

**BEFORE THE PLANNING AND ZONING COMMISSION OF THE
CITY OF KETCHUM**

IN RE:)	FILE NOS.
)	P19-062 [Floodplain]
PEG KETCHUM HOTEL, LLC)	P19-063 [PUD]
)	P19-064 [Lot Line Adjustment]
Applicant for)	P20-069 [Waivers]
• Floodplain Development Permit)	P20-015 [Design Review]
• Planned Unit Development Conditional Use Permit)	
• Lot Line Adjustment)	MASTER JOINT HEARINGS
• Waiver)	COMPILED RECORD OF
• Design Review)	PROCEEDINGS ON REMAND
• Permit Conditions Acceptance Agreement)	
)	

THE ABOVE ENTITLED MATTER coming before the Planning and Zoning Commission of the City of Ketchum upon remand from the City Council for joint public hearing held September 28, 2020, recessed to and continued on October 23, 2020 and then recessed to December 15, 2020 and again tabled and continued to December 22, 2020 for consideration of these Joint Hearings Record of Proceedings Findings of Fact together with the Findings of Fact, Conclusions of Law and Order of Recommendation to the City Council for each of the above referenced matters, except for Design Review and Permit Conditions Acceptance Agreement both of which were tabled subject to the City Council granting the above reference Floodplain, Lot Line Adjustment and PUD and Waivers Applications. The Commission having reviewed the entire record on remand and the record established during these continued hearings does hereby make and set forth the Record of Proceedings, Findings of Fact for all 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:**

