



**Planning and Zoning Commission Meeting - Regular MINUTES**

**Tuesday, February 09, 2021 at 4:30 PM**  
**Ketchum City Hall**  
**480 East Avenue North, Ketchum, ID 83340**

**CALL TO ORDER**

The meeting was called to order at 4:30 PM by Chairman Neil Morrow.

**PRESENT**

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

**COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE**

There were no ex parte disclosures.

**CONSENT CALENDAR—ACTION ITEMS**

1. ACTION ITEM - Minutes of December 22, 2020
2. ACTION ITEM - Minutes of January 12, 2021
3. ACTION ITEM - Minutes of January 26, 2021

Commissioner Moczygemba requested change to Minutes of January 12, 2021 to change “demolition” to “excavation”.

**Motion to approve the Consent Calendar with Minutes of January 12, 2021 as amended.**

*Motion made by Vice-Chairman Mead, Seconded by Commissioner Carter.*

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

**PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS**

4. ACTION ITEM: Recommendation to conduct a public hearing, consider, and take action on Design Review P-20-118, Lot Line Shift P21-009, and Condominium Subdivision Preliminary Plat P20-118 applications for the 4th & Main Street (Solstice Condominiums) Mixed-Use Building located at Hot Dog Hill—the West Half of Block 5 along Main Street between 4th & 5th Streets—within the Retail Core of the Community Core (CC-1). - The Design Review application is for the development of a new four-story, 48.5-foot tall, 2.21 FAR, 59,090-square-foot mixed-use building. The Lot Line Shift application will vacate the lot lines between lots 1, 2, 3, and 4 within block 5 of Ketchum’s townsite to consolidate the lots into one amended development parcel for the future Solstice Condominiums. The Condominium Subdivision Preliminary Plat proposes to subdivide the mixed-use building into 4 retail units, 17 residential dwelling units, and common area.

The project was introduced by Associate Planner Abby Rivin. All Public Comment received after the Staff Report was published, was emailed to the Commissioners today. Staff did not find the

project met the Design Objectives or the Community Vision for the downtown and was incompatible with the surrounding environment. Staff recommended denial of this Design Review Application, Lot Line Shift Application and Condominium Subdivision Preliminary Plat.

Jim Laski, attorney for the applicant, objected to the Staff Findings and urged the Commission to take an objective look at the application.

Peter Paulos, Architect, spoke to the evolution of the building design giving nod to Old Ketchum with canopies, landscaping, railings. He spoke to the changes that had been made and how the design was reminiscent of the mining history of Ketchum. He noted this project exceeded the requirement for Community Housing. Summer and Winter Shadow patterns were shown.

Samantha Stahlnecker, Galena Engineering, spoke to the traffic patterns and access to the underground parking. She noted the application met all design standards.

Kurt Eggers, Landscape Architect, spoke to the landscaping along the Main Street and Fourth Street sides of the building. He noted this was not a highly landscaped area of Ketchum and this project was consistent with other Main Street buildings.

Chris Ensign, applicant, stressed the advantages of the project, including the Community Housing component. He questioned why the project was recommended to be denied when all Design Standards were met. He asked the Commission for approval of the project.

Planner Rivin commented on the setback and landscaping requirements along 4<sup>th</sup> Street and 5<sup>th</sup> Street. She also mentioned the bus stop is moving to this block of Main Street.

Commissioner Moczygemba asked Stahlnecker about the 4th and Main bulb out. Stahlnecker replied the bulb-out complied with the Ketchum Standards.

Vice-Chair Mead thought the character of the Staff should not be attacked. He asked Paulos about the parking spaces provided. He responded the parking spaces were allocated by square footage of each living unit and retail unit with a total of 17 parking spaces. All parking was for the retail and living units but could be changed by the City. Mead asked about the height of the East side of the building. Paulos responded it was 28' on the facade with the third floor setback. From the ground to top of building is 44'10".

Commissioner Moczygemba asked about ADA access to retail space since it has a step-down entrance. Paulos indicated access from the Main Street side was without steps.

Chair Morrow expressed concern about the garage access on 5th Street with traffic and pedestrians on 5th Street. He questioned if the garage could be accessed from the alley? Paulos replied the grade change made it unfeasible.

Chair Morrow opened the floor to Public Comment.

