:** City of Ketchum Web <https://www.ketchumidaho.org/meetings> 03/16/2020 City Council Meeting -- click on Video.

1.15 April 6, 2020 Proceeding before City Council:

Conduct a hearing, pursuant the Request for Reconsideration of the *Findings of Fact, Conclusions of Law and Decision* of the City Council entered in the above-entitled matter on February 3, 2020, filed by Mr. Gary D. Slette, attorney at law of the firm of Robertson & Slette, P.L.L.C., as attorney for the clients claiming an error in the notices provided in the above entitled matter to neighboring property owners within 300' of the project was inadequate.

1.15.1 City Staff (paraphrased):

- **Matthew Johnson**, City Attorney, provided a staff report regarding the notice to neighboring property owners had been given for only A lot 1 of the Project in the NE corner and as a result there were property owners who should have been but were not notified of the public hearings held in the above-entitled matter before the Planning and Zoning Commission and the City Council. He presented recommended Orders Vacating Findings of Fact, Conclusions of Law and Decisions of the City Council and Remanding the Applications to the Planning and Zoning Commission for Further Proceedings. He also explained the if the Council issues these recommended Order that Attorney Gary Slette's request for his clients for Reconsideration would be moot and should be dismissed.

1.15.2 Applicant Representatives Appearing:

- **Deborah Nelson**, Attorney for Applicant.

1.15.3 Gary Slette appeared.

1.15.4 Mayor and Council action:

Action Items:

- Approved Orders Vacating approvals and remanding the following matters back to the Planning and Zoning Commission for further proceedings:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit
- Order Suspending Design Review approval by Planning and Zoning Commission P20-19 and directing the conduct of additional hearings.
- Approved Motion to Dismiss the Motion for Reconsideration.

1.15.5 **Meeting Video:** City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 04/06/2020 City Council Meeting
-- click on Video.

1.16 September 28, 2020 Proceeding before Planning and Zoning Commission:

This public hearing was conducted due to the City Council's having entered on April 6, 2020 the following Orders Vacating approvals and remanding the following matters back to the Planning and Zoning Commission for further proceedings:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit
- Order Suspending Design Review approval by Planning and Zoning Commission P20-19 and directing the conduct of additional hearings.

The Commission commenced the Remand Joint Hearings on:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit
- P20-015 Design Review
- P20-069 Application for Waiver
- Permit Conditions Acceptance Agreement

1.16.1 **City Staff (paraphrased):**

- **Bill Gigray**, City Attorney, responded to a question from the Commissioner Mead as to whether or not Commissioner Moczygemba could participate in these proceeds and vote since she had not participated [due to her being newly appointed] in any of the hearing thus far in the above-entitled matters. He opined that she could participate if she became familiar with the record of proceeds that have occurred.

1.16.2 **Commissioner Moczygemba (paraphrased):** Confirmed that she was familiar with the prior record of proceedings in the above-entitled matters.

Action Items:

- Tabled and continued the hearings In the Matter of the Permits Conditions Acceptance Agreement jointly with the continuance of the hearing In the Matter of Design Review subject to City Council Action on the other pending Applications and subject to notice of hearing of said matters having been first given as required by law.
- Included the record of all prior hearings on above referenced matters

1.16.3 **Planning and Building Department Staff (paraphrased):**

- **Brittany Skelton**, Senior Planner, gave a brief overview of the applications including the public amenities, landscaping, and setbacks.
- **Suzanne Frick**, Planning and Building Department Director, presented the public comment and staff report.

1.16.4 **Applicant Representatives (paraphrased):**

- **Jason Hepler**, AJC Architects, presented the Design Review application with power point presentation which was the same as the March 2020 presentation. He presented the evolution of the massing of the building during these proceedings. He highlighted amenities including the outdoor fireplace, restaurant, conference rooms, landscaping, and rooftop dining. He described the floor plans for each level including parking and workforce housing, guest rooms, meeting rooms and roof top bar. He also showed the exterior materials to be used.
- **Debra Nelson**, Attorney for PEG Hotel, LLC, addressed issues regarding the acceptance of the prior record and the noticing error. She explained that the City Code gives the Commissioners authority to grant waivers requested for lot size, height, side setbacks, outdoor space and number of floors and soundproofing, on-site work force housing and discussed the safety concerns of the proposed hotel access from Highway 75. She answered questions from the Commissioners.