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
<i>APPLICATION Documents Identified with prefix "A"</i>		
A-1	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	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	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	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	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	2019-06-19	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	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	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	2020-02-17	City of Ketchum Planning & Zoning Sign Permit Application PEG Development by Justin Heppler February 17, 2020 signed permit P20-015 February 18, 2020.
A-10	2020-02-24	Ketchum Tribute February 24, 2020/ Design Review Application by AJC Architects.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
<u>APPLICANT PEG COMMUNICATION</u> <i>Documents identified with prefix "APC"</i>		
APC-1	2019-08-23	E-mail from Nick Blayden to Steve Burstead August 23, 2019.
APC-2	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	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	2020-02-19	Sean Flynn of Galena Engineering e-mail to Brittany Skelton on February 19, 2020 with 3 Staking Photos.
APC-5	2020-02-19	Exhibit Map of Building Stakeout Ketchum Tribute Hotel by Galena Engineering Inc. dated February 19, 2020.
<u>ATTORNEY COMMUNICATION</u> <i>Documents identified with prefix "ATC"</i>		
ATC-1	2019-07-30	Benjamin W. Worst, attorney for 220 East River Street, LLC letter to P&Z Commissioners dated July 30, 2019.
ATC-2	2019-08-12	Benjamin W. Worst, attorney for 220 East River Street, LLC letter to P&Z Commissioners dated August 12, 2019.
ATC-3	2019-09-05	Benjamin W. Worst, attorney for 220 East River Street, LLC letter to P&Z Commissioners dated September 5, 2019.
ATC-4	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	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	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.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
ATC-7	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	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 dated February 14, 2020 with Exhibits A and B.
ATC-9	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-10	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 formal object to Motion for Reconsideration filed by John Gaeddert on February 28.
ATC-11	2020-03-11	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 Request for Reconsideration of File No. P19-063, File No. 19-064
ATC-12	2020-02-03	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.
ATC-13	2020-02-28	Deborah Nelson Attorney for Applicant notice of appearance letter to Ketchum City Council dated February 28, 2020.
ATC-14	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.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
City Attorney Memo Documents identified with the prefix "CA"		
CA-1	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.
<u>Development Agreement Documents identified with the prefix "D"</u>		
D-1	2019-07-25	Permits Conditions Acceptance Development Agreement City of Ketchum/ PEG Ketchum Hotel, LLC draft dated July 25, 2019.
<u>FCO Decision Documents identified with the prefix "F"</u>		
F-1	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.
F-2	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	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	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	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	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.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
F-7	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	undated	Findings of Fact, Conclusions of Law and Decision of the City of Ketchum Planning and Zoning Commission File No. P20-015 Design Review
Meeting Minutes Document identified with the prefix "M"		
M-1	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	2019-08-08	Meeting Minutes – City of Ketchum, Idaho Traffic Authority Meeting held August 8, 2019.
M-3	2019-08-12	Meeting Minutes – Ketchum P&Z Regular Meeting.
M-4	2019-09-16	Meeting Minutes – Ketchum City Council Regular Meeting held September 16, 2019.
M-5	2019-10-07	Meeting Minutes – Ketchum City Council Regular Meeting held October 7, 2019.
M-6	2019-12-02	Meeting Minutes – Ketchum City Council Regular Meeting held December 2, 2019.
M-7	2020-01-21	Meeting Minutes – Ketchum City Council Special Meeting held January 21, 2020.
M-8	2020-02-03	Meeting Minutes – Ketchum City Council Regular Meeting held February 3, 2020.
M-9	2020-02-24	Meeting Minutes – Ketchum P&Z – Design Review Hearing held February 24, 2020.
M-10	2020-03-09	Meeting Minutes – Ketchum P&Z Meeting held March 9, 2020.
M-11	2020-04-06	Meeting Minutes – Ketchum City Council Regular Meeting held April 6, 2020.
M-12	2020-09-28	Meeting Minutes – Ketchum P&Z Special Meeting held September 28, 2020.
M-13	2020-10-27	Meeting Minutes – Ketchum P&Z Special Meeting held October 27, 2020.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
M-14	2020-10-27	Meeting Minutes – AMENDED AND REFORMED Ketchum P&Z Special Meeting held October 27, 2020.
<u>Miscellaneous Documents identified with the prefix “MD”</u>		
MD-1	Undated	Aerial GID Photo of the subject 3 parcels for lot line readjustment.
MD-2	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
MD-3	Undated	Impact Fee Estimate Excel sheet.
MD-4	Undated	Main St. Access aerial photo re: Main St. Access Layout.
MD-5	2001-11-05	City Council Resolution 807 Cooperative Agreement with ITD November 5, 2001.
MD-6	2003-07-29	2003 Ketchum Road Functional Classification Update Map Galena Engineering Inc. Drawn KMJ – July 29, 2003 #1318-129.
MD-7	2019-06-24	Agreement with AECOM as Independent Contractor dated June 24, 2019 Traffic Impact Study for Marriott Autograph Hotel
MD-8	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

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
MD-9	2019-07-25	Building Exhibit Map, dated July 25, 2019, Galena Engineering, Inc.
MD-10	2019-07-29	Staff PEG Boutique Hotel July 29, 2019 Power Point presentation consisting of 7 items.
MD-11	2019-07-29	Jpg View 1 of the northwest corner of proposed hotel project for July 29 and 30, 2019 hearing.
MD-12	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	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	2019-07-30	Staff PEG Boutique Hotel July 30, 2019 Power Point presentation consisting of 8 items.
MD-15	2019-08-07	Parametrix Engineering by Todd Johnson, PE - August 7, 2019.
MD-16	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	undated	Mailing List of Property Owners within 300' of PEG Hotel.
N-2	Undated	Mailing List of the Political Subdivisions, County and state agencies.
N-3	Undated	1. IME Legal Ad Joint Notice of Add
N-4	Undated	1 IME Legal Ad Joint Public Notice
N-5	Undated	Design Review Mailing List for notice
N-6	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	Undated	Master Mailing List ARC 3 parcels co