Mitch Long, was concerned with the aesthetics of the building and asked if the building needed to be LEEDS Certified.

Reid Sanborn, Ketchum business owner, supported the project and the Community Housing.

Bob Crosby, Sun Valley Board of Realtors, objected to the Staff recommendation to deny. He felt a project conforming to the Zoning Code should be accepted. He felt the Design Review should only address the design elements and not mass and height.

Harry Griffith, Sun Valley Economic Development, urged looking at the project from the economic development aspect with Community Housing, retail spaces, job creation.

Garrick Ryan, neighbor to the project, thought the project would add vibrancy, that it met the standards, and should be advanced with specific recommendations.

Being no further comment, the floor was closed.

Applicant had no rebuttal comments.

Sam Stahlnecker commented on the driveway and traffic study as showing low pedestrian volume on 5th Street and 5<sup>th</sup> Street being the preferred access to the parking garage.

Commissioner Carter asked Staff or City Attorney if scale was a factor and if the Commission can consider the FAR.

Attorney Matt Johnson stated the scale dimension was tied to compatibility of design. The FAR was subject to interpretation, the term "may" means it is permissive but discretionary.

Attorney Lasky objected to definition of the word "may". He stated it was not discretionary.

Commissioner Carter thought scale was the main factor and Chair Morrow agreed.

Vice- Chair Mead agreed with the approach. He felt the present project had improved but lacked the small-town Character. He questioned if Ketchum wanted large scale projects covering multiple blocks? He felt this was a very sensitive part of town and while he wanted to encourage development, he felt uncomfortable with the scale, concluding it was not right for Ketchum. He felt multiple buildings would be more in scale.

Commissioner Moczygemba appreciated the changes made over the last year had made a better product. She thought it was exactly right for Main Street. She liked keeping the density within the Community Core. She thought the scale was correct. She pointed out there are not many narrow lots left on Main Street and encouraged the block to be developed as a single project on a single lot.

Commissioner Cosgrove thought the comments of the PZ had been incorporated into the current design. She agreed with Vice-Chair Mead and thought it had evolved in a positive manner but questioned the developer's reticence to engage with the Community. She felt it indicated a lack of commitment to understanding Ketchum and fitting the design into the existing Main Street buildings.

Chair Morrow thought Community engagement would improve the project. He thought the prior input had already resulted in a better product. He supported having a community workshop.

Vice-chair Mead asked Commissioner Moczygemba her opinion on sprawl and density in Ketchum as it related to a developer maximizing density to increase their financial benefit.

Commissioner Moczygemba thought the Community Core should be used for the highest and best use. She thought this project did just that by including desperately needed Community Housing. She thought the 4 contiguous retail shops added vitality.

Vice-Chair Mead questioned if “highest and best use” of the property included additional luxury penthouses at the top.

Commissioner Carter noted that the scale of the project had not changed. He felt although there was support from the business and real estate communities, planners did not have the same incentives. Their concerns were with the health of the City. He was uncertain of the scale, considering the strong objection from Staff. He was willing to continue discussion on the project if the applicant was willing to negotiate on the scale of the project. If not, he would vote to deny.

Vice-Chair Mead noted this project conflicted with the Comprehensive Plan. He felt it had a domineering presence and did not harmonize with neighboring buildings. He felt the scale broke the connection to the Mountain.

Chair Morrow noted he would not have approved the buildings cited as comparable examples in town. He questioned how much smaller the building would be if the Community Housing were removed. He agreed there was more work to do if the applicant was amenable to doing so. He also thought all housing units should be ADA accessible.

Commissioner Moczygemba commented that the Comprehensive Plan indicated a maximum height limit was 42'. She asked if the Commission was uncomfortable with that height limit. If so, the Zoning Code should be changed so applicants can design accordingly.

Commissioner Carter noted the developer was asking for an increased FAR, based on a discretionary part of the Code, which related back to the scale.

Chair Morrow felt the building was too bulky and it did not feel right for the location.

Commissioner Cosgrove objected to the Design Team characterizing the Formula Building as a decrepit A-Frame. She felt it had great nostalgic value for Ketchum.

Vice-Chair Mead would vote to deny as not being compatible with the Comprehensive Plan, being in conflict with the goal of preserving small town character, and not protecting views of the Mountain.