1.16.5 **Public Comment (paraphrased):**

- **John Sahlberg**, property owner, is opposed to the height of the proposed hotel and noted comparisons to the unbuilt Auberg Hotel. He referenced the 2,500 signatures on an internet petition in opposition to the height of the hotel. He is opposed to waivers. Is of the view this project has been railroaded through and wants the Commissioners to consider public opinion.
- **Benjamin Worst**, Attorney representing the property owner to the west of the project, requested that the integrity of the set back on the west side of the Project be maintained and was concerned over the location of the generator, retaining wall for the transformer platform in the setback and requested the exhaust from the laundry be change.

1.16.6 Board of Commissioners action:

Action Items:

- Continue the hearings until October 27, 2020 for the receipt of additional information from City Staff on the comparison of other similar projects and waivers in the City of Ketchum regarding File No. P. 19-062 Application for Floodplain Development Permit, File No. P19-064 Application for Lot Line Adjustment and File No. P 19-063 Application for Planned Unit Development Conditional Use Permit.

1.16.7 Meeting Video: City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 09/28/2020 P&Z Meeting -- click on Video.

1.17 October 27, 2020 Proceeding before Planning and Zoning Commission:

Remand Hearing (continued from September 28, 2020) on:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit

1.17.1 Planning and Building Department Staff (paraphrased):

- **Brittany Skelton**, Senior Planner, introduced for the record the matrix produced by City Staff at the request of the Commission on September 28, 2020 comparing waivers granted for comparable projects in the City of Ketchum.

- **Suzanne Frick**, Planning and Building Department Director, discussed proposed condition 14.2 regarding the terms of the parking spaces. That those spaces would be available to the public at no charge when using the Hotels' amenities but not otherwise.

1.17.2 Applicant Representatives (paraphrased):

- **Debra Nelson**, Attorney for PEG Hotel, LLC discussed the PUD application and the purpose of the PUD land use option and how it is used and administered and that the subject Project meets the City's PUD standards and is consistent with the City's Comprehensive Plan and incorporates the site's natural features into its overall design. In response to public comments, she stated that the development team will confer with the neighbor to the west and will look at the possibility of a stairway. Screening will be provided. They will meet with the neighbor prior to the Design Review hearing. She explained that the waivers make this a better project.
- **Jason Heppler**, AJC Architects presented justifications for each waiver request. He referenced that the waivers are used as a tool to improve the Project as follows:
 - Setback waiver facilitates a greater density; and
 - FAR: provides for employee housing and the quality of the proposed housing meets the intent of the BCHA.

Slope of the Site provides for a better community benefit as the Height of the building steps down and acts as a transition from downtown to Trail Creek. The height is 48' at River Street and 54' at Trail Creek and that the number of building stories at 6 is only in the center of the building.

He also referenced the public benefits of this project qualifying for a 4-star hotel with meeting spaces, a restaurant on River Street for indoor and outdoor dining and a roof-top bar. That this Project redevelops a blighted part of the town and will create increased tourism. The Applicant's project team will work with the City's Planning Commission to improve the existing riparian corridor, provide a natural fisherman's access, and public access to Trail Creek. He responded to Commissioner question about traffic patterns that IDT had not concerns but the Applicant would be open to changes.

1.17.3 Public Comment (paraphrased):

- **Benjamin Worst**, Attorney representing the property owner to the west of the project, referenced that Bariteau Hotel does not give entitlements to this Project. He urged the Commissioners to not consider any comparison to the Limelight Hotel which has public streets on all sides. He again emphasized the maintenance of the integrity of the setback on the west by not allowing the generator to be placed there. He again requested venting be sent upward and not out the side toward the neighboring property. He stated the putting in stairs would take away from the amount of the screening.
- **Kristy Turco**, resident, stated that the Commissioners should protect property owners and retain the quality of life and character of Ketchum. She questioned the City infrastructure's ability to support an increase in tourist population.
- **Harry Griffith**, Sun Valley Economic Development, emphasized that the Project creates jobs, housing, economic development, increased public benefits, attracts a reliable operator with a loyal customer base which will reduce the seasonality, amenities need by the community. That this Project would be a positive for Ketchum and benefit the Community as a whole.
- **Kevin Livingston**, resident, questioned the building code. He discussed the public response to the request waivers was negative. He referenced an objection to pre-public discussions and what the Commissioners to follow the codes and play by the rules.
- **Bob Crosby**, Board of Realtors, stated this Project would be an excellent addition to the City of Ketchum. He emphasized the economic benefits to the Community. He stated the Project had followed the code and ask Commissioners to consider the amount of investment being made by the Applicant for this Project.