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-8	Undated	251 E. River St. Mail List
N-9	Undated	260 E. River Mail List
N-10	Undated	260 E. River St. 300 Foot Adjoiner Map
N-11	Undated	280 E. River St. 300 Foot Adjoiner Map
N-12	Undated	280 E. River St. Mail List
N-13	Undated	Map 3 Lots Combined depicting 300 ft. circle
N-14	Undated	Political Subdivision Mailing Labels
N-15	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	2019-07-10	Floodplain Overlay Noticing Checklist/Certification <u>P19-062</u> dated and signed by Maureen Puddicombe on July 10, 2019.
N-17	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	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	2019-07-19	Development Agreement Noticing Checklist/Certification <u>P19-063</u> dated and signed by Maureen Puddicombe on July 19, 2019 with a picture of Posted Notice.
N-20	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	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	2019-07-10	Affidavit of Publication dated July 10, 2019 for July 29, 2019 P&Z Hearing.
N-23	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-24	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-25	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	2019-07-29	Mailing Notice – Ketchum Planning & Zoning, July 29, 2019.
N-27	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

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		<ul style="list-style-type: none"> • Political Subdivisions Mailed list • Property Owners within 300’ Mailed List • Photo of Posted Notices
N-28	2019-07-29	Display Ad Ketchum Boutique Hotel Special Meeting Planning and Zoning Commission July 29, 2019.
N-29	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	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 <p>Proposed Findings of Fact, Conclusions of Law and Recommendations.</p>
N-31	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.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-32	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-33	2019-08-28	Affidavit of Publication dated August 28, 2019 for September 16, 2019 Ketchum City Council Public Hearing
N-34	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	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	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	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	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	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	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

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Shift, and Development Agreement. Notice dated September 5, 2019. With Concept Sketch, Aerial Photo of Site Location
N-41	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	2019-09-05	Public Notice 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	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	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	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	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	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	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	2019-09-11	Planned Unit Development P19-063 Noticing Checklist/Certification for September 16, 2019 and October 7,

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		2019 meetings 19 dated and signed Maureen Puddicombe Planning Technician September 11, 2019.
N-50	2019-09-16	Draft Notice of Public Hearing Planning and Zoning Commission for City Council public hearing September 16, 2019 draft.
N-51	2019-09-16	Draft Notice of Public Hearing Planning and Zoning Commission for City Council public hearing September 16, 2019 draft.
N-52	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	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	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	2019-09-18	Affidavit of Publication dated September 18, 2019 for October 7, 2019 Ketchum City Council Hearing.
N-56	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	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	2019-09-30	PUD/CUP Lot Line Shift Development Agreement P19-063, 064 and 065 Noticing Checklist/Certification for October 7, 2019

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		meetings dated and signed Maureen Puddicombe Planning Technician September 30, 2019.
N-59	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	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	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	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	2020-02-05	Affidavit of Publication dated February 5, 2020 for February 24, 2020 P&Z Commission Special Hearing.
N-64	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	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	2020-02-24	Draft Notice of Special Meeting for Public Hearing Ketchum Planning and Zoning for Design Review February 24, 2020 hearing.
N-67	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	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

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-69	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 P 20-015. Hearing Date September 28, 2020 dated and signed Maureen Puddicombe on September 10, 2020.
N-70	2020-09-09	Affidavit of Publication dated September 9, 2020 for September 28, 2020 Joint Public Notice of Additional Public Hearing on Remand before Ketchum City Council and Ketchum Planning and Zoning.
<u>ORDER</u> documents identified with prefix "O"		
O-1	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	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 and Zoning Commission For Further Proceedings dated April 6, 2020.
O-3	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	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	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.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
<u>Project Design</u> documents identified with prefix "PD"		
PD-1	Undated	Ketchum Boutique Hotel Tribute Portfolio with Brad DNA, Stie Analysis, Height Analysis-Gateway Study Recommendation and 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	Undated	Illustration A.png includes preferred alternative Typical Sections: Elkhorn Road to River Street.
PD-3	Undated	C-2.2 Top Ten-Project Updates PEG Companies AJC Architects Tribute Portfolio [cover sheet]
PD-4	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	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	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	2019-09-20	Ketchum Tribute Design Update September 20, 2019 by AJC Architects PEG Companies.
PD-8	2019-10-01	Ketchum Tribute Design Update October 1, 2019 by AJC Architects PEG Companies.
PD-9	2019-10-01	Ketchum Tribute Design Update October 1, 2019 by AJC Architects PEG Companies.
PD-10	2019-10-29	AJC Architects Landscape Plan dated October 29, 2019