Commissioners Moczygemba and Carter thought approval or denial of the Lot Line Shift and the Design Review were inter-related.

Chair Morrow called for a straw vote.

Commissioner Cosgrove would deny on scale, the lack of cooperation, lack of community input, and lack of commitment to Main Street Ketchum.

Chair Morrow had issues with the lack of parking and the garage access on 5<sup>th</sup> Street. And so, would vote to deny.

Chair Morrow asked applicant if he wished to comment.

Applicant Ensign felt he was being held to a different standard than other buildings in the Core. He encouraged a change to the Code. He noted other buildings in the Community Core that were approved at 42' in height. He did not do outreach in the Community because he felt this was a public hearing and the public could comment at this time.

Chair Morrow pointed out Marriott made substantial changes in design and mass based on comments from the public and the Commission.

They discussed previous projects and how they had changed during Design Review.

Commissioner Cosgrove noted that community input at a Public Hearing is different from outreach dialogue.

Director Frick added the Marriott project has a projected FAR of 1.6 in contrast to the FAR of this project at 2.21.

Vice-Chair Mead was concerned with the inconsistency of ADA accessibility standards.

Commissioner Moczygemba added that HUD and FHA state a portion of units need to be 100% ADA accessible. Not all Community Housing units would need to be ADA compliant.

Commissioner Carter thought the applicant was maximizing the FAR and it should be a point of negotiation but the applicant was unwilling to address those concerns, so he would vote to deny.

**Motion to deny the Design Review, Lot Line Shift Application, and associated Preliminary Plat, for the 4th and Main Street Condominiums and Instruct Staff to prepare the Findings of Fact and Conclusions of Law.**

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

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

*Voting Nay: Commissioner Moczygemba*

5. ACTION ITEM: Recommendation to consider and take action on Pre-Application Design Review P21-007 for the Westcliff Townhomes project - a new multi-family development with four detached townhome units and associated site improvements located at the southwest corner of Rember Street and Bird Drive within the General Residential High Density (GR-H) Zoning District.

The project was introduced by Associate Planner Abby Rivin. She outlined the parking regulations as related to ground water issues, placement of the transformer, and circulation design.

Pete Anderson, of Anderson Architects, presented the pre-application Design Review. They were asking for an increase in FAR to .67 with the payment of In-Lieu Housing fees. He described the location of this project and the surrounding projects, the configuration of the structures on the parcels, including the Fire Department approved driveways, dry wells and drainage, fencing, and landscaping.

Rob King, Landscape Architect, described the exterior materials, privacy walls, building heights, and heated driveway pavers.

Garth McClure, Galena Engineering, spoke to the Preliminary Plat showing 4 townhouse lots and the public right-of-way.

Commissioner Carter asked staff about the FAR.

Planner Rivin explained there is a 350 square foot parking credit for sites with ground water issues. Rivin indicated the proposed FAR for this project was .67 including the parking space ground water credit.

Commissioner Carter asked if the screening panels met the Code. Rivin indicated the screening height was within the code.

Vice-Chair Mead liked the landscaping and asked about the water table and how it might affect the foundations. Garth McClure indicated the ground water was always present, but it was below the foundation and so would not be affected. Mead liked the design and thought it was a good addition to the area.

Commissioner Moczygemba thought it was a well thought out project and liked the plantings.

Commissioner Cosgrove liked the way the exterior was staggered to add interest.

Chair Morrow agreed and appreciated the applicant working with the neighboring properties.

#### **STAFF AND COMMISSION COMMUNICATIONS (Planning & Zoning Commission Deliberation, Public Comment may be taken)—ACTION ITEMS**

Senior Planner Brittany Skelton reported the City Council meeting on February 16<sup>th</sup> would be hearing the following:

- The 3rd reading of the Building Code update.
- The Findings of Fact for Council approval of PEG Lot Line Shift, Floodplain, and PUD applications. The project will then return to the PZ Commission for Design Review.

There will be a Special PZ Meeting on February 23<sup>rd</sup> for the Warm Springs Ranch project.

The PZ meeting on March 9<sup>th</sup> to include a Streambank Alteration Amendment.

#### **ADJOURNMENT**

##### **Motion to adjourn at 8:30 PM**

*Motion made by Commissioner Moczygemba, Seconded by Commissioner Carter.*

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