1.17.4 Board of Commissioners action:

Action Items:

- Approve File No. P. 19-062 Application for Floodplain Development Permit
- Approve File No. P19-064 Application for Lot Line Adjustment
- Approve File No. P 19-063 Application for Planned Unit Development Conditional Use Permit with additional conditions with a new

condition no. 21 that at the time of Design Review the Applicant shall be required to address venting of mechanicals that vent toward the western property line and provide detail related to how they are preventing impact to the adjacent property. Also modification to condition 3.4.1 to retain authority to modify the traffic patterns on Highway 75, specially the left turn lane traffic flow, if the traffic pattern instituted by Idaho Department of Transportation proves to be inadequate.

Continued the hearing to November 10, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on all approvals.

1.17.5 **Meeting Video:** City of Ketchum Web
<https://www.ketchumidaho.org/meetings> 10/27/2020 P&Z Meeting -- click on Video.

1.18 November 10, 2020 Proceeding before Planning and Zoning Commission:

1.18.1 Board of Commissioners action:

Action continued hearing to December 15, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit

1.18.2 **Planning and Building Department Staff (paraphrased):** Communicated a request for additional time to complete the proposed findings of fact, conclusions of law and recommendations of approval.

1.18.3 **Meeting Video:** City of Ketchum Web
<https://www.ketchumidaho.org/meetings> 11/10/2020 P&Z Meeting -- click on Video.

1.19 December 15, 2020 Proceeding before Planning and Zoning Commission:

1.19.1 Board of Commissioners action:

Action continued hearing to December 22, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit

1.19.2 **Planning and Building Department Staff (paraphrased):** Communicated a request for additional time to complete the proposed findings of fact, conclusions of law and recommendations of approval.

1.19.3 **Meeting Video:** City of Ketchum Web <https://www.ketchumidaho.org/meetings> 12/15/2020 P&Z Meeting -- click on Video.

1.20 December 22, 2020 Proceeding before Planning and Zoning Commission:

Continued hearing from December 22, 2020 for the City Staff presentation and the Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit

1.20.1 **Planning and Building Department Staff (paraphrased):**

- **Brittany Skelton**, Senior Planner, presented the following for the Board of Commissioners consideration:
 1. MASTER JOINT HEARINGS COMPILED RECORD OF PROCEEDINGS ON REMAND FILE NOS.
 - P19-062 [Floodplain]
 - P19-063 [PUD]
 - P19-064 [Lot Line Adjustment]
 - P20-069 [Waivers]
 - P20-015 [Design Review]
 2. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-062
 3. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-063

4. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-064

1.20.2 Board of Commissioners action:

Action Items:

Approve:

1. MASTER JOINT HEARINGS COMPILED RECORD OF PROCEEDINGS ON REMAND FILE NOS.
 - P19-062 [Floodplain]
 - P19-063 [PUD]
 - P19-064 [Lot Line Adjustment]
 - P20-069 [Waivers]
 - P20-015 [Design Review]
2. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-062
3. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-063
4. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-064

1.20.3 Meeting Video: City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 12/22/2020 P& Z Meeting -- click on Video.

1.21 February 1, 2021 Proceeding before City Council on remand:

The Public Hearing correctly noticed for joint public hearings on February 1, 2021. The joint public hearings were commenced by the Council at 4:00 p.m. on February 1, 2021 for the receipt of testimony and comment from City Staff, the Applicant and the public.

1.21.1 Planning and Building Department Staff:

- **Suzanne Frick**, Acting Director of the City of Ketchum Planning and Building Department (the “Director”), provided the Staff Report, discussed the history of the project Application and a study that had been done.
- Master Joint Hearings Staff Report to City Council for Proceedings on Remand and the Addendum Master Joint Hearings Staff Report to the City Council for Proceedings on Remand.