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PD-11	2019-12-02	Ketchum Tribute Proposed Hotel Project Design Update December 2, 2019 AJC Architects.
PD-12	2020-01-21	P19-063 Ketchum Tribute Proposed Hotel Project Design Update January 21, 2020 AJC Architects
PD-13	2020-02-17	Hotel Signage Plan & Elevations AJC Architects dated February 17, 2020
PD-14	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	2020-10-16	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 E PEG & Marriott Pandemic Precautions by AJC Architects.
Public Comment Documents identified with prefix "PC"		
PC-1	Undated	Concerned Citizens of Ketchum letter undated. Followed by an unsigned statement of someone not identified opposed to waivers/ Possibly a form.
PC-2	2019-07-00	Pat Duggan resident letter to John Gaeddert [undated but with material submitted in July of 2019].
PC-3	2019-07-00	Mary K. Foust letter to P & Z Commission [undated but with material submitted in July of 2019].
PC-4	2019-07-15	E-mail from James Joyner Sr., Regulatory Project Manager US Army Corps of Engineers, July 15, 2019.
PC-5	2019-07-15	Richard C. Clotfelter, property owner, letter to John Gaeddert July 15, 2019.
PC-6	2019-07-16	E-mail from Frank and Linda Dressman July 16, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-7	2019-07-16	E-mail John Sahlberg July 16, 2019.
PC-8	2019-07-16	Letter from Thomas & Dell-Ann Benson, property owners, to John D. Gaebbert, Director dated July 16, 2019.
PC-9	2019-07-16	Ketchum Boutique Hotel Parking Study memo discussion of by Hales Engineering dated July 16, 2019 by E. Scott Johnson.
PC-10	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 July 17, 2019.
PC-11	2019-07-17	Letter from Scott and Karen Hanson, property owner, to P & Z Commission dated July 17, 2019.
PC-12	2019-07-17	Jeffrey A. Barber letter, resident neighboring property, to John Gaeddert July 17, 2019.
PC-13	2019-07-18	Kevin Livingston letter property owner to John D. Gaebbert, Director July 18, 2019.
PC-14	2019-07-24	John Curnow, General Manager Limelight Hotel Ketchum letter to P & Z Commissioners July 24, 2019.
PC-15	2019-07-26	Robert Korb Managing Member of 220 E. River Street, LLC property owner letter to Planning and Zoning July 26, 2019.
PC-16	2019-07-28	Steve Burnstead, Vice President Limelight Residences, letter to P & Z Commission dated July 28, 2019.
PC-17	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	2019-07-30	Lars Guy (tenant neighboring building to the west) letter to P&Z Commission July 30, 2019 together with illustrations depicting height and setbacks and building mass and comparison to other hotel projects proposals.
PC-19	2019-07-30	Alchemie by Bruce D. Hinckley, MLA Landscape Architect letter to P & Z Commission July 30, 2019.
PC-20	2019-07-30	Mark Pynn, Architect, letter to Planning & Zoning Commission July 30, 2019.
PC-21	2019-07-30	Ms. Jima Rice, Ph.D., letter to P & Z Commission July 30, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-22	2019-08-01	E-mail from John Gaeddert to Maureen Puddicome August 5, 2019 with e-mail from Participate dated August 4, 2019 and e-mail from Mary Kay McCollum August 1, 2019 and E-mail from Bruce Smith to Participate August 1, 2019.
PC-23	2019-08-08	E-mail from Steve Burnstead to loneeagle@littleappletech.com August 8, 2019.
PC-24	2019-08-11	Daniel Rothman (tenant neighbor to the west) to the P&Z Commission August 11, 2019.
PC-25	2019-08-21	E-mail from Steve Burnstead to Nick Blayden August 21, 2019.
PC-26	2019-08-23	E-mail from John Curnow, General Manager, Limelight Hotel Ketchum to John Gaeddert August 23, 2019.
PC-27	2019-08-23	E-mail from Steve Burnstead to Nick Blayden August 23, 2019.
PC-28	2019-08-30	E-mail from Michael Leach to Participate August 30, 2019.
PC-29	2019-09-02	Robert Korb letter to P&Z Commission and Council as managing member of 22 East River Street, LLC - September 2, 2019 with illustrations.
PC-30	2019-09-04	Scott Hanson letter to City Council, part time resident and property owner, dated September 4, 2019.
PC-31	2019-09-04	E-mail from John Gaeddert to Maureen Puddicombe dated September 4, 2019.
PC-32	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	2019-09-04	E-mail from Neil Bradshaw to Sarah Michael dated September 4, 2019.
PC-34	2019-09-04	E-mail from Sarah Michael to Neil Bradshaw dated September 4, 2019.
PC-35	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.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-36	2019-09-08	Letter to Mayor and Council from Patricia Duncan Duggan dated September 8, 2019.
PC-37	2019-09-09	Alchemie by Bruce D. Hinckley, MLA Landscape Architect letter to P & Z Commission September 9, 2019.
PC-38	2019-09-09	Change.org letter to Mayor and Council with numerous signatures obtained from 8/30/19 to September 9, 2019. First name on the list is Kevin Livingston and the last name is Chris Greissing.