1.21.2 Applicant Representative (paraphrased):

- **Deborah Nelson**, attorney, appeared for the Applicant and provided an overview of the proposed Hotel project and requested permits and how it complies with City ordinance provisions.
- **Justin Heppler**, AJC Architects, presented a power point presentation of the Hotel Project and confirmed that there have been no design changes since this project was last before the Council. He reviewed each of the waiver requests and the basis for them. He outlined the public and community engagement the Applicant has initiated and conducted. He discussed the Hotel Project's amenities and public benefits and the project design changes the Applicant has made.

1.21.3 Public Comment (paraphrased):

- **H P Boyle** Stated that the project is not compatible with the City of Ketchum, too large for the site, concerned about the proposed employee housing and low paying jobs not needed.
- **Ben Worst**, 220 River St., LLC. His client is concerned that the 16' set back be maintained. That the generator be retained in the building, laundry and garage venting, parking lost be retained in the project for the public use and was opposed to a walkway in the 16' set back area of the project.

1.21.4 Applicant Representatives Rebuttal [paraphrased]:

- **Justin Heppler**, AJC Architects, explained that there was 46% open space in the Hotel Project footprint. That the employee housing will be desirable and has worked well in other locations. That the Applicant has not asked for the walkway that was brought up at the Planning and Zoning Meeting.
- **Nick Blayden**, Applicant Project Manager, discussed that there would be free parking for the public in the project and that the onsite employee housing units are a great benefit to the employees. He also discussed the measures that will be taken regarding venting from the Hotel Project.

1.21.5 City Council action:

Action Items:

- Approve File No. P. 19-062 Application for Floodplain Development Permit in conformance with the Planning and Zoning Commission’s recommendations.
- Approve File No. P19-064 Application for Lot Line Adjustment in conformance with the Planning and Zoning Commission’s recommendations.
- Approve File No. P 19-063 Application for Planned Unit Development Conditional Use Permit in conformance with the Planning and Zoning Commission’s recommendations.
- Continued the hearing to February 16, 2021 for Consideration of Findings of Fact, Conclusions of Law, Order of Decision on all approvals.

1.21.6 **Meeting Video:** City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 02/01/2021 City Council Meeting
-- click on Video.

1.22 February 16, 2021 Proceeding on remand before the City Council:

1.22.1 **Public Comment:**

- **Perry Boyle** - Building needs to be on a three-acre site. The population does not want it. Hotel is unneeded, no workers available to work for the Hotel. Developer will have to recruit people from out of town who cannot afford to live there.

Action Items:

- City Council adopted Findings of Fact, Conclusions of Law. Order of Decision on all of the following PEG Hotel, LLC applications:
 - ✓ Master Joint Hearings Compiled Record of Proceedings on Remand
 - ✓ Floodplain and Waterways Design Review
 - ✓ Lot Line Shift
 - ✓ Planned Unit development/Conditional Use Permit

1.22.2 **Meeting Video:** City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 02/16/2021 City Council Meeting
-- click on Video.

1.23 November 30, 2021 Proceeding before P&Z Commission:

1.23.1 Planning and Building Department Staff:

- **Suzanne Frick**, Director of the City of Ketchum Planning and Building Department (the" Director"), provided the Staff Report.

1.23.2 Applicant Representative (paraphrased):

- **Nick Bladen** provided back ground information on Applicant's Revised Project Plans.
- **Justin Heppler**, AJC Architects, provided to the Commissioners a presentation of the "Ketchum Tribute" PD-16 2021-09-08 Applicant's Revised Project Plans.

1.23.3 Public Comment:

- **Spencer Cordovano**
- **Peter Boyle**

1.23.4 Planning and Zoning Commission Action:

Action Items:

- By Motion approved the Pre-application and design review permit.

1.23.5 Meeting Video: City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 11/30/2021 P&Z Meeting --
click on Video is not functional.

1.24 June 14, 2022 Proceeding before P&Z Commission:

1.24.1 Planning and Building Department Staff:

- **Suzanne Frick**, Director of the City of Ketchum Planning and Building Department (the" Director"), provided the Staff Report.

1.24.2 Applicant Representative (paraphrased):

- **Nick Bladen** provided back ground information on Applicant's Revised Project Plans.
- **Justin Heppler**, AJC Architects, provided to the Commissioners a presentation regarding the Applicant's Design Review Application Update Plans dated May 27, 2022.

1.24.3 **Public Comment (paraphrased):**

- **Scott Levee:** Concern about the intersection Highway 75. Concern about height requirements.
- **Kevin Livingston:** Concern this project did not go through the proper variance process. Concern that there has been tacit approval without due diligence.

1.24.4 **Planning and Zoning Commission Action:**

Action Items:

- Motion to approve and direct staff to prepare FCOs and continue to July 6, 2022 to approve FCO – which meeting was later cancelled.

1.24.5 **Meeting Video:** City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 06/14/2022 P&Z Meeting -- click on Video.

1.25 March 28, 2023 Proceedings before P&Z Commission :

1.25.1 **Planning and Building Department Staff:**

- **Suzanne Frick**, Director of the City of Ketchum Planning and Building Department (the" Director"), provided the Staff Report.
- **Bill Gigray**, City Attorney, responded to Commissioner questions.

1.25.2 **Public Comment (paraphrased):**

- **Scott Levee** – traffic on Highway 75 and concern.

1.25.3 **Planning and Zoning Commission Action:**

Action Items:

- Motion to approve Findings of Fact, Conclusions of Law and Conditions of Approval of Design Review Permit P22-028.
- Motion to recommend that the City Council approve the Permit Conditions Acceptance Agreement 3-02-2023 draft, subject to the following modifications:
 - ✓ Clarify the definition of "Institutional Lender";
 - ✓ Modify the time provisions to allow for administrative approvals of time extensions related to obtaining a certificate of occupancy.
- Motion to approve the proposed Amended PUD/CUP P19-063 and forward recommendation to the City Council.

- 1.25.4 **Meeting Video:** City of Ketchum Web
<https://www.ketchumidaho.org/meetings> 03/28/2023 P & Z meeting --
click on Video.

1.26 April 11, 2023 Proceedings before P&Z Commission:

1.26.1 Consent Agenda Approval:

- PEG Permits Conditions Acceptance Development Agreement P & Z Findings and Recommendation approved.
- PEG Application to amend PUD/CUP File No. P19-063 Findings of Fact, Conclusions of Law, and Recommendation to the City Council approved.

- 1.26.2 **Meeting Video:** City of Ketchum Web
<https://www.ketchumidaho.org/meetings> 04/11/2023 P&Z Meeting --
click on Video.

1.27 May 15, 2023 Proceedings before City Council:

1.27.1 **Public Comment:** No public comment

1.27.2 **Planning and Building Department Staff:**

- **Suzanne Frick**, Director of the City of Ketchum Planning and Building Department (the "Director"), provided the Staff Report and brief overview and update of what had occurred since this was previously before the City Council regarding the Permits Conditions Acceptance Development Agreement and the amendment to the PUD/CUP Permit Application P-19-063.

1.27.3 **City Council Action:**

Action Items:

- Motion to approve the Application to amend PUD/CUP P19-063 and direct staff to prepare the Findings of Fact, Conclusions of Law and Order of Decision.
- Motion to approve the Permit Conditions Acceptance Agreement 3-28-2023 draft, and direct staff to prepare the Findings of Fact, Conclusion of Law and Order of Decision.

1.27.4 **Meeting Video:** City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 05/15/2023 City Council
Meeting -- click on Video.

1.28 June 12, 2023 Proceedings before City Council:

1.28.1 Consent Agenda Approval:

- PEG Permits Conditions Acceptance Development Agreement P & Z Findings of Fact, Conclusions of Law and Order of Approval.
- PEG Application to amend PUD/CUP File No. P19-063 Findings of Fact, Conclusions of Law, and Order of Decision.
- PEG Applications Final Master Compiled Record of Proceedings.

1.28.2 Meeting Video: City of Ketchum Web

<https://www.ketchumidaho.org/meetings> 06/12/2023 City Council
Meeting -- click on Video.

Adopted this 12th day of June, 2023.

City of Ketchum City Council

By: _____
Neil Bradshaw, Mayor