PC-39	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	2019-09-09	E-mail 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 September 8, 2019 and Dick Clotfelter September 7, 2019. Subject e-mails were included.
PC-41	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 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	2019-09-11	E-mail 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. Subject e-mails were included.
PC-43	2019-10-17	Letter from Scott and Karen Hanson to Ketchum City Council dated October 17, 2019.
PC-44	2020-03-09	Letter from Robert Korb to Ketchum Planning and Zoning Commission dated March 9, 2020.
PC-45	2020-08-25	E-mail from Dick Clotfelter to Maureen Puddicombe dated August 25, 2020 copy to the Council members.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-46	2020-09-18	Letter from Robert Korb to the Mayor and City Council dated September 18, 2020.
PC-47	2020-09-18	Letter from Scott Hanson to the Ketchum Planning and Zoning Commission dated September 18, 2020.
PC-48	2020-09-22	E-mail from Kevin Livingston to Participate dated September 22, 2020 @ 10:42 AM.
PC-49	2020-09-22	E-mail from Kevin Livingston to Participate dated September 22, 2020 @ 12.36 PM.
PC-50	2020-09-23	Letter from John & Susan Sahlberg to Ketchum Planning and Zoning Commission dated September 23, 2020.
PC-51	2020-09-23	Letter from John & Susan Sahlberg to the Ketchum Planning and Zoning Commission dated September 23, 2020.
PC-52	2020-09-25	E-mail from Gina Poole to Participate dated September 25, 2020.
PC-53	2020-09-28	E-mail from Susan Sahlberg to Participate dated September 28, 2020.
PC-54	2020-09-28	E-mail from Spyder Turco to Participate dated September 28, 2020.
PC-55	2020-09-28	E-mail from Theresa Williams to Participate dated September 28, 2020.
PC-56	2020-10-23	Letter from Robert Korb to Mayor and City Council dated October 23, 2020.
PC-57	2020-10-26	E-mail from Dick Clotfelter to Maureen Puddicombe dated October 26, 2020.
PC-58	2020-10-26	Letter from Scott Hanson to Ketchum Planning and Zoning Commission dated October 26, 2020.
PC-59	2020-10-26	E-mail from Eric Swanson to Participate dated October 26, 2020.
PC-60	2020-10-26	E-mail from Beverly Algen to Participate dated October 26, 2020.
PC-61	2020-10-27	E-mail from Eileen Hansen to Participate dated October 27, 2020.
PC-62	2020-10-27	E-mail from Kevin Livingston to Participate dated October 27, 2020.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-63	2020-10-27	E-mail from Robert Rudy to Participate dated October 27, 2020.
Sign In Sheet Documents identified with prefix "SS"		
SS-1	2019-09-16	Sign-in Sheet for September 16, 2019 City Council public hearing
SS-2	2019-10-07	Sign-in Sheet for October 7, 2019 City Council public hearing
SS-3	2019-12-02	Sign-in Sheet for December 2, 2019 City Council public hearing
SS-4	2020-01-21	Sign-in Sheet for January 21, 2020 City Council public hearing
Staff Report Documents identified with prefix "SR"		
SR-1	Undated	Attachment A JG.pdf Staff review of proposed project.
SR-2	Undated	Attachment A 10 Revised regarding final engineering and encroachment approvals consistent with overall conceptual design set forth in Option 1.
SR-3	Undated	Attachment A 10 City Staff Analysis of River Street Encroachment Options 1 and 2.
SR-4	Undated	Ketchum Boutique Hotel Survey /Survey Monkey data summary not dated 5 pages.
SR-5	Undated	Sustainability Integration Tribute Portfolio Ketchum Idaho including Sustainability-Building Systems/Geothermal, High Performance Building & Site, Material & Product Sustainability Assessment.
SR-6	Undated	Ketchum Boutique Hotel Staff Parking Demand Analysis as prepared by Hales Engineering.
SR-7	Undated	Project Comprehensive Plan Analysis.
SR-8	2007-06-12	City of Ketchum Mass and Scale Study for the Gateway Area June 12, 2007.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
SR-9	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	2019-05-31	AECOM Traffic Impact Study dated May 31, 2019.
SR-11	2019-06-04	Ketchum Boutique Hotel Survey/ Survey Monkey Started June 4, 2019 with survey questions pages 1 – 239.
SR-12	2019-06-18	Hales Engineering Ketchum Hotel Parking Study Memo dated June 18, 2019 by E. Scott Johnson.
SR-13	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	2019-07-29	Traffic Impact Study Hales Engineering Scott Johnson, PE, PTOE July 29, 2019.
SR-15	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	2019-08-13	Access Management Practices SH-75 Memorandum by Hales Engineering dated August 13, 2019.
SR-17	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.
SR-18	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	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

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		<p>Hotel Planned Unit Development CUP and related applications (Project), Including</p> <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	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	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	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	2019-12-02	<p>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 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-

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		<p>meetf374e29900a74b108ca2d3560c836ce0/ITEM-Attachment-001-3abc66dc1caf4df39a96255157b5fd32.pdf</p> <ul style="list-style-type: none"> • 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	2019-12-19	River Street Encroachment Comparison 12-19-2019.
SR-25	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, Order of Decision first page 80 and continuing through page 114. E.2.A Draft Findings Plat/Readjustment of Lot Lines first page 63 and continuing through page 79.
SR-26	2020-01-21	C-7.3.pdf Staff Report dated January 21, 2020 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 public testimony on new information, (3) deliberate on the Planned Unit Development

		DESCRIPTION OF EXHIBITS AND DOCUMENTS
		<p>CUP (4) deliberate on the preliminary plat, and (5) continue the development agreement portion of the public hearing. The Staff Report Includes the following:</p> <ul style="list-style-type: none"> • 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 and reference to the following link: https://ketchumidaho.org/sites/default/files/fileattachments/planning_amp_building/project/37921/2020-01 ✓ Attachment C City Department, agency & peer review letters/memos, with memo from AECOM and letter from Nathan Harvill, BCHA ✓ Attachment D Public Comment Links : • 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 ✓ Attachment E Draft Findings of Fact, Conclusions of Law, Order of Decisions PUD and Copy of Signed P & Z Findings and updated 1/21/20 draft findings: <ul style="list-style-type: none"> ○ Draft Preliminary Plat Findings of Fact, Conclusions of Law, Order of Decision ○ Draft Planned Unit Development Conditional Use Permit and CUP Findings of Fact, Conclusions of Law, Order of Decision
SR-27	2020-02-03	<p>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.</p>

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
SR-28	2020-02-24	<p>C 2.8 Staff Report Ketchum Planning and Zoning Commission Special meeting of February 24, 2020 P20-015 (Design Review) Included the following:</p> <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	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	2020-02-28	Motion for Reconsideration filed by City Planning and Building Department Director on February 28, 2020.
SR-31	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

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Reformed Findings of Fact, Conclusions of Law and Decision on File No. P 19-064.
SR-32	2020-03-09	Staff Report March 9, 2020 to Planning and Zoning Commission 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	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	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	2020-10-27	Staff Report Attachment A 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 E PEG & Marriott Pandemic Precautions by AJC Architects. • City of Ketchum Recommendation and Staff Report to the Planning and Zoning Commission dated September 28, 2020 consisting of 5 pages.
SR-36	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,

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		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	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.
<u>Studies Comparisons, Analysis and Survey Documents identified with prefix "SD"</u>		
SD-1	Undated	Project Comprehensive Plan Analysis
SD-2	Undated	Hotels in Ketchum: Historic and Present Importance as Acknowledge by City Regulations.
SD-3	Undated	Ketchum Boutique Hotel Staff Parking Demand Analysis.
SD-4	2007-00-00	2007 Gateway Study / Pre-Application Design Review Submittal document.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
SD-5	2008-06-05	Power Point 9a referenced CED and Hotels dated 6-05-2008 consisting of 28 documents.
SD-6	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	<p><i>Remand Hearing 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

DATE	Planning and Zoning Hearings
	<ul style="list-style-type: none"> • 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	

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

DATE	City Council Hearings
	Mayor Bradshaw announced the hearing will be on October 7, 2019.
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 Unit Development/CUP and continued Development Agreement Public Hearing
March 16, 2020	Hearing Development Agreement
April 6, 2020	Consider Orders on pending applications

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 Blayden** 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; 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. L
- Approved the Lot Line Shift Application subject to recommended conditions.
- Recessed the public hearing on the other applications to reconvene on July 30, 2019.

1.5 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. L
- **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.

1.6 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

1.7 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, 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 concern 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 St. 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 whole 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 that the project does not fit in the space and that a smaller hotel could fit in the space.

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. He 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 is Ketchum. She 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 concern 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 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; and

- Employee housing and affordable housing; and pedestrian crossing. Responded to the Mayor's and Council's questions and concerns about affordable housing
 - 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
 - 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.

1.9 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 it 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**, Concern 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 that 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.** She 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 St.
- **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.

1.10 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 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 defacto approved and if the Applicant cannot meet those standards then must withdraw the application.
- **Dick Clotfelter**, 151 S. Main St. 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 are. 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
 - 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; and
 - 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.
 - 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.

1.11 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 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
- Continued the public hearing on the Development Agreement to March 16, 2020.

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.

- **Brittaney 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, and 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 Mayor and Council 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.
- Continued the hearing to March 9, 2020.
-

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 applicants 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 and 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.

1.14 March 16, 2020 Proceeding before City Council:

Hearing on Gary Slette 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 the 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 advise 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.

1.14.5 Mayor and Council action:

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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.

1.15 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 entitle 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 regardin 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 was 40 too fee adjoining landowners were 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 o 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.

1.16 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 o 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 Heppler**, 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 Solhberg** 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

1.17 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 object 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.

1.18 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

1.19 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

1.20 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

12-17-2020

Adopted this _____ day of _____, 2020.

Ketchum Planning and Zoning Commission

By: _____
Neil Morrow, Chair

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